

**HOUSE OF ASSEMBLY****Wednesday, 3 July 2019****The SPEAKER (Hon. V.A. Tarzia)** took the chair at 10:30 and read prayers.**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which the parliament is assembled and the custodians of the sacred lands of our state.*Bills***CRIMINAL LAW CONSOLIDATION (ASSAULTS ON EMERGENCY WORKERS) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 5 June 2019.)

**Mr PEDERICK (Hammond) (10:32):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes ..... 24

Noes ..... 22

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)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

**NOES**

Bedford, F.E.	Bell, T.S.	Bettison, Z.L.
Bignell, L.W.K.	Boyer, B.I.	Brock, G.G.
Brown, M.E.	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. (teller)	Piccolo, A.
Picton, C.J.	Stinson, J.M.	Szakacs, J.K.
Wortley, D.		

Motion thus carried; order of the day postponed.

**MOTOR VEHICLES (MOTOR BIKE LICENSING) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 1 May 2019.)

**Mr PEDERICK (Hammond) (10:38):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes ..... 24  
 Noes ..... 22  
 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)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

**NOES**

Bedford, F.E.	Bell, T.S.	Bettison, Z.L.
Bignell, L.W.K.	Boyer, B.I.	Brock, G.G.
Brown, M.E.	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. (teller)	Piccolo, A.
Picton, C.J.	Stinson, J.M.	Szakacs, J.K.
Wortley, D.		

Motion thus carried; order of the day postponed.

*Motions*

**DISABILITY ADVOCACY**

**Ms COOK (Hurtle Vale) (10:44):** I move:

That this house—

- (a) recognises that the many progressive advancements for South Australians living with a disability could not have been achieved without strong, steadfast advocacy;
- (b) accepts that the safety and rights of South Australians living with a disability are only safeguarded when advocates are empowered to speak truth to power on behalf of their clients;
- (c) congratulates South Australia's strong disability advocacy sector on the role they play in holding state and federal governments to account and on helping us as legislators better understand the issues affecting their clients;
- (d) laments the delay in the Marshall government properly funding and implementing a state disability advocate, despite this being an election commitment of the government before the last election; and
- (e) calls upon the Marshall government to finally act upon its election commitment to create a South Australian disability advocate to better enable South Australians living with a disability access to the public advocacy they so rightly deserve.

As I commence, I acknowledge that there have been some changes within the sector and there is currently a Disability Advocate in place. When the motion was originally proposed, that was not the case. However, I will talk to some points that I believe still should be addressed in terms of the position of Disability Advocate.

I rise today to move this motion, which recognises and congratulates disability advocates across South Australia and calls out the Marshall Liberal government for the delays in funding and implementing the election commitment of the Disability Advocate. Many integral and progressive advancements for people living with a disability in South Australia would definitely not have been achieved without strong, steadfast and independent advocacy. Our advocates in this state are true heroes.

Our state's Independent Advocacy service assists in the promotion and protection of the human rights of people living with a disability. Many of our state's advocates have direct lived experience of disability, allowing insight into the lives of those they represent. They ensure that those living with a disability have equitable access to the support and services they need to live fulfilling lives within our community. True inclusion is important to ensure we can all play our part in society. This is particularly true for those who live with a disability, who have rich experiences and skills to offer.

The safety and rights of South Australians living with a disability are only safeguarded when advocates are empowered to act courageously on behalf of their clients. This empowerment comes from protections and funding from government to ensure sustainability of dedicated advocacy service delivery, especially during unprecedented periods of demand, like now and in the future as we navigate turbulence and change.

I thank the government for finally putting in place the Disability Advocate. It did take far too long to implement. It was a long journey. Additionally, unique individual issues experienced by South Australians are outside the scope of the state advocate who only addresses NDIS policy matters. We still do not have a commitment of continued ongoing funding for this position. The position was contracted only for a period of 12 months.

Disability advocacy is a particularly important issue to be talking about, especially during such a huge period of enormous reform, upheaval and change with the introduction of the National Disability Insurance Scheme (NDIS). We have seen how parts of the NDIS are working perfectly. They are providing real benefits to those living with a disability, but there are still problems with the system and people with a disability are without critical supports as a result. The state's advocacy agencies work collaboratively with the state advocate to offer grassroots insight and inform meaningful change.

This collaboration saves money for the state, as demonstrated in Disability Advocacy Network Australia's cost benefit analysis of independent advocacy. This report notes that for every \$1 invested by governments in advocacy there is a saving of \$3.50 achieved in other systems. It makes economic sense.

Advocates amplify the voice of those who may have trouble expressing their views. I wish to thank the Hon. Kelly Vincent, who was in the other place up until the last election, for her advocacy. The Hon. Kelly Vincent once stated, 'No-one is voiceless. There are only people to whom we haven't learned to listen yet.' That is very poignant, very deep and very meaningful. Advocates help us to listen, and they show us positive ways forward that safeguard our most vulnerable South Australians. They provide much needed support and advice to ensure we can provide adequate services for those living with disability in our community.

I think it is also prudent to mention that the government has not adequately supported the Community Visitor Scheme to allow them to inspect non-government care facilities. It is vital that this continues to occur in order to ensure the best possible outcomes for those with a disability living in care. What is also interesting is that the government is removing this safeguarding role that advocates for many vulnerable individuals in NGO disability accommodation and SRFs at a time of turbulence, when full transition has not yet occurred.

As I mentioned, in a time that is particularly filled with change and disruption, you would think we would want to make sure that there was independent monitoring of services and that individuals were getting value for money as well as genuine choice and control over opportunities that enable them to reach their full potential. Of course, much of this is now happening within the NGO sector.

The role of the community visitor is designed for far more than looking into individual plans and their implementation issues. It also looks at the health system, housing and tenancy rights, transport, education and training, and community participation, and this has resulted in much better outcomes for many individuals. It has also been able to shine a light on abuses that have occurred in institutions.

There is no resistance from any NGO sector members with whom I have spoken to the community visitor entering their sites, and I would like to see this continue. It is a matter of regulation that that could occur. This government needs to commit to continued advocacy support for those living with disability. I urge the government to continue to support all methods of advocacy throughout the sector. I wish to thank all those within the community who act as advocates for vulnerable people.

**Ms LUETHEN (King) (10:52):** Firstly, I rise to support the motion raised by the member for Hurtle Vale. Secondly, I move to amend the motion, as follows:

- (b) delete the words 'only safeguarded when advocates are empowered to speak truth to power on behalf of their clients' and insert the words 'often enhanced when advocates are empowered to speak on behalf of their client, and that individuals with disability and their families are also critical'.
- (c) delete the words 'holding state and federal governments to account and for helping us as legislators better understand the issues affecting their clients' and insert the words 'assisting services and state and federal governments to better understand the issues affecting their clients'.

Delete paragraphs (d) and (e).

I am delighted by and proud of the incredible progress and provisions that the Marshall Liberal state government has already implemented across disability reform in our great state. Might I add that the Marshall Liberal state government is committed to ensuring that South Australians living with a disability, including autism, are going to be provided with every opportunity to participate fully in life—at school, in the workplace and in the community.

When we look at the official national statistics on the NDIS we know that, as at 30 September 2018, people with autism, predominantly young people, comprised 29 per cent of NDIS participants nationally, this being the largest cohort. On 16 October 2018, the Liberal-National government announced the release of Australia's first national guideline for the assessment and diagnosis of autism.

This national diagnostic guideline has been developed by the Cooperative Research Centre for Living with Autism (Autism CRC) through independent research and consultation with over 1,000 stakeholders, including adults with autism, family members, clinicians and policymakers, which is why we have not sought to further clog or delay provisions or people who we know make a difference to the lives of people living with autism—quite the opposite.

As per our budget announcement last month, we, the Marshall Liberal state government, are investing more than ever by contributing \$752 million to the NDIS in 2019-20. As people and provisions are established and transitioned around our participants with autism, we have committed a \$6.7 million one-off funding injection, which will support the finalisation of service reforms, including winding down or transferring most remaining disability operations to the non-government sector, which in turn will help maximise the social and economic benefits of the NDIS.

This national guideline is an Australian first and developed with the financial support of the National Disability Insurance Agency. The federal government continues to commit to work closely with stakeholders to determine how the guidelines can be best implemented across the areas of health, social services and education. We, the Marshall Liberal state government, will also continue to work closely with stakeholders to accelerate people and provisions to assist our autism participants. How, Mr Speaker? Well, I am so glad you asked.

The Marshall Liberal state government has extended funding for people living with autism for up to 12 months, or longer in some cases, to enable services to continue until full transition to the NDIS is achieved. As per the budget, we have the \$752 million NDIS contribution in 2019-20. As always, we are building and strengthening the capacity of South Australians. We will continue to fund the existing state disability clients who are either ineligible for the NDIS or are the subject of issues

still to be resolved. I must emphasise that it does not sit well with our government to have any of our vulnerable people in the community fall through the cracks.

I trust you will pause with me for a moment while I reflect, honour and thank those individuals, organisations, staff and volunteers who faithfully and excellently support our people who live with autism. I would like to draw attention to Autism SA in particular, which in 1964 set out to improve life outcomes for people with autism spectrum disorder. Autism SA, which is funded by the Marshall Liberal state government, continues to provide the diagnostic services that will not be funded under the NDIS. It is being funded by the South Australian government to June 2021 at a cost of \$350,000 annually.

I have previously shared before the chamber the struggles of at least two families in my local area who have asked me for more support. I wish to reiterate that the Marshall Liberal state government will continue to advocate to ensure that the NDIS provides reasonable and necessary supports for all people with a disability, including those with autism. I have been working hard to advocate in King, and more broadly in the northern suburbs, for families who need more support for their children with autism.

In February, a mother came to see me at one of my listening posts in the Grove with her son who has autism, and it was so clear to see the challenge that she, her children and the whole family are faced with in this situation. In addition, a close friend of mine, Allison Gaskin, has taught me about her challenges over many years as she has raised her twin sons who were diagnosed with autism spectrum disorder. Allison resigned from her successful full-time career to care for her sons and to advocate for more support in our South Australian community. I commend her before you and this chamber today for the instrumental voice she has had in raising awareness of the need for further support for families.

Allison has volunteered her time to support families and people living with autism ever since her children were diagnosed. Allison told me, 'My motivation is to make their journey easier.' She told me that people, including her family, go through so much unnecessary hardship and difficulties because there is not enough support, knowledge, understanding and opportunities within the community, but this is changing. As a single mother, Allison has successfully raised her children and they are flourishing now because of her love, strength and devotion. I acknowledge and commend her for her advocacy for her children and other families in South Australia raising children with autism.

The Marshall Liberal state government recognises the important role that advocates—which, of course, also includes organisations, community groups, parents, grandparents, families, carers and friends—play in the improving quality of life, promoting equal opportunities, removing barriers and shaping the reform that we need to see. The Marshall Liberal state government continues to engage with the disability sector, advocacy groups and the community to ensure better outcomes for people living with a disability.

Currently, there are a number of organisations that provide individual advocacy in South Australia, including Brain Injury SA and Disability Advocacy and Complaints Service SA. But in January this year the Marshall Liberal state government was able to provide funding for a state disability advocacy position. Whilst the previous government referenced the need to create and appoint an advocate to represent and speak out for persons with disability, it lacked the foresight and follow-through to allocate budget funds for this position.

Amongst the mess we inherited from the previous government was a big fat gap attached to the salary of the disability advocate—no planning, no allocation, no budget, nothing. I commend the member for Hurtle Vale for her advocacy in the lead-up to the budget to impress upon the Marshall Liberal state government that the massive deficit left by the previous Labor government was a non-negotiable and that we would need to keep looking until the provision of this person could be funded and appointed.

We are delighted with the appointment of the state Disability Advocate position that was filled on 8 January this year by the well-respected Dr David Caudrey. Whilst Dr Caudrey does not replace any existing complaint or individual advocacy system, his role is vital and looks at how to identify and improve any systemic issues related to reform of disability services and the introduction

of the NDIS. Dr Caudrey also provides critical monthly updates, information and advice to inform the development of future policy. I commend the Marshall Liberal government for caring enough to make this happen.

**Mr BELL (Mount Gambier) (11:02):** I rise to support this motion and talk about an issue facing some people living with a disability. I want to talk about the accessibility and significant cost burden of drugs that may potentially have a major impact on a person's quality of life. I have spoken about Mount Gambier mother Katherine Height previously in this house. Katherine has a nine-year-old daughter, Ella, who was born with a rare and incurable form of epilepsy known as GLUT1 deficiency. Last year, Ella was further diagnosed with Jeavons syndrome, another rare and lifelong form of epilepsy, which puts her among the most severe cases known.

Standard anticonvulsant treatment has stopped working for Ella. Katherine has been tireless in investigating the best treatment options for her daughter. This year, they were offered the opportunity to be part of a special clinical trial at Melbourne's Austin Hospital, which involves treatment with gel containing cannabidiol (CBD). This gel has no THC, which is a psychotropic compound, so it is about as far away from the traditional use of cannabis as you can imagine. In this trial, every single cost is covered for participants, including travel, accommodation, even a cup of tea at the airport.

For the last six months, Ella has had had a synthetic gel applied to her arms and legs twice a day. The trial participants are all monitored closely for any positive or negative side effects. For Ella, the results have been dramatic. There has been a 35 per cent reduction in her seizures, and Katherine says that she has more energy and, most importantly, her quality of life has drastically improved.

With such positive initial results, Katherine wants to continue the treatment and is now concerned about accessing the drug when the trial ends. If the drug stops, she is worried that Ella will regress and her seizures will again increase. The gel is only available to participants of the clinical trial, and Katherine has been investigating how to obtain CBD oil here in South Australia. Without subsidisation, the cost of this oil is around \$500 for a tiny vial, and Ella would need approximately one per fortnight.

Some people can apply for a compassionate care program in which the cost is reduced to around \$270 a bottle, which is still a huge cost for regular and ongoing medication. Here is a conundrum facing families. Obviously, people living with epilepsy already face a significant cost burden with treatment, therapies, travel and medical costs. The best-case scenario would be that this drug goes on the PBS, but obviously there is much work to be done before that can happen.

With no other options, Katherine said that she will have to consider fundraising, or even try crowdfunding, to fund the medication for her daughter. This is on top of the fundraising she already does to fund services and workshops to help other people with epilepsy in the Limestone Coast because epilepsy is not funded through the state government. It concerns me greatly to think that South Australians are considering crowdfunding to pay for essential medical treatment for their loved ones and that South Australians are having to travel to other states to be part of clinical trials.

Obviously, it is still early days with medical cannabis and there is intense work to be done in research and clinical trials. There is evidence that CBD could also improve the lives of those living with Parkinson's, multiple sclerosis, schizophrenia and other mood disorders, type 2 diabetes and anorexia. A measure of government is how they look after minorities and those who need our help, care and assistance. For me, we need to start looking at ways in which CBD can help South Australians who desperately need it.

Right here in South Australia, I have confidence in excellent facilities such as SAHMRI and companies such as GHD pharma and LeafCann. This year, the LeafCann group announced that they will move ahead with plans to construct a world-class facility in Adelaide after being granted a licence to manufacture medical cannabis by the Australian Office of Drug Control. As with any new drug, accessibility and cost are always major factors.

As a state government, we need to be doing what we can to investigate how we can offer cost-effective solutions to those who desperately need them as treatment options. It is clear that

there is significant public support and plenty of demand for medical cannabis. A couple of months ago, the Minister for Health, the Hon. Stephen Wade in the other place, along with the member for Waite, convened at Parliament House a round table of parents whose families are affected by epilepsy. Every family member talked about access to cannabidiol and the impact it has had on their children's life in reducing seizures and improving the quality of their life.

If there was a clear message out of that round table, that forum, it was that \$500 per fortnight as a treatment option is prohibitive. There were parents who are mortgaging their house and taking on second jobs just to pay for the vital medication that they see making a real difference to the quality of life of their loved ones.

I have been vocal about the fact that I would like to see the Limestone Coast become a major hub for this industry. I would like to see regional development strategies like this taken into consideration. This is a discussion we need to have for people like Ella and Katherine Height. I know all these issues are firmly on the radar of the minister and, as I said, I commend him for the good work that is being done in this space. Katherine said she was grateful to meet with the Minister for Health, Stephen Wade, and appreciated his listening to their concerns in this area.

The first part of this motion talks about how advancement for South Australians living with a disability could not have been achieved without strong, steadfast advocacy. Katherine Height is the epitome of this statement. Without reward or fanfare, she continues to advocate, fundraise and fight for services and, although she does it for Ella, the benefit is felt by every South Australian living with epilepsy. I thank the house for listening to her story.

**Ms COOK (Hurtle Vale) (11:10):** Thank you to the members for King and Mount Gambier for their contributions. It is a privilege to stand in this place and be an advocate to some degree for the people who live in our communities, and the member for King has done a great job with that. I also want to take this opportunity to reflect a bit on the work done by the previous minister for disabilities, our member on this side Katrine Hildyard, who progressed quite a lot of work in relation to the implementation of the disability advocate.

As I stated, we anticipated that the government would want to make some amendments to the motion, as it was tabled before the Disability Advocate had been put in place. So, along with some of the minor changes to language within the motion, we have no issues with any of the amendments and we will support those amendments.

I know that a chunk of the speech the member for King gave would have been provided to her, with some information from the department around the funding and machinations of the NDIS, the Disability Advocate and the bridging funding that is coming in this budget for the NDIS transition. I make a plea to the member for King, with her strong advocacy particularly for people living with autism, to broadly reach out to the community and organisations to find out if they are satisfied with the bridging that is being made available as it has been sold to you, because I understand that there is nowhere near enough bridging money being applied to many of the organisations that in our state are strongly advocating, as well as delivering services, for people living with a disability.

As the member for King pointed out, their commitment as the Liberal Party is to say very loudly that they will not see people fall through the cracks—well, join the call. We on this side will also not see people fall through the cracks. For that reason, we need to have as much money invested in the bridging or the transition from Disability SA care and state block funding to NDIS and to look deeply into the statistics of people transitioning who say that 25 per cent of people with a certain diagnosis have transitioned.

This is particularly poignant for people with a mental health issue. We are hearing that 25 per cent are currently transitioning to the NDIS. What is happening, in fact, is that pretty much nobody who is homeless with a mental health problem is transitioning to the NDIS, so those services providing programs for people who are homeless and have a mental illness, which is 77 per cent or thereabouts of people living rough, are not accessing the NDIS.

When the cuts to funding are happening to homelessness services and homelessness providers, because of the cashing out of money to the NDIS, those services will be left with 25 per cent less money and the same number of people. That mathematics simply does not work,

so my call to people like the member for King, whose heart is in the right place regarding advocacy for people with disability, is to join that call within her caucus and put the money where the mouth is, so to speak.

Again, thank you to all of those in the advocacy space, thank you to the independent advocates, thank you to family members, thanks to other members of parliament and thank you to members of the public who reach out and tell stories. Storytelling is such a powerful way to ensure that we get the right deal for vulnerable people living in South Australia. I commend the amended motion.

Amendment carried; motion as amended carried.

#### *Parliamentary Procedure*

### **VISITORS**

**The SPEAKER:** I welcome to parliament this morning students from the South Australian School for Vision Impaired, who are guests of the Hon. John Dawkins MLC in the other place. Welcome to parliament today.

#### *Motions*

### **NATIONAL SCIENCE WEEK**

**Dr HARVEY (Newland) (11:16):** I move:

That this house—

- (a) recognises that National Science Week is held from 10 to 18 August 2019;
- (b) acknowledges the important impact that National Science Week has in promoting and celebrating science across all age groups;
- (c) recognises the important role that science plays in the South Australian economy; and
- (d) acknowledges the work being undertaken by the state government to increase participation in STEM subjects for students to ensure that young South Australians have the skills for the jobs of the future.

National Science Week is Australia's annual celebration of science and technology, featuring more than 1,000 events across Australia delivered by universities, schools, research institutions, libraries, museums and science centres. Over one million Australians, ranging in age from children to adults, including amateur scientists and professionals, participate in the vast array of National Science Week events.

There is a large variety of events in South Australia. Of course, we have our South Australian Science Excellence Awards, which recognise the achievements of our local scientists in our local communities and those who support science. They also recognise science teachers, which I think is a really important part of this. There is also the Science Alive event in particular, the one at the Wayville showgrounds, which is a very large event with universities, SA Water and other organisations.

There are all sorts of activities, such as looking at the stars and different hands-on activities: you can play with slime—my children particularly like making slime; you can look at water treatment; growing bacteria—bacteria that glows in the dark; and many other different things. I would particularly like to acknowledge the event director, Brian Haddy OAM, who recently received a medal for service to science education in this year's Queen's Birthday Honours List for his role in Science Alive, which is a really important event.

There are also some other smaller events, such as the Particle/Wave, which is held at the Adelaide Planetarium at Mawson Lakes, the Gondwana Tour at the Mount Lofty Botanic Garden and many others. Of course, in my own electorate, there will be the RoboRoos Robot Scrimmage at Banksia Park International High School, which I very much look forward to attending.

There is no doubt that the economic landscape is changing and that there is an increasing need for skills in science, technology, engineering and maths, and we know that 75 per cent of the fastest growing industries in our state will require some skills in STEM. In fact, last night,



with the Deputy Leader of the Opposition I co-hosted the most recent Science Meets Parliament event, which really focused on the importance of STEM education and its role in economic transformation.

We had a number of quite prolific guest speakers. There was Emeritus Professor Robin King, who has an interest in STEM education in schools, particularly looking at some of the opportunities for improvement and ensuring that STEM skills are represented as widely as possible throughout our community.

There was also Professor Anton van den Hengel, who is the founding director of the Australian Institute for Machine Learning, an incredible institution on the global stage right here in Adelaide. He is really focused on the importance of STEM skills and particularly maths. He sees those skills as being absolutely essential in grasping the important role of artificial intelligence in his case, given that that technology is going to be throughout all parts of our economy in the future. He also talked about the incredible opportunities for people who have those skills.

I often say to people, particularly students, 'If you can, stick with maths.' A lot of people do not like maths. I did not particularly like it, to be honest, but I tell them to stick with it because, at the end of the day, it is supply and demand. Unfortunately, a lot of people do give up on maths. If you stick with maths and you have those quantitative skills, you will be very well placed to get a good job as a result. I always tell students at local schools to stick with maths. They do not always agree with me, but I will just keep reminding them.

There was also Mary Mulcahy, who is the Director of the CSIRO Education and Outreach program that delivers quite a lot of STEM education programs to teachers and students. Quite a good one that I liked was where they get school students directly engaged in cutting-edge research, so they are involved in a project that is real, right on the edge, on the boundary of what we know about the world. I think that is important for them being able to see themselves in that role in the future and understand that that very much is within reach.

What was very much impressed upon us by all three speakers was that for a country like Australia, and indeed for our state, to remain competitive in the future it is essential that we have the skills that will enable us to take full advantage of the changing economic and technological landscape. There is a great need to inspire our school students to pursue STEM subjects. I personally believe—and it is probably fair to say that it is a fact—that our schoolteachers play an incredibly important role in this.

I can certainly speak for myself in my own experience, having a career in science before I came to this place, that that decision was inspired by teachers at all levels, even from early primary school, when I wanted to know what was underneath the ground that we stand on. The teacher was quite supportive and helped me research that and do a project looking at all the different layers and everything, which I found quite interesting.

In year 4, we had a teacher who was quite friendly with a butcher. I am not sure that you would probably do this now in year 4, but we looked at different organs of sheep, etc. We looked at their hearts, their lungs and their eyes, and it was quite remarkable. I am not sure that they would do it now quite like we did. Nevertheless, I have never forgotten it, and it certainly inspired my interest in biology and in human physiology.

Then, of course, when I got to high school there were teachers who encouraged me to participate in some extracurricular things. Back then, there was the Siemens Science Experience. I went to the University of South Australia for about three days and participated in various things, from robotics to human health to environmental science, and learned a bit about what goes on there. Teachers play a very important role. Other people who do, too, are some science communicators.

I just want to mention Dean Hutton, whom I was fortunate to meet again at the Science Alive! event last year. I have never forgotten that in year 5, probably—so for me this would have been in 1995—he came to our school and did these tricks with liquid nitrogen. He had this pressure rocket. He had this valve in what must have been a Coke bottle, where he put some water in it, pumped it with air and then it got to a certain point and it would fire up into the sky. I can remember trying really hard to make one of those at home.

I have never forgotten that. I think people who inspire that sort of interest have a really big impact on what career choices you make. Of course, now people say to me, 'Why did you become a politician?' which is harder to explain. Nevertheless, teachers and other science communicators have a very real impact on the sorts of decisions that students will make regarding the subjects they study and the career choices they make.

Recently, I had the great pleasure of opening a number of the new STEM facilities in my electorate at the Banksia Park International High School and just last week at Modbury High School. My favourite part of those events is seeing some of their projects. Modbury High School participates in a competition involving F1 cars. They have little compressed air canisters in wooden cars, and they fire them off along a long track. It is a reaction-time race. I am pleased to inform the house that I won both of my races, although the one qualifier is that my opponent's vehicle failed on both counts and did not even leave the starting line. I was still quite impressed with my reaction time.

Banksia Park International High School had water treatment projects. I thought this was quite impressive. They start with a problem: if we were in a developing country and we had limited resources, how would we go about cleaning up our water? They start with this problem. There is a research phase, where they look up how they might go about doing that and how they can design it. They use some design software to draw up what they are going to make, then they actually make it and test it to see if it works. I think that was quite an impressive process to go through.

Torrens Valley Christian School did a similar project with water treatment issues, not only going through that scientific process but also understanding that we do not treat water in this country in the way it needs to be treated in some developing countries because we obviously have more resources and infrastructure and can deal with it in a different way.

I am also quite pleased with how we in South Australia are going about inspiring our next generation to take on some of these STEM skills with the hope of gaining careers in science and related industries, particularly now that we have a government, and particularly a Premier, that dares to dream about what we might be able to achieve in South Australia. We are seeing this at Lot Fourteen, now that we are successful in winning the national Space Agency, mission control, the Space Discovery Centre and particularly the SmartSat CRC, which is a huge project to come here to Adelaide.

We have the Future Industries eXchange for Entrepreneurship (FIXE), which is an innovation incubation start-up and growth hub, creating an environment that encourages people with ideas to develop and start up businesses. We also have the Australian Institute for Machine Learning, which I mentioned earlier. It is ranked third in the world for machine learning. It is right here in Adelaide and is now collaborating with one of the world's largest defence companies, Lockheed Martin.

This is all happening in Adelaide and is only just starting. As I mentioned before, it is so important for our young people here in Adelaide to be able to see that these opportunities are within reach and that, if they are prepared to take on some of these subjects at a school level and continue to work hard, they can do some quite cutting-edge things right here in Adelaide.

The state government is also supporting the translation of research in South Australia with the Research, Commercialisation and Startup Fund, which is an important funding program to ensure that local discoveries can overcome some of the hurdles that may otherwise prevent them from being translated into a product or a service. This obviously has very important outcomes for our state in finding better ways to grow our food, finding treatments for disease or having other cutting-edge technologies.

In the most recent budget, the state government is investing \$19.6 million as part of an \$82.1 million package to support six South Australia-based National Collaborative Research Infrastructure Strategy facilities, which was announced the other week by the Minister for Innovation and Skills. These six facilities house state-of-the-art technologies and expertise that support world-leading research not only here in Adelaide but around the world. I would like to mention these six facilities for those who may not be aware of them. They are truly cutting-edge facilities.

The Plant Accelerator at the Waite Campus of the University of Adelaide, which forms part of the Australian Plant Phenomics Facility, is headquartered right here in Adelaide. We also have

Adelaide Microscopy, the local node of Microscopy Australia at the University of Adelaide and at Flinders. There is the Australian National Fabrication Facility, which is at Future Industries at UniSA and at Flinders, together with Optofab at the University of Adelaide. The Adelaide node of Bioplatforms Australia has metabolomics and proteomics facilities and expertise at the Australian Wine Research Institute and also at the University of South Australia.

We have the local Adelaide node of the Terrestrial Ecosystem Research Network, based at the University of Adelaide. Finally, the national imaging facility at SAHMRI is another important facility. In fact, there is a very interesting project for which Associate Professor David Parsons will be utilising some of the technology in this facility to live image lungs at such an incredibly high resolution that you can look at some potential treatments for diseases like cystic fibrosis in a way that has never been possible using conventional X-rays in the past. That is really quite exciting.

This funding supports scientific expertise and infrastructure that support important research fields. These range from health and medical research, monitoring our biodiversity and ecosystems, and manufacturing optical fibres and the different applications that can have, to benefiting our primary industries.

I am proud to be part of a government that recognises not only the importance of science in solving many of the problems that our state, our nation and our world face but also the importance of science and other skills in technology, engineering and maths for the future of our economy and the prosperity of future generations. National Science Week is an important part of ensuring that we inspire our next generation to pursue studies in STEM. I congratulate and thank all those involved with this initiative and I commend the motion.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (11:31):** I move to amend the motion as follows in paragraph (d):

Delete the words 'state government' and replace in lieu thereof 'current and previous governments'.

I have done this because I think this is something we ought to be bipartisan on. It is fabulous to recognise what is happening in the current government, but it is probably only accurate and large-spirited to recognise the extent of the work that was done by the previous government, much of which is being continued by this current government.

The member for Newland talked about last night's event, Science Meets Parliament. It was a really interesting traverse of the issues for South Australia and, really, for South Australia's economy. If we are to have a prosperous economy in the future while there is all the uncertainty in the world about exactly what it will look like, there is no lack of clarity that having the general population have a stronger set of STEM skills, be more scientifically literate, more numerate and more generally literate is important. It is also important to make sure that we find those students who are capable of world excellence and make sure not only that they develop those skills but that they then go on to use them in South Australia.

One of the poignant points that was made by Professor Anton van den Hengel, a professor at the Australian Institute of Machine Learning, was that his graduates—in fact, sometimes before they have quite graduated—get taken overseas. They are offered enormous amounts of money, particularly by the US but also by China, to lend their intellectual capital to those nations. We become the consumers, the purchasers, of Facebook and Google, and those countries become the beneficiaries of having their people employed and, to an all too limited degree, a bit of taxation paid.

That is not happening here sufficiently, but it can and it should. We have all the right ingredients, apart from being smaller in scale. We not only have a good education system, the appropriate curriculum and excellent public universities across the country but a good general level of education in our population, all of which are important prerequisites.

As much as we have made enormous progress, there is much more that needs to be done. That was taken very seriously by the previous government and, I am pleased to say, has been embraced and continued by the current government. I am talking in particular about the need to lift the number and proportion of students who are undertaking and doing well in STEM subjects and increasing the general facility of students in their numeracy and scientific literacy.

We have to acknowledge that there are some very serious hurdles in front of us, though, in achieving that. One of them is the impact of disadvantage on education outcomes. If you are a disadvantaged student, if you come from a family where your parents do not have a post-school qualification or, indeed, have not finished high school, if you come from a family where your parents are either not employed or employed in low-skilled and insecure work, on average you will do much worse at school.

I ask you: are you born more stupid because you happen to be in that family? Absolutely not. Our school system is still too much a replication of social disadvantage into education results and not sufficiently changing the outcomes. We have seen progress. We saw enormous progress in the 20 years from 1997 when we went from 50 per cent to 75 per cent of our student population of 18 year olds graduating from high school, but no-one should think that 75 per cent is sufficient. It is common, it is the average in Australia, it happens in a lot of countries, but a lot of other countries are doing better than that.

We need to drive up the last 5,000 students a year who are not finishing high school. In doing that, if they do finish high school, even if they are not specifically studying STEM subjects, they will be gaining their literacy, numeracy and scientific competence, which will be essential. While we talk about the number of jobs specifically in STEM, there is no job now that does not require some better understanding of technology, numeracy and how science works. You will not find an electrician who does not need to understand some electrical engineering as well—the bleeding of the skills from what was regarded as a far more manual job into being able to use a computer.

Last night, Professor Anton used the example of the person who put his solar panels on his roof at home and who had to know how to hook them up to the internet so that the internet could manage how the solar panel energy is used and stored. Every job, almost without exception, every job that is worth having that pays a decent wage definitely, requires a capacity to use technology, to understand technology and to take advantage of this incredible power that we see in computer technology across the world.

What has been happening? We have the challenge of disadvantage. We need to come to terms with how we lift students' results and how we lift the student completion rate and to do that we need to address square on the impact of disadvantage in our schools. We also have a big challenge when it comes to having students choose STEM subjects in the final year of school and, in particular, going for the more difficult, the more challenging level of mathematics.

We have the challenge of the ATAR. I am not a fan of the ATAR. I am not a fan of what happens when a student has achieved a particular mark in a subject on the Australian Curriculum and that subject has been moderated so that the A that student gets is an A that another student in another school in another town gets for that same subject. That has happened.

Then, out of the student's control, that mark will get scaled against other subjects in an attempt—and I think a ludicrous attempt—to work out if an A in chemistry is the same as an A in maths, or an A in dance is the same as an A in English. The scaling happens completely out of the students' control and then they are ranked, a brutal ranking, on how they happen to fall that year against their peers.

Students are intelligent. Students understand that, if they want to go and do a particular subject at university, they are going to have to get a certain ATAR and they work backwards from that. It means that they choose subjects on the calculation that they will not be scaled down and that they will do well enough to get into the ranking that they need to get into. I think that is a very, very bad outcome for our education system.

I urge universities to take seriously the need to step back from the ATAR and to reward students for studying and doing well in the subjects that will facilitate their doing well at university. You do not necessarily need to be in the top 12 students in mathematics to do well in engineering, but you do need to have done pretty sophisticated maths. Say the university said, 'You can come into engineering if you get an A or a B in the hardest version of maths—specialist maths—and if you do these subjects and you pass in them.' That would mean that students would have every incentive to take seriously studying at the highest level.

The previous government not only did the STEM facilities—people around here will have gone to various schools and opened those STEM facilities, which was important and should not be the end, because we did not do all the schools; there should be more—but also put in place a STEM strategy, which was about how STEM was taught and what incentives were provided. I am pretty sure this government has not dismantled this. It was about making sure that there was a STEM leader in every single primary school who had received extra training so that they could bring on the other teachers, who tend not to be specialist trained, so that they would be able to teach STEM subjects well.

We had a focus—and I believe there is still a focus—on Aboriginal STEM, making sure that Aboriginal students are able to learn within a cultural context that makes sense to them and shows that in fact STEM is part of their culture, too; it is just not the way we have tended to talk about it. It was very important and very exciting a few years ago when I went and spent some time with Aboriginal students.

This was the same year that we had the space conference here under the previous government, which really kickstarted this emphasis on space. The Aboriginal students went and they met some astronauts, but they also talked about the history in their culture of numeracy. Of course, we also have these scholarships that I assume are still happening, the grants for non-traditional students who want to study STEM: Aboriginal, low SES and, indeed, women.

The one thing I will say, to terminate, is that I am very concerned about the cuts in this budget to the Department for Innovation and Skills. Nearly \$50 million across the four years is being cut from that department, and I cannot see how that will not harm our effort to make this state a leading state in science, technology, engineering and maths, and in innovation.

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (11:41):** I rise to speak on the motion that you have put before the house, Mr Acting Speaker, that is:

That this house—

- (a) recognises that National Science Week is held from 10 to 18 August 2019;
- (b) acknowledges the important impact that National Science Week has in promoting and celebrating science across all age groups;
- (c) recognises the important role that science plays in the South Australian economy; and
- (d) acknowledges the work being undertaken by the state government to increase participation in STEM subjects for students to ensure that young South Australians have the skills for the jobs of the future.

National Science Week began in 1997, and it provides the opportunity to acknowledge the contributions of Australian scientists to the world of knowledge. It also aims to encourage an interest in science pursuits amongst the general public and to encourage younger people to be fascinated by the world we live in.

Part of Science Week is the promotion of STEM subjects (science, technology, engineering and maths) in schools. Getting young people actively participating in STEM also has crossover appeal to other parts of the curriculum, as well as all aspects of a child's life. STEM education engages students in solving real-world problems through project-based learning and encourages them to innovate and think critically and creatively.

Families with kids growing up in my electorate of Gibson can be zoned to one of three state government high schools: Seaview High School, Brighton Secondary School or Hamilton Secondary College. In my completely unbiased opinion, these are three of the best in the state, government or otherwise. Each of these schools has extraordinary STEM programs, meaning that families in my electorate can be certain that in sending their kids to these state government schools they are being equipped for the jobs of the future.

Seaview High School is a specialist school for advanced technology and STEM, with specifically built facilities, including a STEM innovation centre and a technology innovation centre. As a specialist school, students are able to work with Flinders University's computer science, engineering and maths departments, as well as the Medical Device Research Institute and the

Institute for Nanoscale Science and Technology located in the Tonsley precinct, to deliver programs that provide direct pathways to 21<sup>st</sup> century careers. Seaview students also participate in the Pedal Prix competitions, in which they do incredibly well. The engineering behind some of these Pedal Prix machines that are on display these days is quite phenomenal.

Hamilton Secondary College is a designated STEM focus school and South Australia's only space school, encompassing a STEM innovation academy and the Mike Roach Space Education Centre within its campus as well. The centre includes four main areas that support the space science program: a simulated Mars crater and landscape, with seven different geological zones; a mission control room; a briefing room; and a space laboratory. As a space school, they are the only school in SA with a designated facility and specialist curriculum to lead space education in our state. Partners in Hamilton's space program include NASA, the European Space Agency and the Japanese Aerospace Exploration Agency.

Brighton Secondary School is currently undergoing a STEM refurbishment, which will see the existing outdoor learning area interconnected with the new STEM learning spaces to ensure a seamless transition between indoor and outdoor learning. Brighton Secondary School offers the STEM Bright Program, which aligns with the Australian curriculum, to prepare students for careers and further study within STEM subjects.

Lessons are collaboratively planned by a dedicated team of specialist subject teachers who contextualise students' learning and make the problems real-world applicable for students to solve. Students at Brighton Secondary also take part in a number of STEM competitions outside the curriculum, including Subs in Schools and F1 in Schools. Mr Acting Speaker, that is what you were talking about at Modbury.

Brighton has twice won the world F1 in Schools competition, beating hundreds of schools in the race for those fast hydraulic miniature F1 cars, completely constructed and engineered by the students, which is an absolutely outstanding achievement. I was lucky enough to be involved with the team last year, Horizon, who won this world championship. Not only do they design the cars and do the cab work and the science elements of it but they also do the actual marketing, creativity and displays that they have to put on on the world stage is truly outstanding. So Brighton is leading the way there.

The primary schools in my area—Marion Primary School, Brighton Primary School, Paringa and Darlington as well—also do a great job in STEM development. A number of people have spoken about what our government is doing as well to develop this and take it from the education side into higher education and then into career pathways, which really is exciting. We talk a lot about space, of course and we talk about a lot of cyber and cyber security—we all know how important that is, as the Minister for Primary Industries is well aware.

When I was in opposition I was actually a co-host of the Science Meets Parliament forums which we would host and which you, sir, talked about earlier. One of the most delightful parts of that role was that we got to hear from Andy Thomas, an astronaut from South Australia who has done a number of space projects, a very famous man and a very highly intellectual man. It was great to hear him speak about the excitement of what lay ahead.

I know that the Premier was very passionate about this and has been very passionate about space. As we look down the road to Lot Fourteen, we know of course that the Australian Space Agency is coming, and we have the Defence Landing Pad there as well. Myriota and the Chief Entrepreneur are based there, as are a number of other businesses. There is also the Australian Institute for Machine Learning—of course, artificial intelligence and where that is taking us.

You spoke earlier, sir, about Anton van den Hengel. I grew up with Anton, a truly brilliant mind. I tried to hang out with him as much as I could in the hope that some of his smarts would transfer to me. It did not quite happen, but he is fascinating to listen to and he really is opening the door for many South Australians, and I commend him for the great work he is doing.

When we talk about science, technology, engineering, maths—the STEM subjects—we do think about that high end and the opportunities that lie ahead for the next generation coming through and how we want to really facilitate that. As a government, our investment in Lot Fourteen is a key

indicator of the importance we put on this right through education and into that space as well, and getting people into those industries and the future jobs that lie ahead.

We are also very conscious that science can roll over into all forms of our society. I look at sport, and I speak to my son in particular, who is going through year 12 and looking at career opportunities. He likes his maths. Being a doctor, sir, I take on board what you said about encouraging young people to stay engaged in maths, and I do the same with my son and his mates because of the opportunities that lie ahead. Sometimes young people do not see where the opportunities are. He is a keen sporting fan as well, and I say, 'Look, the opportunities or the likelihood of you going on to be a sporting superstar may not be as big as you think they are', but I wish him the best and support him all the way. However, if that does not pan out for him, what is he going to do and what career path will he take?

When you look at the sporting world today, for example, and the technology and the science around, let's say, AFL football, the data compilation, the stats that are taken, is quite phenomenal. For his year 12 project this year he has done a lot of work in that space, and he has actually used some of the data that has been collected on his under 18 games and tried to formulate what that might mean and how that might relate to someone who wants to get drafted—he still has the hope that he might make the numbers stack up.

That is opening up opportunities for him within a sporting context: how this data and how the science behind the data collected is related to identifying talent that might be good for future drafting, identifying improvements needed, coaching developments. There is a whole career and a whole life in the sporting sphere based around science, technology, engineering and maths.

If we look overseas, if we take that and expand it one step further, Darren Burgess is a great name that we hear of at Port Adelaide. He was their high-performance manager for a long time, and then got poached by an English Premier League team. Again, we see him in a sporting sphere but what we understand is that his background is in that area of science.

When you think about maths and when you think about science, you might be thinking about all these high-tech space and artificial intelligence agencies—and they are very much there for people to take up the opportunity and look at a career path in them—but you can also look even closer to home, look at sport and see that the growth in technology, maths and engineering is immense there as well. That is where I am trying to steer my young son and others who are interested.

You can even roll it over to policing, another area I look after, and some of the advancements in technology and the engineering side of how police work is done, around artificial intelligence; that is growing day by day. The opportunities are boundless. We know that in this place, and we know that on this side of government as well. We want to make sure we are putting the systems in place to ensure the next generation can utilise these, adopt these, and take advantage of the developments and work we are doing through our schools and beyond to make sure they have the jobs of the future.

**Mr HUGHES (Giles) (11:51):** I rise also to indicate my support for National Science Week, and in doing so I note that an amendment has been moved. Sometimes it is worthwhile acknowledging, over time, that there are a number of things that deserve bipartisan support, and this is one of those areas of endeavour, STEM, that does deserve that bipartisan support.

There are good things the previous government has done and there will be good things that this government will do. At the end of the day, with the passage of time and a bit of perspective, we will be able to look back and determine what was worthwhile what was not worthwhile. Ultimately, history is the judge, but on this issue we should be essentially bipartisan. I will pick up on some of the things that have been said, especially in relation to ATAR scores.

As the dad of three children who went through years 11 and 12, the perverse incentives that are in place at the moment need to be addressed. Two of my children did high level maths and physics in year 11 but, in order to maximise their ATAR score in year 12, they dropped those particular subjects. They both went on to do courses at university that required some maths, and it is unfortunate that a number of students, in order to maximise their ATAR score, take that course of

action. You do not have to be a genius when it comes to maths and physics, but it is incredibly good to have at least a grounding in those particular subjects.

I would say that science is the most powerful tool we have developed as a species. It has transformed the nature of the world we live in. It is the habits of science, beyond the material improvements it generates and the insights, that have that potential to feed into the way we think about all sorts of things, things that are outside the traditional scientific realm.

Science generally advances best in societies that are open societies. I had the benefit, after doing 10 years of labouring work when I went to university, of doing a course on the philosophy of science and I found it incredibly fascinating. I got into the world of epistemology. What is the nature of knowledge? They might seem like rather esoteric things to discuss but they are essential. They are incredibly important, especially at this time in world history.

We have something that is deeply disturbing going on. There is a drift towards almost a denial of facts, almost a disparaging of scientific methods. We see it with people on social media, which has given a platform to all sorts of weird and wonderful things. We see it with the attacks on vaccination—one of the great developments that has saved the lives of many people. We see it when it comes to global warming with the rejection of the overwhelming scientific evidence that we are facing the prospect of dire circumstances. There has clearly been a very organised campaign when it comes to attempting to undermine the science around global warming.

It is incredibly important that kids at school—and not all of them will do physics or chemistry or biology or maths at a high level—are exposed to the philosophy of science so that they have an awareness of what constitutes knowledge. As I have said, we are increasingly moving into a world where facts no longer count. For facts to no longer count is incredibly dangerous, and the implications are horrendous.

You can look back on history during the Stalinist regime where ideology trumped science. The example during that regime was Lysenkoism and that had an enormously negative impact upon that society because it was applied to crops. As a result, many people died in Russia because of the misapplication of science and the refusal to accept the neo-Darwinian agenda because it did not fit in with the prevailing ideology in that country. I draw the link between that and the denial that goes on in relation to global warming and the overwhelming scientific evidence.

But the approach to science comes back to the importance of open societies because it is open societies that ultimately do science best. That is not to say that countries like China and other deeply authoritarian countries do not produce science, and sometimes good science, but all things being equal, an open society because it is open will be a far better home for scientific inquiry than the more closed authoritarian societies.

As I said, that fits into the nature of the political systems that we have where an open socially democratic society or open liberal societies, usually an amalgam of the two, are the best. Those types of societies are the best for scientific endeavour. I think it is incredibly important that when it comes to our schools, a lot of our kids might not be across the range of content when it comes to science, especially in the later years, but we should at least ensure that they have an understanding of the scientific process.

**The ACTING SPEAKER (Dr Harvey):** The member for Flinders.

**Mr TRELOAR (Flinders) (11:59):** Thank you, Mr Acting Speaker. I acknowledge that you have brought this particular motion to the parliament, and it is my pleasure to speak on it. There has been an amendment moved, but essentially this is a motion that this house recognises that National Science Week is to be held from 10 to 18 August 2019. Amongst other things, it acknowledges the work being undertaken by the state government to increase participation in STEM subjects for students to ensure that young South Australians have the skills for the jobs of the future.

Like almost everybody else in this place, I have seen the benefit in some of our local schools in relation to STEM projects: science, technology, engineering, maths. The amount of money that is being spent on developing classroom facilities to enhance the teaching and learning of these particular subjects is critically important. I am going to take a slightly different slant on this motion today. I am going to talk about one of the absolute pinnacles of scientific achievement in the



20<sup>th</sup> century at least, and we are about to celebrate its 50<sup>th</sup> anniversary—that is, men landing on the Moon on 20 July 1969.

I am giving my age away a bit here, but I am old enough to remember this, and I remember it clearly, in fact. I had just turned eight years old. We arrived at school on that day. Maybe it was 21 July for us because we are that little bit ahead of the Americans. Our school, the Cummins Area School, at which I was in grade 3, did not have any televisions. For goodness sake, out on the farm we had only just got the power on, so television was a bit of a stretch. I distinctly remember being in the classroom. Those of us who had caught school buses into school that day were allocated to various town kids so that we could go home with them, sit in front of their televisions and watch men land on the Moon.

We did our best to view the footage. Unfortunately, I think our problem was that we were a long way from Adelaide and not that we were a long way from the Moon because the reception on that particular day was not especially good. Through the fuzz and the haze we could barely make out Neil Armstrong and Buzz Aldrin walking on the Moon. As boys often do, we eventually gave up, went out and kicked the footy. However, the point is I remember the day; it was a significant and incredibly important day.

I have done a little bit of research on the Apollo 11 mission, which of course is the one that did land on the Moon for the first time. It was part of the Apollo program, which extended through the years 1963 to 1972. It was a program that had seen its genesis during the Second World War when rockets were first developed. From that time on, rockets were getting better and better and the goal, ultimately, was to go into space and then, at President Kennedy's decree, land on the Moon.

The Apollo program was designed to land humans on the Moon and bring them back safely to Earth. Six of the missions—Apollo 11, 12, 14, 15, 16 and 17—achieved this goal, the first one being in July 1969, the last being in 1972. I might point out that we have not actually been back to the Moon since. I heard just recently that we are planning to be there again in 2025, but that will be well over 50 years since the first landing, obviously.

Amongst those Apollo missions, Apollo 7 and 9 were Earth-orbiting missions to test the command and lunar modules and did not return lunar data. Apollo 8 and 10 tested various components while orbiting the Moon and returned photography of the lunar surface. Apollo 13 did not land on the Moon due to a malfunction but also returned photographs. I am sure a good number of us have seen the Tom Hanks movie about Apollo 13.

What stuck in my mind more than anything was when either Tom Hanks or the other copilot was calculating the angle of re-entry into the Earth's atmosphere with a slide rule. To me, it was extraordinary. I learnt to use a slide rule at school but I would not know how to use one now. These guys were so competent and proficient as pilots and scientists that they were able to do complex calculations with a slide rule.

The six missions that landed on the Moon returned a wealth of scientific data and almost 400 kilograms of lunar samples. Experiments included soil mechanics, meteoroids, seismic and heat flow, lunar ranging, magnetic field and solar and wind experiments. My brother tells the story of when he was over here in Adelaide at boarding school, and a beaker of Moon dust was displayed in our assembly hall. The boys filed past and one accidentally knocked the beaker over and the Moon dust spilled onto the assembly hall floor. The cleaner went and got a banister brush and swept it all up and put it back into the beaker and it was still mostly Moon dust. He swears that that is a true story.

**Mr Pederick:** If you hadn't told anyone, it would have been all Moon dust.

**Mr TRELOAR:** Yes, that's right. It is on the public record now. The primary objective of the Apollo 11 mission was to complete a national goal set by President John F. Kennedy on 25 May 1961, and that was to perform a crude, lunar landing and return to Earth. It was preceded by other programs: Gemini, and I forget the name of the other one. It did not just come out of the hat; it was a dedicated project to landing on the Moon.

Flight objectives included scientific exploration by the lunar module and this is my rather tenuous link back to the motion. The crew deployed a television camera to transmit signals to Earth,

which we were able to see in Warrow Road, Cummins, and the deployment of a solar wind composition experiment, a seismic experiment package, and a laser ranging retro-reflector.

During the exploration, the two astronauts, Neil Armstrong and Buzz Aldrin, were to gather samples of lunar surface materials for return to Earth, while Michael Collins remained orbiting the Moon. They were also to extensively photograph the lunar terrain and deploy scientific equipment with still and motion picture cameras, so it was filmed.

This was to be the last Apollo mission to fly a free return trajectory, which would enable a return to Earth with no engine firing, providing a ready abort of the mission at any time prior to lunar orbit insertion. Apollo 11 launched from Cape Kennedy on 16 July 1969, carrying Commander Neil Armstrong, Command Module Pilot, Michael Collins, and Lunar Module Pilot, Edwin Buzz Aldrin, into an initial Earth orbit of 114 x 116 miles.

An estimated 650 million people watched Armstrong's televised image and heard his voice describe the event as he took, famously, 'one small step for a man, one giant leap for mankind'. The first colour TV transmission to Earth from Apollo 11 occurred during the translunar coast of the CSMLM lunar module. Later on 17 July, a three-second burn was made to perform the second of four scheduled mid-course corrections programmed for the flight. It was an extraordinary effort.

About 12 months ago, I had the pleasure of viewing the Adelaide premiere of a movie called *First Man*. I was there along with the member for West Torrens and we each had a couple of guests. It is a movie portrayal of the life of Neil Armstrong, and it really depicted him as a man. What came through was the extraordinary skill and ability not only of Neil Armstrong, who was chosen to be the first man on the Moon, but of all the astronauts who were involved in the Apollo programs and the risks they took. They sat atop a rocket, for goodness sake, that took them with goodness knows how much fuel into space.

We have not been back to the Moon since. We have continued to explore space with ever more powerful telescopes and unmanned spacecraft. As I said, I heard the other day that we are planning to return in 2025. I would suggest the astronauts who do it then will do it in much more comfort and hopefully with much more safety than the Apollo astronauts did 50 years ago this month.

**Mrs POWER (Elder) (12:09):** I rise today to support the member for Newland's motion. What a fantastic member to move this motion for we know that, prior to entering parliament, he was a scientist himself, so it is a great honour to be able to support the motion.

National Science Week is a fantastic opportunity to engage children, adults—people of all ages really—in science, to ignite curiosity and to understand the value and opportunities in the science field. It is true there is a huge array of career paths available to people who study STEM, and its industries are among the fastest growing in Australia. Our own Australian Space Agency headquarters, secured by the Marshall Liberal government at Lot Fourteen, here in the Adelaide CBD, is just one example of the exciting opportunities evolving in this field.

Importantly, National Science Week is Australia's annual acknowledgement of the contribution of individuals in science and technology. It is designed to be a celebration of science for everyone; it is not just restricted to schools and universities to celebrate. STEM skills underpin jobs in every field, including accounting, logistics, policy development, education and market research, among many others. The Australian Academy of Science reports that even a 1 per cent increase in people choosing a STEM career could contribute over \$57 billion to the national economy over 20 years. This statistic is especially important for girls and young women as we move to recognise the value of science and STEM as a focus for all students.

The CSIRO reports that less than one in five senior researchers in Australian universities and research institutes are women. Only one in four are IT graduates, and fewer than one in 10 engineering graduates are women. Overall, women only make up only 27 per cent of the STEM workforce. Why is this, you may ask, Mr Acting Deputy Speaker? Research has shown that STEM jobs are perceived as traditionally male orientated, with this way of thinking still sitting upon structures of stereotypes, discrimination against women and workplace culture, some of which manifest from early school years.

That is why National Science Week is such a great opportunity to break down these barriers and shine a light on opportunities in the STEM field for all students and all South Australians. There are some great events for children and their parents happening in our state, such as the Science Alive! exhibition at the Wayville showgrounds and a free STEM Day Out for schoolchildren. This also provides an opportunity for students to discover some of the programs that exist to support their interest in STEM.

For example, UniSA runs a program called STEM Girls to encourage girls in year 11 to continue the study of science and mathematics throughout their schooling and into university. Secondary schools are invited to participate and strengthen their STEM initiatives for girls and to shine a light on further opportunities that support career progression in the field. The Office for Women also provides some fantastic resources and linkages for girls and women to STEM opportunities.

National Science Week is an opportunity to acknowledge and encourage an interest in science pursuits for everyone and to encourage younger people to become fascinated by the world in which we live. In my electorate, Hamilton Secondary College does this all year round as a STEM specialist school. South Australian taxpayers invested \$2.5 million dollars to provide a wonderful new state-of-the-art purpose-built learning space at the college which I had the privilege of opening earlier this year. I acknowledge principal Peta Kourbelis, governing council chair Steve Jones, other governing council members and the leadership team for overseeing this incredible upgrade at the school. It is quite an impressive facility.

As the STEM field is so quickly changing and evolving, we might not be able to say how students of today may end up using these skills, but we do know a lot of good ways that we can teach them. Clapham Primary School, in my local electorate, also opened a \$1 million dollar refurbished facility purposed for a STEM approach to learning last year. It gives the students the opportunity to work on challenging problems and projects with flexible learning spaces for collaboration. It looks absolutely fabulous, with the ground floor leading into the eco-school courtyard, with gardening and food growing areas, to support STEM teaching and learning strategy.

Special congratulations to principal Jodie Kingham and her staff on their work in providing STEM opportunities for their students. When I was visiting the school, it was the first time I had seen one of those digital 3D printers, and it was quite incredible. It makes me realise how much schooling has changed since my days. It is so exciting to see these wonderful new STEM facilities at these schools supporting local students, inspiring innovation and creativity in STEM studies, and encouraging all students—boys and girls—to achieve even more than they already do. I commend the motion to the house.

**Mr PATTERSON (Morphett) (12:14):** Here in parliament today, I also take the opportunity to support the motion that this house recognises that National Science Week is being held from 10 to 18 August this year. This year's theme is 'Destination Moon: more missions, more science'. It is a celebration of the 50<sup>th</sup> anniversary of the Apollo 11 lunar landing and the Moon walk that occurred on 20 July 1969. That Moon landing was one of the great technological achievements of the 20<sup>th</sup> century, as the member for Flinders also said. It brought together scientists, engineers, mathematicians, chemists, software experts, aerospace technicians and flight directors.

In Australia, the Parkes radio telescope and the Honeysuckle Creek space tracking station played a vital role in supporting and receiving the first televised images of Neil Armstrong stepping onto the lunar surface. Last week, I joined the Premier and key space industry stakeholders here in South Australia, including Dr Richard Price and Nicola Sasanelli, to watch the film *The Dish*, which was based on the role that the Parkes telescope played during the Apollo 11 mission.

As I have previously spoken about in this parliament, South Australia also has a proud history in the area of science and space. From the late 1950s, the Weapons Research Establishment commenced the Skylark sounding program at the Woomera Rocket Range. This would lead to Woomera becoming the hub of early space activities in Australia, including the launch of the WRESAT satellite in November 1967. This was an exciting time that inspired a generation of school students, and National Science Week aims to inspire students today about space and science. I acknowledge the important role that it will play in promoting science across all age groups.

I was certainly very excited to be present last December, when Prime Minister Scott Morrison and the Premier announced that the national Space Agency was going to be based at Lot Fourteen in Adelaide. The announcement certainly excited so many here in South Australia. The national Space Agency will seek to use science, technology, engineering and maths to design new solutions in the area of space operations and space science, along with Earth tracking, positioning and observation. It aims to grow the space industry in Australia to \$12 billion and create up to 20,000 jobs. After the announcement, that night I attended the Glenelg Primary School graduation ceremony, and there was certainly excitement amongst the students and their parents about the opportunities for them to be involved in this exciting new industry that has science at its forefront.

The international space industry is a rapidly growing one, averaging yearly growth of about 10 per cent. The global space economy is approximately \$350 billion at this stage. So far, Australia has captured only a small percentage of the existing market, but South Australia itself is home to an innovative space ecosystem that can take part in that. It consists of over 70 private companies, research and educational institutions and government departments and over 800 people who are actively employed in the sector. In the past two years alone, over \$61 million of investment has been committed to South Australia's space industry through venture capital, universities, local industry and governments.

The decision to make South Australia the home of the Australian Space Agency can largely be attributed to our vibrant and entrepreneurial space ecosystem. Part of this is because satellites are going the same way as computers, with miniaturisation of electronics allowing instrumentation to be compacted into satellites that are the size of shoeboxes, leading to nanosatellites. These satellites weigh in the order of kilograms. The satellites will be creating the next internet and will help open up commercial opportunities, such as the significant potential of being able to be used in agriculture with the connection of things via the Internet of Things set to benefit farmers to deliver the food we eat.

This is what is fuelling growth in the space industry and it is seeing growth here in South Australia, which will require an increase in data scientists over the coming years to work on the information coming from these satellites. Establishing the agency in Adelaide is a once-in-a-lifetime opportunity that positions South Australia as a key player in the nation's space industry. Not only is Lot Fourteen home to the Space Agency but it is also being developed as an innovation precinct to be home to leading businesses, entrepreneurs and associated organisations.

At the same time as the announcement for the National Space Agency, both the Premier and the Prime Minister announced the Adelaide City Deal, which commits \$551 million over the next 10 years, with the state partnering with both the commonwealth and the City of Adelaide on a vision for Lot Fourteen that sets up Adelaide as a major centre for defence and space industries. Part of that City Deal will see a \$6 million mission control centre being co-located with the Australian Space Agency at Lot Fourteen. It will be a focal point for space missions here in Australia. It will provide facilities for space start-ups, companies and researchers to control small satellite missions and enable real-time control and testing and the accelerated development of Australian satellite technology.

In conjunction with this, a further \$6 million is being provided for a new space discovery centre, which will provide science, technology, engineering and maths education engagement and inspiration for young Australians. Further to this, to boost our burgeoning space sector here in South Australia, was the welcome news that Lot Fourteen will be the strategic and decision-making base of the SmartSat Cooperative Research Centre, which is really one of the most significant space research collaborations, forged right here in South Australia.

This research powerhouse will bring together 85 international and national partners who have invested over \$190 million. This goes with the \$55 million federal government support. It represents \$245 million of research effort over the next seven years and is another fantastic announcement for South Australia. I would just like to acknowledge the University of SA's Professor Andy Koronios, Nova Systems, and South Australia's Chief Entrepreneur, Jim Whalley, who have been pushing for the creation of the CRC for many years.

The centre will be focused on three key areas: advanced communications, connectivity to do with the Internet of Things, advanced satellite systems, sensors and intelligence to provide the next generation of Earth observation data services. Being headquartered at Lot Fourteen, the

SmartSat CRC will unite government, industry and researchers to build on our existing space capabilities across smart satellites, communications and Earth observation analytics.

It will certainly boost our growing space industry. It will also build a sovereign space and satellite capability here in Australia and position our nation as a leader in the global space sector. Our dynamic space sector is also underpinned by an advanced manufacturing and technology skills base, with strong synergies to the defence industries as well. South Australia's defence and space industries are supported by world-class research and development capabilities in innovation.

Taking advantage of not only these opportunities in space but also the defence programs, such as the \$90 billion shipbuilding program I have spoken about previously in parliament and also significant defence projects in the cybersecurity field, requires a skilled workforce. It requires a skilled workforce to take advantage of these jobs of the future. I acknowledge the work that has been undertaken by the state government to increase the participation in STEM subjects for students to ensure that these young South Australians will have these skills.

In March this year, I was invited to Plympton International College to help open their school's STEM facility. South Australian taxpayers invested over \$3.5 million in this STEM facility, which will provide a wonderful new state-of-the-art purpose-built learning space for the students. Some of the existing buildings were given a new lease of life and turned into an open-plan STEM facility with science learning areas and adaptable rooms to help create spaces that will allow for robotics, digital media and also science learning with up-to-date technologies.

It certainly has an innovative teaching and learning partnership with the University of SA, and Dr Matt Sykes was there on the day giving a data analytics demonstration in front of the students. After speaking with some of those students, it is clear that the new centre has given them a real sense of pride in their school and encouraged them to pursue jobs in the future in these STEM subjects. The Marshall government is committed to ensuring that young South Australians have these STEM-like skills that will give them access to the jobs of the future. I look forward to the students being inspired during National Science Week.

**Mr TEAGUE (Heysen) (12:24):** I am glad to have the opportunity to speak in support of the member for Newland's motion recognising National Science Week and the important role that science plays in our economy, in education and in so many other areas. We recognise that National Science Week is held on 10 to 18 August. There are events throughout the state, and I encourage everybody to participate fully in those.

I would like to take the opportunity to highlight the work of one of our fantastic science hubs, the Adelaide Hills Science Hub, in particular two events in which they will be leading the way in conjunction with Fungimap. This is a very important area in which a combination of education, research and engagement can lead people of all ages and stages to a better appreciation of their local environment and the important role that fungi play. In this regard, I would particularly like to highlight the very significant contribution made in this area by Dr Jasmin Packer at Adelaide University. Dr Packer has been playing a leading role in the Adelaide Hills Science Hub since it was started in June last year.

The two events serve to highlight the sorts of things that can be achieved in National Science Week and illustrate some of the scope of scientific engagement. We have heard a great deal about some of the marvellous work that is being done in space and what can be achieved when governments bring science to the fore as part of what we endeavour to do as a state. In this regard, the focus on fungi and the health of our ecosystem's biodiversity allows us to learn to appreciate more about our natural environment.

The first of those events is the science expo that will take place on 10 August at Cleland and will run through the day. Its intent is to provide an opportunity for people of all ages to connect with nature and wildlife and to participate, along with friends and community groups, in engaging with the science that is associated with nature, focusing on things like frogs and fungi and having practical hands-on fun. As we all know, Cleland is a wonderful setting in which to do that. I hope that that will be a tremendously successful occasion.

The second of these two events that the Adelaide Hills Science Hub is leading, together with Fungimap, is a conversation seminar that will be held at Stirling library on 15 August. That is really the beginning of an important conversation that we all need to have about the extent of our appreciation of the role that fungi play, in the Adelaide Hills in particular, and the topic of foraging and how we can better appreciate the needs of fungi in the environment and consider their protection when we engage with these spaces.

In that regard, we can draw a comparison with another part of the world which I am quite familiar with and which has a diversity of fungi that people are very proud to expound upon in terms of their knowledge. In Sweden, it is something that really is a matter of credibility. People like to be known for their appreciation of fungi, their capacity to go wandering in the forests and their knowledge of the various different forms of fungi that can be found in the forests of Sweden. Schoolchildren are routinely taken to sites to learn how to have a good interactive knowledge of that particular aspect of their natural surroundings. That knowledge is very much prized and valued in Sweden, and I think it is on its way along that track in the Adelaide Hills as well.

I hope the event at Stirling library on 15 August will be well attended, and I hope it leads to a very valuable and important conversation about the important role that fungi play. National Science Week activities really exemplify increasing engagement to ensure that science and science literacy are brought to the fore. I commend the motion to the house, and I thank the member for Newland for bringing it today.

**Mr PEDERICK (Hammond) (12:31):** I rise to support this excellent motion by Dr Richard Harvey, the member for Newland:

That this house—

- (a) recognises that National Science Week is held from 10 to 18 August 2019;
- (b) acknowledges the important impact that National Science Week has in promoting and celebrating science across all age groups;
- (c) recognises the important role that science plays in the South Australian economy; and
- (d) acknowledges the work being undertaken by the state government to increase participation in STEM subjects for students to ensure that young South Australians have the skills for the jobs of the future.

In regard to National Science Week, I want to concentrate my early comments on STEM and STEM projects in my electorate of Hammond. Recently, I had the privilege of attending and opening new STEM (science, technology, engineering and mathematics) infrastructure in my electorate of Hammond. The new facilities are at Murray Bridge primary school—or Murray Bridge North School, as some would know it—at a cost of \$1 million; Murray Bridge High School, at a cost of \$2.5 million; and Mannum Community College, at a cost of \$3.5 million.

These contemporary facilities will support cutting-edge teaching and learning approaches to help prepare students for future jobs in a range of industries. While every project will look different, the program will see the establishment of many adaptable spaces, which will be ideal for collaborative group work, small breakout groups and individual thinking.

These projects are part of a \$250 million investment by the state government to provide 139 of our schools with contemporary facilities for teaching and learning in STEM. We know that 75 per cent of the fastest growing industries need some form of science, technology, engineering or maths skills. It is important that rural and regional students receive similar opportunities for education and learning to those of their city cousins.

Given the exciting new opportunities in industries such as defence and space, continued investment in new STEM facilities will ensure rural and regional students will share in this exciting future. STEM learning looks very different from class to class and school to school. Some of the examples of what students learning STEM may study are:

- coding;
- designing and building prototypes, like windmills, solar cars and water sampling technologies;

- the Engineers Without Borders project, which designs and develops solutions for humanitarian problems like solar cookers, water filtration systems and solar lighting;
- agri-science and agricultural engineering;
- robotics;
- working with local industries and communities such as Lockheed Martin and Parafield Airport; and
- developing technical and engineering skills to troubleshoot the source of a problem, repair a machine or debug an operating system.

As you can see, these topics and skills are vastly different from the traditional skills of years past and will ensure that our rural and regional students continue to keep pace by gaining the skills needed to secure the jobs of the future. I am proud to be part of a government investing in rural and regional education, ensuring that no matter where you live in South Australia, you will enjoy the opportunities provided by these new and emerging industries.

I acknowledge the investment in both the regions and in the city to make sure that all students get the ability to be the best that they can be with these new facilities being opened up. Certainly, in regard to my electorate, I was proud to open the Murray Bridge North facilities with the Minister for Education, John Gardner. The students in one room were using a small iPad to drive a ball on the floor, so not only was there a bit of science involved but it was all good fun as well. There are also some excellent breakout facilities and rooms there for students to learn those STEM subjects.

In more recent times, I opened the facilities at Murray Bridge and also went there for a robotics competition day, when students from different schools could piece together a robot that had different tasks, like moving objects over a small barrier and moving the robot to and fro, using phone technology to drive it. I still have a bit to learn about driving a robot, from my brief experience, but it certainly teaches students the skills that they will need into the future as robotics become more and more part of our lives.

Speaking of robots, only the other day I was in the Disability Unit in Murray Bridge High School meeting Pepper, their almost lifelike robot, and saw the great interaction between Pepper the robot and the students. The robot even reacted with me, which was something different, once I had the script and knew what it would listen to and what it would not listen to. I was pleased to hear, when I asked Pepper if robots would completely replace humans, that Pepper decided that, no, they would not; they are here to help us.

There is great development there at Murray Bridge High School and there is more going on with \$20 million worth of development. At Mannum Community College the other day, I opened the facilities in my own right, as I did at Murray Bridge. There are some great open-space rooms now, great breakout facilities again, and great opportunities for students heading into the future. I was very privileged to be there to do that.

I want to talk about some of the matters that the member for Flinders talked about, regarding the excellent information he had about the Apollo landings and the Apollo spacecraft. I had the privilege of going to Cape Canaveral way back in 1984. They actually have a spare Saturn V rocket, the huge rocket that launched these astronauts up into space. The reason they had one left over was that there was always a spare in case something dramatic happened on the launchpad. That is the courage that all these astronauts have whenever they do something like that.

We saw that terrible tragedy years later and there was always the thought of something going bang on the launch strip, with all those many hundreds of tonnes of fuel. You could just imagine the thrust sitting up the top of a big rocket going where not many men had been, and you have to commend their courage for doing that. It was something to see this Saturn V rocket on the haul road, with the crawler tractors that would move it around and so on.

The member for Flinders was correct, and the *Apollo 13* movie showed how they had to work out on the ground—how to get a square object in a round hole with what they had on the spacecraft—just so that those fellows could get home. They did it, and it is a tribute to science that they got home. Certainly, in light of the Apollo missions and the role that the dish at Parkes played, it was a great

movie, but I am not sure how much leeway was given to the producers in some of the reality of what happened.

Obviously, they had to guess when the Moon appeared again on the right side of the Earth so that they could keep up their frequencies. There was a bit of luck and a lot of management to make sure they could get that communication. One thing I noticed in *The Dish*, one of those bloopers, was that in one scene you see a stack of hay in the background. I do not believe they were making big square bales in 1969, but that is just something I picked up; not everyone would pick it up. Otherwise, it was a great presentation of our role in the space mission.

In the time I have left, I would like to acknowledge our own astronaut, Andy Thomas, from Adelaide and what he has done in going into space, living in space and doing Moon walks. As I said before, I commend anyone who has the courage to do that, and he did it multiple times. I heard him speak the other day at Adelaide University, and he is just a fantastic speaker. He was brief and to the point, but you were not left wondering about what he got up to and the opportunities for people into the future. I certainly commend the motion by the member for Newland. May many more people learn the opportunities they will get through science, technology, engineering and maths across the board.

**Ms STINSON (Badcoe) (12:41):** Can I thank those opposite for their remarks on this motion and for the member for moving this motion as well. I think it is certainly something worthy of conversation in this place. I will only be fairly brief in my remarks, but I just wanted to draw attention to how far we have come with science education. Certainly when I was at school it was not people's favourite subject. It was a subject that I think a lot of students, at my public school in particular, had difficulty wrapping their heads around. There certainly was not the level of excitement, and I think the level of excitement about science has come along in leaps and bounds.

I look back on my school experience and think that it was really a missed opportunity as far as science education goes. There were some pretty dreary classrooms. It was all about Bunsen burners. They were the teacher's—

**Mr Pederick:** There's nothing wrong with a good Bunsen burner.

**Ms STINSON:** There are a few good Bunsen burners out there, and we made the best of those Bunsen burners, I have to say. There were a lot of melted Bic pens over the years.

I do not think that our science teachers, regrettably, in my experience at school, quite demonstrated the passion. The curriculum maybe was not as full and as entertaining for students as it is now. I think that is a huge improvement that has been made over the decades. It is great when I visit local schools in my area to see just how enthusiastic kids are about it and that they realise the importance that it has in our world, whether it comes to the big issues, like climate change, or whether it comes to the very practical issues, like getting a job. They realise how important science is in their futures and in the future of our community. I am glad to see there has been quite a change in our feelings towards science, and I hope that continues to change.

Another thing I would say is that I feel like female students are a lot more involved in science than they used to be. Maybe that was part of my experience as a young woman. It was sort of seen as a boys' topic. Something the boys did was science and maths and girls did drama, English, artistic subjects and humanities subjects. I think that has really changed now in schools, and I think it is a wonderful thing that children of all genders and all backgrounds can have enthusiasm for science.

Children are born with an interest in and a passion for science. Kids love animals, they love asking questions about the weather and they love asking questions about how things work. I think it is natural that children would gravitate towards science and have a passion for it. Hopefully, through the advancements that have been made in education, they continue to have that passion through their adult years, whether or not they have a career in this area.

I also want to talk briefly about the investments that have been made in STEM classrooms of schools across the Badcoe electorate and also just outside it that service the children and families of my electorate. I have been very fortunate to go to each of the STEM openings over the last 12 months, and they have all been fantastic occasions. It has been fantastic to see those facilities at



work, to speak with the children about what they have learned and also to speak to the teachers and see how enthusiastic they are about teaching science, as well as maths and engineering subjects.

Plympton International College recently had an opening. The member for Morphett was there and unveiled the plaque. It was a fantastic day. It was great because all levels of science were on display. We heard from university lecturers who have partnered with the school to put those facilities to good use and build new partnerships as far as science education goes.

We also saw the science of food technology. There was an absolutely incredible display of food on offer. I do not think anyone touched it for a while because it looked so beautiful, but eventually we all got stuck into the beautiful food that the students had made quite lovingly for the event. It absolutely could have passed for professional catering. They really knew the science of food in how they went about making that beautiful spread for all the special guests, teachers and students who were there on the day. Their facilities are quite remarkable. I would encourage anyone to check out the facilities there. It is a combined primary and secondary school, and they have really put the facilities to excellent use.

Other schools in my area that have benefited from the STEM works investment are Forbes primary, Plympton primary, Goodwood and Richmond as well. I really commend the builders and the schools themselves that have managed those projects. They have been big projects and they have been inconvenient for the school community in the time they were being built, but absolutely every single one of them is being used fully.

When I speak with students and parents from those schools out in the community or when I am at the school, they all reflect very favourably on those facilities. They are being used every day, and they are really broadening students' knowledge of the world and giving them a passion for science that maybe they did not have before, without those facilities. There are also other investments that the previous government made, and which I am glad this government saw through, that have added to the understanding and practice of science in our schools.

Ascot Park Primary School was the recipient of two pools of money from the fund my neighbourhood project. I know that this fund was cancelled, but the project has come to fruition at least. I was very lucky to be there only a week or two ago to open their new garden. They have a new playground, but the garden in particular is helping them to learn more about biology and food science. The wonderful people from Bunnings have helped them build a series of large planter boxes and a shelter, filling them with beautiful produce: carrots, herbs, tomatoes and strawberries, which are being used for the very delicious strawberry chocolate cupcakes at Ascot Park primary.

Kids really get their hands dirty, get stuck in and not only learn a bit about the plants that they are planting but see them grow up, knowing that they have had a direct impact on the plants' growth. They learn about how the plants grow and then learn about how to use the produce from those fruit and vegetable plants. I think there is no education quite like knowing where your food comes from, how important it is and how important it is to look after our natural environment.

I commend those schools for the wonderful work they are doing. I also commend Dr Susan Close, who was instrumental in the STEM Works program. It is a fabulous legacy to leave: to have considerably upgraded facilities for so many children and to know that thousands of children across the metropolitan area and also country areas will benefit for many years to come from that investment. I also applaud the current government for seeing those projects through, and I hope to see more investment in STEM in our schools. From the discussion today, I think everyone agrees that it is an investment that is well worth making.

**Dr HARVEY (Newland) (12:50):** Firstly, can I thank the deputy leader, the Minister for Police, the member for Giles, the member for Flinders, the member for Elder, the member for Morphett, the member for Heysen, the member for Hammond and the member for Badcoe for their contributions to this motion.

We have heard a range of experiences and perspectives involving local schools, local science projects and some particular highlights of scientific achievement over the last century, including the Moon landing, which I think was particularly exciting. I think this points to the fact that

science really does touch every part of our lives and that this is going to become even more true into the future.

National Science Week is an important initiative and I encourage all members to get involved. I encourage all students to study science and particularly maths. Stick at it for as long as you can. There are plenty of jobs and very exciting careers waiting for those who stick to their maths and their science.

We will be supporting the amendment moved by the deputy leader. We can certainly all agree that encouraging and inspiring the next generation to pursue a career in STEM is important for the future of our state. I commend the amended motion to the house.

Amendment carried; motion as amended carried.

### REGIONAL ECONOMY

**Mr McBRIDE (MacKillop) (12:52):** I move:

That this house—

- (a) recognises the economic contribution to South Australia from our regions is now in excess of \$25 billion per year; and,
- (b) acknowledges the endeavours of the state government towards growing the regional South Australian economy.

As a regional member, I am grateful to the people of South Australia for electing the Marshall Liberal government on a platform of 'regions matter'. Our constituents have recognised that our government is one that values our regions, and our government has recognised that regional communities are the backbone of our economy.

I am grateful that gone is the Adelaide and metro-centric approach of the previous government that did not recognise anyone beyond the toll gate, an approach that sadly dogged our state during the 16 years of the former Labor government and notably, unfortunately, resulted in the decline in our roads, the neglect of our regional health care and the deterioration of our schools and other facilities. Despite this neglect, we are fortunate to have communities, businesses and sectors in our regions that have had the drive, tenacity, business acumen and persistence to deliver strong economic outcomes for their regions and the state.

Our regions are important to the state. They are making significant contributions to the state's gross regional product, totalling more than \$25 billion. Agriculture, forestry and fishing are key areas of contribution. I have spoken previously in this house on several occasions of the great contribution of our regions. The grain sector in South Australia is a key contributor to gross domestic product for regions. PIRSA reports that in 2017-18 the South Australian field crop industry contributed \$4.2 billion, or 28 per cent, of South Australia's primary industries and agribusiness revenue.

Significant regional contributors to this value include areas cropped in Eyre Peninsula, Yorke Peninsula, Mid North, Murray Mallee and the South-East. The contribution of this industry is testament to the endeavours of our grain growers embracing technology and managing risks that enable this sector to deliver. PIRSA reports that over 11 million sheep, 950,000 head of cattle and 57 million kilograms of wool are produced annually in the state. The state's red meat and wool sector generates \$2.4 billion each year in production and processing revenue and \$1.5 billion in exports. It also supports 30,000 jobs.

Our regions are celebrated internationally and nationally as producing high-quality wines. The value-adding that takes place in South Australia's regions is also well known. For 18 wine regions across South Australia, Vinehealth Australia reports that in the 2018 vintage alone the estimated value of the total grape crush for all regions was more than \$589 million. While the wine industry is the highest single export sector and generates \$2.35 billion to the economy and employs more than 8,400 people, the value-add to the wine and grape product is significant and a result of the local winemaking that occurs across our regions, including the Barossa, Adelaide Hills, McLaren Vale, Fleurieu, Limestone Coast, Clare and the Riverland, to name a few.

South Australia's clean and green status has it well placed for a thriving horticulture industry which, according to PIRSA, in 2017-18 contributed \$1.6 billion to South Australia's economy. The

production of pears, apples, cherries and strawberries is the hallmark of horticulture in the Adelaide Hills, while the Riverland is a key area for the production of citrus, stone fruit and almonds.

The Limestone Coast is known for its production of vegetable seeds and, together with the Mallee, is a key area for the production of potatoes and onions. Closer to Adelaide, the Northern Adelaide Plains are intensively farmed to produce outstanding fresh vegetables. PIRSA reports that tomatoes, potatoes, almonds and citrus are the largest of a vast range of the vegetable, fruit and nuts crops grown in South Australia.

Our regions are also an important base from which a great many of our fishery sectors operate. ABARES reports that the value of fisheries and agriculture production across South Australia, which includes a significant contribution from regional ports, for 2016-17 totalled more than \$483 million, with seafood exports from South Australia totalling \$242 million over the same period. Significant contributors to this export value included the tuna, rock lobster and abalone fisheries.

The plantation forestry industry and its value chain, including growers, forest managers, processors, harvesters and biomass users, are key agricultural and agribusiness sectors for our state. A 2017 report funded by Forest and Wood Products Australia identified that the direct value of forestry output generated from the Green Triangle in South Australia in 2015-16, which includes my electorate of MacKillop and the adjacent electorate of Mount Gambier, was \$1.909 billion, including flow-on effects generated in other industries as a result of spending in the forestry industry. A large portion of this value, \$1.273 billion, was generated on the South Australian side of the border, with another \$104 million generated through cross-border activity. Be in no doubt that this is an important sector for our state.

Regionally based mining and gas production are important for South Australia and account for more than 35 per cent of South Australia's export of traded goods. The sectors are strong contributors to gross domestic product, with mining across the regions of the state contributing more than \$1.4 billion for the state. The Far North of our state continues to provide a key strong economic contribution to the state, with the value of mining being a key economic driver in those regions.

While the agriculture, fishing, forestry and mining sectors are significant generators of value for our state, there is also significant contribution from a range of other industries. Household services, which include accommodation and food services, education and training, health care and social assistance services, are significant contributors to gross domestic product across all regions.

Also significant and consistently high-value contributors across all regions are business services. These are the businesses in our regional towns and cities that enable us to work, live and go about our daily lives. These businesses include financial and insurance services, rental and real estate agencies, professional services such as lawyers, conveyancers and scientific and technical services. The combined value that these sectors add to the gross domestic product across all regions is more than \$4.9 billion.

The Marshall Liberal government recognises the importance of regions to South Australia. Our government has placed an emphasis on ensuring that settings including planning, policy, skills and funding are in place to grow the regional economy of South Australia. Ensuring that we develop and sustain strong local economies is a priority. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

*Petitions*

#### **SERVICE SA MODBURY**

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

*Parliamentary Procedure***ANSWERS TABLED**

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

*The Hon. A. Koutsantonis interjecting:*

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

**PAPERS**

The following paper was laid on the table:

By the Attorney-General (Hon. V.A. Chapman)—

Rules made under the following Act—  
Magistrates Court—Civil—Amendment No. 24

**VISITORS**

**The SPEAKER:** I welcome to parliament today years 5 and 6 students from Ascot Park Primary School, who are guests of the member for Badcoe, and also students in year 11 from Cummins Area School, who are guests of the member for Flinders. Welcome to parliament.

*Question Time***PUBLIC TRANSPORT PRIVATISATION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:03):** My question is to the Premier. Can the Premier advise the house whether he has received any representations from the member for King against the privatisation of the state's train and tram network?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:03):** I speak to all of my members on a very regular basis. Can I just say, I'm very pleased to have a team—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —which represents the best interests of their electorates. We are very pleased with the investments we are making into public transport in South Australia. In fact, we are addressing—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —some of the lack of investment that we saw under the previous government. I know that members on this side of the house are very pleased that finally there is a government in place in South Australia which wants to improve public transport in South Australia. That's certainly—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** That is certainly the wish of the minister, who I must say is working very hard in this area. Only a few days—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Only a few days ago, we established the Public Transport Authority. I know that that's an issue which all members on this side of the house were very encouraged by. Many people have been calling for such an authority to guide the improvement of

public transport services in South Australia for an extended period of time, and this is one of the things that our members have spoken to me about.

**The Hon. A. KOUTSANTONIS:** Point of order: this is debate, sir. The question was about whether the member for King supported the privatisation of the rail network.

**The SPEAKER:** Yes, I have the point of order, thank you, member for West Torrens. Before I adjudicate on the point of order, a number of members were interjecting, which is unparliamentary. I consequently call to order the following members: the member for Reynell, the member for Wright, the Leader of the Opposition, the member for Kaurana, the member for Cheltenham, the member for MacKillop and the member for Waite. I have given the Premier some opportunity to warm up and I ask him to come back to the substance of the question, but I ask that the interjections also reduce. Premier.

**The Hon. S.S. MARSHALL:** As I was saying, I speak to many of the members on my side of the house regarding public transport on a very regular basis. We don't accept the opposition's characterisation of the outsourcing of the service's privatisation for the reasons that we outlined—

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** —in the house yesterday, which I am more than happy to canvass again.

*Mr Odenwalder interjecting:*

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

**The Hon. S.S. MARSHALL:** I know that there are some people on that side of the house who are slow learners, so I'm happy to go through it once more. We will retain ownership of the trains. We will retain ownership of the trams. We will retain ownership of the stations here in South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We will control the fares. We will control the programming of the services. We are looking after the best interests of the taxpayers in South Australia—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —with a market call going out at the moment to look at the provision of these services, and we do this in the best interests of all South Australians. I must say, whether it be the member for King, or any other member on this side, they are all particularly interested in improving public transport in South Australia. What we saw under the previous regime was simply—

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

**The Hon. S.S. MARSHALL:** —a number of announcements, often postponed or cancelled.

**The SPEAKER:** There's a point of order.

**The Hon. A. KOUTSANTONIS:** The moment the Premier said 'previous regime', sir, it's debate.

**The SPEAKER:** The question was about a member and what they have asked about privatisation of the trains network. I think the Premier is starting to deviate, and I ask him to come back to the substance of the question.

**The Hon. S.S. MARSHALL:** Thank you very much, sir. As I was saying—

*Members interjecting:*

**The SPEAKER:** Order! I would like to hear the answer, leader.

**The Hon. S.S. MARSHALL:** —we don't characterise our market call as privatisation.

*Members interjecting:*

**The SPEAKER:** Order! You have asked the question.

**The Hon. S.S. MARSHALL:** If those opposite characterise it as privatisation, how do they characterise the services that they administered during the 16 years of their administration? Let's be very clear: the current arrangements for all buses in South Australia are under contracts signed by those opposite. The bus contracts in South Australia all operate under contracts signed by the Labor government.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Many of the people who signed those documents are sitting opposite. The reality is that we will always act in the best interests of the taxpayers of South Australia. That's what we spoke about in the lead-up to the election and that will be what we implement every day that we are on the treasury bench.

**The SPEAKER:** I call to order the following members: the member for Playford, the Leader of the Opposition, the member for Hurtle Vale, the member for Lee, the member for Elizabeth, the member for Giles and the Minister for Energy and Mining.

#### **PUBLIC TRANSPORT PRIVATISATION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08):** My question is to the Premier again. Can the Premier advise the house whether he has received any representations from the member for Waite against the privatisation of the public transport network?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08):** I refer the Leader of the Opposition to my previous answer.

**The SPEAKER:** The member for Heysen, and then I will come back to the leader.

#### **PUBLIC TRANSPORT PRIVATISATION**

**Mr TEAGUE (Heysen) (14:08):** My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on the effect of patronage following outsourcing of public transport in other jurisdictions?

*Members interjecting:*

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

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:08):** I didn't realise that question should have come with a trigger warning. It has been an interesting couple of days dealing with the piles and piles of bunkum that have piled up all around the place, especially on the other side of the chamber—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader, order!

**The Hon. S.K. KNOLL:** —in relation to our decision to outsource the operation of train and tram services. The hypocrisy knows absolutely no bounds when it comes to this story. Can I say that outsourcing is a model that has been tried and tested right across the globe.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.K. KNOLL:** Interestingly, there have been some models of privatisation, like that which characterised the London Underground which didn't work, and I would agree with that except to say that there has been commentary made—

*Members interjecting:*

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

**The Hon. S.K. KNOLL:** —in the last couple of days that the reason that you can't bring bus services back in-house after having been—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: the question was about patronage and other jurisdictions. He is now debating it.

**The SPEAKER:** Yes, I have the point of order, and I ask members on my left to cease interjecting, because I am struggling to hear the answer, so stop, or members will be departing the chamber. Minister, could you please stick to the substance of the question.

**The Hon. S.K. KNOLL:** There has been an argument put that you can't unscramble the egg in public transport as a reason why we cannot bring back into house the bus contracts here in South Australia. What has been pointed to is where somebody believes that they have unscrambled the egg. You can't have it both ways: you can't say that you can't unscramble the egg and then point to a jurisdiction that did what we are not seeking to do.

**The SPEAKER:** There is a point of order, minister.

**The Hon. A. KOUTSANTONIS:** The government question to the minister was about patronage and other jurisdictions. The minister is now debating the question.

**The SPEAKER:** I have the point of order. I am listening to it, and I am ready to pounce if I need to, but I am listening to the answer.

**The Hon. S.K. KNOLL:** Thank you, Mr Speaker. But the reason that jurisdictions right across the globe haven't unscrambled the egg—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —is because the egg has been softly and gently fried and it is beautiful to eat. We see that in jurisdictions—

*Members interjecting:*

**The SPEAKER:** Order!

*The Hon. L.W.K. Bignell interjecting:*

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

**The Hon. S.K. KNOLL:** So in Adelaide, after—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —the buses were outsourced—

*Mr Szakacs interjecting:*

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

**The Hon. S.K. KNOLL:** —we saw a seven-million passenger per annum increase in the number of people using the bus services; in Melbourne, the example that some people have suggested hasn't worked, a 110-million passenger per year increase after outsourcing—110 million passengers; across in Perth, when the buses were contracted out, a 37-million passenger increase per annum in growth; and in Auckland, over across the ditch, an 18.2-million passenger per annum increase after those rail services were outsourced. These are examples after examples after examples that show that this is a tried and tested method that works. There are some—

*Mr Boyer interjecting:*

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

**The Hon. S.K. KNOLL:** —in the labour movement who are trying to suggest that the way that Melbourne's public transport system works doesn't deliver the best services for passengers. Well, I think that 110 million extra people cannot be wrong, but more than that, maybe some in the labour movement need to speak to others in the Victorian labour movement who do suggest that customer satisfaction survey on trains is at a 22-year high as of November last year.

*Mr Malinauskas interjecting:*

**The SPEAKER:** The Leader of the Opposition is warned.

**The Hon. S.K. KNOLL:** So there are more bums on seats, there is higher satisfaction—

**Mr Picton:** Not as high as here.

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

**The Hon. S.K. KNOLL:** —yet there are those who suggest that the system is not working. We are proud to be doing this on behalf of the people of South Australia. We know that it is a model that works. We are able to take and learn from the global examples of the last 20 to 30 years to make sure that we deliver the right solution here in South Australia. The proof will be in the pudding, and the South Australians who choose to use this service after the outsourcing know that it's going to be better because we can drive efficiency to deliver better services.

**The Hon. A. Koutsantonis:** Sack people.

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

**The Hon. S.K. KNOLL:** That will be the test by which we will be measured and not some fake debate by those members who privatised anything that could move over their 16 years in power. South Australians can get the difference.

**The SPEAKER:** The Leader of the Opposition has the call.

*Ms Stinson interjecting:*

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

#### **PUBLIC TRANSPORT PRIVATISATION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13):** My question is again to the Premier. Can the Premier advise the house whether he has received any representations from the member for Elder against the proposed train privatisation?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13):** Again, I know that Kevin Naughton is up there in the dream factory. He could probably send down a few more questions, but this question is exactly the same as the previous two questions—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and so I refer the honourable members—

*Members interjecting:*

**The SPEAKER:** Order, we have the question!

**The Hon. S.S. MARSHALL:** —to my previous answer.

**Ms Stinson:** Are they doing their jobs? Are they listening to people?

**The SPEAKER:** The member for Badcoe is warned. The leader.

#### **PUBLIC TRANSPORT PRIVATISATION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14):** My question is to the Premier. Can the Premier advise the house whether the member for Davenport has argued against the train privatisation?



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

#### **PUBLIC TRANSPORT PRIVATISATION**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14):** My question is to the Premier. Can the Premier confirm to the house that the entirety of the parliamentary Liberal Party believe that the train privatisation is a good idea?

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

*Dr Close interjecting:*

**The SPEAKER:** The deputy leader is called to order. The member for Lee and then we will go for another one after that.

#### **PUBLIC TRANSPORT PRIVATISATION**

**The Hon. S.C. MULLIGHAN (Lee) (14:14):** My question is also to the Premier. Will the Department of Treasury and Finance assist in the procurement process for a private operator of train and tram services?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:14):** I think it is fair to say that Treasury keeps an eye on everything that government does, and I am sure that every single minister in this place knows that the tentacles of the Treasurer, Rob Lucas, do extend everywhere and that he is watching all of us all the time to make sure that we don't waste any taxpayers' money.

The Department of Planning, Transport and Infrastructure are going to be leading this process. We are already out to tender for our tram outsourcing. That was put out yesterday, and it will actually be done in conjunction with the North South bus contract that is currently outsourced under a contract signed in 2011 by the former Labor government.

For the train services, we are going to go out to a market sounding later this year and we expect after that a tender process to be conducted. The South Australian Public Transport Authority and the Department of Planning, Transport and Infrastructure are the ones that are leading this project. The way that South Australians can know that we are serious about delivering better services is to actually go and have a look at the bus tender that's already out there. That bus tender that's already out there lists off—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** Point of order, sir.

**The SPEAKER:** There is a point of order, minister. The point of order is for debate.

**The Hon. S.C. MULLIGHAN:** Correct.

**The SPEAKER:** With respect to the minister, I think that the question was pretty specific. I have allowed the minister some opportunity, some preamble, but I ask him to come back to the substance of the question, thank you.

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** Member for Light, you are called to order. I kicked you out yesterday. Minister.

**The Hon. S.K. KNOLL:** We took the opportunity to employ one of the leading experts in public transport across the country, namely, Tony Braxton-Smith. He is the right man to deliver this job—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —and we have every faith that he will be leading this process.

**The Hon. S.C. MULLIGHAN:** Point of order, sir.

**The SPEAKER:** I think the minister has completed his answer. The member for Lee and then the member for Elder.

#### **PUBLIC TRANSPORT PRIVATISATION**

**The Hon. S.C. MULLIGHAN (Lee) (14:16):** Supplementary: can the Premier advise to what extent the Department of Treasury and Finance will participate in the process?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16):** I think the minister has provided an answer to the house on this already, but ultimately—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —these decisions come to cabinet for a decision of the whole of cabinet.

#### **SKILLING SOUTH AUSTRALIA**

**Mrs POWER (Elder) (14:17):** My question is to the Minister for Innovation and Skills. Can the minister update the house on Skilling South Australia?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:17):** Yes, I can.

*Members interjecting:*

**The SPEAKER:** Order! I don't know what caused this interruption, but the minister has the call.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The minister has the call.

**The Hon. D.G. PISONI:** I thank the member for Elder for her interest. I know that members of her electorate are very interested in trades and skills in South Australia. One constituent in particular—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —her husband, Brad Power, is a heritage carpenter. The Marshall Liberal government is building a better future for South Australians. We are creating more jobs and we are providing new training—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —opportunities, leading to real careers for South Australians. The Marshall government has achieved its first target under the Skilling Australians Fund national partnership agreement. We have now received our first payment from the commonwealth, equating to more than \$20 million, for reaching that target. We are delivering on our Skilling South Australia commitment. Under our reforms, total apprenticeship and trainee numbers have exceeded the benchmark set for the Skilling South Australia program.

For the reporting period from 1 July last year to the end of April this year, more than 10,000 commencements have been achieved, and this is what triggered the \$20 million payment from the federal government. It's a terrific achievement to be making steady progress on the increased training activity here in South Australia on top of the very poor start we inherited when we were elected in March last year, after a 55 per cent drop-off—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —in the number of apprentices and trainees since 2013 under those opposite. The partnership between industry and government is working. To date, more than 60 projects have been co-designed with industry for Skilling South Australia to a value of \$11 million. This is where we have gone out to industry and have identified what the barriers are for them taking on apprentices, what enablers we can help them with, and we have worked out bespoke projects in order for them to get on board. About 3,000 apprentices and trainees—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —have been employed under that process. It's critical that we equip our workforce to meet the skills needs in our state's existing and emerging industries so that we can boost our economy, build productive infrastructure, grow our exports and create long-term, clear pathways for South Australians.

We are working with industry to increase skills and to ensure funding from the commonwealth continues to flow in South Australia—because we love to spend money from Canberra—as we progress the Skilling South Australia initiative. South Australia was the first state to sign up to the Skilling Australians national partnership and we are pleased to have achieved our first annual benchmark payment from the commonwealth.

The Marshall Liberal government is investing \$100 million over four years, and a national partnership with the Morrison government was further strengthened in the April federal budget through the \$525 million Skills Package, Delivering Skills for Today and Tomorrow, resulting in an increased funding investment here in South Australia of a net benefit of about \$15 million, including a new training hub in Port Pirie. I use this opportunity to thank Rowan Ramsey, the member for Grey, for his advocacy for his constituents in Port Pirie.

Of course, a bonus for 10 of the skills most in demand in South Australia is a doubling of the \$4,000 payment to employers to \$8,000 in that space. It's interesting that, of those 10 skills, six are in the building industry: carpenters and joiners, plumbers, air-conditioning and refrigeration mechanics, bricklayers and stonemasons, plasterers, and wall and floor tilers. Of course, the other skills that have been identified as being in short supply are hairdressers, bakers, pastry cooks, vehicle painters and arborists.

#### STATE BUDGET

**The Hon. S.C. MULLIGHAN (Lee) (14:21):** My question again is to the Premier. Why did the Commercial and Economics Branch of the Department of Treasury and Finance receive an additional \$13½ million and 15 FTEs in the state budget?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:21):** I don't have that level of detail. It seems to me that that would be a question better directed to the Treasurer or in estimates.

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** Sir, those opposite suggest that I should be aware of every detail in the entire state budget—

*Members interjecting:*

**The SPEAKER:** Order! The member for Ramsay is warned.

**The Hon. S.S. MARSHALL:** —but the reality is that those opposite have an opportunity to come into question time here or in the other place—it would be logical to address the question to the person responsible for that area of the budget—

**Mr Brown:** The government is formed here. You're the Premier.

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

**The Hon. S.S. MARSHALL:** —in the other place—but those opposite have sought not to do so or to hold the question over for estimates. I can only presume that just a few minutes into question time—19 minutes in—they have completely and utterly run out of questions.

*Members interjecting:*

**The SPEAKER:** Order! The member for Giles is warned. Member for Lee.

### STATE BUDGET

**The Hon. S.C. MULLIGHAN (Lee) (14:22):** My supplementary is to the Premier, of course. Did cabinet not approve the state budget?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:22):** I refer the honourable member to my previous answer.

**Mr Brown:** He wasn't there that day. He was on holidays.

**The SPEAKER:** The member for Playford has been doing it all day and he's warned.

### PUBLIC TRANSPORT PRIVATISATION

**The Hon. S.C. MULLIGHAN (Lee) (14:22):** My question is again to the Premier. Will the government employ any external consultants or advisers to work on the privatisation of train and tram services?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23):** I make the point that we do not accept for one second that this is a privatisation agenda whatsoever.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** The reality is that we are not selling a single asset. We are not selling a single—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —revenue stream here. We are outsourcing the provision of the tram and train operation and we are doing that in accordance with what we believe unequivocally is in the best interests of the taxpayers of South Australia, and we will continue to do precisely that.

**The SPEAKER:** The member for Newland. I will come back to those on my left.

### SPORTS FUNDING

**Dr HARVEY (Newland) (14:23):** My question is to the Minister for Recreation, Sport and Racing. Can the minister inform the house how the Marshall government is providing funding to local sporting clubs to acquire vital life-saving equipment such as defibrillators?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:24):** I thank the member for Newland for his very good question and note his keen interest in that. In fact, he and I have a very close association with a young man who did use those—

**The Hon. A. KOUTSANTONIS:** Point of order: this information is readily available, sir. Indeed, sir—

**The SPEAKER:** I have the point of order. It has been a practice of the house—

*Members interjecting:*

**The SPEAKER:** Members on my right, be quiet. There are practices around this sort of potential answer. I will be listening carefully, watching what resources are out there and, if there is an issue, I will intervene; if not, the minister has the call.

**The Hon. C.L. WINGARD:** Thank you very much, Mr Speaker. I again acknowledge the member for Newland and his interest in this matter and his interest in building South Australia—

*Ms Cook interjecting:*

**The SPEAKER:** The member for Hurtle Vale is warned.

**The Hon. C.L. WINGARD:** —which is what we are doing as a government right across the board, investing billions of dollars in infrastructure, of course, which is wonderful to see. Lot Fourteen, again, is another great investment here in South Australia. There is \$52 million going into state security and police, and we are very passionate about that, to build the security of our state. We are also investing in sport. We have put \$100 million into sport in South Australia—

*Ms Hildyard interjecting:*

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

**The Hon. C.L. WINGARD:** —since coming into government, and we are very proud of that, too; \$100 million is a significant amount. There is \$29 million that has gone to sports vouchers. That is a \$100 voucher for primary school-aged children who are actually going out and playing sport. We are getting them active, we are getting them out in the community and we are helping their families with the cost of living.

It is a very important initiative, and I know the member for Newland is extremely passionate about that. It is \$100. We came into government and that Sports Vouchers program wasn't funded by those on the other side; they did not have a cent committed to it. We have put \$29 million into making sure that we are building South Australia and getting our young people active.

When it comes to these defibrillators, this is another great initiative. I know the member for West Torrens is keen on this, but I know for a fact that he doesn't know the name of the young man who actually had his life saved by one of these defibrillators. It actually happened in the electorate of Newland at a Tea Tree Gully Football Club game. They were playing against the Brighton Bombers, which is my football club coincidentally, against my son's team. It is a little bit fortunate that I wasn't there that day and nor was my son.

It was quite a shocking day for all the kids involved. He actually received what is colloquially termed a 'death punch'. It is where, on the exhalation of breath, you are hit right in the sternum at exactly the right time and it makes your heart stop. I am told by the experts—and again, the member for West Torrens may or may not know this fact—that if you had 10 doctors only one could actually make this happen to you. One out of 10 doctors can make it happen, that is how freaky it is.

Young Tyler Bennett was the boy's name. He went down. Thankfully, the trainer from the Brighton football club was on hand. Her name is Helen Wise. The assistant coach from the Tea Tree Gully under-18s, one of their senior players, Alex McKay, was on hand as well, and they started resuscitating this young boy. The real blessing was that the club had a defibrillator. Someone went and got that defibrillator. They worked it on young Tyler and they started his heart. He was in a coma for two days, and he is very lucky to be alive. In fact, it was only a few weeks ago that he celebrated his first birthday. I did make note of that to the member for Newland.

**Honourable members:** His first birthday?

**The Hon. C.L. WINGARD:** Yes, think about it for a second. He was dead twice—

*Members interjecting:*

**The Hon. C.L. WINGARD:** —and then he came alive again, so he has had his first birthday. They are not listening on that side, but isn't that a great story? Here's a young lad who is 18 years of age and he had his first birthday because he came alive again after the great work of these defibrillators.

What we are saying to sporting clubs out there is that we have the Active Club out there. There is between \$3 million and \$4 million in this grant program. There are two rounds. We have the second round to go this year. It opens on 7 August. We are asking people to put in an application for one of these defibrillators. You can get a grant of up to \$5,000. They cost about \$2,500 to \$3,000,

maybe a bit more if you get the wall mount. They are wonderful for our community and they can be registered with St John's as well. So if someone has an episode, they can actually know and get informed as to the location of one of these defibrillators, and it may well save another life.

Tyler Bennett, the member for West Torrens will be keen to know, is alive again. He had his first birthday the other day since being saved by these wonderful volunteers at the football club. It is a great story. Tyler is living proof that these things work. We implore everyone to apply for them. If you don't get one in this round, please apply again in the next round, because in the last round of Active Club grants no-one actually applied for one, and they are very worthwhile for our communities.

I recommend it to everyone. Again, on behalf of Tyler, I know he is very grateful for the people who looked after him and the fact that the club had a defibrillator that helped save his life.

**The SPEAKER:** One moment, member for West Torrens. Please stop the clock, Mr Clerk. I respectfully remind members of a practice adopted by former Speaker Atkinson. What has emerged in recent times regarding an answer to questions is for the minister, in providing an answer, to quote extensively from, or refer to information readily available in, public documents. In this instance, the Speaker has invited the minister to continue his or her answer, provided the response can also offer new or further information. I hope that helps members on both sides.

#### **KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:29):** My question is to the Minister for Transport and Infrastructure. Who invited the minister to travel to Newcastle to meet with Keolis Downer?

**An honourable member:** It's not a trick question.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:29):** I'm actually just trying to remember. In conjunction with Tony Braxton-Smith—who, for those who don't know, was part of a team that operated the public transport network in New South Wales—we were looking at models of greater integration of services across the country, and the Newcastle example is one that came up in the course of our conversations.

There was an opportunity to go have a look at Newcastle and see trams, buses, on-demand buses and ferries all being run out of the same operations control centre, under the one operation, which is quite extensive and novel. In terms of operating model innovation, it sits at the forefront across the country of how that is able to be operated. So, from memory, I think it was TB-S who was the first one who suggested it. He accompanied me across to Newcastle to have a look and, in fact, was able to help provide some really good information because he was there as part of the process of setting up the way that the Newcastle system operates.

It has been a huge success, and it had some real lessons for us in terms of our on-demand bus trial here in South Australia. Members may remember that we have put out a tender for up to \$1 million for a private sector operator to come to us with ideas about how we can use this on-demand process, essentially a system by which people can book, exactly like an Uber, to get a bus to pick them up from near their house and drop them at another point. Essentially, that on-demand service in Newcastle works as a point-to-point and a point-to-hub operation.

I think it is pretty clear that the point-to-hub aspect of that service area is really a good way, and an innovative way, for them to be able to channel people to a high-frequency bus line that gets them into the centre of Newcastle extremely efficiently and can connect them from closer to their house to closer to where they want to go. I think it was a great trip and very much worth my while. There was a lot of learning for South Australia in visiting Newcastle.

What's interesting is that Keolis Downer aren't some bogeyman from the other side of the world: they operate our bus network currently. The logical inconsistency here is that it is okay to allow them to run buses in South Australia, but it is not okay to talk to them about other ways in which we could innovate our network. It is okay to sign over to them contracts worth hundreds of millions of dollars, but it is not okay to talk to them about how they can improve services for South Australians. This is a company that operates networks right across the globe and massively in Europe, in places that a lot of people would consider have superior public transport services to us here in Adelaide.

**Mr Hughes:** Not according to commuters in Newcastle.

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

**The Hon. S.K. KNOLL:** Again, this idea that we should not be availing ourselves of examples across the globe and across the country is endemic of a style of government that saw us fight with the rest of the country, including the federal government. It saw us stick our head in the sand and not deal with the problems that South Australia has and also subdued the natural confidence that exists in South Australians. It is why, having had the burden of the Labor government lifted from South Australians' shoulders, that underlying confidence, which is now starting to see jobs growth, which is now starting to see—

**The Hon. S.C. MULLIGHAN:** Point of order.

**The SPEAKER:** There is a point of order, minister.

**The Hon. S.K. KNOLL:** —record levels of capital investment, which is now starting to see—

**The SPEAKER:** Minister, sit down.

**The Hon. S.C. MULLIGHAN:** He is now defying your ruling, sir.

**The SPEAKER:** No, he isn't. He has sat down.

**The Hon. S.C. MULLIGHAN:** It's debate.

**The SPEAKER:** Debate. I uphold the point of order. Is the minister finished?

**The Hon. S.K. KNOLL:** Sure thing.

#### KEOLIS DOWNER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:33):** My question is to the Minister for Transport and Infrastructure. Is Keolis Downer a participant in phase 1 of the bus tender issued on 20 April 2019?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:33):** I haven't been advised who are the participants in phase 1 of the bus tender. I make it quite my business, when we go into tender phases for various projects—which the department does all the time—to make sure that I stay well clear of that as far as I possibly can. What I would also say is that we have a very strong and robust probity process in relation to how that tender operates. Again, can I point this out: you can look at a glass of water and see it as either half full or half empty. On this side of the house, we see the glass as half full, and we are doing everything we can to fill it up further.

*Mr Brown interjecting:*

**The SPEAKER:** Order! The member for Playford can leave for the rest of question time under 137A.

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

**The Hon. S.K. KNOLL:** I know it's hard to accept that South Australia can be better than it is, that we can turn our eyes to the rest of the country and the rest of the globe and compete with the rest of the globe, that we can want a better future for ourselves and for our children—

**The SPEAKER:** Order! There is point of order. The point of order is?

**The Hon. A. KOUTSANTONIS:** The first point of order, sir, is debate. My question was about whether or not Keolis Downer is a participant in a tender. The minister is talking about uplift sunlands.

**The SPEAKER:** Yes, I ask the minister to come back to the substance of the question. Is the minister finished?

**The Hon. S.K. KNOLL:** Yes, sir.

**The SPEAKER:** The member for Finniss has been patiently waiting, and then I will come to the member for West Torrens.

### RENEWABLE ENERGY

**Mr BASHAM (Finniss) (14:35):** My question is to the Minister for Energy and Mining. Can the minister please update the house on the opportunities to export renewable energy from South Australia?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:35):** Thank you very much to the member for Finniss, who, like so many of our members of parliament, is focused on what is best for South Australians.

**The Hon. A. KOUTSANTONIS:** Point of order: I raise a ruling from 13 February 1997 about strangers in the press gallery. There is a member of the government staff sitting in the press gallery in breach of standing orders.

*Members interjecting:*

**The SPEAKER:** Members on my right, you are not assisting at the moment. What I will do is I will have staff at my end investigate the matter and I will come back to the house if anything needs to change.

*Members interjecting:*

**The SPEAKER:** Members on my left, please be quiet. Let's get on with it, and we will conduct whatever inquiries we need to.

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

**The SPEAKER:** The member for Lee is warned. In the meantime, can we get on with the answer to the question that was from the member for Finniss to the Minister for Energy and Mining.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thank you, sir. As I was saying, the member for Finniss, as are all of our MPs, is very focused on the important opportunities for South Australia. This house is aware that the interconnector to New South Wales, which we intend in partnership with industry in New South Wales to have built, will be an opportunity to export our renewable energy into New South Wales. As well as that, we are looking at opportunities to export into other countries in the world.

We have abundant opportunity to produce renewable energy in South Australia, primarily from sun and wind, but other ways of doing it are emerging as well. The previous Labor government didn't think about how to connect that opportunity to consumers' needs, and that has led to blackouts, high prices and all sorts of harm to consumers. We are addressing that as a government, but simultaneously we are looking at the opportunity that that sometimes abundant renewable energy provides for us.

We have the opportunity in South Australia to use that often overabundant and incredibly cheap energy—in fact, nearly zero marginal cost of production—to create a new international export opportunity through hydrogen. There is potentially a \$1.7 billion opportunity for South Australia by selectively using this clean, renewable energy to create—

*Mr Hughes interjecting:*

**The SPEAKER:** The member for Giles was on two warnings and keeps interjecting. He can leave for the rest of question time, thank you.

**The Hon. D.C. VAN HOLST PELLEKAAN:** We have an opportunity to use this clean, renewable energy—

**The SPEAKER:** Member for Giles, that's you.

**An honourable member:** You said Lee.

**The SPEAKER:** Sorry, for clarification, the member for Giles can leave.

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



**The Hon. D.C. VAN HOLST PELLEKAAN:** We have this fantastic opportunity to use this clean, often overabundant, very cheap, renewable energy to create electricity and to use that electricity to turn water into hydrogen. It is a fact that it can happen. We are working with partners like the CSIRO to figure out how can we do that in a large-scale way.

We have engaged with other nations' delegations that have come to South Australia, and some of our Department for Energy and Mining staff have gone to other countries—countries like Japan, like Germany, like South Korea, like the United States—countries that have set themselves specific targets for the consumption of clean energy, and very likely the consumption of clean energy through hydrogen, which they cannot produce for themselves because they don't have the sun, the wind and other renewable energy generation opportunities that we have.

This is a massive opportunity to create a \$1.7 billion economic benefit for our state, potentially a 2,800 uplift opportunity in employment for us to use our resources to turn water into hydrogen, quite likely to use ammonia as the transport opportunity to ship it overseas. We have partnered with the CSIRO to be a partner, at the Japanese government's invitation, in the Green Ammonia Consortium.

This puts the South Australian government on the world stage when it comes to being at the forefront of this technology and we will take this opportunity as being the very, very best opportunity for all South Australians and a cleaner planet.

**KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:40):** My question is to the Minister for Transport and Infrastructure. When he visited Newcastle to meet with Keolis Downer, was he accompanied by a probity officer?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:40):** I was accompanied by the chief executive of my department.

**KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:40):** My question is to the Minister for Transport and Infrastructure. Have any representatives of Keolis Downer attended any Liberal Party fundraisers that the minister has been present at?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41):** I think, Mr Speaker, questions of that nature are ones that should be referred to the Liberal Party secretariat.

*Members interjecting:*

**The SPEAKER:** Order! We have the question. I would like to hear the answer.

**The Hon. S.K. KNOLL:** I understand what the insinuation is that those opposite are trying to make.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Point of order: personal reflections on members and imputing improper motive.

**The SPEAKER:** I have the point of order.

*Members interjecting:*

**The SPEAKER:** Members on my right are interjecting and not assisting. For the insinuation, the minister didn't necessarily identify any member of the opposition; however, I can understand why members may have found that inflammatory. Also, I can understand why the minister may be a little bit provoked. However, I ask the minister to stick to the substance of the question. Let's get on with it so that I can give more questions in question time. Thank you.

**The Hon. S.K. KNOLL:** I am finished.

**The SPEAKER:** The minister has completed his answer.

**The Hon. A. Koutsantonis:** Can he repeat it because I couldn't hear it?

**The SPEAKER:** Would the minister like to repeat his answer? I will take one more from my left and then we move to the member for Davenport. Does the minister have anything further? Can you repeat the last part?

**The Hon. S.K. KNOLL:** The member can avail himself of *Hansard* at any time he chooses.

**The SPEAKER:** We have the answer. The member for West Torrens and then the member for Davenport.

#### KEOLIS DOWNER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:42):** My question is to the Minister for Transport and Infrastructure. Was a decision to include tram services in phase 2 of the bus tender made before or after the minister's meeting with Keolis Downer?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:42):** I think that discussions and deliberations of cabinet will remain discussions and deliberations of cabinet. This is quite clearly a cabinet decision and I won't be discussing the matter further.

#### FINANCIAL WELLBEING PROGRAM

**Mr MURRAY (Davenport) (14:43):** My question is to the Minister for Child Protection. Can the minister please update the house on her department's restructure of delivery of the financial wellbeing services?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:43):** Thank you to the member for Davenport.

*Members interjecting:*

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

*Mr Picton interjecting:*

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

**The Hon. R. SANDERSON:** The Department for Child Protection's core function is a provision of the statutory child protection services. The focus of my department is on the safety of those at risk: children and young people in care and the protection of those who need to enter the out-of-home care system. The decision made to restructure the financial wellbeing program came when it was evident that the government was resourcing the delivery of services that were predominantly and expertly already being delivered by the non-government sector through the Department of Human Services.

Instead, the decision was made for my department to focus on core business and to repurpose \$1 million of funding to bolster existing financial wellbeing services, a decision that was supported by SACOSS in its State Budget Snapshot 2018-19 report, and I quote:

Financial counselling services are important for some families in contact with child protective services. We believe these services are best provided in an NGO setting and so support their outsourcing.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R. SANDERSON:** The transition process has been one which my department has been working through since September last year. At the time of estimates, my department had intended to undertake a tender process. However, following a thorough review and scan of the market it became clear that to undertake a competitive tender process would have been financially inefficient, as the same providers who engaged with the Department of Human Services most likely would have submitted a bid.

In February 2019, the State Procurement Board approved an acquisition plan for the Department for Child Protection to enter direct negotiations with DHS, Relationships Australia and CREATE. Since then, a memorandum of administrative agreement has been executed by my department with DHS. The agreement will see approximately \$700,000 of funding transferred to DHS for them to extend funding to existing financial service providers throughout the state from the start of this financial year. There is no doubt, however, that these arrangements require without exception that DCP money will be spent on DCP clients.

Relationships Australia and CREATE offer specialist post-care support to care leavers. Relationships Australia will receive a further \$243,000 in funding to extend the department's investment for young people transitioning from care and will include financial and budgeting education and support. CREATE will receive \$57,000, and has secured a licence for three years for the CREATE Your Future program aimed at young people aged 15 to 25. The program provides the relevant skills and knowledge to effectively transition from care to independence, including managing finances, the rental housing market and more.

In addition, foster care agencies will continue to deliver support and guidance to carers around managing finances as part of the process they engage in to ensure the stability of foster care placements. Within my department, a total of 59 FTE positions were affected by this decision. At the time of the announcement, the DCP chief executive officer, Cathy Taylor—

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe is on two warnings and will cease interjecting.

**The Hon. R. SANDERSON:** —immediately engaged with the affected workforce, DCP employees as a whole, stakeholders, clients and the PSA. My department has engaged in a transparent process for the past nine months, not only in assisting the affected staff but in educating all staff about the transition arrangements.

Targeted voluntary separation packages were offered across all government departments, including DCP. While the total number of TVSPs accepted is yet to be confirmed, I can advise that all but two staff members who are engaged in the work of financial wellbeing counselling will either remain employed within my department in an alternative role or have chosen to accept a TVSP. The other two staff members have secured employment outside of my department. All cases have been transferred.

**The Hon. A. KOUTSANTONIS:** Point of order, sir: the minister is clearly reading from a document and quoted advice from her department, the procurement board and Cathy Taylor, and I would ask that she table all that advice.

**The SPEAKER:** I believe that the minister may have been referring to copious notes. I don't think the minister said that she was quoting from anything. I will ask for the document that was being referred to to please be provided up here, and if it has to be tabled, the house will order so. Then I will ask the member for West Torrens for a question.

#### **PUBLIC TRANSPORT PRIVATISATION**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:48):** My question is for the Minister for Transport and Infrastructure. Why do phase 2 tender documents fail to include any mention of light rail?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:48):** Not having those documents in front of me and those documents being publicly available, the member can obviously avail himself to looking at those. We did announce, and confirmed it yesterday, that we are putting the tram contract out with the North South bus contract. That is what's happening. I am happy to make inquiries as to the discrepancy that the member believes exists, but I think we have been pretty clear about our intentions and have stood up and answered questions in relation to them, and that's precisely what is going ahead at the moment.

**KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:48):** My question is for the Minister for Transport and Infrastructure. How can other tenderers be confident they are being treated fairly and equally, given the minister's regular meetings with Keolis Downer and his praise for them here in this chamber?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:49):** I think that question contained some fact and argument that clearly is not the case.

**The Hon. A. Koutsantonis:** You just talked about how great they were and what an example they are.

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

*The Hon. L.W.K. Bignell interjecting:*

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

**The Hon. S.K. KNOLL:** I completely reject the assertion that's in the question.

**The SPEAKER:** I do uphold that the minister is not required to table his notes.

**PUBLIC TRANSPORT PRIVATISATION**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:49):** My question is to the Minister for Transport and Infrastructure. Can he provide us the name and title of the probity officer in DPTI overseeing this tender?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:50):** That will come out in the normal course of things in the way that we operate. But can I say that there is an assertion that is being made. If members—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: there are measures in this parliament for those types of accusations.

**The SPEAKER:** Yes. In fairness to both members, I don't think that by saying 'an assertion has been made' quite crosses the line, but we are getting close. I will listen to the minister's answer.

**The Hon. S.K. KNOLL:** If a member would like to make an accusation, if he would want to say those accusations out on North Terrace, he can avail himself of that opportunity, and then we will see what happens after that.

**The SPEAKER:** The member for King. I will come back to the member for West Torrens.

**FRIENDS OF NATIONAL PARKS**

**Ms LUETHEN (King) (14:50):** My question is to the Minister for Environment and Water. Can the minister inform the house how local friends groups are responding to the government's 2019-20 budget commitments to our national parks, including the Friends of Para Wirra in my electorate of King?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:51):** I thank the member for King for her question and, of course, acknowledge her very significant passion for our natural environment, particularly working alongside the friends groups in her electorate to be able to maximise environmental benefit in the parks that are in her electorate. I particularly acknowledge the Friends of Cobbler Creek and the Friends of Para Wirra, two very active and growing friends groups which are doing great things in those conservation parks. I know the member for King and her family often join to help them with their planting and weeding, and I know her son much prefers the planting side of things to the weeding.

It's a great pleasure in this job to be able to get out and about into our national parks, our conservation parks, our recreation parks—all our protected areas—and connect with the friends groups, who are doing so much to advance the conservation of those sites. Of course, the Department for Environment and Water could never do the work that they need to do or would like

to do for our natural environment just with the workforce alone. It is so important to have friends groups who willingly go out on a weekly or monthly basis for their working bees to get into the removal of weeds—the woody weeds, the olives, the castor oil trees, the ash trees, the onion grasses—the member for King told me her family were removing recently.

Those friends groups do so much for our environment, but it's not only the environment and conservation activities they undertake. Of course, the coming together of people with similar interests is great for our community as well—people connecting with one another, sharing ideas and being able to share their resources, whether financial or volunteer, to ensure that our environment gets the best care that it can.

Since the announcement of the 2019-20 state budget, it has been great to go out and connect with friends groups all across the state, talking to them about our budget's additional funding—almost \$12 million of additional spending in our national parks, our conservation parks, enabling a backlog of maintenance which has built up over many years, as the department was significantly reduced in terms of its budget under the previous government.

To be able to reinstate some of that funding so that the much-needed maintenance can take place—the upgrades to walking trails, fencing, potentially car parking and signage—is making it easier for people to visit these areas, because we want people to be able to enjoy high-quality amenity in our parks. We want people to be able to be drawn in to our parks so that they will share them with their friends, particularly with visitors to South Australia, because our parks have so much to offer.

Yesterday, I spoke to the house about the project down in the Southern Fleurieu, investing in our parks down there to create a multiday walk. We have 21 per cent of our state within our reserve system and there is so much needed to invest in these places, to lift their amenity, to lift the conservation value as well and ensure they can be what they should be.

It is always a great pleasure to get out to our friends groups. Last week, as the member for King alluded to, it was great to get out to the friends, in particular to the north-east of the city, with the member for King and the member for Newland, and also see the Friends of Anstey Hill, the Friends of Blackhill and Morialta, the Friends of Sandy Creek and the Friends of Horsnell Gully—a great group of people doing great things for our environment, and this government will be backing our friends groups and investing in them.

#### **PUBLIC TRANSPORT PRIVATISATION**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:55):** My question is to the Minister for Transport and Infrastructure. Has a probity officer or officers been appointed to oversee the tender and outsourcing of the state's rail network?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:55):** Well, obviously, we would only be talking about the tram component, because the train component is still some time away. I am happy to make inquiries, but there is a usual process to the way that these things work. There is a very strong assurance framework that exists within the department to make sure that there is strong transparency and probity about how these tenders are operated.

My department is one that tenders things all the time. It actually has a long history of outsourcing that predates this government. It outsources quite a whole series of different services, and it has a usual way that it deals with things and I would expect that that will continue.

**The Hon. V.A. Chapman:** Unlike Gillman.

**The SPEAKER:** The Deputy Premier is called to order.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** I did. The member for West Torrens.

**KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:56):** My question is the Minister for Transport and Infrastructure. Has the minister asked all DPTI staff involved in the outsourcing of the rail network to declare all their financial interests in share ownership, and have any of the staff involved in that outsourcing ever been former employees of Keolis Downer?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:56):** Okay. It is a little bit McCarthyist, but that's fine.

**The Hon. S.S. Marshall:** What a question. What star sign are they?

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

**The Hon. S.K. KNOLL:** There is a very, very strong probity and assurance framework that exists within my department—

**The Hon. S.C. Mullighan:** You don't even know if there's a probity officer.

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

**The Hon. S.K. KNOLL:** If there are any parts of those processes that are not followed, if there are individuals who do not go down the right path, there are existing frameworks in place to deal with it. For instance, we do have an anti-corruption body that things can be referred to when things go wrong, and we understand how that plays out. But, Mr Speaker, again,—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —if the member has an assertion, he can go outside and make it—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —and, if he refuses to do so, it's quite clear—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —that what he is attempting to assert here is baseless.

*Members interjecting:*

**The SPEAKER:** Order! The 20<sup>th</sup> question for the opposition.

**KEOLIS DOWNER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:57):** My question is to the Minister for Transport and Infrastructure. Is the minister aware of the performance report received by the New South Wales government in relation to Keolis Downer and its operations in Newcastle?

*Mr Szakacs interjecting:*

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

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

**The SPEAKER:** The member for Lee is warned for a second and final time. The minister has the call.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:58):** Good enough to have signed a contract to in 2011, not good enough to talk to post March 2018.

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

**The SPEAKER:** Has the minister finished?

**The Hon. A. KOUTSANTONIS:** This is debate, sir. The question—

**The SPEAKER:** I have the point of order. Is the minister finished? Is the minister still going?

**The Hon. S.K. KNOLL:** I can keep going if you like.

**The SPEAKER:** I have the point of order.

**The Hon. S.K. KNOLL:** It's entirely at your discretion, Mr Speaker.

**The SPEAKER:** I have the point of order; it was about the performance report.

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

**The SPEAKER:** The Minister for Primary Industries is called to order. While the minister may want to provide some relevant background information, I ask him to then come to the substance of the question.

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** Member for Light, you can leave for the rest of question time under 137A. The minister has the call.

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

**The Hon. S.K. KNOLL:** I think we can judge the performance of Keolis Downer on their merits, and we can judge the way that Keolis Downer is viewed by the department and the government by the contracts that they get awarded. In 2011, it was obviously concluded that they were the company to run parts of our bus network. I think that is a reasonable performance report—

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

**The Hon. S.C. MULLIGHAN:** —into how PT services—

**The SPEAKER:** There is a point of order. For what?

**The Hon. A. KOUTSANTONIS:** Debate, sir. My question was about Keolis Downer's performance in Newcastle that the minister has been praising.

**The SPEAKER:** I have the question. He is talking about past services that a particular company, I believe, has provided. I am expecting him to come to the substance of the question pretty quickly.

**The Hon. S.K. KNOLL:** It's quite clear that, in relation to contractual arrangements between companies and other governments, that's not something that regularly comes across my desk. What comes across my desk are issues in relation to the public transport network here in South Australia. I am more than happy to avail to the house my responsibilities in that regard, but I don't think I am necessarily responsible for contractual arrangements in other states.

#### HORTICULTURE INDUSTRY

**Mr PEDERICK (Hammond) (15:00):** My question is to the Minister for Primary Industries and Regional Development.

*Members interjecting:*

**Mr PEDERICK:** He is obviously very popular. Can the minister update the house on how the state government is building South Australia's horticulture industry?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:01):** Yes, I can, and it gives me great pleasure—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** —to acknowledge the member for Hammond's question and thank him for his hospitality as part of my regional tour last week. While I was in Hammond, I visited Langhorne Creek, one of the great wine regions of South Australia. I was able to make an

announcement of support to the wine grapegrowers down there, in giving them funding towards dealing with heat stress, particularly in vineyards. We know that we had a very, very hot spell in the summer just gone by, and it had a detrimental impact on the vineyards down there. Some of the vineyards have lost 70 per cent of their crop.

The reason they lost a lot of that crop was obviously that there was moisture deficiency, but there was also the management regime that surrounds those vineyards. Some of them saw that the canopy looked after the vine but that it didn't look after the fruit. In essence, we saw a large amount of the fruit cooked in its jacket. That funding is enabling them to do the research on heat stress, particularly in the vineyards.

Both the member for Hammond and I were hosted by Bleasdale Wines. I know that the member for MacKillop has a connection there. I helped the member put his booties on, and I put mine on, and we put our high-vis on to look after the phylloxera-free vineyards down at Langhorne Creek. When we went in there and had a look at some of the monitoring equipment in that vineyard, it showed me how advanced the vineyards are at Langhorne Creek and how advanced the wine industry is here in South Australia—and it's through the good work of the Marshall Liberal government backing our wine industry. It's a \$2.2 billion industry and growing. It's great to see that our government's initiative in working with industry is showing ways and means that we can actually help protect these valuable crops.

It also gave me the opportunity to move on down to Kimbolton Wines, where I met up with a large group of the wine grapegrowers in the Langhorne Creek area. The general discussion around the room was dealing with water and the certainty of the wine industry. What they commended to us were the initiatives we were putting in place along the way to support that industry. At Bremerton, Lucy Wilson and her father, Greg, are also looking to expand, and I went down there with the member for Hammond. They now have confidence that they have a government that is putting money into the regions, backing the regions and also backing the wine industry. That was great to see.

While I was out and about in the Clare Valley, I visited Rob Jaeschke's Hill River Clare Estate and announced funding for looking into diversity of water supply into the Clare Valley. It was great that I was joined by the member for Frome. We looked at a study that will now be undertaken to deal with the high levels of salinity in water—looking at the salinity in some of the ground aquifer—and it is also about the ability for that scoping study to look at ways and means of diversifying water.

We can look at the Northern Adelaide Irrigation Scheme. Is it viable to extend the pipeline from the Bolivar treatment plant and put treated water up into the Clare Valley? Not only is it dealing with salinity and the heat but it's also giving the Clare Valley an opportunity to expand, to grow and to look at the Clare Valley as another of the great wine regions not only here in South Australia but across the state.

I also travelled up to the Riverland to the Thomson vineyards at Woolpunda and made a \$150,000 announcement about business growth opportunities within the wine industry. It's an external set of eyes looking at those businesses—how they can grow, how they can seek export markets and how they can be a bigger contributor to the economy of South Australia.

*Matter of Privilege*

**MATTER OF PRIVILEGE**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:05):** The Minister for Transport and Infrastructure informed the house that Keolis Downer was awarded a contract in South Australia in 2011. That is not accurate.

**The SPEAKER:** What I will do is conduct relevant inquiries at my end.

*Members interjecting:*

**The SPEAKER:** The member for West Torrens can leave and the Minister for Primary Industries can also leave right now for five minutes while I deal with what is a very serious accusation and deserves the attention of the house immediately.

*The honourable members for West Torrens and Chaffey having withdrawn from the chamber:*



**The SPEAKER:** Any member is able to refer a matter of privilege to me. What I will do is conduct relevant inquiries at my end to see whether there is prima facie a matter of privilege.

*Grievance Debate*

**NURSES AND MIDWIVES**

**Ms COOK (Hurtle Vale) (15:06):** Today, I rise and welcome to parliament nursing and midwifery colleagues. We have some healthcare trailblazers, movers and shakers in our midst this afternoon for a belated parliamentary celebration of both international midwives and nurses days. Our midwives were honoured this year with the theme 'Midwives: defenders of women's rights', which is a wonderful way to acknowledge the advocacy role that midwives play defending, protecting and standing up for the rights of women, girls and midwives around the world.

Given that some of the debates we are currently having in this parliament directly and disproportionately affect women in respect of decriminalisation of both sex work and abortion, the theme is poignant. I look forward to drawing strength from my friends, who have led so many reforms in midwifery practice during their collective decades, as I navigate what will no doubt be challenging debate, chasing reform and equal rights for all women in our community who face incredible adversity—equal rights for all women.

Over the past 40 years, not only have our midwives, these amazing clinicians, led the transition of nursing from a trade-level career that was learnt on the job to a profession, a profession with tertiary status, but these women and some men have also gone on to lobby and demand that midwifery become a separate tertiary profession. Congratulations to all of you.

Midwifery is now one of the most highly sought after and competitive tertiary courses in our universities. The theme for nurses this year, 'A voice to lead: health for all', is highly relevant to the work that we as elected representatives of the Labor Party do here in parliament. We take very seriously the need to ensure that no matter where you are born, who you are born to and where you live, you have access to the very best health care—health care that is free. Health care for all is an aspirational statement, but in our community of opportunities and riches it should and must be a reality.

We have access to the evidence on how to achieve this reality. Our tertiary institutions, and the nurse-led research attached to them, are amongst the best in the world. Some of the teaching facilities that our students now have access to are quite incredible. Recently, the shadow minister for health and wellbeing, Chris Picton, and I visited the UniSA virtual skills labs, where students can immerse themselves in the lives of virtual patients and help inform choices that will provide the basis for learning like we have never seen before. Do not get me wrong: my training days were a rich and diverse experience at The QEH nursing school in the eighties, some of the best days of my life, but, honestly, the facilities were nothing compared with what is available to enhance and support the learning experiences of today. I am pretty jealous, to be honest.

Globally, we have more knowledge than we have ever had before. We have communication across the globe that we have never seen before. Because of this, we can share knowledge in the here and now and use it to achieve healthcare outcomes that we have never seen. How do we achieve equality, equity, access and choice in health care within our community? We do this by sticking to our convictions, delivering care which is only based on evidence and the guidance of the best clinical leadership in the world. We do not achieve this by being quiet. Keep rattling the cages, keep lobbying and stick to your guns. Be the leaders for change. Be the leaders for our community.

Our community has amongst it many who are seemingly voiceless, but they are not; it is because we do not yet know how to listen. These people need advocating for more than others. There are those who do not have shelter at night. We have families facing a crisis of food insecurity. There are children who do not have love, children who do not have access to role models to guide and shape them.

As nurses, you help to give voice to the voiceless through listening and witnessing their life journeys and giving strength to those who need it. You reach out, you seek these people and you fight for them. Against the odds, you fight for all people in our community. It is because of you that there is hope—hope for equality, equity and health for all. We owe this hope to you, the trailblazers

who have been part of the teaching and clinical evolution, the nurse leaders who have pushed the boundaries at all levels of their professional journey, the clinicians of today.

Thank you for all you do in our community. I am proud to represent you, to be part of you, to fight with you and for you and to be a voice for you in parliament.

**The SPEAKER:** My sister is a nurse, so I must be careful here, but I remind members of the gallery that applauding in the gallery is out of order.

### **KUITPO FOREST**

**Mr TEAGUE (Heysen) (15:11):** I rise to take this opportunity to bring to the house some observations about a visit I was fortunate to have at Kuitpo Forest last Thursday with the Goolwa to Wellington Local Action Planning Association to look at some of the marvellous work that that association is doing on the ground to restore habitat and environment.

It is one that I want to draw particular attention to because it is an opportunity in a relatively nearby open environment and one indeed that has been managed over recent generations and has been transformed from the bushland that it once was via the forestry of the adjoining Kuitpo Forest into a site that can demonstrate what effective intervention, management and involvement can cause in terms of the regeneration of a native environment.

This is a theme that I think is very important for us to be aware of in this space. Often we are not dealing with a pristine wilderness in the management of our environment. Rather, we are applying wisely the knowledge that we acquire in this space to manage and, in the process, to improve the resilience and the diversity that is out there.

Last Thursday, Ben Simon, who is a senior project officer for the Eastern Hills and Plains at GWLAP, led us on a walk through this part of Kuitpo, together with Jacqui Wilson of GWLAP. There was a group of us, most of whom are members of the local community in the Meadows and Hills area. We took the time to see the practical outcomes that can be achieved when efforts are put into reducing blackberry, getting on top of the radiata pine that has found its way into this space and sensibly managing the reduction of those pines, getting rid of the blackberry over time and giving room for the bushland to flourish.

That also involves a consciousness of the effects of browsing and grazing by overabundant species. It is to be borne in mind that the intervention that has occurred in that space is largely about weed control, and there are dramatic changes that occur where attention is paid to removing blackberries. It is also about being aware that an overabundance of grazing pressure—that is largely from western grey kangaroos in this area but also from deer—has a distinct effect of threatening the natural biodiversity in that area. It is a topic that was addressed in the course of our visit on that day.

I really want to commend the practical work of the Goolwa to Wellington Local Action Planning Association. I know that they are an organisation that relies on government funding and project funding of different sorts, and they go about their work to deliver practical outcomes on the ground. I applaud them for the contribution that they make. Further, I want to specifically acknowledge the long and dedicated service of Ross Oke as general manager of that organisation over a long period of time.

### **NURSES AND MIDWIVES**

**Mr PICTON (Kaurna) (15:16):** I rise, as did the member for Hurtle Vale, to talk about the magnificent nurses and midwives we have in this state. I commend the member for Hurtle Vale for every year bringing to parliament a range of different nurses and midwives, leaders in the profession across the state, so that we can mark in parliament the tremendous work that they do. We also mark every year International Nurses Day and International Day of the Midwife.

All of us know how important nurses and midwives are to South Australia. All of us have either been to hospital or had friends and family in hospital, aged care or primary care, and we know the importance of nurses and midwives in those settings. On a personal note, my wife is about to have another baby, so we will be particularly attuned to the fantastic help that we will get from midwives before, particularly during and also after the birth. No woman goes through that experience without really appreciating the fantastic work that midwives do.

In this job as shadow health minister, I get to spend a lot of time talking to nurses and midwives. I think it is fair to say that they love what they do. They are very passionate about caring for South Australians, but they do feel under a lot of pressure. They feel like the pressure is increasing. I think that has been building up over a period of time, but I think it has particularly been building up recently. We only need to look at our emergency departments, at the pressure on them and how that flows through the rest of hospitals, to see what pressure there is.

We know that when we do not have investment in aged care, when we do not have investment in primary care and other settings, then that also increases the pressure on those nurses who work in hospitals and emergency departments. Ultimately, nurses feel this pressure because they want to look after the patients as best they possibly can. That is their ultimate goal, and that is what they train for and set about to do every day.

I am disappointed with a number of things that have happened recently. Particularly in my job, I will be campaigning to address them. One is the hit that has happened for nurses in the last few weeks in relation to parking at hospitals. We have been told that nurses who work in our public hospital system are going to be hit with an additional \$725 a year in increased costs just to get to work to care for people and save their lives. Of course, if you are doing a night shift, you cannot get public transport; you would need to drive there.

It also intersects with another particular issue, which is the safety of nurses when they get to work and when they are at work. This is something I know that the Australian Nursing and Midwifery Federation—I particularly note that we have in the chamber today Adjunct Associate Professor Elizabeth Dabars, who is a staunch advocate on behalf of nurses and midwives—have been outlining an action plan on how to address this and how to take action to improve the safety of staff and patients in the hospital system. I think that absolutely is important to do.

But I am also worried that, if we are getting this increase in costs for nurses to park their cars safely in car parks, we will see an increase in parking in more dangerous locations around hospitals. That will mean that nurses, midwives and other staff will have to go further through dark streets late at night to get to their cars when they leave. It is also very important that we have security measures in place for nurses and midwives inside the hospital system.

Safety and security issues are of course important in other sectors as well; in particular, we have been talking about the issues in terms of outback nursing. We have before the house this week a motion to ensure that Gayle's Law is protected. I am very passionate about doing that because we need to make sure that nurses in remote settings are protected as well.

We need to make sure that we are supporting our nurses and thanking them, but also using them to their best capabilities. As the member for Hurtle Vale has outlined, nurses go through an immense amount of training—university training and professional training. We need to make sure that our system is using them to the best of their abilities, through the scope of their practice and through the ability to have criteria-led discharge. These are very important issues. I look forward to working with the ANMF and continuing our work to support nurses and midwives in South Australia.

### **MODBURY HOSPITAL**

**Ms LUETHEN (King) (15:21):** I rise to speak today about the important investment and development that the Marshall Liberal government is delivering for the Modbury Hospital. Our health system should provide the very best care to patients and put the wellbeing of South Australians first at every stage of their lives.

I still remember a King family pulling over to sign my 'Fix the Golden Grove Road' petition and a lady telling me, in tears, how she had recently lost her father-in-law after waiting in the corridors of Modbury Hospital for over 11 hours. She said that on this occasion there was a spare palliative care bed but not enough staff. This man had little dignity in the last hours of his life. Thank goodness this experience is changing with the investments and care of the people in our hospitals and the people-focused Marshall Liberal government.

When my local constituents raise concerns about health care, I reiterate that I believe all South Australians, including every person living in the north, are entitled to world-class, accessible and effective health care. This is what I will fight for every day that I am elected to represent the

people in King. I again express my thanks to the caring staff and nurses at my local hospitals of Modbury and Lyell McEwin who my community are always commending and saying, 'It's not them; it's the resources around them that affect the level of care.'

As members know, since coming into government, the Marshall Liberal government has been cleaning up disasters left for us and the people of South Australia by the former Labor government. There is almost no greater example of where the new government is cleaning up Labor's mess than in Health. The member for Newland and I visited Modbury Hospital again recently to view the updated plans and to meet the project director of the \$96 million upgrade of Modbury Hospital, a plan that will see the important services restored and expanded upon at our local hospital.

Finally, people in the north and north-east have a government who is listening to their priorities and putting health care at the forefront. Highlights of this fantastic investment at Modbury include the expansion of the surgical floor to allow for more surgeries to occur in our local community, eight additional beds created in the extended emergency care unit and the co-location of the EECU with an upgraded 26-bed, short-stay general medical unit. A new purpose-built, 20-bed palliative care unit to ensure patients are cared for in a suitable environment with dignity will also be established, as will a four-bed high dependency unit.

The most obvious change, which some residents have already noticed, is the much needed upgrade to the outer facade of the facility. South Australians should have confidence when they visit a hospital in South Australia that a brick will not fall off the outside of the hospital and hit them on the head. Our improvements will modernise our local hospital and repair the damage that was done to it through the former Labor government's destructive Transforming Health reforms. On my most recent visit to Modbury Hospital, I was told that the plans will be available soon in the entry foyer of Modbury Hospital for all our community members to view.

The Marshall Liberal government is leading some of the biggest governance reforms in our health system and one of these is introducing the local board structure, which will facilitate decisions to be made at a local level to ensure they are customised to suit the needs of our local communities. As at 1 July this year, 10 local health network governing boards are fully operational and responsible for delivering health services in South Australia.

This is important work that will help deliver real, tangible outcomes for the people of the King electorate and the greater north-east area. This will facilitate greater clinician and community engagement, while service responsiveness and innovation in the way services are provided will be considered by the people closest to providing front-line support. We are working hard to restore our community's confidence in our state public health system.

The financial trajectory of SA Health is on the improve and the government remains committed to implementing its health reforms. Best practice public health care is essential, and I am just so thankful that we are seeing significant changes not just locally at Modbury but across the wider community because health matters to South Australians.

### **NURSES AND MIDWIVES**

**Mr BOYER (Wright) (15:26):** I take this opportunity to add to the contributions already made today by the members for Hurtle Vale and Kaurana in recognising the fantastic work our nurses and midwives do in South Australia. Firstly, I acknowledge the visitors we have with us in the gallery today. It is wonderful to see you and, as the member for Hurtle Vale mentioned, you are all fantastic ambassadors for your profession.

I have no doubt that there have been many testing times in all your careers, and probably there are more to come, things that will stay with you on good days and bad, but through all of that you continue to help people when they are most vulnerable. For everything you have done and continue to do, and on behalf of the residents of the seat of Wright, who I represent in this place, I say: thank you for your work.

I want to reflect briefly upon the occasions when my wife and I relied on the care and advice of a nurse or midwife. Our three girls were all born at the Women's and Children's Hospital. Our first child, Evelyn, was followed by identical twin girls, Billie and Rose, just 21 months later. I think it is fair to say, and I am sure people in this chamber would agree with me, that all new parents have their

struggles. My wife still to this day speaks in glowing terms about the care and advice we received from the midwives at the Women's and Children's Hospital during that time.

It is also fair to say that although doctors have many skills, they are probably not renowned for their bedside manner. This is probably an area in which nurses often really excel. Both during and after the births of our three daughters, we found that nurses had very unique skills when it came to engaging new mothers and petrified new young fathers, as I was, in a way that relaxes them, sets them at ease and gets them to share with the hospital staff how they are feeling. We know issues around anxiety, feelings of inadequacy and helplessness after the birth of a child are very common and that often people are very reluctant to talk about it and therefore they go home without seeking any help and try to muddle through on their own.

I know I speak on behalf of not only my wife but many parents when I say that we should take every opportunity to acknowledge and celebrate the skills of nurses and midwives in situations like this. We should acknowledge their ability to befriend patients and get them to open up in a way that has a very positive health outcome for them and their family. It is certainly a very under-appreciated skill.

I did want to turn briefly to the disturbing incident we had recently at the Lyell McEwin Hospital, a few weeks ago now, when a nurse was assaulted. I feel that this opportunity today should not pass by without mention being made of that incident. I think it is incumbent upon all of us in this place, in the privileged position we have, to make sure that we do everything we can to keep staff safe at work and, where we can, safe on their way to and from work.

I think it is fair to say that it is a challenging time for your profession. I speak to a lot of nurses, not just at events, or when visiting hospitals in my role as assistant shadow minister, but also out doorknocking in the community. A recurring theme I hear is that ice, which I think is now at epidemic proportions, has dramatically increased the number of violent patients presenting to emergency departments. I see a lot of nodding heads in the gallery. This is really a challenge over and above the more traditional challenges that have already been mentioned by the members for Hurtle Vale and Kaurana.

I am pleased to see the member for Elizabeth is championing new protections for our front-line workers that include specific offences as opposed to existing aggravated offences to do more to make sure that staff on the front line are safe at work. These are more vital now than ever, particularly in light of that ice epidemic confronting us. In fact, recent wastewater data from the Australian Criminal Intelligence Commission, collected in December 2018 and released just two weeks ago, shows that Adelaide still has the highest concentration of methamphetamine of any Australian capital. We need to be doing more.

It was the now Leader of the Opposition, the then minister for police, who formed the ice task force to look specifically at these issues. I know I speak on behalf of all members on this side of the chamber when I say that it was very disappointing to see a budget delivered two weeks ago that did not seem to have any new money or any new initiatives to tackle that epidemic. Of course, as the member for Kaurana mentioned, that very same budget included an enormous hike in car parking costs at hospitals. At Modbury Hospital, which services much of the area I represent, that equates to a \$725 increase per year for staff. My fear is that will result in staff parking further and further away from their workplace.

I briefly conclude by commending the member for Hurtle Vale for taking the lead on acknowledging nurses today. I urge all members of this house to use the opportunity not just to reflect on the vital work that nurses and midwives do every day but to think about ways we can do more to support them and make sure that they are safe at work.

### **ANTISOCIAL BEHAVIOUR**

**Mr DULUK (Waite) (15:32):** I rise to speak about antisocial behaviour in the community, but before I do can I also thank nurses and midwives for the role they play in our community. On behalf of the people of Waite, I thank them for their dedication, patience and service throughout South Australia.

Antisocial behaviour has no place in the streets of Adelaide and South Australia. We have seen a growing rise in antisocial behaviour in our nightspots, and once again on Hindley Street on Saturday night there was violence and antisocial behaviour that has no role in our community. Antisocial behaviour is conduct that causes harassment, alarm and distress. It can take the form of violence in the community after a rowdy Saturday night and in vandalism of public spaces. Recently, the War Memorial on North Terrace was desecrated. Antisocial behaviour includes graffiti and environmental damage, including littering, dumping of rubbish, abandonment of cars and inconsiderate or inappropriate use of vehicles.

Antisocial behaviour quite often has a negative impact on the community. It has quite an impact on volunteer organisations in our community that spend a lot of time trying to make our natural environment a more beautiful and aesthetically pleasing place. It threatens the establishment and maintenance of a safe and secure community, which is an important prerequisite for community wellbeing and cohesion as well as sound economic growth through continuing business activity and investment. Individuals who engage in antisocial behaviour risk becoming excluded from important support mechanisms, such as school, their family and service providers.

One particular part of antisocial behaviour that I have noticed is the increase in street graffiti in my electorate of Waite. Unfortunately, it is commonplace and becoming more common along the train corridor, the Belair line, particularly around the central business district of Blackwood. In a bid to combat this problem, I recently held a graffiti round table and invited South Australian police, local business owners and concerned community members to discuss this situation. I would like to thank the following representatives who attended this round table.

From SAPOL, there was Senior Constable Adrian Jones and his team; Blackwood Action Group members Geoff Bartlett and Brian Ferris; City of Mitcham councillors Darren Kruse and Lindy Taeuber; City of Mitcham staff; Department of Planning, Transport and Infrastructure staff; Karan Coombe-Smith from Rail Care, who does an absolutely fantastic job working with local volunteer groups to beautify train stations along our rail network; Peter Jeffrey, a local real estate agent from Harcourts Real Estate; Travis Fraser, the manager of Foodland, Blackwood; local business and property owner and manager, Steve Gruber; and Graham Dicker, a concerned resident, and his family.

It was a great chance to hear how graffiti affects different aspects of the community and how best to deal with this problem. While graffiti might not seem like the most heinous crime to the people who view it every day, for the community groups who clean it every week and the police—whose valuable time and resources are chewed up in monitoring known hotspots and trying to apprehend offenders—it can be a serious problem.

It was also raised at the round table that some of these vandals consider their tagging to be art. I cannot stress enough that graffiti tagging is not art: it is simply defacing community or private property. There is some fantastic street art, and some great street art in my community as well, and that is to be applauded and commended—and I love it—but a tag is not art. It devalues the property and it makes suburbs look degraded and unwelcoming.

Covering up graffiti is incredibly important to send a message to vandals that this type of behaviour is unacceptable. While a clean building or wall may seem to some a blank canvas, and an invitation to vandals to continue to deface this space, they are no Picasso, they are no Rembrandt, and I believe that we cannot just roll over, ignore the problem and leave graffiti on our streets. We must stand up to this kind of behaviour as a community.

I also want to commend the Blackwood Action Group for the work they do in ensuring that our community is beautiful. It is a group that regularly removes graffiti and works on making the streets as clean and tidy as they can be.

*Bills***RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL***Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:37):** Obtained leave and introduced a bill for an act to amend the Retail and Commercial Leases Act 1995 and to make related amendments to the Landlord and Tenant Act 1936. Read a first time.

*Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:37):** I move:

That this bill be now read a second time.

The retail and commercial leasing sector is dominated by small businesses. This sector is of vital importance to South Australia's economy and is a major provider of employment in this state. The property industry is also a major contributor to the state's economy, through its provision and development of retail premises.

Underpinning the relationships between property owners and their small business tenants is the Retail and Commercial Leases Act 1995, which was enacted on 6 April 1995 and commenced operation on 30 June 1995. The act was introduced to regulate the leasing of retail shops and replace part 4 of the Landlord and Tenant Act 1936. The primary purpose of the act is to protect the position of lessees of retail shop premises who pay rent below a specified threshold. The act is therefore vital to the growth and development of small business in South Australia.

In December 2013, the then state government and opposition committed to undertake a review of the act. A formal independent review process was initiated by the Small Business Commissioner on behalf of the former minister for small business in December 2014. Public consultation was carried out by way of an issues paper published by the commissioner in December 2014, and 37 submissions were received from a broad range of organisations, industry groups and individuals. Retired District Court judge Mr Alan Moss considered these responses in the preparation of the Moss review, which was tabled in this parliament on 24 May 2016.

Following the release of the Moss review, interested parties were invited to provide their views on the review's 20 recommendations and to make any further comments or suggestions which they considered necessary or relevant. Following the submission closing date of 26 August 2016, 60 submissions were received from lessors, lessees, conveyancers, shopping centres and other key industry stakeholders, including law firms and the Law Society of South Australia. Submissions were also received from the Attorney-General's Department, Crown Lands Program, Department for Environment and Water, the Crown Solicitor's Office and the Office of the Valuer-General.

The feedback and comments provided in the two tranches of extensive consultation shaped the Retail and Commercial Leases (Miscellaneous) Amendment Bill 2017 (the former bill), which was introduced in the lower house by the former government on 5 July 2017. This bill passed in the lower house on 28 September 2017, and was read a first time in the upper house on 17 October 2017, but lapsed when parliament was prorogued prior to the state election in March 2018.

The government has considered the amendments proposed in the former bill and has accepted those amendments as the basis for the current bill. The current bill intends to make processes under the act less ambiguous and improve the transparency of the legislation, which is consistent with industry expectations. The amendments aim to build on the existing protective measures for lessees within the legislation by:

- clarifying important aspects of the legislation, such as making it explicit that retail shop leases can move into and out of the jurisdiction of the act by means of adjusting the rent threshold that triggers the operation of the act, and making certain that various sums such as the rent threshold and security bonds are clearly understood to be exclusive of GST;

- clarifying arrangements for the provision of information to lessees entering into leases such as draft leases and disclosure statements, as well as clarifying various terms and definitions to improve certainty, and removing redundant terms;
- increasing the various maximum penalties within the act. These maximum penalties have not been reviewed since 1995 and the current bill proposes an increase of 60 per cent, which is broadly in line with the 68 per cent movement in the CPI over the 20-year period from 1995 to 2015. Further, maximum penalties of \$8,000 have been proposed for two new offences under the legislation;
- permitting the government to exclude certain classes of leases and licences from the application of the act; and
- permitting the Small Business Commissioner to certify exclusionary clauses and exempt leases and licences from the act.

The proposed changes to section 4 of the act relating to the application of the act will apply prospectively from the date that the amendments take effect. There is some legislative uncertainty regarding the application of the act between 4 April 2011 (when the prescribed threshold of rent was increased from \$250,000 to \$400,000) and the date when the proposed amendments will commence.

Members may recall that the 2017 decision of Justice Stanley in *Diakou Nominees Pty Ltd v Gouger Street Pty Ltd & Ors* [2017] SASC 72 (the *Diakou* case) provides guidance on the interpretation of section 4 where the lease rent was originally above the threshold (i.e. the act did not apply to the lease) but has now fallen below the threshold because the rental threshold was revised and increased to \$400,000 on 4 April 2011.

Justice Stanley found that once the annual rent did not exceed the prescribed sum the act should apply. The proposed amendments to section 4 of the act take account of the findings in the *Diakou* case, and in addition provide for the circumstances in which the act will or will not apply to a lease, depending on a range of factors including rent decreases, prescribed threshold increases and the type of lease entered into.

When the former bill was debated in September 2017, an amendment was made to make clear that the terms 'public company' and 'subsidiary' have the same meaning as in section 9 of the Corporations Act 2001 of the commonwealth. Effectively, this means that a public company is a company other than a proprietary company. This amendment, which provides further clarity as to the scope of leases captured by the act, has been incorporated in the current bill.

During the debate on the former bill, the question of whether overseas companies and their subsidiaries should be exempted from the protections of the act was raised. The current bill includes a provision excluding bodies corporate whose securities are listed on a stock exchange outside of Australia from the application of the act. This provision is based on the equivalent provisions in Victoria and New South Wales and applies to leases entered into after the commencement of the provision.

It is intended that the act may or may not apply to a lease, depending on whether the lessee at any given time is or is not a foreign company within the meaning of the act. For example, if the lessee is a foreign company at the time the lease is entered into, then the act will not apply. However, if at any time during the term of the lease the lessee ceases to be a foreign company, the act may again apply to the lease.

The government proposes five further amendments in the current bill that have not been previously considered or debated in the context of the former bill. The first is an amendment to address the complex issue arising from an increase to the rental threshold in 2010 made by the regulations. The government recognises that this change in the threshold has caused great difficulties for some landlords and tenants with long-term leases. The government proposes an amendment to make it express within the act that a registered lease which, at the time of the registration, falls outside of the rental threshold shall remain outside of the act regardless of any increase of the threshold which would bring the lease within the scope of the act.



This proposed amendment would cater particularly for long-term leases, such as hotels and motels, where the rent may exceed the current threshold of \$400,000 when the lease is entered into but is subsequently captured by the requirements of the act when the rental threshold is raised and the rent falls below the raised threshold. This amendment provides a clear opportunity, at the point at which the lease is entered into, for the parties to protect the value of the lease and addresses the issues raised by the Deputy Premier and Attorney-General when the former bill was debated in the lower house.

To provide background on this issue to members, some of whom may already be aware of the issues raised in these legal matters since 2011, changes to the rent threshold under the former government created a severe situation for some business owners and landlords. The Moss review did not address this issue, despite it being known to the then government, and therefore could not provide a workable solution for those affected.

Unfortunately, the time to rectify this issue and provide some recourse for those affected was not acted upon by the former government. It was left up to the opposition and the Hon. John Darley MLC to provide options to the parliament for reform. This bill has worked towards a solution for this issue, going forward, in light of the issues raised through two substantive Supreme Court matters. While this cannot properly provide recourse for the actions of the former government in 2010 and 2011, I trust this assists into the future.

The second amendment seeks to ensure that public companies limited by guarantee and registered with the Australian Charities and Not-for-profits Commission are not excluded from the application of the act, thereby ensuring that this type of lessee is still afforded the consumer protections provided under the act.

If, after the commencement of this amendment, the status of the registered charity changes, the registered charity may subsequently fall within or outside the application of the act. For example, the act will apply to a public company that is a registered charity at the time the lease is entered into. However, if that company is later deregistered as a charity but remains a public company, then the act will no longer apply.

I thank WorkSkil, who provided submissions and counsel on this matter, for their work, and I am pleased to have been able to incorporate this sensible amendment into the government's bill. Proposed section 4(6) has been inserted to make clear that the act may or may not apply to a lease depending on whether a lessor or lessee becomes or ceases to be a lessor or lessee of a kind referred to in proposed section 4(2) of the act.

The third amendment increases the security from an amount not exceeding four weeks' rent to an amount not exceeding three months' rent, which is based on the recommendation set out in the Moss review and feedback received from key stakeholders and industry groups. This amendment will provide greater protection to tenants. Stakeholder feedback suggests that a one-month rental bond results in landlords acting too quickly to terminate the lease of a slow-paying tenant.

The fourth amendment changes references to sections 23 and 35 of the act. Since the act was last amended, the Australian institute of valuers and land economists has changed its name to the Australian Property Institute. The organisation has also amended its constitution to replace the reference of 'president' with 'chair'. These changes are accordingly reflected in the amendments to these sections. The final amendment is a technical amendment to section 32(e) of the act to include a reference to the emergency services levy in outgoing statements.

I reiterate that the government's bill acts on work undertaken by Mr Moss previously and extensive submissions and work of the Small Business Commissioner, his office and the industry. I trust this reform will make processes under the act less ambiguous and improve the transparency of the legislation, which is consistent with industry expectations. I commend the bill to the house and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

## 1—Short title

## 2—Commencement

## 3—Amendment provisions

These clauses are formal.

## Part 2—Amendment of Retail and Commercial Leases Act 1995

## 4—Amendment of section 3—Interpretation

This clause inserts definitions of *GST* and *GST law* which are consequential on the amendments to the Act in relation to rent and rent threshold. Definitions of *public company* and *subsidiary* (terms used in section 4 of the Act) are also added, to have the same meaning as in the *Corporations Act 2001* of the Commonwealth. This clause also inserts a new subsection setting out the meaning of *prescribed threshold* in relation to the rent payable under a retail shop lease. The threshold of rent is defined to mean the amount of \$400,000 per annum or such greater amount that may be prescribed by the regulations. The amount of \$400,000 is the same amount as is currently prescribed by the regulations for the purposes of section 4. The definition also clarifies that the threshold amount does not include GST.

## 5—Amendment of section 4—Application of Act

This clause substitutes section 4 as follows:

## 4—Application of Act

Proposed section 4 sets out the circumstances in which the Act will or will not apply to a retail shop lease. In addition to re-enacting the provisions in the current section, the proposed section re-enacts and amends the provision currently in section 4(2). This is to clarify and provide for additional circumstances in which the rent threshold may be a determinative factor in whether or not the Act applies to a retail shop lease and to include two new circumstances in which the Act will or will not apply to a retail shop lease.

Proposed section 4(2)(a) provides that the Act does not apply to a retail shop lease at any time the rent payable under the lease exceeds the prescribed threshold (that is, \$400,000 per annum). This provision will apply to leases entered into before or after the commencement of the provision, and regardless of whether the Act does or does not apply in relation to the lease at the time the lease is entered into. This means that the Act may apply or cease to apply to a particular lease during the term of the lease, either as a result of a change in the amount of rent that may be payable (for example, as a result of a rent review), or as a result of any increase in the amount of the prescribed threshold (by way of a regulation under the Act).

If, at the time a lease is entered into, the rent payable under the lease exceeds the prescribed threshold (and thus the Act does not apply to the lease), proposed subsection (3) provides for a mechanism whereby the parties may prevent the Act ever applying to the lease in circumstances where the Act would otherwise apply because of the provisions in proposed subsection (2)(a). If a retail shop lease is lodged for registration by the lessor within 3 months after the lease is executed and, at the time of lodgement, the rent payable under the lease exceeds the prescribed threshold, the Act will not apply to the lease and will continue not to apply to the lease despite the fact that the Act would otherwise, or may in the future, otherwise apply to the lease (either as a result of a change in the amount of rent that may be payable or any increase in the amount of the prescribed threshold).

Proposed subsection (4) provides 2 circumstances in which the provisions in proposed subsection (3) do not apply. The first is to or in respect of a lease entered into before the commencement of the proposed provision. The second is to the renewal of a lease on or after the commencement of the proposed provision pursuant to a right or option conferred by a lease entered into before that commencement. The provision clarifies, however, that despite the definition of 'renewal' of a lease in section 3 of the Act, the provisions in subsection (3) may apply to or in respect of a new retail shop lease (whether on the same or different terms) entered into by an existing lessee and lessor after the commencement of the provision.

Section 4(2)(c)(i) of the current Act provides that the Act will not apply to a retail shop lease if the lessee is a public company or a subsidiary of a public company. Proposed subsection (2)(e) re-enacts and amends this provision to allow the Act to still apply if the public company is a public charitable company (or a subsidiary of a public charitable company). *Public charitable company* is defined in proposed subsection (7) as a public company limited by guarantee and registered under the *Australian Charities and Not-for-profits Commission Act 2012* of the Commonwealth.

Proposed subsection (2)(f) provides that the Act does not apply to foreign companies.

Proposed subsection (6) clarifies to avoid doubt, that the circumstances in proposed subsections (2)(d), (e), (f) or (g) may or may not apply to a lease over the term of that lease depending on whether the lessor or lessee becomes or ceases to be a lessor or lessee of a kind referred to in those paragraphs.

## 6—Insertion of section 6A

This clause inserts a new section:

## 6A—Valuer-General to review prescribed threshold

The proposed new section provides for the Valuer-General to conduct a review of the amount of the prescribed threshold for the purposes of the Act (being the threshold amount of rent at which the Act will cease to apply to a particular lease). On completing a review, the Valuer-General is to provide a report to the Minister on whether an increase in the prescribed threshold is recommended. The first review is to be conducted within 2 years of the commencement of this provision and every 5 years after that. The regulations may (but need not) specify requirements in relation to the review regarding matters to be considered by the Valuer-General, or consultation to be undertaken.

## 7—Amendment of section 9—Commissioner's functions

This amendment is consequential on the amendments to sections 20K and 77(2) of the Act by this measure, and reflects the fact that the Act assigns other functions to the Small Business Commissioner in addition to those set out in section 9.

## 8—Substitution of section 11

This clause substitutes a new section 11:

## 11—Copy of lease to be provided to prospective lessee

This clause provides that a lessor who offers, or invites an offer, to enter into a retail shop lease, or advertises that a retail shop is for lease, must provide a prospective lessee with a written copy of the proposed lease as soon negotiations are entered into. Under current section 11, a copy of the lease need only be made available to the lessee for inspection. As is the case for the current section 11, the copy of the proposed lease need not include the particulars as to the lessee, rent or term of the lease. In addition, the lessee must provide the lessee with a copy of the information brochure published by the Small Business Commissioner.

## 9—Amendment of section 12—Lessee to be given disclosure statement

This clause amends section 12 to provide that a lessor must, before entering into a retail shop lease, give the lessee a signed disclosure statement in duplicate. The lessee must then sign both copies of the statement and return 1 copy to the lessor within 14 days.

## 10—Amendment of section 14—Lease preparation costs

This amendment deletes the reference to stamping and stamp duty in relation to the lease, as this is no longer payable.

## 11—Amendment of section 15—Premium prohibited

This clause increases the penalty for the offence of seeking or accepting a premium in connection with the granting of a retail shop lease from \$10,000 to \$15,000.

## 12—Substitution of section 16

This clause substitutes a new section 16:

## 16—Lease documentation

Current section 16, which sets out the requirements for the provision of an executed copy of a lease to the lessee, has been rewritten to remove the references to stamp duty, as this is no longer payable on a retail shop lease. If a lease is not to be registered, the lessor is required to provide a copy of the executed lease within 1 month after it has been returned to the lessor following its execution by the lessee. In the case of a lease that is to be registered, the lessor must lodge the lease for registration within 1 month of its execution and return by the lessee, and a copy of the executed, registered lease must be given to the lessee within 1 month of the lease being returned to the lessor following its registration.

## 13—Amendment of section 19—Security bond

This clause proposes to amend section 19(1) to increase the penalty for requiring more than 1 security bond for the same lease or requiring the payment of security bond that exceeds 3 months rent from \$1,000 to \$1,500. The section is amended to provide that the amount of security bond and any calculation using the amount of security bond, is to be exclusive of GST. Clarification of the manner in which the maximum amount of security bond is to be calculated is provided for in subsection (1a).

## 14—Amendment of section 20—Repayment of security

This clause increases the time in which a written notice of dispute as to repayment of a bond must be lodged with the Commissioner under subsection (4) from 7 days to 14 days, and makes a consequential amendment to subsection (5).

## 15—Insertion of section 20AA

This amendment inserts a new section 20AA:

**20AA—Return of bank guarantees**

The proposed clause requires a lessor who has received a bank guarantee to return it to the lessee within 2 months of completing the performance of the obligations under the lease for which it was provided as security, unless the guarantee has expired or been cancelled, or for such time as there are court proceedings in relation to the guarantee. A consent or release necessary to have the bank guarantee cancelled may be provided instead if a lessor is unable to return the original guarantee. A lessor may be liable to pay a lessee compensation for any loss or damage suffered as a result of failing to return a bank guarantee, as well as any reasonable costs incurred by the lessee in connection with cancelling the guarantee. This provision will apply to a bank guarantee given in relation to a lease whether entered into before or after the commencement of this provision.

**16—Amendment of section 20B—Minimum 5 year term**

This clause amends section 20B by removing the reference to a period of holding over exceeding 6 months. This is to make it clear that a period of holding over after the termination of an earlier lease greater than 6 months, does not imply a new 5 year term of the lease.

**17—Amendment of section 20K—Certified exclusionary clause**

This clause amends section 20K to include the ability for the Commissioner, in addition to an independent lawyer, to sign a certificate in relation to a certified exclusionary clause. The Commissioner may require payment of a prescribed fee for providing such a certificate.

**18—Amendment of section 20L—Premium for renewal or extension prohibited**

This clause increases the penalty for the offence of seeking or accepting a premium in connection with the renewal or extension of a retail shop lease from \$10,000 to \$15,000.

**19—Amendment of section 20M—Unlawful threats**

This clause increases the penalty for the offence of making threats to dissuade a lessee from exercising a right or option to renew or extend a retail shop lease or exercising the lessee's rights under Part 4A of the Act from \$10,000 to \$15,000.

**20—Amendment of section 23—Reviews to current market rent**

This clause updates the reference in the section from the President of the Australian Institute of Valuers and Land Economists (SA Division) Inc. with the Chair of the South Australian State Committee of the Australian Property Institute Limited. The clause also provides that, for the purposes of the section, the holder of such other office representing property interests in the State may, instead, be prescribed by the regulations.

**21—Amendment of section 24—Turnover rent**

This amendment increases the penalty from \$1,000 to \$1,500 for the offence of a lessor requiring a lessee to provide information about the lessee's turnover when the lease does not provide for rent or a component of the rent to be determined by reference to turnover.

**22—Amendment of section 32—Lessor to provide auditor's report on outgoings**

This amendment adds a reference to the emergency services levy to section 32(e). It also updates an obsolete reference with a reference to the *Corporations Act 2001* of the Commonwealth.

**23—Amendment of section 35—Determination of current market rent under options to renew**

This clause updates the reference in section 35(1)(c) from the President of the Australian Institute of Valuers and Land Economists (SA Division) Inc. with the Chair of the South Australian State Committee of the Australian Property Institute Limited. The clause also provides that, for the purposes of the section, the holder of such other office representing property interests in the State may, instead, be prescribed by the regulations.

**24—Amendment of section 44—Premium on assignment prohibited**

This clause increases the penalty for the offence of seeking or accepting a premium in connection with consenting to the assignment of a retail shop lease from \$10,000 to \$15,000.

**25—Amendment of section 51—Confidentiality of turnover information**

The amendment to this section increases the penalty for the offence of divulging or communicating confidential information about the turnover of a lessee's business from \$10,000 to \$15,000.

**26—Amendment of section 55—Lessor to provide auditor's report on advertising and promotion expenditure**

This clause updates obsolete references with references to the *Corporations Act 2001* of the Commonwealth.

**27—Amendment of section 75—Vexatious acts**

This clause increases the penalty for the offence of parties to a lease engaging in vexatious conduct in connection with the exercise of a right or power under the Act or a lease from \$5,000 to \$8,000.

#### 28—Amendment of section 77—Exemptions

This amendment provides that, in addition to the Magistrates Court, the Commissioner may grant an exemption from all or any provisions of this Act, on the application of an interested person, in relation to a particular retail shop lease (or proposed lease) or a particular retail shop (or proposed shop). The clause also increases the penalty for contravening a condition of an exemption granted under section 77 from \$500 to \$800.

#### 29—Substitution of section 80

This clause substitutes a new provision setting out the regulation making powers under the Act:

#### 80—Regulations

The proposed new section 80 sets out the regulation making powers under the Act to include those provisions now more commonly included. It provides that any regulations made may be of general or limited application and may confer powers or impose duties in connection with the regulations on the Minister or the Commissioner. As is currently the case, it also allows for regulations to prescribe codes of practice to be complied with by lessees and lessors and to impose maximum penalties of \$2,000 for contravention of a regulation. The regulations may also make provision of a saving or transitional nature and make different provision according to the classes of persons or matters to which it is expressed to apply, fix fees and make exemptions.

#### Part 3—Amendment of Landlord and Tenant Act 1936

#### 30—Insertion of section 13A

This clause inserts a new section

#### 13A—Jurisdiction of the Magistrates Court

Proposed new section 13A clarifies that the Magistrates Court has jurisdiction to hear and determine applications and proceedings under Part 2 in relation to distress for rent. If the jurisdictional monetary or property value limits of the Magistrates Court are exceeded, the proceedings are to be referred to the District Court.

#### 31—Amendment of section 24—Adverse claims

This amendment is consequential on the insertion of new section 13A.

Debate adjourned on motion of Mr Brown.

### *Parliamentary Committees*

## **STANDING ORDERS COMMITTEE**

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

That the first report of the committee be noted.

I will make some longer remarks when we get to the contingent notice of motion, assuming that the house is inclined to note this report, which is the usual practice, so I might limit my remarks on this part of the motion to that. I commend that we note the report.

**Mr BROWN (Playford) (15:53):** I am happy to support the noting of the first report of the Standing Orders Committee. I indicate that I do not support the change in standing or sessional orders that was considered by the committee, of which I am a member. I invite members to consider the report in detail. I invite them to consider the following questions when considering the report. From whom did the committee consider evidence? Were members surveyed on their views? Were former members who perhaps are experienced or have been experienced in estimates committees' processes asked their views?

As a member of the committee, I can perhaps provide the house with some information for the benefit of members. Firstly, no members of the estimates committee where the atrocities were alleged to have occurred were spoken to by the committee—not one. The committee did not even call you, Mr Deputy Speaker, who was the person who was alleged to need more tools to do their job properly.

The Minister for Transport, who was the one who was alleged to have been so traumatised by this experience that he requires extra protection, was also not spoken to by the committee. If no-

one who was present on that fateful day was spoken to, then why did the committee feel the need to consider changing the standing or sessional orders at all? It was because the Attorney-General asked us to. This proposed amendment to standing orders has come about due to one thing and one alone, and that is the embarrassment of the Attorney-General of this state having potentially acted unlawfully as a result of her public comments following an estimates committee hearing. It was not her own hearing, mind you.

**The Hon. J.A.W. GARDNER:** Point of order: I was just thinking the member was imputing improper motive.

**The DEPUTY SPEAKER:** Member for Playford, you will have to be very careful here. I do not think you should be casting aspersions on any particular member.

**Mr BROWN:** That was certainly not my intention, Mr Deputy Speaker.

**The DEPUTY SPEAKER:** It certainly was close to that.

**The Hon. S.C. Mullighan:** If she's taken offence, she can come in and express it to the house.

**The DEPUTY SPEAKER:** No, member for Lee, there was a point of order raised by the Minister for Education. I am dealing with that. I am suggesting the member for Playford be very careful with how he phrases his comments.

**Mr BROWN:** Thank you. I am guided by your wisdom, Mr Deputy Speaker. It was not her own hearing, mind you, but that of the Minister for Transport. Having failed rather spectacularly in her last year's attempt at post-estimates spin, this year she has taken the view that an ounce of prevention is worth a pound of cure.

Any impartial observer of last year's estimates committee with the Minister for Transport would have concluded two things, in my opinion: firstly, that there was a passionate but respectful exchange between the member for West Torrens and the minister, with each being equal to their task; secondly, that you, Mr Deputy Speaker, were more than capable of using not only your considerable presence and skill but also standing orders to control proceedings to your satisfaction.

**The DEPUTY SPEAKER:** I am blushing, member for Playford.

**Mr BROWN:** How do I know that you were up to the task, Mr Deputy Speaker? Because, with your years of experience in opposition, there could be no doubt that you are acutely aware that the Chair may suspend proceedings to restore order whenever they wish and that this causes the opposition to lose valuable questioning time. This is worth considering by members because the very reason we are told that the current standing and sessional orders need to be changed is that they are so deficient that you were unable to maintain a reasonable level of discussion during a particular estimates committee and that the rights of all of us now need to be diminished in order to restore a reasonable level of order.

If the existing rules contain enough provisions to properly maintain order, then why was the Standing Orders Committee asked to consider introducing a so-called 'sin bin rule' for estimates committees? We can only conclude that it is yet another attempt by this government to tighten its grip on this parliament to allow it to implement its agenda in the shadows without scrutiny. There has been some talk lately in this chamber of standards of behaviour and of setting an example. We on this side of the house will continue to question the government and to hold it to account. We will continue to do so with passion and with respect. That is what our constituents expect us to do.

Some members opposite may have made the decision that their constituents expect them to meekly sit and wait to see if the Attorney-General and others in this government deign to give them information. That is a matter for them to answer to their constituents. I urge those opposite who still believe in robust questioning and those on the crossbench to stand up for their constituents and to oppose the attempt to amend standing orders.

**Ms LUETHEN (King) (15:58):** I rise to talk about the first report of the House of Assembly Standing Orders Committee on directing a member to withdraw from an estimates committee from June 2019. I would like to acknowledge the members of the Standing Orders Committee: the Chair,

the Speaker, the honourable member for Hartley; the member for Newland; the member for Playford; the member for Kaurana; and the secretary to the committee, the Clerk of the House of Assembly.

I would like to provide some background to the standing orders to anyone who reads this speech, as I must say I had limited knowledge of the importance of these orders before becoming part of this house. The standing orders are the rules that are used to manage the work of the House of Assembly and the Legislative Council. These are rules that have developed over many years. The standing orders guide the way the chambers operate each day. The standing orders are a mechanism that we as members can call upon if a member of parliament disagrees with something that has happened in the chamber, as we can call a point of order.

This means drawing a specific standing order to the attention of the Speaker—for example, incessant interruptions, yelling, misleading statements, personal reflections and unparliamentary behaviour. The honourable Speaker then has the opportunity to interpret the point of order and decide if it is valid. The Clerk sometimes assists with this because they have detailed knowledge of the standing orders. It is important to note that a vote of the members of parliament in their chamber can change a standing order at any time and suspend standing orders for a period of time. This is where the Standing Orders Committee can play a key role.

From time to time, the Standing Orders Committee reviews and makes recommendations on the House of Assembly's standing orders. As you know, Mr Deputy Speaker, since its appointment the committee has met four times. This report relates to the application of standing order 137A, direction to leave the chamber, to the estimates committees. The committee received correspondence from the Deputy Premier (Hon. Vickie Chapman), dated 3 April 2019, inviting the committee to consider appropriate changes to the standing orders to address the behaviour of members in committees.

More specifically, the Deputy Premier was concerned about the recent behaviour of members in estimates committees and how standing order 137A, direction to leave the chamber, did not apply to estimates committees. The estimates committees work best when all members respect the process and recognise the rights of each other within the process. In recent times, there has been a shift in certain members' behaviour to sometimes intentionally disrupt the operation of estimates committees by members constantly interjecting, loudly expressing outrage at answers and generally ignoring the direction of the Chair. This places the Chair in a difficult situation.

The Chair is unable to direct a member of an estimates committee to withdraw, as standing order 137A, often referred to as the 'sin bin provision', does not apply to estimates committees. In fact, standing order 137A does not apply to the Committee of the Whole or any other committee of House of Assembly members. While the Chair can name a committee member for persistently interrupting or disrupting the business of the committee, it has a significant impact on the operation of estimates committees.

Upon naming, the estimates committee is immediately suspended and the Speaker is required to recall the house at 9.30am the next day for the house to determine if the member should be suspended. Obviously, naming is not an action to be taken lightly, as it totally disrupts the estimates committees process and is extremely inconvenient for all other members, who would be required to attend the sitting of the house at very short notice.

Past practice has been to avoid naming at all costs—no member has been named since the inception of estimates committees in 1980—and for the Chair to suspend the sitting of the committee for a short period of time to enable tempers to cool. An extension of standing order 137A to the estimates process could be considered as a solution to this problem, a way to address the unparliamentary and unacceptable disrespectful behaviour we have seen in recent times.

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

**The DEPUTY SPEAKER:** There is a point of order.

**The Hon. A. KOUTSANTONIS:** Well, sir, there are a number. I will stick with 127: personal reflections on any other member. The member for King is making remarks about members of the estimates committees, and I think it is appalling. She should withdraw and apologise.

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

**The DEPUTY SPEAKER:** There is a further point of order. We have the first one. Could you cite the number again, member for West Torrens?

**The Hon. A. KOUTSANTONIS:** It is 127, sir, personal reflections on members, page 35.

**The Hon. J.A.W. GARDNER:** Sir, traditionally, the house has held that when a person makes a specific reflection on a specific member, that would be the point of order to make. I do not recall the member for King doing so.

**The DEPUTY SPEAKER:** I uphold the Minister for Education's point in relation to this, member for West Torrens, because there were no specific members referred to in the member for King's comments. I will leave it at that. The member for Lee looks like he has something to say.

**The Hon. S.C. MULLIGHAN:** Thank you, Deputy Speaker. Perhaps we can take standing order 128 for a drive around the block. I submit to you that this is tedious repetition of information already provided to the house, a verbatim reading of a report that has already been tabled before us.

**The DEPUTY SPEAKER:** Member for Lee, the member for King has the opportunity to contribute to this debate. She is on her feet.

**The Hon. S.C. MULLIGHAN:** Sir, the contribution has already been presented to the house. This is a verbatim repetition of the report of the Standing Orders Committee.

**The DEPUTY SPEAKER:** I do not believe that to be the case, member for Lee. I am happy for the member for King to continue as she is. Others will have an opportunity in due course, I am sure.

**The Hon. A. KOUTSANTONIS:** Sir, I ask for a point of clarification. The minister raised a point of order about when reflections are made, that the member would rise immediately to take offence. That is standing order 125; I am talking about standing order 127. For the benefit of the house, I will read it to you: 'A Member may not...make personal reflections on any other Member.' It does not say 'individual member': it says 'members'. The estimates committee is made up of a committee of the house. These are reflections on members of those committees.

**The DEPUTY SPEAKER:** No, I do not believe it is the case in this situation, member for West Torrens. I understand the point you are trying to make, but I do not believe you are correct in this instance. Member for King, you have the call.

**Ms LUETHEN:** Thank you. The Deputy Premier in her correspondence was referring to the application of standing orders to the behaviour of members in all committees of the parliament. In this instance, the Standing Orders Committee has restricted its inquiries to the estimates committees. The committee will, however, maintain a watching brief over the behaviour of members in the Committee of the Whole and select committees.

As standing order 137A does not apply to estimates committees, for the Chair of an estimates committee to have a comparable power to that bestowed on the Speaker to direct a member to withdraw as a result of disorderly behaviour, there is a requirement for a sessional or standing order to be adopted to that effect. The majority of the committee supports the implementation by way of a trial of the adoption of a sessional order that applies to the estimates committees that replicates the provision of standing order 137A.

It is clear that the change proposed by the committee to apply to estimates committees is a departure from practice in the past that has applied to any committee made up of members of the House of Assembly. It is for that reason that our committee recommends the change be implemented by way of the sessional order in the first instance. If the change is successful, it can then be included in the standing orders or, if necessary, modified in the light of practice.

The committee's proposal is to set out in the draft sessional order the direction to leave estimates committee: (1) the Chair of an estimates committee may direct a disorderly member to leave the estimates committee for up to one hour, and (2) the direction shall not be open to debate or dissent, and if the member does not leave the estimate committee immediately, the Chair may name the member. A member who has been directed to leave the estimates committee under this



sessional order is excluded from both estimates committees and their galleries for up to an hour; however, the member may enter the estimates committee during the ringing of the bells for the purpose of forming a quorum or voting in a division.

Once the Chair of the estimates committee has declared the presence of the quorum or the result of the division has been declared, the member must immediately withdraw from the estimates committee for the remainder of the period of exclusion. The committee recommends the adoption of a draft sessional order for the provision of a procedure that enables the chair of an estimates committee to require a disorderly member to withdraw from the estimates committee for up to an hour.

A dissenting report was submitted by the member for Kaurna and the member for Playford. They noted that they do not support the proposal for the adoption of a sessional order that applies to the estimates committee that replicates the provisions of standing order 137A. Their argument, as I recall it in the committee meeting, was a concern that they would not get to ask the questions that they wished to ask.

I debated that their ability to ask questions continues. What we are asking them to do is ask questions in a respectful and orderly way instead of members perhaps frequently interrupting another member or even yelling at them. This would be the expectation in any other workplace: respectful behaviour. We agree that robust debate can be necessary and is welcomed, but disorderly conduct is no longer in line with community expectations. Interrupting and yelling is not acceptable in any other workplace and should not be accepted in parliament. This is where I will just stop and talk again about respectful behaviour. We read in the paper every day that there is violence in our community. This morning, I was watching the news with teachers talking about violent and disrespectful behaviour from students in their schools and how hard their job is becoming. Frequently, we have children sitting in our gallery, watching our behaviour, and it must improve. Community expectations have changed. They are demanding better from us than they have seen in the past. We are community leaders and we should set an example for respectful behaviour. It starts with us.

The majority of the committee agreed that it was time to advance the tools available to the Chairs of committees to ensure that proceedings of all committees are conducted in a respectful and disciplined manner. I personally welcome this proposal, as it is so much in line with my recent calls in this House of Assembly for members to improve the standard of behaviour within this house, which is exactly what we have seen on this side of the house. This was in response to the behaviours I had observed over the past 15 months, as a member of this house, and in response to observations shared with me by so many people in my community.

The Attorney-General asked the House of Assembly Speaker to grant the Chairs, who control the budget estimates committees, the right to consider the removal of disrespectful MPs who may disrupt proceedings. The Standing Orders Committee is an important bipartisan committee, which plays an important role in enabling the standards of behaviour to continue to evolve in line with our community's expectations and perceptions of our parliament. This is important in the rapidly changing environment in which we live.

To summarise, the draft sessional order for the House of Assembly is that, for the remainder of the session, standing orders be and remain so far suspended so as to provide the direction to leave estimates committees: (1) the Chair of the estimates committee may direct a disorderly member to leave the estimates committee for up to one hour, and (2) a member who has been directed to leave the estimates committee under this sessional order is excluded from both estimates committees and their galleries for up to one hour.

However, the member may re-enter the estimates committee during the ringing of the bells for the purpose of forming a quorum or voting in a division. Once the Chairman of the estimates committee has declared the presence of a quorum or the result of the division has been declared, the member must immediately withdraw from the estimates committee for the remainder of the period of the exclusion.

I thank the committee members and our Speaker of the house and look forward to our continuing to work across both sides of this house together to review ways in which elected members

can advance the respectful standards of behaviour in parliament in line with our community's expectations. My hope is that this respectful debate will deliver better outcomes for our community.

I hope that more respectful behaviour will encourage people to ask better questions, to seek common ground and to collaborate on better community-focused outcomes. It takes dedication to identify common ground and this process can be enhanced by respectful behaviour. Thank you for the opportunity to provide this update to the house.

**The Hon. S.C. MULLIGHAN (Lee) (16:13):** I think it is important to contemplate the context of this before the house reaches a decision. We have had correspondence from the Deputy Premier, the member for Bragg, to the Standing Orders Committee of the House of Assembly suggesting that the committee consider whether any changes needed to be made to standing orders given what she herself—herself and no-one else—thought was a certain type of behaviour during one estimates committee hearing that occurred last year.

There are two contexts that I think are worthy of consideration: firstly, when the letter was communicated from the Deputy Premier to the Standing Orders Committee, which I understand from the report—and it should occur to me instantly because we have just had a verbatim recital of it—was in April of this year, and that of course came during or, in fact just after, some weeks of an investigation by the DPP as to whether any criminal charges needed to be considered regarding the behaviour of the Deputy Premier arising out of the estimates committee hearing.

We saw yesterday in question time that the Deputy Premier is not one given to criticism. The equal opportunity commissioner certainly felt the brunt of that from the Deputy Premier's remarks to the house during question time about what she perceived to be the inadequate performance of the equal opportunity commissioner. That is the first context.

The second context that is worth considering is what actually happened in the estimates committee last year. You yourself, sir, would be well placed because you were presiding over that committee. The rest of us were spectators; at least, some of us were spectators, given the parliamentary broadcasting facilities that we now have.

We had a member, the member for West Torrens, who was asking a minister, the Minister for Transport, about where his chief executive was for the purposes of presenting before the estimates committee of parliament. The minister refused to respond to that question. In fact, he continued to refuse to respond to that line of questioning, which is unusual. It is unusual that a minister answering a question from another member, opposition or otherwise, in parliament would say that they were unable to respond—not unwilling but unable to respond.

There was the inference from the Minister for Transport that he was legally prevented from doing so, that he was legally prevented from providing information to this house, which I found curious at the time. My understanding was that the house and the members within the house enjoyed full and unfettered privileges and immunities in this place while conducting the course of our responsibilities as members of parliament. So, in that context, the Minister for Transport was incorrect to provide the inference to the estimates committee that he was unable to, for legal reasons, provide information to the house.

The member for West Torrens was not asking anything unusual, anything tricky, anything devious. He was merely asking why the Minister for Transport presented himself to an estimates committee without the chief executive of his department. There was some uncertainty, not just amongst us but in the media and the public of South Australia, about what the circumstances of that chief executive were at that time. It is not an unreasonable question. For the minister, in my view, to answer inaccurately to the estimates committee that he was legally unable to answer those questions was plain wrong—plain wrong. In fact, there is a specific legal provision in the Independent Commissioner Against Corruption Act itself under section 6:

Nothing in this Act affects the privileges, immunities or powers of the Legislative Council or House of Assembly or their committees or members.

So members of parliament are free to say and do as they will, protected by those privileges and immunities, in particular when before a committee of the parliament, as the estimates committee of course is.

You can imagine the frustration, Deputy Speaker, of a frontbencher of the opposition going into an estimates committee—the first estimates committee, no less—of this session of parliament, and of this government for their first budget, to ask entirely legitimate questions which the minister should have been free to answer, indeed, was free to answer. That minister refused to answer those questions because he bogusly claimed he was legally prevented from doing so. You can imagine the agitation that you yourself might have felt, Deputy Speaker, had you been in the shoes of the member for West Torrens. In that context, you can understand why the estimates committee hearing got quite heated.

Here we had a member of the opposition asking entirely legitimate questions of a cabinet minister—a member of the government. As we all understand, under the basic tenets of responsible government, it is the responsibility of this place to hold ministers to account for the performance of their own actions and the performance of the agencies for which they are responsible, and that was being thwarted by the minister in his answers.

I do not think it is unreasonable for the member for West Torrens to express, as he did to the committee, bewilderment and frustration and, after a sustained period of the minister digging in his heels and continually refusing to answer questions to the estimates committee of the house, some anger because the estimates committee process was being thwarted in this way by a minister. What is the solution for the conduct of that estimates committee, which has been available to estimates committees for the last 38 years, since their inception in 1980?

As the member for King just outlined, the Chair—if he or she feels that things are starting to slip away from control—can pause the estimates committee hearing and in doing so urge all members of the committee, on both sides of the place, to take a breather and cool down for a while and then resume. Certainly, that is the way I can remember all these disputes being resolved in the period of time that I have been observing estimates committees, which may not be as long as the 39 years that they have been in existence; nonetheless, it is still a reasonable chunk of it.

We now have a claim by the Deputy Premier that the Standing Orders Committee should choose to impose some more punitive action on members who refuse to comply with what the government-appointed Chair of the estimates committee believes to be a reasonable standard of conduct. That is no inference of your impartiality or otherwise, Deputy Speaker. Here we are setting a rule which does not just apply to a committee that you may chair or that the member for West Torrens may be a part of or that the member for Schubert may be answerable to.

We are looking to impose a rule that will extend for the rest of the session of the parliament and, indeed, perhaps set a precedent far beyond that. We are looking to change the rules which have prevailed for the past 38 going on 39 years because of one incident that managed to embarrass the Deputy Premier in the end. I also find it curious that the member for Bragg, the Deputy Premier, did not actually ask that it be changed, but just that the Standing Orders Committee consider whether a change was necessary. Maybe that is a euphemism. Maybe that is a nudge in the right direction for the government-appointed members of the Standing Orders Committee: that they should not just consider but do.

So I find it curious that the Standing Orders Committee has chosen to recommend to this place that opposition members or other members of an estimates committee, when asking questions of a minister responsible for answering to the committee, can be thrown out for a period of up to an hour. That is most disconcerting because as you would know, Deputy Speaker, for many portfolios there are a range of different agencies and a range of different responsibilities that that estimates committee seeks to traverse.

Some estimates committees and some ministers appear before these committees for most of the day—for example, the Premier and the Treasurer—but most do not. Most only appear for a few hours or half the day. So now we are being asked to approve a change in practice where somebody can be kicked out of an estimates committee and therefore stop the opportunity for questions to be asked, particularly by a shadow minister, who is conversant with the details and the operations of the particular agency, for the entire time that is set down for the questioning of that particular part of a minister's responsibilities. That is not good enough.

It is fine, I think, if a Chair absolutely thinks that the breaks need to be tapped for 10 minutes or so for everyone to calm down and for perhaps some direct personal encouragement of all members of that committee during that break, that is, 'Let's get things back on track.' That is fine. That is the way it has operated for decades, but to have a situation where a member can be thrown out for up to an hour and potentially miss an entire line of questioning I think—the member for Playford is absolutely right—is a direct attack on the ability of members to hold a government minister to account during the estimates committee process.

The estimates committee process, for those people who may not be familiar with it or for those people who have not had the misfortune of having to sit through one or tune in to one as a casual observer, is meant to be our version of the federal parliament's Senate estimates committee process where it is perhaps the best opportunity to hold a minister and their agency to account for their performance in the past and their intentions going forward. That now is under threat.

Unfortunately, it is not an isolated behaviour by this government in seeking to constrain the ability of this place to hold the government to account. It is not the only time that we have seen this government manage the operations and the business of this place in a particular way that places them at a significant advantage over every other member of this house—opposition and crossbench members included. It is remarkable.

We should all cast our minds back to the time when a pair agreement between the government and the opposition was deliberately broken in an effort to win a vote. Most members identify that point in time as being when relations between the government and the opposition really started to denigrate in this place, and indeed relations between some members of parliament who previously had got on well really started to denigrate in this place, but unfortunately that is not an isolated incident.

Not only did we have the breach of a pair agreement but we had the Leader of Government Business come into this house and try to claim that it was standard practice that pairs not be granted for votes involving suspensions of standing orders. The very first vote in this place in this session of parliament was a suspension of standing orders where a pair was granted by the Leader of Government Business. He tried to pull the wool over everyone's eyes to try to cover up for a grievous insult to the customs and practices of this house.

A year after the 2018 state election and the commencement of this session of parliament, we had the government shambolically trying to run the business of this house. We were promised a sitting schedule within a week of the state election, but we did not get one for a month. The sitting schedule was changed twice without notice last year without letting the opposition know. The estimates schedule last year was changed twice without letting the opposition know.

Bills were introduced without notice to the opposition and immediately debated, which thwarted members of the opposition (a) getting briefed on it and (b) having the opportunity to put some remarks together to give to this place, as well as form a position on whether or not we supported that bill.

We constantly see every Wednesday Private Members Business, both bills and motions, voted to be deferred by the government in order to silence this side of the house in favour of government members being able to put their private members' bills up and get their private members' motions up. What it actually means in practice is that, in my capacity as the member for Lee, I have to spend a four-year period telling my constituents that I probably cannot raise in parliament the matter that they are most passionate about because the government silences me during Private Members Business.

I cannot get a motion to be heard and I cannot get a bill before the house because they just continue to adjourn them off. If they are prepared to silence the opposition in that way, if they are prepared to ensure that private members cannot raise matters of interest to their constituents in this place, is it any wonder that we feel some suspicion that the Deputy Premier, who was so embarrassed after last year's estimates hearing processes, and who also was the subject of a criminal investigation as a result, then chooses to change the rules or asks that this house changes the rules so she is not put in that position again.

I am not overbeating this in saying that we are here, at the end of hundreds of years of customs and conventions hard fought and won, to make sure that we have this place, the House of Assembly, and the place next door, the Legislative Council, as the public's protection against tyranny. That is the whole purpose of the parliament. That is why we have privileges and that is why we are immune to any legal threats or legal recourses outside this place. It is why we have these conventions and customs, and at every point this government has chosen to wipe its feet on them during this term of the parliament, during this session of the parliament.

Now they ask for this further step. They say, 'This works well in question time, so why don't we kick members out for up to an hour during the estimates committee, like we can in question time?' I notice they do not ask for the time limit on answers, like we have in question time, which stops ministers running down the clock and running down the opportunity for the opposition to ask questions of them.

I noticed even as shadow treasurer, when I was asking the Hon. Rob Lucas questions during his estimates committee process, that as a minister I did not want, seek or take government questions. I did not have Dorothy Dixers. I thought it was appropriate to open myself up to the scrutiny of the parliament. But even he, who had been in parliament for 36 years, felt the need for the protection of Dorothy Dixers, and he spent up to 15 minutes answering Dorothy Dixers. This government is terrified of scrutiny, and I am not surprised, given the performance of some of their ministers.

To have it enshrined in standing orders to ensure that people can be booted out because they get a bit uncomfortable with a line of questioning—because they do not like the short-pitch bowling, to use a metaphor—I think is outrageous. That is the whole purpose of the parliament. We are here to represent the public of South Australia and find out how these ministers have been doing their jobs, if they have been administering their departments properly. Because they did not like a first line of questioning from their first budget and first estimates committee process, we have to change the rules.

The rules that applied to the Tonkin government, to the Bannon government, to the Brown government, to the Olsen government, to the Rann government and to the Weatherill government are not good enough for the Marshall Liberal government. They are not good enough for them. They need more protection, presumably because they cannot reach the lofty heights of the Tonkin government. They cannot reach the lofty heights of the Brown government or the Olsen government. They need more protection from opposition scrutiny because perhaps they believe they are not up to it. This is outrageous and it should not be supported.

I also think that it is a shame on those opposite for bringing this forward to this place just before the budget estimates process to try to make sure that, if they get any criticism or any tough questions or any of the short-pitch bowling I made reference to before, they can shut it down and kick somebody out—just outrageous.

#### *Parliamentary Procedure*

### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the member for West Torrens, I acknowledge the Hon. Graham Ingerson in the gallery. Welcome here today.

#### *Parliamentary Committees*

### **STANDING ORDERS COMMITTEE**

Debate resumed.

**The Hon. A. KOUTSANTONIS (West Torrens) (16:33):** Someone who was never afraid of short-pitch bowling! There is a reason that the designers of this building in 1889 did not design it with seats all facing the Chair but had it designed so that we face each other. Why? They wanted an adversarial system, as we have in our courts—an adversarial system where the state has to prove its case against the defendant. Why do we have this adversarial system? Why do we have a system of government that has shadow ministers and opposition leaders enshrined in legislation and in our constitution, giving us protections to question the government powers?

It is because ministers are the most powerful individuals in the state. They carry the power of the Crown at their fingertips. They expend our money, they can raise taxes and they can use this parliament to do as they please. Indeed, given the majority the government enjoys, citizens can be brought to the bar of the parliament and interrogated. That is how powerful this house is. But the foresight of the founders was that they gave us the protections that we enjoy from the House of Commons, the mother parliament. Why? Because we must keep the majority in check.

What happens constantly in this parliament is that, when shadow ministers are asking ministers questions and it is going badly for the minister, shadow ministers are ejected and asked to leave under the cloud of poor behaviour. Then we get contributions from the member for King talking about, 'Well, it's just unacceptable in the public.' What would the public think about silencing democracy? What would the public think about governments being unaccountable?

Some things might shock members of the public. Politicians do not need to answer the media's questions. This government regularly does not, but they are required to attend here every day when parliament sits for an hour and face the scrutiny of the parliament. It is not enjoyable for ministers. I have been the treasurer, I have been the transport minister and I have been the minister who has received a lot of questions on some very difficult days, but that is the job. With great power comes great responsibility, which means you must come here and be accountable.

Let's think about what the estimates process is, for those who are uninformed. The estimates process is the only chance parliamentarians and the public get to have a forensic look at the budget. This year's budget will expend over \$20 billion and over the next four years raise \$21 billion in debt. We are given one day to go through it line by line, and the government is now proposing legislation and amendments that would say, 'Actually, these questions are getting a bit tricky.' Ministers are not answering the questions. They are being embarrassed. They are being filmed by the media. The easy and cheap solution is just to throw the member out under the pretence of poor public standards and behaviour.

What they are really attempting to do is to cover up their inadequacies as ministers. The reason parliament is not held in secret—we have galleries and we have Hansard who take notes—is that this is all meant to be done in the open and in the public. When we have elections, we elect members to come to this parliament and they are given privileges not for themselves. Indeed, when we speak in this parliament no-one is referred to by their name. Why? Because we are here representing a community. We speak on behalf of our constituents, not ourselves as individuals.

These are lofty principles, and every time the majority in this place attempts to whittle down the ability of the minority to ask questions of the majority you decrease our liberal democratic benefits and that is how tyranny starts. The idea that a minister can just SMS the Chair of a committee and say, 'This is going badly. Throw him out or throw her out,' how is that democracy?

We are going to lose this vote today. We cannot win. This will pass. In these estimates that are coming up, the government will avoid scrutiny. They will avoid scrutiny because, if there is a tough question, they can just refuse to answer it. If they refuse to answer the question and it gets difficult because I start bowling some short ball deliveries, 'Just throw him out. Just chuck him,' and that way—

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

**The Hon. A. KOUTSANTONIS:** Underarm? I was not the one investigated by police with the Anti-Corruption Branch, which is why we are here. We are here because the Attorney-General inserted herself into a debate, because the government attended the estimates committee last year with the minister for Renewal SA. He did not turn up with his chief executive. The agency had been raided by ICAC. It is a government business with hundreds of millions of dollars worth of debt and the parliament has a right to know if money had been embezzled and what was the nature of the investigation.

But the government thinks we have no right to know. Well, yes, we do. Is it embarrassing for the government? Yes, it is—that is the point. That is the point of accountability: sometimes you get embarrassed. Sometimes ministers are embarrassed. That is why we have democracies. Otherwise, why do we not just elect one person once and get it over and done with and not have elections and not have the parliament? Why not just pass a motion that we do not need to have question time

anymore and the government does not need to answer questions any more? We do not need to have parliament. We could just have the Governor, the Premier and the Executive Council make legislation. Why do we need all this? It is expensive. Let's get rid of it. That is what is slowly happening.

I can see government members smirking and thinking, 'This is the member for West Torrens just trying to create a stunt out of estimates.' That is what oppositions exist for: to ask difficult questions of the government to highlight issues. That is exactly why we are here. For all the power and privilege we are given as members of parliament in this chamber, the opposition can compel the government to do nothing because we do not have the votes.

We will lose every vote we have in this place unless members opposite decide to disagree with the cabinet and cross over and vote with us. It has only happened once, and that was on the mining bill, which will be contemplated later. It may happen again. I am glad that the minister has finally walked into the chamber to hear this debate.

**The Hon. J.A.W. GARDNER:** Point of order: members cannot reflect on other members' participation in the room or otherwise. The member is the Grandfather of the House, and he knows that.

**The DEPUTY SPEAKER:** Thank you, Minister for Education. I am upholding that point of order.

**The Hon. A. KOUTSANTONIS:** A nice demonstration of what is going to happen. Whenever—

**The DEPUTY SPEAKER:** Member for West Torrens—

**The Hon. A. KOUTSANTONIS:** Perhaps you want to throw me out, sir.

**The DEPUTY SPEAKER:** No, member for West Torrens. You and I were both at that estimates committee.

**The Hon. A. KOUTSANTONIS:** We were, sir. We were at that estimates committee with one of the largest government businesses—indeed, the second largest government business in South Australia, the largest being SA Water and the second largest being Renewal SA. The chief executive of that agency was missing. Why? He was stood down on full pay. I point out to the house he is still stood down on full pay, and we are not allowed to ask questions about it. The government refuses to answer any questions. Taxpayers are paying his salary. He is sitting at home. We are not allowed to ask why. Indeed, some have contemplated removing privilege for these matters so that we cannot ask it.

I have been in this place when people have used privilege scurrilously and honourably. The question then becomes: at what point do you say, 'That is the system that we have and we need it to defend our liberties'? If it is all about public disclosure and behaviour, I ask members to reflect on their behaviour when they were in opposition and the behaviour of the current Premier when he was Leader of the Opposition during question time.

Very rarely was he ever asked to leave. Why? The former Speaker would say all the time, 'It's important that the opposition leader be allowed to be the engine room of the opposition and hold the government to account.' We had to sit through interjection after interjection after interjection. Our Speaker, the Labor Speaker, said, 'No, you have to cop it because that is what democracy is: the good with the bad.'

On that day, Mr Deputy Speaker, I thought you conducted yourself exceptionally well. I was a little bit frustrated that you were doing so well and that you were so reasonable because I was trying to highlight what I thought was gross hypocrisy. Why are we given privilege? We are given privilege to raise matters without fear of the state coming into this place and stopping us from asking questions. That is why we are given privilege. It is not for me personally to go and enrich myself. It is not so I can just accuse my opponents of all sorts of awful things, but to ask questions that are in the public interest.

The public needs to start looking at what is happening today and start asking themselves questions such as: is this where we want our democracy to go? Should we allow the tyranny of the majority to rule over the minority and let them just simply throw us out when they do not like the questions? I have seen deputy premiers lose their job over questions in estimates. I have seen politicians' careers ruined because of questions in this place. Some of them have been my friends; some of them have been my enemies. Some of them were my enemies and became friends. Do you know what? That is what this system is.

None of us here is a conscript; we are all volunteers. All of us know what the rules are. All of us know we have privilege and all of us know the responsibilities that come with it. What kind of government wants to limit who can ask them questions? What kind of government thinks that they should have a rule that they can throw out someone inquiring and interrogating a minister, which is their job as an opposition spokesperson? What kind of government is that? So much for openness and accountability.

Just imagine the idea of any other workplace in Australia where the employer disappears because of a police investigation and shareholders are not allowed to ask what has happened. It would be unacceptable; there would be outrage. The ASX has rules about reporting that type of conduct, but the government of South Australia has put a chief executive on leave—almost permanently now; I think it has been over a year since he was put on leave—and we have had nothing from the government about where he is or why he is on leave. All we know is that there is an ICAC investigation ongoing.

The reason we have privilege is so that we can ask questions about it. The reason we have laws that stop the coverage of those questions is to protect people from reputational damage, not so that we cannot ask the questions. The point is: should the people's house have full access to all the information? The answer to that is always yes; hence, unlike the United States Congress, there are no secret sessions—none. All the votes are done out here in the public.

I know that it is disorderly to refer to the gallery, but I suspect that there are people here today to watch the debate that is coming next. When that debate starts, they will want to see how people vote and what they say. They are entitled to that as a democratic right in this parliament. We have taken that right from the mother parliament in England, the House of Commons. You cannot have these things done in secret.

The public can sit in the galleries and see how their member votes. If they cannot make it here, they can watch it online. If they cannot get online, they can get the *Hansard*. If they cannot get the *Hansard*, the press are given boxes up here to watch proceedings and report it unfettered. But the government is now moving to throw us out. This is the farcical situation. We get to the point where I start asking questions of the minister in estimates, and the minister does not like the questions and throws me out.

The good thing about the Labor Party is that I am dispensable because there is someone sitting alongside me just as qualified, just as aware of the work that needs to be done, and they will step up. Well, they can just throw them out, too. They can keep on going. There are 19 of us. There is nothing in this rule that says that all 19 cannot be thrown out, so we will have democracy with the government asking questions of itself.

Some backbencher is given a question by the minister's office, saying, 'Here, ask this: minister, can you tell us please how great the Liberal government is? Can you tell us how spending this money is going to make my life better, make the hens lay more eggs, make my life so much more enjoyable?' We get these stupid Dorothy Dixers. All governments are guilty of it, but in between the Dorothy Dixers you get the people's work, the people's business being done. We cannot afford to allow the tyranny of the majority to take that away.

I say to backbenchers, who are not in the executive, that one day you will be in opposition. One day, you will be over here. It is the nature of things; it is inevitable. Trust me, I have tried to stay over there in perpetuity; it is impossible. The public will change. When you are over here, and you are asking questions of the government, and the government is not answering your questions and you get frustrated, and you try to point out the hypocrisy of the minister not answering the questions,



so you interject, and then they simply throw you out so that you cannot ask any more questions, tell me then what you think of this decision. Have some foresight.

The current government has got rid of pairs—fine. They have broken precedence by voting against budget measures—fine. They keep on doing this for one man and one man only: the Premier. Now they are doing it for the current cabinet because they are afraid of scrutiny. To other members, who aspire to hold high office one day and perhaps lead an opposition into government, who want to hold a Labor government to account, remember this rule change. How does it serve your communities to have you thrown out because you are asking difficult questions?

Members will say, 'It's not about the questions. We're not worried about the questions: it's the behaviour.' Rubbish. Do not believe it; it is spin. It is pure spin. It is simply that they do not like being held to account because they might get embarrassed. Politicians, above all else, hate ridicule—they hate ridicule. It is one thing to be wrong, but being laughed at is terrible.

The idea of a minister sitting there under privilege and saying 'I can't answer that question legally' is obviously false. The parliament has given us the right to ask these questions and ministers the free legal liberty to answer them without fear of any retribution. That is why we have parliaments. That is why the sovereign cannot enter this room. It is the one room she is not allowed to enter, so she sends her representative here to summons us to the other place. Why? Because of the liberties we have taken and the privileges and rights.

Every session of parliament, we send the Speaker over to Government House to reclaim them—every single time—not for us personally but for the people we represent. But the minister and the member for King are going to say that it is all about public behaviour. It is not; it is about scrutiny. It is like the old debate that if someone says, 'This isn't about money,' it is about money. If someone says, 'This isn't about scrutiny,' it is about scrutiny. It is not about behaviour.

If we boil it all down, the farcical nature of this is that the Attorney-General humiliated herself by putting out a public statement outside of the parliament. That then led to a criminal investigation of her conduct. That criminal investigation hung over her head for a while. The truth is that in any other parliament she would have stood down pending the outcome of that inquiry. She refused. They used their numbers to keep the Deputy Premier and Attorney-General, the first law officer of South Australia, who was under active investigation by SAPOL. It is unprecedented stuff. In any other jurisdiction she would have resigned or stood down pending the outcome of that inquiry.

Then it got even more embarrassing. The Premier spoke to the police commissioner about the outcome of the inquiry at an event at the Adelaide 500. Again, it is unprecedented and, I think, probably breaching a whole series of conventions in this place about how we should conduct ourselves with the independence of the police. Then the case was referred by the Anti-Corruption Branch to the DPP. To avoid all this happening ever again, there was a very simple solution: use their numbers to change the rules to stop us asking questions that could put her in that situation again—problem solved. It is the equivalent of putting an ambulance at the bottom of a cliff rather than a fence.

It is stupid and it does not serve the long-term interests of the Liberal Party or this parliament, because one day they will be in opposition. It is short-sighted thinking. That is the scary part: this government has another two years and nine months to govern and they are thinking only about next week. They are not thinking about the next eight years, 12 years or 16 years. That is what we need in this parliament, not rule changes to try to stop scrutiny and not rule changes to avoid ridicule and embarrassment. We need transparency.

Ralph Jacobi, a former Labor member for the seat of Hawker, used to always say that 'the best disinfectant is sunshine'. What does the government have to fear by answering questions, even ones that are impertinent, even ones that are offensive, even ones that they do not like? That is the nature of scrutiny: you do not like it. That is the point.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (16:53):** One of the best things that I get to do in this building is school tours. The students come into this chamber and they are overwhelmed by how pretty it is and how slightly over the top some of the decorations are. They get excited to sit in the Speaker's chair and the Premier's chair. Occasionally, they will make their

way down to the Leader of the Opposition's chair and they might discover that my name is next to the leader's.

What we talk about in here is what this chamber is for. What this chamber is for is to make laws and to make decisions about spending money, and to scrutinise those two elements. If you just make law and you just spend money and you are the government that has won and has the majority, then you risk dictatorship, and you risk losing the thread of being responsible to the people.

The job of the people who sit on this side is to ask questions of those with all the power, all the money, the numbers to make laws and the budget to spend. It is essential that we have the media here too, unfettered ideally, simply watching and observing for themselves, but it can only work if we are in a freed-up position to ask questions.

I tell them about when I was a minister. I remember well when I was first a minister, sitting with the member for Lee on the curved bench over there at our very first question time and how seriously we took it, because we knew that you cannot mislead in this chamber. If you are asked a question, you should answer it and you must not—must not—say something that is wrong. That is a weighty responsibility.

Now that we are on this side, the weighty responsibility is to ask the questions that the people would have us ask. That is our job as representatives and that is our job in this functioning democracy. But what we get are very few answers. The now government will say that that happened in opposition as well. I have been very disappointed in the number of times an answer is not given to the first question and every subsequent question is answered by referring back to that first question, which was not answered in the first place. So we are not getting the answers that we seek.

What we then have are allegations of our bad behaviour, that our bad behaviour precipitates a need not only to throw us out during question time but also to constrain the way in which we run estimates, the most important series of questions that we are able to ask.

Today, the Premier accused all of us on this side of being slow learners. I do not know if everyone managed to hear that, but he called us 'slow learners'.

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

**Dr CLOSE:** He said there were slow learners on this side of the chamber. Previously, I have been accused by the Premier of having a 'nasty face' when I was not happy that he was taking credit for the submarines being built in Port Adelaide. I have been called 'the token deputy', which I assume refers to the fact that I am female so that is why I get to be deputy because I happen to be a 'token'.

*Members interjecting:*

**Dr CLOSE:** I am enjoying the interjections. You are proving my point. I have heard people interjecting from the government side that when women are interjecting they are 'cackling'. I have been accused by the Minister for Environment and Water of 'screaming'. I do not scream. I might use words in interjections. I do not scream, but I am accused of screaming.

I have heard several members over the years refer to the member for West Torrens as not being able to be understood, that they cannot understand what he is saying. I think that is a veiled reference to the fact that he is of Greek-Australian heritage. It happened quite recently. The member for Mawson and I noticed it very recently. We heard that being said.

I do not want to be lectured by that side of the chamber about behaviour. We put up with not only insults, and often very gendered insults for the females on this side, but then when we react we put up with being thrown out because we are the ones who somehow are disorderly if we object to someone saying that some of us are 'slow learners', that some of us have a 'nasty face' or are just 'tokens' and we do not really deserve the role that we are in.

As the member for West Torrens says, this talk of behaviour is a cloak. It is an accusation by that side of the chamber at this side of the chamber that has no substance and bears no question, but it is actually about trying to stop us asking proper questions during estimates. During question time, my frustrations are largely that questions do not get answered, that people get thrown out when they are in the middle of asking questions or that there are so many government questions that we are unable to put all of the questions that we want to ask.

Most of that goes away during estimates. During estimates, we have not only the minister but the minister's most senior public servant advisers. So a minister cannot say, 'Well, I don't know; I'll have to check,' because the person who knows is sitting next to them. We have the capacity to go back and forth. We ask a question, it is not answered and parliament moves on during question time. In estimates, we have the opportunity to ask again, 'You haven't answered. You haven't got the thread of what I'm asking. I ask you again. I would like to know the answer to this question. Ask the person next to you if you don't know it now.'

Although estimates is often regarded as dull—and it can be very dull—they are the most important session for us as an opposition. As the representatives of the people capable of asking questions about the government, they are the most important session that we have. This government has decided to dress up some kind of allegation about behaviour in order to deprive us of having that unfettered opportunity. I am deeply disappointed. I say that because this is not about behaviour: it is about scrutiny, but in fact scrutiny is the proper behaviour. That is our job here. That is what I tell the young people who come here.

I talk about my experience of being asked questions and I talk about my experience of asking them. I explain to them that this is the most important place for them in South Australia. This is the place where their wishes, their hopes, are tested and acted on or not. The power of government is immense. I want them to feel that. I want them to feel invested in government. I ask at the end of every school tour (and I am probably not alone in doing this), 'Okay, so how many of you are going to be going after my job in a few years' time?' I want young people to want to be in parliament because I want them to want to be in government making decisions, but in so doing they must also want to respect the side that does not win, the side that is here to keep the pressure on the government to do the right thing.

It is not fun when you are in government, having pressure put on you. It is not fun being on the front page of the paper. It is not fun when you preside over something when someone else has made a mistake but you are required to be responsible for it; you are required to apologise for it. That is the job; grow up.

*Members interjecting:*

**Dr CLOSE:** There it is. The reference to clothing I did not touch earlier, another way in which women are made to feel uncomfortable about who they are.

*Members interjecting:*

**Dr CLOSE:** I never overlapped with Kevin Foley. An absence of interjections during this would probably be more fitting. The proper behaviour for people on this side is to ask questions and expect that they be answered. To have that taken from us, threatened to be taken from us, and to have that threat sitting over us for the most important series of questions we can ask is an abrogation of the responsibility of government.

I would challenge any one of these people when they next take a school tour around to explain to the young people why that is appropriate, why it is okay to be able to stop a line of questioning when it gets a bit hard, when it gets a bit embarrassing. I urge this parliament—and I know that it will not happen—to consider what it is doing. The member for West Torrens was right: this decision lasts a long time. You will live to regret it, but I fear so, too, does the democracy of South Australia.

**The Hon. L.W.K. BIGNELL (Mawson) (17:03):** This current estimates process has been in place since 1982, the year before the former member for Bragg Graham Ingerson came into this place and about three or four years before I started coming down here as a journalist observing and reporting on what happens here. I have seen the estimates process from more sides than most over the years as a journalist, as a ministerial chief of staff, as a government backbencher and now as an opposition backbencher, and I think it has always worked very well indeed.

I have seen good behaviour; I have seen not such good behaviour. I remember one day, when Kevin Foley was treasurer and deputy premier, when he grabbed a newspaper and sat there and read it and refused to answer any questions. I am not saying that everything has been angelic

on all sides, both those asking the questions and those meant to be answering the questions, so let's just be fair about all that.

What really troubles me about this, as someone who has been a long-time observer of this place, is that this move makes this place look more like North Korea than North Terrace. This is an absolute trampling on our democracy and it is totally unnecessary. I have sat there for five years as a minister and you are asked all these questions. It is part of the job. You just have to answer the questions, and by and large the behaviour is pretty good on both sides.

Estimates is divided up into 15-minute blocks or half-hour blocks. You might have the portfolio of racing, which might go for half an hour; you might have the portfolio for the Entertainment Centre that goes for 15 minutes. What this government is trying to do is have people kicked out for up to an hour. So if someone is asking questions along a certain line and they are thrown out for an hour, where do those questions go? This is the most important part of the year for our democracy. This is the most crucial time of the year for the public of South Australia to have those people who represent them in here on both sides to come in and ask those questions.

The member for King had a solution. She said that she would like to see members ask better questions. Seriously? 'If you don't like the questions, just get some other questions.' Do you want the government of the day to write the Dorothy Dixers for the opposition to ask as well as for government backbenchers to ask? Is the next step to ask journalists to ask better questions? The best questions are those that can expose things that are not right that the government of the day is doing, and to urge members to ask better questions does not make any sense at all.

In the 15 months since this government has come in, we have unfortunately seen it pay absolutely no regard to democracy. We have seen dirty deals done and the ignoring of pairs to get motions through this house. We have seen three Labor MPs denied electoral offices within their electorate. The people who voted for them, and those who did not vote for them but whom the members represent, cannot easily visit their local member and get the services that those local members offer. I cannot remember in my time as a journalist, as an MP or as an adviser, any government of any persuasion being as bad as this government is with their arrogance of power and trampling on democracy.

I would urge everyone on that side, front bench and backbench, to actually think about what they are doing and ask: is that right? Is that right for the present day? Is that right for the future? What sort of message are you sending to this generation and further generations—that if you get enough votes and you get onto the government benches here you can trample all over democracy and do what we want because you are a little bit scared of getting some tough questions? I know some people have said that they are going to cross the floor on a different bill. I would urge enough of you to cross the floor to save your party from further stomping on the democracy of this place and the democracy of our state.

**Mr PICTON (Kaurna) (17:08):** I rise to speak on this disgraceful report from the Standing Orders Committee. I was appointed relatively recently as a member of the Standing Orders Committee. This has always been a committee that I believe worked in a relatively bipartisan way to try to improve the standing orders, where need be, and to try to make sure that the running of this house is appropriate. In this report, we have all of that smashed to smithereens.

In this report, we have the government trying to exert themselves over the minority in this house by changing the standing orders in such a way that will advantage them, changing the standing orders in such a way that is going to make it easier for them to protect themselves, easier for them to avoid unwanted scrutiny and easier for them—in the direct words of the Attorney-General herself—to avoid 'substantial media attention', which was one of the issues that was raised directly by the Attorney-General in her letter.

This all came about because the Standing Orders Committee and the Speaker himself received a letter directly from the Attorney-General. I quoted the letter in my dissenting report, together with the member for Playford, which I encourage people to read. I quote the letter verbatim. It says:

To the Standing Orders Committee

Standing orders for Parliamentary committees

I wish to draw to the attention of the Standing Orders Committee an issue of considerable concern to the Government and to seek the Committee's consideration of appropriate changes to standing orders to address this.

A line of questioning was pursued—

How dare it be!—

in the 2018 Estimates Committee examination of the Minister for Planning that, in the Government's view, significantly disrupted the conduct of the hearing and consequently garnered substantial media attention.

Who would expect? What outrageous behaviour by the opposition to do something that attracted 'substantial media attention'. The letter continues:

The Government is concerned to ensure that proceedings of all committees of the Parliament are conducted in a respectful and disciplined manner, with appropriate management tools available to the chairs of committees to continue the orderly management of business and ensure effective debate of the matters under consideration.

In particular, I draw the Committee's attention to the valuable model provided by standing order 137A, which provides for the speaker to direct a disorderly Member to leave the Chamber for up to one hour. This is not available to the Estimates Committee.

The Government invites the Committee to consider the issues raised in this letter and any suitable changes to standing orders to provide for the orderly conduct of business of committees, to ensure continued effective and respectful debate in matters before Parliamentary committees.

Yours sincerely

Vickie Chapman MP

Deputy Premier

Attorney-General.

What did the majority of the government do on the Standing Orders Committee when they had this letter before them from the Attorney-General concerned about the 'substantial media attention' that was drawn to them? Did they begin a process of holding hearings? Did they begin a process of investigating the matter by talking to experts? Did they invite witnesses? Did they invite submissions from the public into this substantial change? No, they did not do any of that. They just ticked off on what the Attorney-General said, despite the significant opposition put up by the member for Playford and me on that committee.

Let's go back to what happened here on this day that so upset the Deputy Premier. She was so upset that there was substantial media attention. Well, it was a pretty incredible day which led to the Attorney-General being investigated by the Anti-Corruption Branch of South Australia Police and which led to the Attorney-General having a report considered by an external counsel considering whether the DPP should have to lay charges on her. This led to substantial embarrassment for the Attorney-General because clearly she did issue a statement that the ICAC commissioner has said did not previously have the ICAC commissioner's statement.

Her response to that is not to try to make it go away, but now she wants to change standing orders because of what happened on that day. It is absolutely incredible. The effect of this is so much more significant than ejecting a member of the chamber from question time for an hour. As all of us know, in the way that question time is conducted, there are many opposition MPs who are able to step in and ask the questions. I have to say that it is starting to get a little bit dicey when up to eight of us get kicked out in one day, which was a bit interesting in some of the recent question times that we have had, but estimates is different.

Estimates is a forensic examination of one particular area of the budget. Take for example my area of responsibility for the opposition, the health portfolio. Health is a \$6 billion portfolio. The standard health portfolio got two hours last time to examine it. That is about \$50 million per minute that I have to examine the largest portfolio in this state. There I was in the other place with the member for Waite as the Chair of that committee. You, sir, I think, do an excellent job as Deputy Speaker. We do have quibbles from time to time. The member for Waite, on the other hand, is looking to make his mark and rise up the ranks pretty quickly. He is trying to make himself a hero to the government, and I have to say that was pretty evident from the chairing that took place in the last estimates committee.

The job of the opposition is to make sure that we are appropriately questioning the minister, that we are appropriately following up answers and that we are not letting the minister waffle for 20 minutes and filibuster and take up, as in my case, two hours to discuss \$6 billion worth of expenditure, but to make sure that we are pursuing a line of questioning. Ultimately, this is about accountability to the people of South Australia about the expenditure of their budget and their taxpayer dollars. This is parliamentary examination and scrutiny, and responsible government in this place occurs through those estimates committees.

If this had been in place last year, I have no doubt that the member for Waite would have ejected me from that committee for one hour. There was nothing new about my interjections, but I would say that there was substantial overactive chairing by the member for Waite in trying to protect the minister. I fear that what we will see, repeatedly, is this being used to kick shadow ministers out of their very limited time for questioning ministers. My minister, the Minister for Health, is in the other place, and I only have two hours every year to question him directly. I do my best to ask questions of the minister representing him in this place, but we know how well he answers those questions.

So those two hours are pretty important. If I am kicked out for one of those hours, I will of course have to try to pass my notes to somebody else who is stepping in. But the public of South Australia are not going to be anywhere near as well served in the scrutiny of the expenditure of \$6 billion by somebody who is not across the detail in the same way that the shadow minister is.

Although I said that the Standing Orders Committee did not receive any evidence, did not ask for any evidence, did not seek any witnesses and did not seek any experts, someone did come forward. That was the honourable Clerk of this house, who did provide a recommendation and a statement to the Standing Orders Committee in relation to the Attorney-General's recommendation to it.

The Clerk said a number of important things that the house should listen to very carefully. I see he is nodding. He said, firstly, that this is potentially going to be ineffective because, ultimately, the only response that the Chair of an estimates committee has in relation to somebody who has been kicked out under this new section and who decides not to leave the chamber is to name them. So we are back to where we were in the beginning: to disrupt the whole estimates process and bring back the whole chamber to consider that naming. So, potentially, this does not solve the issue at all.

The other issue that the Clerk outlined in this paper is that there is an existing remedy available to the Chair of Committees that has been used a number of times already to deal with such situations. That remedy is to suspend the sitting of the estimates committee. Take me as an example: in my two hours, I get to scrutinise \$6 billion worth of expenditure. Every minute that we are suspended would be eating into that time and would be a significant frustration to me. I think it would be detrimental to being able to examine that budget line properly.

So there is a significant incentive to not have that happen, because that provision is already in place. It is something that has been used already in this parliament, and I recall it happening several times in the previous parliament. Sessions have been suspended and, every time that I can recall, people come back much more agreeable and much more ready to hold themselves accountable to the standing orders, and that is the case for both sides of this parliament.

I have to say that there is something pretty rich going on here, namely, that the Liberal Party are trying to hold themselves out as the doyens of parliamentary procedure and parliamentary behaviour. Anybody who was a member of the last parliament would know how ridiculous that statement is. For anybody who has ever watched one session of question time when the member for Dunstan was the leader of the opposition and saw the carry-on and ridiculous behaviour every single time in question time, it is pretty hard for them to hold that statement.

The member for King, who has appointed herself as the expert on such matters, was not here. She did not get to witness the ridiculous carry-on and behaviour by the then leader of the opposition, the current Premier, the member for Dunstan, but the rest of us were. The rest of us saw what he did and the rest of us have seen how Liberal MPs have carried on in estimates over the past 17 years. When they were in opposition over that period of time, we repeatedly saw their ridiculous behaviour and carry-on.

When we were in government, we held the numbers on the Standing Orders Committee and we held the numbers in this house. We did not try to change the standing orders to benefit us in the government and to damage the opposition's ability to question ministers—we just dealt with it. We dealt with it and we carried on. We did not exert our numbers to carry through the standing order changes that would have allowed, for instance, the member for Elizabeth, when he was Chair of an estimates committee, to kick members of the opposition out at his leisure. We did not do that, and I think it shows a lot about this government that, within the first 15 months, here they are before the parliament trying to change the rules of the parliament to better suit themselves and better protect themselves.

After every estimates, there is a process in this parliament where members are able to stand up and reflect upon the estimates process and give speeches about it. If you look back over those 16 years that the Liberals were in opposition, you will see many suggestions from the Liberal Party about how estimates should be changed, but they are not this. There are many suggestions about getting rid of Dorothy Dixers. There are many suggestions about time limits. There are many suggestions about more time for estimates. There are many suggestions about asking bureaucrats questions directly. None of them are now being examined by the government.

They are not touching any of that. They do not want any time limits. They do not want to get rid of Dorothy Dixers. They do not want to allow us to examine bureaucrats directly because that was then and this is now. Now they are on the defence. Now they are trying to protect their ministers. Now they are trying to give longwinded opening statements in estimates sessions. Now they are using Dorothy Dixers to protect their weak ministers. Now they are trying to protect their bureaucrats from telling us the truth and now they are moving in this house a change that benefits the government and weakens the opposition's ability to scrutinise the government, and all because the Attorney-General had a bad day that led to a bad week and a few bad months that, in her own words, garnered significant media attention.

I hope that this parliament and the government, which obviously controls the numbers in this house, decide that they will not implement the recommendation of the Standing Orders Committee and that they will not move this motion, which I believe would weaken parliamentary oversight of the expenditure of the finances and taxpayer funds of this state. It has come about for a very bad reason. It has come about because the Attorney-General was annoyed. It is potentially not going to solve the issue that was suggested and there is a current remedy available.

I think the icing on the cake of why the government believe that this is just for their benefit is that the recommendation that is being presented in this report is not to make a change to the standing orders of this parliament but to make a change to the sessional orders of this parliament. This makes a change only temporarily during the term of the Marshall Liberal government up to the next election. If they were serious about this, maybe they would make a permanent change, in which case it would be in place no matter who was in government and who was in opposition.

But I have to say that this is more about protecting themselves now than it is about any substantial or beneficial change to the standing orders. This is more about protecting their weak ministers from scrutiny in estimates and rushing it through before that happens. It goes completely against everything they ever said in opposition about the importance of the need to strengthen the estimates oversight process. It is going to be very interesting to see.

Of course, I am sure the government will carry the day in being able to use their numbers, but it will be very interesting to see how this is used. If this is used, as the government say, only in very extreme examples, or if we do see members of the opposition excised from the estimates process for substantial periods of time for pursuing lines of inquiry that are difficult for the government to deal with and not enabling that area to be scrutinised, I think that would be to the detriment of this parliament. I think that that would be to the detriment of our institutions and to the people of this state, who ultimately want as much sunlight as possible shone on what is inside this budget and how their taxes are being used.

I condemn in the strongest possible words this ridiculous report from the Standing Orders Committee. I hope that members will see the importance of dismissing its recommendations and that

we can go into the estimates process with the full ability to scrutinise the budget and hold ministers accountable to the people of this state.

**The Hon. A. PICCOLO (Light) (17:26):** I might make a small contribution to this debate in speaking against the adoption of this report. I state very clearly that I have had the benefit of hearing the contributions of my colleagues the members for Lee, West Torrens, Port Adelaide, Mawson and Kaurna, so I do not intend to cover the same ground they have covered, because I think they have covered this space very well.

As the member for Mawson has already mentioned, the current rules available for estimates have been in place since 1982. It is interesting to note those same rules were in place for the 16 years that the now government were in opposition, and they did not think at that time that it was necessary to change them. It is also interesting to note that the estimates process has been a robust process. It was last year, it was the year before and the year before that. That is the way it should be. It should be a robust process. It should be a process where the opposition of the day gets an opportunity to scrutinise and hold the government of the day accountable on behalf of the electors and taxpayers of this state.

As I said, for 16 years the current government when they were in opposition found those rules to their liking. Those rules worked for them. It is interesting that they want to change them now, as has been pointed out by my colleagues. Another thing I would like to mention is that, in changing these rules, they effectively are saying they do not have the confidence in the Chair of those committees to properly run those committees without these extra powers. I sat on this committee last year, and I thought that you, sir, did a wonderful job in chairing that committee. As I said, it was robust, but certainly the business of the day that was required to be done was done. I see this proposal as indicating a lack of confidence in those people who at the moment chair those committees.

In 1970, we finally put the electoral gerrymander to bed in this state. The gerrymander that had been in place had kept the Liberal government of the day—or the Liberal and Country League—in power at times when they actually had only 28 per cent of the popular vote. This gerrymander was a stain on our democracy. This rule change, in my view, represents a procedural gerrymander. In other words, it is designed to give the government of the day an advantage over the opposition and to keep this particular government in power by reducing the capacity of the opposition to scrutinise the budget properly and to make the government of the day accountable to the taxpayers of this state.

It is only their second year in government and second estimates process. The fact that they could not handle well the first estimates process should have been a time for reflection to ask, 'What do we need to do better?' Rather than ask what they need to do better, they are actually changing the rules to make sure that what they cannot do, they will not have to do, and that is to make themselves accountable to the people of this state.

**The DEPUTY SPEAKER:** The question before the Chair is that the first report of the Standing Orders Committee be noted.

The house divided on the motion:

**The SPEAKER:** While the votes are being tallied, I refer to an earlier point of order that was made today regarding press gallery access by staff. I refer to the point of order raised in question time by the member for West Torrens concerning the presence of a member of the government staff sitting in a press gallery. I have now had the benefit of researching the matter, referring to a number of rulings made by previous Speakers. I have also consulted some local media.

It is clear from the rulings that the press galleries are obviously an important tool for the press to be able to report on the proceedings of the house. However, that does not prevent ministerial officers, advisers and press secretaries from the government or the other side of the chamber from reasonably entering those galleries from time to time to distribute material or other information. It should be made quite clear that the time that they occupy in the galleries should be reasonable, so I will continue to monitor how staff access those press galleries.

Ayes ..... 24



Noes .....22

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)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

## NOES

Bedford, F.E.	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.
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.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (17:35):** Contingent on the first report being noted, I move:

That for the remainder of the session, standing orders be and remain so far suspended to provide that—

1. The Chair of an Estimates Committee may direct a disorderly Member to leave the Estimates Committee for up to one hour. The direction shall not be open to debate or dissent, and if the Member does not leave the Estimates Committee immediately, the Chair may name the Member.
2. A Member who has been directed to leave the Estimates Committee under this sessional order is excluded from both Estimates Committees and their galleries for up to one hour. However, the Member may enter the Estimates Committee during the ringing of the bells for the purpose of forming a quorum or voting in a division. Once the Chairman of the Estimates Committee has declared the presence of a quorum or the result of a division has been declared, the Member must immediately withdraw from the Estimates Committee for the remainder of the period of exclusion.

In moving this motion, I am mindful of the debate that has immediately preceded and I draw members' attention to a couple of—

*Ms Hildyard interjecting:*

**The SPEAKER:** Order! Member for Reynell, please.

**The Hon. J.A.W. GARDNER:** —aspects of the motion I have just moved. This is a motion that seeks an opportunity for a Chair of an estimates committee to have what I would consider to be a fence at the top of the mountain, in the analogy used by one of the members opposite. I think it was the member for West Torrens who suggested that this was the equivalent of putting an ambulance or a fence at the bottom of a cliff rather than a fence at the top, to suggest that this was a significant deterioration—

**The Hon. A. KOUTSANTONIS:** Point of order: I think the member is just quoting *Hansard* of the current session.

**The SPEAKER:** I did not see the minister quoting *Hansard*. He also did not identify any particular member.

**An honourable member:** Yes, he did: the member for West Torrens.

**The SPEAKER:** I do not believe he did quote. Did you quote any particular member?

**The Hon. J.A.W. GARDNER:** Sir, I was characterising what the member for West Torrens said. I am happy to withdraw the reflection and just—

**The SPEAKER:** The member for West Torrens has not taken offence, but in the spirit of what we are trying to achieve here, I just ask the minister to exercise a level of caution in his remarks, please.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** I draw members' attention further to the ways in which standing orders and sessional orders can be amended. There is a suggestion that has been put that moving a sessional order amendment first should be skipped over entirely and moved straight to a standing order and that the fact the government is not doing so means that we do not believe entirely in what we are doing here today. I put it to members that it is, in fact, the common practice of this house when adopting a new sessional order to have that as a sessional order, to have it in practice, before the parliament considers having a standing orders change.

There is a perfect example of the way this has been done once in the past. I draw members' attention to a previous session of the parliament. On 29 February 2012, the former premier Jay Weatherill moved a suspension of standing orders, having given notice to the media the day before that he would be doing so, to introduce what was then considered a novel idea of having a four-minute sin bin, an opportunity for the Speaker of the house—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: I understand we are now debating whether we should suspend standing orders or not. Is there a time limit on this debate, or is it just as long as the minister would like?

**The Hon. J.A.W. GARDNER:** Well, actually we are debating a motion that has been given notice of.

*Members interjecting:*

**The SPEAKER:** Order! Member for West Torrens, the lead speaker has unlimited time. Thank you.

**The Hon. J.A.W. GARDNER:** In fact, the member for West Torrens draws attention to the very difference here—

*Mr Duluk interjecting:*

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

**The Hon. J.A.W. GARDNER:** —because while previous governments, characterised by the Labor government in February 2012, announced to the media on a Monday that they were going to be changing the standing orders, the sessional orders, to have a four-minute sin bin where the Speaker of the house could throw any member out of the house for up to an hour without any debate being entered into, without needing to give a reason, they then suspended the standing orders on the first day back in order to have that motion moved. Then Jay Weatherill immediately proceeded to move a debate and then argument.

Many might remember the deputy leader of the opposition at the time, Mr Mitch Williams, a very fine man, objected to the suggestion that there should be this four-minute sin bin. He said that, in fact, it was a jackboot on the throat of democracy. He said it was something that one might expect if one were visiting the parliament in Zimbabwe. That was Mitch Williams's view at the time of what is now in our standing orders as standing order 137A. I think even Mitch Williams, over the subsequent six years, came to see that the practice of standing order 137A, the sin bin for up to an hour, had merit.

The former government, led by Speaker Atkinson in my view, in terms of the implication of this, had a view that a number of the sessional orders that had been adopted and some of the practices there were unclear throughout the last parliament could be better adopted for posterity in the standing orders. There was a process of negotiation and agreement entered into. I believe that the member for West Torrens may have been involved; I was involved, but it was Speaker Atkinson who led it. That was the change to standing orders that took place.

The idea that a change to sessional orders where a government might potentially want to first consult with the Standing Orders Committee, then have the Standing Orders Committee produce a report that everyone can see, then notice of the receiving of that report be put on the *Notice Paper*, then a contingent motion, once everybody had had the opportunity to read that report, be put on the *Notice Paper* by me, then some further time be allowed to elapse and then it be placed on the weekly program so that everyone could be prepared to think about what might be said, could be characterised as anything other than a fair and transparent approach to democracy is laughable, given the approach taken by those opposite. Announcing a new idea that they wanted to put in the sessional orders, suspending standing orders the next day—

*Mr Picton interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** It is totally different from what we do now. I am talking about what Jay Weatherill did in February 2012.

*Mr Picton interjecting:*

**The SPEAKER:** Member for Kurna!

**The Hon. J.A.W. GARDNER:** The member for Kurna should pay attention to this because he is the one who has been making outlandish claims—

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

**The SPEAKER:** Minister for Primary Industries!

**The Hon. J.A.W. GARDNER:** —such as that his government never used their numbers to change the sessional or standing orders against the ideas of the opposition. It is in *Hansard* in February 2012 that that is exactly what their government did. Do you know what? Jay Weatherill was enlightened at the time. I am not just saying this because—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —of the transition to the government. The fact is that the Liberal Party in opposition came to a different view on the standing orders that were proposed by Jay Weatherill in 2012, and that is why we supported the sessional order that Jay Weatherill put in in 2012 with no notice being given. We supported it in 2018 coming into the standing orders because it had been shown through the sessional orders to add value to the parliament. The way in which it added value was that it gave the Speaker of the House of Assembly the opportunity during question time to identify unruly behaviours, to call them to order, to warn them once, a second time, a third time and then remove them under what is now 137A.

Has it made our question time perfect? It has not, but I would submit that it has improved some of the behaviours in question time. That is what the government submits can be done in the estimates process. The idea that these are some of the characterisations that were put on this by members in the previous debate is quite extraordinary.

I invite members of the gallery, the parliament and the community in South Australia to view any of the footage of question time or indeed of the estimates proceedings and form their own views about whether the characterisations put by those opposite are fair. I do not want to delay the house unnecessarily in this speech. I just make the point that it is utterly appropriate for oppositions to hold the government to account. It is utterly appropriate for oppositions to conduct—

*Members interjecting:*

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

**The Hon. J.A.W. GARDNER:** It is utterly appropriate for oppositions to conduct a forensic questioning of the government.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader, please.

**The Hon. J.A.W. GARDNER:** The member for Port Adelaide or the member for Light can draw my attention to areas where I have transgressed—I am sure we all have from time to time—but in my time as shadow minister I asked questions in estimates, gave them the opportunity to answer and was sometimes called to order by people such as the member for Florey and others as chairs if I transgressed, but I believe that by and large I was able to ask a large number of questions. I always took the view that if I got into arguments with the ministers it deprived me of the opportunity to ask new questions.

The fact is that members of the opposition believe that is to be characterised as forensic questioning when they are hectoring and shouting and banging on desks and yelling into the microphones in parliament. If they wonder what I am talking about, I invite them to reflect on any of the footage from last year if they think that is what forensic questioning is, or representing their communities, and the need to do that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —is somehow benefiting their case, or their cause, or the line of questioning they are taking. I invite them to really reflect on that. Asking a series of question does not actually mean that it is an opportunity to behave in an abusive or unparliamentary way. I think that is something that is a critical difference here. What this motion calls for is that disorderly members may be asked to leave the chamber for up to an hour, as indeed happens when the parliament is sitting. The characterisation of that as anything other than an extension of the practices of this house to keep the parliament in an orderly fashion, I think, is fanciful.

I am grateful to the member for Kaurana for reminding us all earlier of the opportunities that the Chair of an estimates committee has at the moment to bring a matter to order. They are, firstly, that they can name the member, which is a disadvantage for the parliament and the opposition asking questions in that the whole thing has to be suspended and everyone has to come back at 9.30 the next morning to name the member and exclude that member for a full day, or three days, or 11 days, depending on whether they have been named previously in the session. That is the opportunity that is available at the moment. Are we seeking to introduce that? We are not seeking to introduce that extreme provision.

The member for Kaurana reminded us of the second provision that the Chair of an estimates committee has at the moment, and that is to suspend the entire committee. He lauds that as a suitable response so that, rather than one unruly member being suspended for the behaviour of one unruly member, the whole thing is suspended, and the people of South Australia, and all members of parliament whose behaviour is not disorderly, lose their time under the member for Kaurana's existing proposition.

They are two extreme remedies currently available to the Chair of an estimates committee if there is disorderly behaviour in the house, in a committee. What the government is proposing, as recommended by the standing orders committee, is a third way, a way that has one-sixth of the impact of the member for Kaurana's preferred model, because only one member, the disorderly member, the offending party, would be removed under this model rather than the whole committee. It is substantially less than the naming requested by some of those opposite as a response to disorderly behaviour because it means that the member is not excluded from divisions, quorums or from coming back to continue their questioning when their behaviour has presumably improved.

This is far from being a fence or an ambulance at the bottom of the hill. This is putting a sign at the top of the hill saying, 'Please don't go over the cliff,' because otherwise those other remedies, the naming and the suspension of the whole session, are the only remedies available to the Chair.

There has been a lot of temperature in this debate over what I consider to be a fairly straightforward remedy to a serious situation. There is no proposition trying to curtail or put debate in the shadows. There is no proposition seeking to silence democracy. There is no proposition—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —seeking to have questioning in the shadows, as one member described it. The proposition is that the standards that are applied in question time might potentially be applied in estimates. What I am hoping is that every single member of this house has the opportunity during question time to not have themselves thrown out by complying with the standing orders. The former member for Newland Tom Kenyon, when he was minister for road safety, used to talk about speeding fines as an optional tax. 'Nobody has to have a speeding fine,' he would say, 'If you do not break the speed limit, you will not have to pay the fine.' Indeed, when members opposite suggest that speakers have thrown members out—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —as a result of a member asking questions that the government did not like, that is fanciful. It is an option available to every single member of this house, and I would encourage them to take it—

*The Hon. A. Piccolo interjecting:*

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

**The Hon. J.A.W. GARDNER:** —to behave in an orderly manner. By behaving in an orderly manner—by not screaming across the chamber and banging on desks and otherwise disrespecting the chamber and the people in it and the people of South Australia—one is able to not get themselves warned or called to order by the Speaker or, indeed, removed under 137A. When Speaker Atkinson was the Speaker, it has been suggested by some that this was a golden era of peace and harmony and that nothing bad ever happened. But the Speaker at the time took the opportunity regularly to throw out the leader of the opposition. He would give the leader of the opposition much more leeway than other members, and I credit him for doing so.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** Occasionally, the leader of the opposition at the time behaved in a disorderly fashion. He was corrected on regular occurrence and was thrown out on regular occurrence, as was I and as were other members of the party.

*Ms Hildyard interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** Occasionally, Speaker Atkinson would even throw out—

*Ms Hildyard interjecting:*

**The SPEAKER:** Member for Reynell, order!

**The Hon. J.A.W. GARDNER:** —a government member for disorderly behaviour. The thing about it was that every one of us knew—

*Ms Hildyard interjecting:*

**The SPEAKER:** Member for Reynell!

**The Hon. J.A.W. GARDNER:** —that if we wanted to not be thrown out, if we wanted to get to our question, if we wanted to best—

*Members interjecting:*

**The SPEAKER:** Members on my left and right, let's just quieten down—yes, both of you. The minister has the call.

**The Hon. J.A.W. GARDNER:** If members did not want to be thrown out when Speaker Atkinson was the Speaker, if they wanted to get to their question, if they wanted to have the opportunity to ask as many questions as they wanted, there was a very simple rule: do not interject, do not yell at the people across the chamber, do not disrespect the house and do not disobey standing orders. I invite any member opposite, if they want to ask their questions or not have this rule applied to them by a fair and equitably minded speaker or, indeed, a Chair of a committee if this rule gets up, then do not interject, do not behave in a way that is disorderly. I think that the application of this will be important. It is important that it be applied fairly.

I have great faith in the Chairs of the committees to do so should the house decide to adopt this sessional order, but that goes to why it is a sessional order. If the house formed the view that it should be in the standing orders long term, it can then make a determination to do so. The idea that this sessional order is being introduced in anything other than a respectful way that is transparent, especially when compared to that in 2012, is laughable. I commend the motion to the house.

**The Hon. A. KOUTSANTONIS (West Torrens) (17:53):** If only we just all did what the government wanted us to do, sir, it would be a perfect, harmonious parliament.

**The SPEAKER:** Member for West Torrens, are you the lead speaker?

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

**The SPEAKER:** Thank you.

**The Hon. A. KOUTSANTONIS:** If only we just listened to the Premier and his ministers and did not ask difficult questions. If only we just were not frustrated at the will of the majority. After all, they are infallible—they cannot make mistakes. After all, how dare we at any stage question or forensically ask questions of the opposition.

If we just had better questions or just asked the government 'pretty please' at the end of it, perhaps then it would be okay. Perhaps if we just bowed to the wisdom of the greats opposite, like the minister for agriculture or the Minister for Mining, if we just understood that we were in the shadows of giants, perhaps then we would understand how lucky we are to be here at all and how lucky we are to be sitting opposite such a talented government they can do no wrong—a government that can find no error in itself.

If only we knew how good they were doing and what a great government they were, we would not have to ask these tricky, difficult questions like, 'Where is your chief executive? Why isn't he here today?' Why have you doubled the debt in only 15 months? Why have you raised taxes by over half a billion dollars? Why is it that four of your members are crossing the floor on the mining bill?

If we could just not ask these difficult questions, it would be a much more harmonious place. In fact, perhaps it would be better if there were just one party in South Australia. Perhaps it would be better if there were no elections at all and there were just the Liberal Party. Then you could meet with Donald Trump once a year, and he could cross over into South Australia and shake Steven Marshall's hand and show what a glorious future we all have under the leadership of our dear leader, the Premier.

The idea of representative democracy is not something that can be washed away with a clever speech by the Leader of Government Business using a majority. Did members opposite notice that every non-Liberal member voted against what the government wants to do—every single one of them? What does that say? That is pretty rare. I suspect that if there were a poll taken out there in the public on what the government was attempting to do today, it would be very, very unpopular. Then again, all they have to do is just throw us out and we can stop speaking. Just throw us out. That is the easy way. Then the member for King can write better questions for us.

She can tell us how to better investigate her government. She can tell us how to better ask the health minister questions about ramping in each and every hospital. Perhaps the member for King can write better questions for us when questioning child protection and the sacking of 52 child

protection officers. Perhaps the member for King can write better questions for the opposition about the debt that is being put on South Australians—debt that the Treasurer himself has said will not be paid off in his lifetime. If only we had better questions to ask. That way, the parliament would work so much better.

Indeed, if only we had better questions to ask of the member for Unley, because we do not understand the genius that is the member for Unley. None of us do. We are in awe of all of you. Let's not go to the police minister. We are talking serious intellect here. Sir, I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Matter of Privilege*

**MATTER OF PRIVILEGE**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:57):** I rise on a matter of privilege. On 2 July 2019 at 12.45am, the member for Mawson made a contribution to this house on the Appropriation Bill 2019. The contribution related to the member's expressed view on the impact of government decisions on the people of Kangaroo Island and, in particular, on his assessment of the effect on the visitor economy spend in South Australia of there being no visitor centre. He stated:

It has taken away the visitor...centre, it has taken away the number of tourists who are going to Kangaroo Island...

The published reports on the website of the Department for Trade, Tourism and Investment, of which I have particulars, state that, in the standard way of reporting—that is, a three-year rolling data—the overnight visitors to Kangaroo Island up to December 2017 were 147,000 annually and increased by 5 per cent to 154,000 to December 2018.

In the event that the member had not relied on the published three-year rolling data but had access to the annualised figures, I am advised that the department confirmed that Kangaroo Island was up 13 per cent for overnight visitors; that is, from 140,000 visits in the year to December 2017 to 164,000 visits in the year to December 2018. Whether the data relied on by the member was 5 per cent or 13 per cent, there has been an increase.

In giving consideration to this matter of privilege, I seek that you rule on a motion to establish a privileges committee and that it should be given precedence—

*Members interjecting:*

**The SPEAKER:** Order! Members on my left, be quiet.

**The Hon. V.A. CHAPMAN:** —over the business of the House of Assembly. The information provided by the member was inaccurate, deliberate and, if relied upon by members, would materially mislead them. I provide information to support the same.

**The Hon. S.C. MULLIGHAN:** I rise on a point of order under standing order 132. I rule that—

*Members interjecting:*

**The SPEAKER:** Member for Hammond, be quiet—132?

**The Hon. S.C. MULLIGHAN:** I ask that you rule—

**The SPEAKER:** 'Consideration of other question suspended'?

**The Hon. S.C. MULLIGHAN:** Yes, I ask that you rule immediately that the house was not sitting at the time the Deputy Premier alleges the offence was made to the house.

**The SPEAKER:** On my reading of my clock, it is 6 o'clock right now.

*Members interjecting:*

**The SPEAKER:** Yes, I did make a note of that. Given that I believe the error is so trivial in nature, I am going to ask the Deputy Premier to clarify if she meant 12.45pm and not am.

**The Hon. V.A. CHAPMAN:** Correct.

**The SPEAKER:** Thank you. This being the 18<sup>th</sup> matter of privilege that has been raised in this house, I will receive all the relevant information that the Deputy Premier has and, if I need to, I will come back to the house to ensure whether there is or is not prima facie a matter of privilege. Thank you, member for Lee.

*Sitting suspended from 18:01 to 19:30.*

*Bills*

**STATUTES AMENDMENT (MINERAL RESOURCES) BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 27 November 2018.)

**The Hon. A. KOUTSANTONIS (West Torrens) (19:30):** I indicate to the house that I am the opposition's lead speaker on this bill. Here we are: the mining bill. This has been a very controversial piece of legislation. It has seen, without a doubt, some unprecedented events occur in this chamber. It has been nearly 17 years since government MPs voted against government legislation.

**Mr McBride:** Only because they can.

**The Hon. A. KOUTSANTONIS:** Only because they can—the member for MacKillop is absolutely right. The Labor Party does bind its members to vote on caucus positions. I accept that absolutely. While I was mining minister, there was no dissent on this bill—none.

**Mr Cregan:** You were also in government for 16 years.

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

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

**The SPEAKER:** The Minister for Energy and Mining will have his time to shine.

*Members interjecting:*

**The SPEAKER:** Order! The member for West Torrens has the call.

**The Hon. A. KOUTSANTONIS:** Much wailing and gnashing of teeth from the losers.

**The SPEAKER:** Order, member for West Torrens!

**The Hon. A. KOUTSANTONIS:** Yes, sir, I know I should not respond to interjections.

**The SPEAKER:** You should not.

**The Hon. A. KOUTSANTONIS:** But I will say this: this bill is controversial because it does attempt to bring into the 21<sup>st</sup> century a piece of legislation that has far-reaching impacts. I cannot imagine what it would be like, living in suburban Adelaide, to have to contemplate the idea of someone entering my land to conduct activity for an economic benefit for someone else. I just cannot imagine it. I can only imagine what that causes. I can only imagine the heartache, the pain, the sense of helplessness, the sense of injustice that that must cause in regional communities.

Fundamentally, what we are grappling with here is a dispute about the ownership of mineral rights and freehold land. The Labor Party was basically formed over a dispute over freehold land. Should the government have right over freehold land? If I asked my father that, he would say, 'Absolutely not.' As far as he is concerned, he also owns the air rights above him. Every time Qantas flies a plane over to land at Adelaide Airport, they should be paying him a fee for violating his airspace.

**The Hon. D.J. Speirs:** Hear, hear!

**The Hon. A. KOUTSANTONIS:** There you go. The government agrees with me. Of course, my father grew up in a very different time in a very different country. The question now for us is: how



do we balance the needs of rural communities where mining activity will more and more impact on the activities of farming? That is an emotional debate. It is an emotional debate that there is no simple answer to. This is a complex question.

The problem with legislation is it does not contemplate nuance, because every situation is different. I have said in this place many times previously that, when I was growing up, if you watched movies where someone found oil on their land, they celebrated because all of a sudden they were instantaneously wealthy. Whereas in Australia, if minerals or petroleum or geothermal assets are discovered on your land, it causes a great deal of anxiety and a great deal of heartache.

The question for us as a parliament is: how do we deal with that? How do we create jobs and incentivise the exploitation of minerals that are owned by all of us collectively on behalf of the people of South Australia? How do we extract those minerals, and how do we do it in a way that has minimal impact on families and their livelihood?

There are farming families in this state who have been on land for generations. They are linked to that land. I have spoken to some of those families and, for them, it is not a sense of ownership that they have. It is a sense of custodianship that they have over that land and it must be difficult. It must gall them to see inner suburban city MPs making laws about how this impacts on them. It must be galling for them to listen to people who do not understand how this impacts on them in making laws.

I suppose fundamentally it gets down to this. From mineral resources, we create thousands of jobs. I was a very young man—I think I was 11 or 12—when Olympic Dam was first put into production by Western Mining. I remember the Labor Party being opposed to mining at Olympic Dam. It was the first time my father voted Liberal in his entire life. He voted Liberal, not on the basis that he supported uranium or otherwise. His view was that this state needed to exploit its natural resources to create wealth and jobs. Against the grain, he voted for the re-election of the Tonkin government. Of course, that did not occur. The Bannon government was elected and the Labor Party then grappled with the three-mine uranium policy and we moved on.

But mining has been controversial since day dot, and there is no question about it; it is difficult. It is easier for the Labor Party than it is for the Liberal Party—no question about it. Why? We do not represent as many regional communities as members opposite do. But the reason we are in this situation is because I believe promises were made that cannot be kept. Promises were made and expectations were lifted by a movement of a political party to try to ensure that their base made sure that no Independents were elected.

What we have now is a regional constituency that overwhelmingly supports members opposite, except for some glaring exemptions. The member for Mount Gambier is an Independent and the member for Giles is a member of the Labor Party, but overwhelmingly, regional South Australia and regional communities support members opposite. So when the interface occurs between mining and farming, the traditional base of the Liberal Party turns to its traditional allies and says, 'We need your help. We need your assistance.'

I just point out to you, Mr Speaker, that this legislation passed this parliament in almost an identical form in 2017 with every regional Liberal MP supporting it. Not one opposed it. They all voted for it in the hope that it would pass the upper house and not be an issue at the election. Well, we ran out of runway. We were not able to pass the legislation. Make no mistake: this is Labor's legislation, and I want to thank the minister for doing all he can to pass my legislation. I think he is doing something very difficult. He is swallowing a bitter pill. He is passing Labor's agenda because Labor wants to grow the mining industry. We want to diversify our economy.

Manufacturing and agriculture are not enough. We need to diversify. I know that is difficult; I accept that. It is not what people want to hear, but we need to grow the state. Last night, we heard from three very highly qualified geologists and investors in the mineral sector who talked about another discovery at Oak Dam, adjacent to Olympic Dam, having intersections and grades of copper that are probably the best discovery found anywhere in the world in the last 10 years, Olympic Dam being the best discovery found anywhere in the world in the last 100 years.

South Australia is blessed and endowed with mineral resources. We are copper central. We will overtake Chile. We are going to become the powerhouse of the mining sector in Australia. We will take our rightful place amongst the titans of mining. This bill will assist us to do that, but our constituents must come first. Where we have failed collectively is in explaining the benefits of mining to the people of South Australia. I do not think that what the minister is doing is popular; I do not think that what I was doing was popular. Does it cost votes? Yes, it does—no doubt about it.

Four members of this house voted with the opposition to adjourn the bill. I understand that four members of the government will still vote against the third reading, as will some of the crossbenchers here. They are doing so because they are representing the views of their regional constituents. But sometimes you need to speak truth to power, and speaking truth to power can be difficult. It is hard to tell your constituents that they are wrong. It is hard. I can only imagine the debates occurring internally in the Liberal Party.

I think it is brave what the member for Narungga, the member for Davenport, the member for Kavel and the member for MacKillop are doing. I think it is brave. It is very hard to stand up to your Premier and say, 'No, I disagree. My constituents come first.' What I thought I would do today is talk about where we really are and why we are here. I said on radio today that I think the minister has lost control of this debate, and I do not mean that in an offensive, partisan way. I just think that it is impossible for a Liberal Party mining minister to satisfy the two constituencies he has to serve, simply because of the nature of what is being done.

An example of where we had to deal with that was with WorkCover. We made a decision in 2013 to change WorkCover. We had an unfunded liability in WorkCover of over \$1 billion that the state carried on its books each and every year because we were making unsustainable payments to injured workers that the state could not afford. It was crippling business because the premiums on business to meet that unfunded liability were massive.

The Labor Party had to turn to its industrial base and say, 'This is unsustainable. We cannot do this anymore. I am sorry, but we must change this. We must change the benefits that injured workers receive.' The union movement turned on us because they serve their members and we serve the people of South Australia. It was a difficult debate, but we all, to a person, stuck to that agenda. It was not easy, no-one liked it, but it had to be done. That unfunded liability is now gone, washed away, no longer a millstone around the neck of the state.

Here we are now with the mining industry, and we have quite legitimate views in the farming community saying that once we mine this land it can never be farmed again. It is pristine. I have been to Yorke Peninsula, and I have seen the pristine farmland. I have seen it on Eyre Peninsula, and I have seen it in the South-East of our state. The question then becomes: is this an either/or situation? Are we really that unsophisticated that we are unable to regulate two industries to live alongside each other?

I tried to remedy that by sharing the mineral wealth with the landowners through having a royalty scheme to share that wealth with people who have minerals on their land. Why? Fundamentally, it again goes back to my core, which is that I believe passionately in the rights of people who own freehold property and that you should be the only person who derives an economic benefit from activity on your land that you own freehold. That is a fundamental principle of most Western democracies: freehold land and ownership of it. It is a bedrock of who we are as a community.

The question then becomes: what happens if there is another ownership structure beneath that land? What if there is hundreds of millions of dollars of mineral wealth sitting beneath that land, but the life of that economic wealth is only eight, 10 or 15 years? What do we do? Do we say to the other 1.6 million South Australians that we are not going to mine that \$300 million worth of gold, copper, uranium—insert name of mineral—because there is a cropping family that runs a farm, and has done for the last 150 years, and it is theirs and it has been handed down from generation to generation and there is no amount of money we can pay them that will satisfy them in transferring the ownership of that land? If they do not want that land farmed, what do we do? What is the solution?

The solution suggested by some members is that we transfer the ownership of that mineral wealth to the landowner, and we do that de facto by saying, 'We are going to grant that person a

right of veto.' That is, that individual can say, 'No, the state cannot license anyone to explore or extract that mineral wealth.' Then the question becomes: are we then transferring the ownership of that mineral wealth to an individual? I think in effect you are.

How does that benefit the rest of our commonwealth? How does that benefit the rest of the state? I think the answer is: the same way that we acquire property to build a road. The emotional impact is not that different. Sure, I accept this difference: your home is not where you derive your economic wealth from. When I was transport minister and treasurer, I sat in the homes of western suburbs residents while we were compulsorily acquiring their homes to expand South Road. A gentleman took me to the kitchen to show me where he had marked each and every birthday on the door frame—just as I have done at my house with my daughters—as his four daughters aged.

I said to him, 'No worries. We'll remove these architraves for you and put them in your new house.' He shook his head and said, 'You don't understand. I don't want to move. This is my home. I live here and the state is forcing me to move. I don't want to go. I do not want to leave.' I said, 'I'm sorry. We have to expand the north-south corridor. You have to move. We'll pay you.' He said, 'I don't want money. I want to stay here where I raised my children.'

I have to say it was a terrible conversation and my heart broke for this person. As I was sitting in that living room, I thought about Rex Minerals or Iron Road, or any other mining company having the same discussions with freehold dryland farmers, saying, 'We want to bring an exploration rig and drill on your land. We may find hundreds of millions of dollars worth of mineral wealth, and we'll pay you for a loss of the activity for which that land was used but no more. There are legislative processes in place that will allow us to have access to your land whether you like it or not.' These are difficult conversations and I am not sure exactly how we can ever get that perfectly right.

Any politician who turns up to a public meeting and tells you that they can get it right is lying. It is just impossible. What occurred regarding this debate is that expectations went through the roof after the election: their people were now in charge and they would change things. 'Our blokes understand what it is like to live and grow on a farm, raise a family on a farm and have intergenerational wealth transferred on a farm and they know what we are going through. The Liberal Party will not let us down.'

The Liberal Party was hit in the face at 100 miles an hour by the reality of what it is to govern and run a state in an economy that is worth \$100 billion or more and growing, in an economy that requires the commodities of copper, silver, gold, uranium and iron ore. Diversifying our economy into those sectors helps grow our prosperity.

I sat here and watched the government ban fracture stimulation in the South-East of the state and I thought we had lost a wonderful opportunity to grow the economic wealth of the South-East. But the existing landowners won that debate and investment in oil and gas in the South-East of the state is now halted forever. The 10-year moratorium will last forever. I do not think it will ever return.

I have grave concerns about when politicians start saying things like, 'Mining can't act. You can't have this mining activity safely in one area.' That is why we are here today: there are communities on Yorke Peninsula saying, 'Why is it you can ban mining and fracture stimulation in the South-East but you can't protect us on Yorke Peninsula or the Adelaide Hills or Eyre Peninsula or the Great Australian Bight? Why are those communities more important than ours?' That is what happens when politicians come in over the top of independent scientific regulation.

When I was mining minister for six or seven years or whatever it was (I cannot remember the exact time line), one of the first documents I signed was a delegation to approve and not approve mines for the department. Why? You must believe in independent regulation. You must believe in the science. You must allow the science to govern your decisions. You ask the agency independently, 'Can we mine this safely? Will it harm aquifers? Will it do damage to the natural environment? What are the consequences of this?'

If it all comes back that the risk can be managed, the mining practices have been peer-reviewed independently, the risks are assessed by the agency, the agency recommends approval and the politicians come in over the top and say, 'Regardless of all the expert opinions about whether this is safe or not, I am saying no because the local community oppose it,' well, why have the

independent experts at all? Why have them governing anything? Why do we not just allow politicians to decide where we can mine and how we can mine and the procedures used in mining? Why have regulations at all about environmental safety or work practices or noise levels? We will just ask the local MP, 'Is this a good idea or a bad idea?'

Then we head down this path where there is no activity. I have not met a constituent of mine who does not think that there should be a local road closed to traffic other than that of local neighbours. It is hard to say to them, 'You're wrong. They have to go about their business.' The number of times I have had to go to public meetings to say, 'Building this shopping centre is good for all of us. Our kids will work here. We will have competitive prices. It is important that we have this development; it will create jobs,' and I get the same people saying the same things to me. I understand their passion, I understand their pain, but it is difficult to speak truth to power.

Sometimes, some politicians are courageous enough to lose their seats over it because they are prepared to stand up to power and say 'You're wrong,' and that is brave, that is very brave. I like to think that I trusted the scientific regulators and scientific experts in my department to give me the right advice when I was minister. One of the most difficult decisions I ever took as mining minister was banning mining in Arkaroola. I do not think the agency would have approved mining in Arkaroola. I think the agency would have itself come to the determination that mining there was not environmentally sustainable and would not have approved or peer reviewed to a point where Marathon could have mined that area successfully.

But I lost a cabinet decision, and I was forced to sign a document excluding, as part of that cabinet process. I voluntarily did that. I was the minister. These are the risks. I lost the debate in cabinet and I signed an exclusion for Arkaroola from mining forever because the opposition, who are now the government, were calling on us to ban mining in Arkaroola. The point I am getting to is: political pressure, ban mining, ignore the regulators, a politician over the top bans it. Fracture stimulation: overturn the regulators, political pressure, legislation in this parliament to ban it. Where does it stop? I have heard that there have been debates internally within the Liberal Party and that there were some members who advocate a ban of all mining below the Goyder line.

If we get to the point where politicians are deciding all these matters, rather than any sort of framework or structure, and we can keep on changing the rules as we go, no-one will invest in South Australia. BHP will say, 'It's too hard to expand Olympic Dam. You keep on changing the rules. If you keep on changing the rules on mining companies, why not agriculture? Why not exports? Why not manufacturing? Why not the foundry?'

All of a sudden, Capital starts thinking to itself, 'You know what? Every time I try to invest or someone tries to invest in South Australia in a mine or some other activity, a politician uses local political pressure to stop it, all the rules are pushed aside and there is an act in parliament to stop it and overturn it. I will just take my money to Victoria. If it's too hard in Victoria, I'll take it to New South Wales. If it's too hard in New South Wales, I'll just press a button on my bank account and move all my capital to Western Australia. If that's too hard, I'll go to Asia.' And then, as the Premier said once, we can just make coffees for each other. We will all be baristas.

The mining industry creates jobs. The mining industry is good for South Australia. The mining industry in the late 18<sup>th</sup> century and early 19<sup>th</sup> century made South Australia one of the richest colonies anywhere in the British Empire on the back of copper.

**Mr Picton:** It built this parliament.

**The Hon. A. KOUTSANTONIS:** It built this parliament. It built the Railway Station. We were the envy of the British Empire because of our mineral wealth. We have 45 per cent of the world's uranium. We have the fifth largest gold mine in the world at one mine: Olympic Dam. You cannot tell me there are not more like the anomaly of Olympic Dam, of which we have not found the bottom yet.

What is copper used for? We are in the midst of the greatest urbanisation in human history. More people are leaving the land and moving to the cities than ever before—in China, India, Asia, Russia, Ukraine—and they are moving in to suburbs. What does that require? The commodity of the 21<sup>st</sup> century: copper. We are electrifying our cars and our rail systems. What does that require? Copper. Escondida is the largest copper mine in the world. Its grades are reducing each and every year.

This year, a South Australian headquartered copper company called OZ Minerals will begin production on Carrapateena. The Carrapateena copper deposit has some of the highest grades found anywhere in the world in the last 25 years: 2 per cent or above. It is at a depth of 900 metres, but they have made it work. It will create thousands of jobs and pay hundreds of millions of dollars in royalties to South Australia that will build schools and that will help people in the regions and in the cities. We will use that money to pave bitumen, to build schools, to build hospitals—a billion dollars over the forward estimates in mineral resources alone in royalties, yet we are actively debating in this state bans on this type of activity. We are making it harder and harder to get out.

Many South Australians do not know that we are the largest onshore producers of oil, that our gas keeps the lights on in Sydney and that our copper is leading the transformation for autonomous vehicles and electric cars and building this urban revolution that is occurring in China and India. We are the beneficiaries of that urbanisation. The question for us is: should this parliament make it harder to get those commodities out of the ground? Should we allow people who have massive deposits under their land to choose what that land is used for? This again gets back to the touch point for us: what do we do?

When we formulated this bill, I thought it was a comprehensive piece of consultation, but I accept that not everyone agrees with that. I accept that the grain producers do not agree that when we were in office we consulted adequately, although I was informed by my agency that the grain producers supported the bill. The mining industry supported it. I understand that the then members covering the regional areas who are no longer here supported this bill; indeed, as I said earlier, it passed unanimously. But here we are.

After the debate in this parliament was adjourned the minister conducted a bit of fence mending, I think—to try to come up with a better term. He went back to the communities, regional communities, and started asking questions: 'What is it we can do?' And he is left with this Gordian knot that he has to cut through. How do you please everyone? Can you please everyone? Can we compromise with everyone?

The Labor Party was left with a choice. The easy choice, the easy road, is to support the four Liberal MPs and the crossbenchers who want to stop this bill and we could keep the 1971 act—that is older than me—that still governs the way we mine in South Australia. It is my age; it is 47 or 48. I like to say to my wife that I am 46, but she does not believe me.

**Mr Pederick:** There's a reason for that.

**The Hon. A. KOUTSANTONIS:** She never believes me, but then again neither do you.

**An honourable member:** A sensible woman.

**The Hon. A. KOUTSANTONIS:** A sensible woman—yes, yes, yes.

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** Yes, I'm lucky I married her. Any more? No? Everyone is finished? Good.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** There is plenty of mileage in that, yes. She is probably watching now to prove it. Believe it or not, sometimes she does not believe the parliament is sitting late; she thinks I am out drinking with my friends, so she checks.

**The SPEAKER:** She is not the only one.

**The Hon. A. KOUTSANTONIS:** I am getting back to it, yes, Mr Speaker, thank you very much. So here we are, and the reason I think we have this impasse is, again, expectations. If the state wants to support what I think the dissidents within the government are calling for, it would be a major disincentive to invest in South Australia—a major disincentive. I accept that people do not universally agree with that.

The structure we were trying to come to was: okay, these were the hurdles that were given to me about when a tenement was issued for cropping land. One of the first things that occurs,

strangely, is that banks immediately devalue that land, which I thought was a very interesting tactic of the banks. I had met with some farming communities that told me the moment that a tenement had been issued for their freehold cropping land they received notices from their lenders that the value of the land had now decreased and they needed to deposit funds to improve the covenant arrangements for that mortgage. Point one: unfair treatment, I think, on regional communities.

The second point is: how do you run a farm on the basis of a potential exploration find? From exploration to mining could take up to 25 years, a quarter of a century. To prove up a deposit, get the finance, get the approvals and start mining takes an average between 10 to 25 years. On average around the world it is 25 years, a long, long time. There have been exceptions, but by and large that is what it is. If you are a farmer and someone says, 'I've got a tenement on your land; I've got to start drilling holes,' where do you build your sheds? What do you plant? How do you plan for the future? Can you borrow more money? Do you sell now? Who is going to buy it, given that this company is exploring on your land?

All these questions start coming up, and we have to grapple with them. The difficult part about grappling with those is coming up with a solution which threads the needle beautifully, which allows companies feel a certainty and safety to invest in South Australia and protects the interests of our constituents and our citizens. Thus far I have not seen a perfect system. There is not a perfect system in New South Wales, there is not a perfect system in Queensland, there is not a perfect system in Western Australia, there is certainly not a perfect system in Victoria or Tasmania and there is not one here. This bill will not make it perfect either, but it is as good as it can get. There will be improvements as time goes on.

Should we transfer the objections to this to the agriculture minister? Should the agriculture minister have some statutory role to play here? Should the planning minister have some statutory role to play here? With all due respect, all those are about delaying an outcome. I understand the tactic perfectly. You can dress up any tactic you like, but what it is really about is conferring rights on people that they do not have now to stop an activity that they do not want. We can invent thousands of those in this act, but that would be dishonest.

The honest thing that any member of this house can say to any member of any community is that we must share the wealth of this state. Those assets beneath the ground are owned by the Crown and no-one should be able to stop them from being exploited, unless the proponents of that exploitation cannot satisfy the independent regulators that they can do it within the current framework, that they can do it safely, and that they can remediate it and follow all the appropriate rules that we set out. However, to confer on people a right to say, 'Just no, veto,' will fundamentally change the way we mine in Australia, and if we do that it will hurt our economy. If we hurt our economy, people lose their jobs. If they lose their jobs, it causes social disharmony.

All of us here in this parliament—Labor, Liberal, Independent—are working towards a prosperous South Australia. We all want South Australia to grow. We all want jobs for our children. We all want the wealth of the state to grow. I do not want to see a single farming family thrown off their land and miserable. I do not want to see any suicides. I did not want to see any family break-ups or stress. I have seen it and it is terrible, but what is the alternative? Our just saying, 'No. No, you can't exploit this mineral wealth. Sorry, you just can't. It's under a farm. That's it?' we cannot do that.

The argument then becomes: if it was in the CBD or the city, you would not allow that. That is a difficult, vexed question for us to answer as legislators—very, very difficult. What if Olympic Dam was under the CBD? What would we do then? What if it was under parliament? What would we do then? These are difficult questions and they are questions of equity. I am not sure of the answer. If someone does have the answer, an honest answer, I would love to hear it.

In the end, this gets down to the ability of people to coexist. Can a farmer and a miner coexist? Is there a way we can do this? Is there a way we can facilitate both working together? In the end, we are going to get to a point where farming communities say, 'You're making us live with them. You're not forcing them to accept us.' And that is a divide—there it is in black and white. Should we allow a mining company to mine, regardless of the impact on the farming family?

I think local communities have now reached the point where they are basically saying to their elected representatives, 'Look, I understand that you have to do this or that you want to do this, but I'm telling you that if you do this I will be voting for an Independent or someone else,' or, 'I'll join your political party and have you unseated at a preselection and choose someone who will do what I want,' and that is democracy in the raw. Good luck to you. That is absolutely a legitimate form of protest.

There are members who are going to make articulate speeches here, hopefully afterwards I imagine, and who are going to make representations to the parliament about the hardship felt by regional communities, who are going to make the argument about the impacts on intergenerational wealth and intergenerational farming and the connection that they have to land. Mr Speaker, every time you open this parliament we recognise our Indigenous Australians' connection to this land. Connection to land can mean many things to many people, and I have no doubt that farming communities have that.

We get then to the point of asking: how do we compensate someone? My view was that we should share the mineral wealth, share it as a percentage of royalties—10 per cent of royalties—to the landowner. When I announced that for petroleum and geothermal activity, oil and gas, in the South-East, it was derided by community leaders as being divisive, that it divided communities and I was setting neighbour against neighbour. But I have to say that the amount of phone calls that our agency received and that I received supporting that measure was quite large.

It got to the point where we had to consider what the objection was and how we could minimise the impact of that objection, that sense of helplessness that people have if someone else is deriving an economic benefit from their land and they are helpless to stop it, much like the person who sees their house compulsorily acquired to build a road or a hospital or a school, all of which we retain powers in this parliament to do.

The health minister can compulsorily acquire land to build a hospital. I think the education minister can compulsorily acquire land as well, and the transport minister certainly can. We do it all the time, and it is current practice. Indeed, the government announced just a few weeks ago that they will be compulsorily acquiring up to 1,000 homes in my electorate. Sorry, it is not just my seat, it is also Badcoe, but one-thirtieth of my seat will be compulsorily acquired and demolished to build the north-south corridor. If it is a tunnel it will be 600 homes, 400 less; nevertheless, 600 families will be brutally impacted by progress.

Should we allow those people the right to say no? Should we allow them to say, 'Sorry, this is my house. I own it freehold. I have a title here. The Crown is on it. I'm an Australian citizen. You can't have it. You can't build your road'? Should we say, 'Fair enough,' or should we build the road, because the freight links will grow our economy, the arteries of our economy? We have to have difficult conversations. I have to have difficult conversations because Labor voters are going to turn to a Labor MP and say, 'They are taking our homes. Stop them.' I have to say, 'No, I can't. They are doing the right thing and if I was the minister, I would do it, too.'

That is tough, especially if they are friends that you went to high school with. I grew up in the western suburbs so I am going to have these conversations with family and friends that I have known my entire life. People who came to Australia with my parents on the same boat are going to have these conversations, and it is going to be tough. But all of us—all of us to a person in this room—know the benefits of the north-south corridor.

Why is it different for mineral wealth? Why? Why are the citizens of regional communities allowed to use the planning laws or a right of veto or the agriculture minister to stop economic activity, but people in the city are not? When we have this debate about how regional communities are bearing the brunt of this, it happens at both ends. They are difficult conversations with everyone, and we are not going to please people.

When I was transport minister, we announced the Torrens to Torrens upgrade that many of you might have seen. I know everyone in this house has. It is the nonstop corridor from the River Torrens right through to just before Pym Street. A young family I spoke to had inherited their father's house and they did not want to move. The agency did what it did. It deposited the money in the

Supreme Court account, they went to court, the agency won and that family received what they received.

We did as much as we could, but they had to move, and they went there and watched their house being demolished. It was brutal. I have seen this couple over and over again at the Brickworks and it is a difficult thing for them to accept—very difficult. So I do not envy the minister, I do not envy the member for Narungga, I do not envy the member for Kavel, the member for Davenport or the member for MacKillop. These are tough conversations as they are for the members for Frome and Mount Gambier. It is very, very tough. I mean this with a lot of respect because I know how tough it is to turn on your own party.

It is also tough to do what we are doing, which I think is the responsible thing for our economy and our state. It is going to cost us votes. This will not make us more popular. This will not make the Labor Party more popular in regional South Australia, and we need to be to win the next election. We cannot keep on getting the vote we are getting in regional South Australia and govern. We need to lift our vote, and this is going to make it tougher for us.

But I am being honest with you. I am not going to turn up during an election campaign and say, 'Vote for me and we will fix this when we are in parliament,' and then not do it, or comfortably watch a few of the members vote against it while the majority vote for it, and it gets through anyway. I am going to be honest with you. We are going to be honest with you. We are going to tell you the truth. We are not going to make promises we cannot keep. No-one is going to stop mining in this state—no-one. No-one is going to stop mining in this state.

**An honourable member:** We don't want to.

**The Hon. A. KOUTSANTONIS:** I am glad the member says he doesn't want to. I am glad, even though we have banned fracture stimulation in the South-East and that was done for political reasons, not scientific reasons. I am glad the member acknowledges that. Any amendment to this bill moved by Liberal crossbenchers that we are not going to support to change this bill will not be about science, it will be about politics. That is what we are here for.

*Mr Cregan interjecting:*

**The Hon. A. KOUTSANTONIS:** It is completely legitimate, though—completely legitimate to do so—and I do not doubt that for a second. The member for Kavel is right to interject. There is nothing immoral about it. They are serving their constituents' needs. But I think the rest of us, the majority of this parliament who are going to support this bill, are doing so in the greater interests of this state, which does not mean that we want to intentionally trample the interests of people affected by this.

I have no love for Rex Minerals. The way they behaved was appalling—absolutely appalling. With the way that they conducted themselves and then pulled out and did not mine and are going through this new process again, I understand the anger, member for Narungga. I understand the anger of the people who were impacted by them, and I think they are not a poster boy for mineral resources. That does not mean, though, that one bad case should make law. One bad case should never make law, and I think that should be our guiding principle.

I do not know what is going on internally in the Liberal Party and I do not know how many are going to vote for or against this. I am assuming it is the same four who voted for the adjournment. There could be more, there could be less—I do not know. I do believe, however, that there is a level of tension between the minister and the agency and some of those crossbenchers—I could be wrong—and I am sure the minister will clarify in his remarks what his views are about how they are getting on. From what I have seen and heard—

**Mr Cregan:** You are wrong, Tom, and it won't be the first time.

**The Hon. A. KOUTSANTONIS:** Okay, there you go.

**The SPEAKER:** Member for Kavel, please.

**The Hon. A. KOUTSANTONIS:** There you go. It is all love and flowers on the government side.



**Mr Pederick:** Two dozen at a time, thanks, Tom.

**The Hon. A. KOUTSANTONIS:** Two dozen at a time. They love what the minister is doing and they completely support him, and they will be moving amendments in this parliament to establish a judicial inquiry to move it to a select committee, all safe in the comfort—maybe—that the opposition is voting with the government.

**An honourable member:** We don't send our members to Siberia.

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** True, it is true. The Liberal Party—

**The Hon. A. Piccolo:** You should read your history before you say that.

**The SPEAKER:** Member for Light.

**The Hon. A. KOUTSANTONIS:** They do allow democracy. That is why I watched with interest how members squirmed when I asked them about how they were voting on these measures. There were some very interesting conversations behind closed doors, which I will not repeat because I am a man who likes to keep secrets—unless it embarrasses Liberals. If it embarrasses Liberals, I like to tell everyone what those secrets are.

I think there has been a lot of double playing here from everyone, and in the crosshairs, in the middle of all this, are the people who are affected by this. We have to come up with a solution. The solution is not perfect. The solution is not going to solve all these issues. It will give landowners more rights. That was very much what we were attempting to do. The minister has gone a little bit further, but not to the satisfaction of regional communities, and they will express their view at the ballot box.

That is the way these things work. They will express their views any way they know how: through the local media, through protests—as they should—speaking out about this, and no doubt some of them will encourage members to leave the Liberal Party and be Independents—fine. Stay in the Liberal Party—fine. But my view on this is that I think there needs to be a bigger dose of honesty here and that we cannot be all things to all people.

The reason politicians on both sides have such an appalling reputation with the public is that politicians say things that they cannot deliver. A vote for an individual will not make you any better off or worse off. These things move in increments, and we need to make sure that we guard against populism at the expense of scientific rigour. That is why this country has no energy policy—populism. That is why this state is now mired in this debate on mining—populism.

Populism is also, of course, to be fair to people who are crossing the floor to vote against this bill, representative democracy. I do not begrudge them that. I do not want people to think I am just having a go at people who are crossing the floor. I think they are absolutely serving what they believe are the interests of their constituents.

For whatever reason, the government did not brief the opposition on the amendments they filed until Tuesday. I do not know why. I am not that fussed or upset about it, but I would have thought that if there were an eagerness to have the opposition's support on this there would be a lot more activity from the government. That is probably because the minister is doing his job trying to convince his own colleagues to vote for the bill. I think he has convinced enough members for it to pass. Mind you, he only has to convince five of them because 19 Labor members are voting for the bill.

As I said earlier, I want to thank the minister for pushing this Labor bill. It is difficult. It must be very hard for him advocating and arguing for a bill that was drafted by the former Labor government to be passed in this parliament in its current form. That takes courage, and I give him credit for that and for accepting the fact that Labor's mining agenda will continue into the future, that Labor's plan to grow the economy through a third pillar of diversification in the mining industry—value-adding—will continue. That, I think, is a compliment to all of us on this side of the parliament.

To people who want us to vote differently, I apologise to you now in advance. I am sorry. I am not going to be voting on the basis of hope. I do believe that there is probably more work we can do. I note, without anticipating debate, that the honourable member for Frome has introduced

legislation for an independent judicial inquiry into land access. On the face of it, it looks like it has lots of merit, and that is why it is something that we may look at supporting, but I have not yet given my colleagues the courtesy of consulting with them, and I have not seen the details of the bill.

I look forward to that debate. I look forward to hearing the views of regional communities on a judicial inquiry into the mining sector and whether or not it would alleviate some of their concerns having an independent retired judge looking at land access, one way or another, and coming back to us with a formula about how best to deal with the impact on the regional communities and the mining sector. But if the hope is that we will just give one side or another a blank cheque, the answer to that is no, we will not, because we do want our mineral wealth exploited, we do want to grow the economy and we do want to see South Australian jobs.

One of the great things about mining in regional South Australia, which I think is not promoted enough, is the ability it has to droughtproof some communities. I will give you an anecdote. My daughter was born prematurely, in 2010. She was born at 26 weeks. There was a regional family from Broken Hill who were originally from South Australia, and they have a sheep station. We became unlikely friends through the fact that my daughter and his son were both born prematurely, at 26 weeks. We catch up regularly. We both joke that he is a Liberal voter but I like him and that I am a Labor voter but he likes me, blah, blah, blah. We have all these jokes. He works at a mine site in between working on the sheep station. It supplements their income.

There are a number of regional communities where seasonal farmers and their families do work in regional mines and it does supplement their incomes. Regional mines in regional communities have an impact: they help the local economy, they grow the local economy, they improve housing values in the local economy and they create more shopping. They attract potential investors. Most of the miners I know are also farmers, and they often invest where their mines are. When they do, they lift all our boats. I think we do not do enough, as South Australians, to sell that story.

Yesterday, the minister and I organised a function, which I talked about earlier, where we had three experts talk about mining and the challenges and the chances of a mine actually getting up. I think the odds were quite small. There are 6,300 mines throughout the world, and South Australia has 18 of those 6,300 mines. We played mining bingo, which was a vector diagram on the basis of the geology, where you had to pinpoint the chance of getting a deposit. I have forgotten the odds of a successful find, but I think it was one in 25,000. I cannot remember the number, but I am sure one of my colleagues will correct me. They were trying to tell us that this is not an exact science, and every hole they drill into the ground costs about half a million dollars.

Often they will put a tenement out over a very vast swathe of land where there could be up to 2,000 or 3,000 landowners. After a process of elimination and exploration that is not invasive and occurs through aeromagnetic surveys, plant cuttings and looking at the geography, they can whittle it down to a couple of hectares, and the mining and exploration can be less invasive. For the other 2,299 freehold landowners in the area, that means nothing; to the five in and around the area where the exploration is occurring, it means everything.

We are being asked to work out a way we can make all this fairer, and I think this bill does that. I think this bill by and large gets it right. I think this bill by and large does give landholders more right, does better define what 'exempt land' means. I know that the 'exempt land' stuff infuriates people because they feel that if it is exempt land it should be exempt, full stop, rather than allowing some higher authority to then allow access or mining on that land. I understand that. But, again, we get back to the original points that I made.

I can only imagine what some freehold landowners are thinking when some environmental protection in some vast area that is not farmed is protected, but pristine agriculture land is not stopped from being mined, other than to say that we do all we can to minimise that impact and to make it as small as possible to ensure that we do not destroy pristine farmland, that we do encourage intergenerational farming, that we do understand how they are custodians of this land and that we do understand the benefits of father/son, mother/daughter passing on farming expertise on land they have known and grown up on. We do get it, but we have to find better ways.

Ultimately, as I said, we were unsuccessful at the last election, and the royalty program is not in place. I do not know if that would benefit people. I am not sure if the proponents who support members crossing the floor would support that. I thought it was a good initiative, and it was an initiative that was not borne out of some political mischief; it was borne out of trying to work out a way to share in this idea that finding minerals on land is not a burden, that it is actually a benefit for the state, that it actually improves our economy, that it actually improves our economic output.

In the end, we are not going to convince some people, and that is a perfectly legitimate point of view to have. I will not convince the member for MacKillop that fracture stimulation is worthwhile in the South-East.

**Mr McBride:** You don't have to.

**The Hon. A. KOUTSANTONIS:** There you go. He is not going to convince me of the alternative, but I will tell you who can, though: independent regulators can convince me. I will always listen to them, whether it is electricity, whether it is planning, whether it is mining or environmental standards. The idea that politicians think they can substitute themselves for these independent experts, who are charged by this parliament and statute to give us independent advice for regulatory decisions, I think is dangerous, a dangerous precedent that we should not allow to continue.

The arbitrary changing of laws to allow populism or local concerns to take away from the greater good can be dangerous and can become out of control. In Victoria, there is now a constitutional ban on fracture stimulation on mainland Victoria. It is in the constitution that it cannot be conducted.

**Mr McBride:** A Labor government, too.

**The Hon. A. KOUTSANTONIS:** Started by Denis Naphine, who was a border to the South-East region when he was premier. We have been fracture stimulating in this state since the 1960s. We have been exploring copper since Burra—we built this parliament with it. Again, I caution what it is we are wishing for here.

I wish it was as easy as just to say that we are not going to mine on farmland and everyone was happy. I wish it was that easy and everyone was happy. If it was that easy, where do we sign, where is the box that we tick to say, 'I'll vote for that'? But deposits do not work that way. Mineralisation does not work that way. It is not always conveniently in a desert that no-one cares about. Sometimes it is where it is inconvenient, and that is when principles come up—when they are inconvenient. Holding principles when it is inconvenient is the hardest thing you can do in public life, the hardest. Throwing them away is easy; holding them against public will is hard—not that I am asking for sympathy, I am not.

There has been extensive consultation. I think our agency probably consulted so much that is why we delayed the bill from getting into the parliament so late, because we kept on going back and going back. I am not sure if that was a tactic of some of the people who were involved in the consultation or not. I do not for a moment want to say that that was their tactic, but I do think we did a large level of consultation. The minister did more; he has not convinced some of his colleagues, and that will be borne out here on the floor of parliament.

I hope we can have a civilised debate over this. I hope that members understand where we are coming from. I hope that the broader South Australian community understands where it is we are coming from. We are coming at it from an aspect of job creation, wealth creation, building South Australia, allowing us to take advantage of what God has endowed us with as a state and a land mass, to make sure we can grow our state for future generations.

Of course, we also want to feed that state, but I also point out that we are a net exporter of food, not a net importer of food. The reason we are such a great state for agriculture is because of our export markets, and we should be very careful about the idea of thinking that somehow we should only worry about feeding ourselves. The reason we overproduce is because of our export markets. It has created wealth and trading, and trading with other countries and other states is good for South Australia. It is not good just for wheat and barley, meats and other products: it is also good for copper, zinc, gold, silver, and—the dirty word—uranium. It is good for us, it opens up markets, it opens up food markets, exporting these minerals and mineral wealth.

Every year, I would go to the city of Toronto in Canada for the prospectors and developers conference. It is the largest mining conference in the world; I think, at last look, there were 25,000 delegates. South Australia conducted an event called Vines and Mines, where we would invite every major investor to a night in Canada where we would showcase a region of South Australia, whether it was McLaren Vale, the Barossa, the Clare Valley or the Coonawarra. It was not Langhorne Creek; we did not do that one yet, but we will get to it eventually no doubt. The government will do that.

**Mr Pederick:** Good.

**The Hon. A. KOUTSANTONIS:** Good, okay. We were competing with 25,000 delegates to get people to this event. You had the United States holding events, you had Western Australia holding events, you had the Canadian government and Canadian states holding events, but ours was always sold out because we were able to use the knowledge of our geology and our farming techniques and our produce—mining and farming together—to sell the state.

Any farmer who was in that room seeing the passion with which miners spoke of the soils in South Australia—the soils that produce the wheat and barley, the soils that produce our vineyards, the soils that produce the cattle, the soils that produce the produce we are so proud of—would see there would be no conflict between mining and farming. These geologists, these miners, were lovers of the land. They do not want to destroy farming and cropping land. They want to see both prosper together, and I think this bill does that.

Unfortunately, in politics we are pitted against each other all the time and here we are, pitted against each other where it is farming rights versus mining rights. There is no nuance. There is no grey area. Well, there is a grey area; there is an area in between there where we can find common ground, and that takes intelligence, it takes hard work and it takes understanding that we are all in this together, in this South Australian experiment. We are not on our own. We are not a group of individuals. Yorke Peninsula is just as important to South Australia as Torrensville. We are all citizens of the same state. We are all part of the same commonwealth. We have to look after each other and that is why there has to be common ground. We cannot keep going with this us and them mentality because nothing will happen—nothing will be achieved. We will just pick winners the whole time and that would be a disaster for our state.

So the opposition will be supporting the passage of the bill, the government amendments and the government amendments only. I have not seen any other amendments. I have not been asked to support any other amendments by Liberal crossbenchers, so I do not want anyone to accuse us of not listening to the crossbench in the Liberal Party. They have not come to me and said, 'Support my amendment.' No-one has done that. The only person who has done that is the minister. So if there are amendments that come out of this session, we will treat them on their merits.

We are not doing deals. This is Labor's bill. The government is working hard to get Labor's agenda up. We congratulate them for it. I know it is costing the minister a lot of skin, but this is where we are. If there are amendments and members want us to support their amendments, they know who we are. They can get up, they can ring or they can come to our office and speak to us about them, but that has not happened. No-one has come to me since the adjournment and said, 'Here is my amendment. Vote for this.' It has not happened, so I think our hands are clean here. I think our hands are clean.

With those remarks, I wish everyone well. I know it is difficult. I know it is hard. I am sorry to have laboured you for so long on such a long, cold night, but I think this bill is important for South Australia's future prosperity. I commend the bill and the government amendments to the house.

**The SPEAKER:** Before I call the next speaker, members and members of the gallery, I respect that this may be a debate that does incite some strong emotions. The behaviour thus far has been exemplary, and I hope that that continues, but I do remind members, especially our visitors and visitors of some members, that visitors are required to refrain from attempting to address the house, interjecting, applauding, conversing, etc. So I just wanted to put those few remarks on the record. But the behaviour has been exemplary thus far, thank you.

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (20:42):** I have listened attentively to the shadow minister's comments and I would have to say that

the vast majority of what he said I agree with; not everything, but certainly the vast majority of it. Some people like to claim that, if the government and the opposition agree on something, it's a fix, it's a set-up, it's a problem, you're colluding, you cut us out. And I have been told that quite a lot in the last several weeks and months.

But I know, and I suggest that every member of this house knows, that the overwhelming majority of people in South Australia say, 'Why can't the government and the opposition agree on something? Why is it that they have to fight? Why is it that they have to create a false argument just to seem like they can't get along?' How often have we all been told, 'Wouldn't it just be better if, where they find something they agree on, let them say so, let them act on it?'

I know that that will not satisfy a lot of people taking close interest in this issue, and this is a very difficult issue. This is an incredibly difficult issue. This is an issue that the previous government did its best on for close to two years. It is an issue that now, 15 or so months into the Marshall Liberal government, is still being dealt with, and I suggest that, given the schedule we have ahead of us in parliament with estimates and no parliament in August, we will be dealing with this for a couple more months at least.

It is not an easy issue, and I agree with the shadow minister that it is not an issue that we are ever going to find a solution for that will satisfy everyone. We will not find it tonight, we will not next year or in 10 years or in 20 years. On this issue we will never be able to find a solution that suits everybody. This is an issue that will be difficult and it is also an issue that will evolve. Farming practices evolve, regional communities evolve, mining practices evolve, environmental protections evolve, world prices evolve and demand for different minerals evolves. This is very much a moving feast. We have to do the very best we can at the time.

We have a lot of people in the gallery here today—people who are earnest, genuine, sincere about their view. The last time that I stood and spoke on a similar issue was with regard to fracking in the South-East. It became our government's position that not only would we deliver on the 10-year moratorium on fracking that we took to the election, which we did implement, but we would legislate for that. On the day we debated that bill there was a different group of people with broadly a similar attitude. On that occasion, I think to the surprise to most of them, they got what they wanted.

I acknowledge, and I suspect it is not to the surprise of most of them, that the people in the gallery—the good, genuine, earnest, down-to-earth, caring people—will not get tonight what they want. I will step through this and explain it to the very, very best of my ability. There are so many pros and cons associated with the issue, but one of the most important things we have to keep firmly in our minds is that agriculture is our oldest industry in South Australia and today it is also our biggest industry.

No-one can pretend that agriculture is not extraordinarily important to our state for a wide range of reasons. It is important with regard to its contribution to the economy most broadly and also with regard to contributions into regional communities, to lifestyles, to environmental protection in country areas that would not happen if it were not for farmers and graziers—a wide, wide range of reasons. But mining is also one of our most important industries and one of our biggest industries. It is also probably our greatest growth opportunity from a wealth development perspective.

We have to find a way for those industries to coincide. I know that a lot of people think it cannot happen. I know and I understand a lot of people think, 'I'm on my farm, I'm in my community, I've got my family, I've got my heritage, I've got my work, I've got my investment, I've got my future, and it can't work here.' I do not doubt that when people say that they mean it. I do not think anybody who says that is making it up, but the reality is that we have to find a way. People say to me, 'This bill is not good enough. This is not the way.'

I have said very openly, genuinely, honestly to people for a long time, 'I know it's not the perfect solution. I know it's not the final solution, but in my opinion and in the opinion of the overwhelming majority of members of parliament not only in this chamber but in the government, we believe that what we have to do is lock in the positive work that has been done so far. We have to lock in the benefits that we have now, acknowledging that they are not enough and this is not the place to stop. We have to lock in the benefits we have, take a good, strong, half a step forward, get through that, and then start work again and look for another good, strong, solid step forward.'

I know that is an approach that dissatisfies some people, but I also know that if we try to get the perfect solution, get everything wrapped up and to the best of our ability satisfy as many people as possible all in one go, we will not do it; it just will not happen. Let's take the benefits that we have at the moment, understanding that the agricultural sector wants more and the resources sector wants more. Neither is fully satisfied. Some people say that we have not made anybody happy, what a stupid bill. I say we have benefits for both. We will lock them in, then we will start the work all over again.

It cannot be agriculture or resources. It has to be agriculture and resources, otherwise our state is never going to fulfil the potential that it has. We have been underperforming for a long time. We have to find better ways to do things, and getting this right is one of those very important ways. The shadow minister mentioned his personal challenge with regard to South Road and his electors and his friends, people he would see outside of his work and has known for a very long time. Not that anybody has to care, but do you know what? This issue is exactly the same for me.

I live in a small community in Wilmington of about 250 people. It is a farming town on the outskirts of Port Augusta. A lot of people work in Port Augusta, but a lot of those people who work in Port Augusta live on farms and are multigenerational farming families. I also know that a lot of those farming families in my home patch would not have their farms today if they could not have worked at a mine over the last 15 years or so, let's say. There is so much integration between these industries that goes far beyond what actually happens on the piece of ground that may or may not be in conflict for the use of that piece of ground.

This is an extraordinarily deep industry. I do not suggest that everyone who is farming anywhere in the state—potentially people in reliable country, higher rainfall country, good soil country—needs to think the way people in the Wilmington area do, especially on many other parts of the state where there is lower rainfall, because there are places where you do not need that off-farm income, and good luck to you. That is outstandingly tremendous, and I would bet that every farmer in Wilmington wished they had those circumstances as well.

But we cannot make different rules for different circumstances in that way. We have to be thinking about communities. We have to be thinking about environment. We have to be thinking about the state's economy and jobs and rural communities, but we cannot be saying that because a person might believe they will never need mining in their area that we would rule it out for them. I believe that is a mistake and I understand that other people feel differently.

The shadow minister said this is Labor's bill. Labor started consultation on this bill. Labor brought the genesis of this bill to this parliament before the last election, and he is quite right to say that the genesis of this bill was passed in this house. I was sitting over there and the shadow minister was sitting over here. It was debated thoroughly and it was passed. Since then, an enormous amount of additional consultation has taken place. It has been put to me that there has not been enough, and I understand that frustration. But people say there has not been enough because maybe it has not reached where they want it to be in this half a step forward.

It has also happened that some of the people who have told me that there has not been enough consultation have also asked—and, in some cases, in writing—how many times have we had the discussion and why are you not listening? So I think it is very important, and I say this with respect, to separate 'not enough consultation' versus 'we have not come to the same landing that people want to be on'. I understand that that is a very difficult issue. It is easy to say, 'If you did not do what I want, you were not listening,' and we all know how that can work. But there has been an enormous amount of consultation.

There have been approximately 20 amendments to this bill since the last election, so there has been some significant change to it. Five of those amendments, covering three topics, we will deal with here this evening. So there have been 20 amendments, and it has also been put to me that some of them are irrelevant or inconsequential and do not mean a thing. Maybe it is just the change of a word. Well, fair enough.

However, then in opposition, we were also told, 'You have to change this word. You have to change this term. It's really important. I know it's just about appearances or semantics, perhaps, but we really want that to happen.' Then, when we did it, we were told, 'That's just a word. It doesn't

count.' Whoever tells me these things is quite right. They are 100 per cent right with regard to their integrity and their sincerity when they tell me these things. I do not think for a second that anyone is making it up, but we have to figure it out.

We have to pick the landing spot that we think is the best for now and, as I have said and will continue to say, if this bill is passed, we have to get straight back to work to look for the next phase of improvement. I have made that commitment countless times publicly in the media and countless times face to face with people who are very dissatisfied with me for my position on this. I have made it to my colleagues individually and collectively. If this bill passes, that is what I and the Department for Energy and Mining, in consultation with a very wide range of stakeholders, will do.

I will not go through absolutely everything. Understanding that I run the risk of some people saying, 'Well, that's not that big a deal,' or, 'That's a lovely list, minister, but you haven't got the thing that I want on the list, so it doesn't matter,' understanding that some people may react that way, I will go through the benefits to landholders.

There are benefits to the environment, there are benefits to Indigenous communities and there are benefits to the resources sector as well, but this is just a list with regard to landholders. There is an increased contribution from the resources sector to landholders with regard to legal advice about exempt land, from \$500 to \$2,500. People are quite right when they say, 'What does \$2,500 get you?' Not enough, never enough, but it gets you five times more than exists at the moment under law.

The exempt land radius will be increased. Much has been made of this in the media. Perhaps deliberately or perhaps accidentally, some people have said, 'Well, it's 400 metres right now for exploration from the boundary of exempt land. It's coming back to 200 metres. That's a huge backwards step.' That is partly true, but of course that only applies to low-level invasive exploration, which is back to 200 metres, in return for extending the 400 metres out to 600 metres for invasive exploration. That is an agreement that representatives of the agriculture sector agreed to and said that they were satisfied with. It is an improvement for landholders.

The range of courts that can hear these issues will be expanded. Nobody wants to go to court; I get that. It may not be too attractive to say, 'You've given me lots of places to go when I'm really in strife,' except for the fact that people actually asked for a wider range of courts to go to if necessary. People have been given what they sought in that area, and the Warden's Court is a no-cost jurisdiction. There is a new right for landholders to apply for an exempt land determination. This is one of the amendments. We will come to it later, but this was in the bill and it is proposed that it be taken out of the bill.

This is an obligation that was contemplated to require a landholder to prove commercial value of an asset or some exempt land. You can imagine that might be a dam that may not have held water for quite a while, or it might be a shearing shed that may not have been used for quite a long time or is perhaps even in disrepair, just as some examples. The previous government's bill included an obligation that the landholder would have to show commercial value for that asset for it to be considered exempt land. We hope to remove that so that, essentially, the landholder will not have that obligation anymore to make that commercial proof. Again, it is a step forward.

There is free access to information of what is approved over land. One of the things that landholders have been quite rightly very concerned about is not knowing nearly as much about the rules, regulations, rights and responsibilities as the resources sector proponents do, and that is a very fair thing for them to say. A lot of what is in this bill is about trying to get greater clarity and greater simplification.

There is improved industry and government transparency and accountability, updated and expanded public consultation on tenement applications and change of operations, clearly documented reasons for ministers' decisions through preparation of assessment reports and publications of directions or orders for noncompliance by tenement holders. So, essentially, when somebody does the wrong thing—which does happen and I will come back to that—publish the fact that they have done the wrong thing. I think that was a very fair request from landholders, and anybody from the resources sector who thinks that is unfair to them should just stay off the list.

We are improving definitions of operations so that notices to landholders are clear about what activities are proposed and approved. There will be improved notices to reflect the potential impact of proposed exploration activities, making it really clear to the landholder—'Not only am I asking to come onto the land, this is what I want to do and I want to drill a couple of holes, etc.,' but be really clear: 'This is exactly what I want to do and these are the potential impacts of that.'

There is a new notice of intention to apply for a production tenement, with rights to object or progress negotiations. Again, there is more about clarity. People might say, 'That's not a lot, that's not a lot and that's not a lot,' but every one of these are part of the half a step forward. There is increased time to give notice of activity. Again, I hope this will pass in amendment. The current law is that three weeks' notice must be given to a landholder by somebody who would like to access their land.

The current bill moves three weeks to four weeks at the request of the industry and some of my colleagues—again, I will come back to that. The amendment we will deal with tonight proposes to move it to six weeks. So it is three weeks now, the previous bill said four weeks and we propose going from three weeks to six weeks, which is a significant change aimed clearly at giving people more time to consider things, understanding the seasonality that a lot of landholders have to deal with.

There is a new right for pastoral lessees to object to notices of entry to commence activities. I understand that that probably will not be of interest to too many people who are in the gallery today, but it is a very important thing for landholders. There are increased compliance and enforcement tools so all environmental rehabilitation obligations are met. There are guaranteed payments to landholders with new powers to recover unpaid debts and increased penalties for breaching exempt land and notice of entry obligations.

There is the right to use more extractive minerals on the landholder's property. If a landholder wants to get some extractive minerals, typically through a small quarry on their own land, there is greater opportunity to do that on their own land, which seems very fair and a good step forward. There is the right to compensation being protected by clarifying that rent or lease payments and compensation are not the same thing. There has been a blurring of that over time where some resources sector proponents have said, 'I am paying you rent, so that's all okay; I don't have to do anything else.' Well, no, rent is rent. Compensation is on top of rent. We are making that very clear.

Another amendment that we want to deal with tonight is one which again came from colleagues and the farming sector and which is to clarify that the tenement holder, not the landholder, must notify the registrar of an agreed waiver. Again, people might say that is a small thing but it is something that the sector sought. I will come to a couple of other things in a minute, but I want to be very clear about these amendments. The government would not be proposing and dealing with these three topics covered in five amendments here tonight if it were not for four of my colleagues: the member for MacKillop, the member for Kavel, the member for Narungga and the member for Davenport.

Those four MPs have done everything they possibly can to represent their communities. They have come to me with these suggestions. They came to me with some others as well—let's be really clear about it—which are not on the list, but those four MPs are responsible for these improvements. I commend them for that, and I thank my other colleagues for seeing the wisdom of what they have put forward to us and supporting them as well. I think that is very important to get very clearly on the record.

There are a couple of other benefits. We took to the election a commitment that we would give the Small Business Commissioner the authority to deal with mining/exploration/land access disputes, and we have done that. We have delivered on that because we said we would. In quite an understandable reaction to that, some people have said, 'Look, that's fantastic. I would love that her extra help if ever I am in strife.' Other people have said, 'That's great if you are in strife. We don't want to get in strife. Help us before we get in strife.' That is a very fair suggestion to make. We have done it, nonetheless, because we think it is a positive step forward.

We have committed that if/when this bill passes, we will provide an up-front, free, independently delivered advisory service to landholders about their rights, their responsibilities and



any other information they are after with regard to this legislation and interaction. If discussions progress, as I fully expect they will, that will be delivered by Rural Business Support, a support agency, which is an organisation with a terrific reputation that is genuinely independent from government, operating throughout regional South Australia.

The government, through the Department for Energy and Mining, will fund that service if this bill is passed. I think that, as the up-front service, combined with the tail-end service from the commissioner for small business, is a very genuine step forward for people so they can understand everything they need to understand at the beginning, and they can get support at the end if they need it. I think those are all important. Some of them are small and some of them are quite big, but anybody who says that there are not benefits in this bill for landholders is making a mistake.

Anybody who wants to, though, could say, 'But it's not enough,' and if they believed that they would be right. So many of the people, hundreds of people, I have dealt with personally, face to face, have said to me, 'That's great, Dan. Thanks so much, but you are missing a couple of really important things that I want, that my community wants or that our district wants. They are not on your list, so your list is worthless.' I have a different view. I accept that there are other things that are sought.

I accept that there are people who genuinely believe it when they describe it to me that way, but I do not accept that there is nothing in the bill for landholders. I have a very strong view and the government has a strong view—not a unanimous view but a strong view—that we need to lock in those benefits and start working again to look at the next list of improvements that we can make, things that we can do to help both of the sectors.

I should also comment on the shadow minister's contribution, where he said that he only just received a briefing this morning on the five amendments covering three topics. That is quite true: he did only receive that briefing this morning, but what is also true is that in late November he was offered that briefing in writing. I have a copy of the email, so certainly in very good faith the government did go to the opposition in late November last year offering the briefing on exactly those amendments. It was not taken up. It was sought in the last couple of days and it did happen today. I think that is very important to clarify.

Much has been made of the internal discussions of the government on this topic and I do not think that is anything that anybody should shy away from, be ashamed of or sweep under the carpet. As the shadow minister said, in the Labor Party you just do not get to do that. As I have said a couple of times today, if you acted in the strong fashion that four of my colleagues have in the Labor Party, you would be sent off to a Siberian salt mine and never seen or heard from again.

It might make us a bit messier, perhaps a bit more difficult to deal with, perhaps it takes us down a slightly windier road to get to where we need to be, but I support the right of Liberal members of parliament to reserve their right to speak and vote against legislation, so long as they do it in the clear, responsible, up-front way that we have articulated in our rules. I respect their right to do that. I respect the member for Narungga, the member for Davenport, the member for Kavel and the member for MacKillop for taking the write-up and using it to the very best of their ability on behalf of the communities they represent.

We have had absolutely nothing but sensible, constructive, cordial, responsible, mature discussions on this issue. Have we agreed on everything? No, we have not agreed on everything. Have we agreed on lots of things? Yes. Are we big enough to say, 'Here are the things that we still are at odds with. Let's come back next week and see if we can flesh it out. We will both go away and get some more information and see how we can improve our position'? That has been a process—and the opposition will be very disappointed to know this—that has made our team of government MPs better and stronger than it was before.

*Members interjecting:*

**The Hon. D.C. VAN HOLST PELLEKAAN:** People in the media like to try to make it difficult. People in the opposition—we have two of them here, cackling away, laughing and trying to make jokes. It is because they just do not understand.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** They do not understand. We would not have—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order, member for West Torrens!

*Mr Cregan interjecting:*

**The SPEAKER:** Member for Kavel!

*Mr Pederick interjecting:*

**The SPEAKER:** Member for Hammond!

*Mr Murray interjecting:*

**The SPEAKER:** Member for Davenport!

**The Hon. D.C. VAN HOLST PELLEKAAN:** They do not know what a favour they have done for the Marshall Liberal government to test us in this way. Do you know what? We have passed the test.

*Members interjecting:*

**The SPEAKER:** Order! Audible laughter is out of order.

**The Hon. D.C. VAN HOLST PELLEKAAN:** It does display a lot about the opposition to listen to that. I thank my colleagues who have supported me or agreed on our position all the way through this debate. I thank my colleagues who have not agreed or supported me all the way through this debate. This is not something that we are scared of or that we worry about. In another year or whenever it is, there will be another topic and there will be another small group who say, 'This isn't quite right.' We will work it out and we will know how to do it even better on that occasion than we do already.

One of the ways the resources sector suffers is caused by a bottom-end tail, overwhelmingly in the exploration side of the business, that does not do what it should do. That has to change. I often say mining, in the public opinion, is not like cars. If you buy a Commodore and you are totally dissatisfied, you can drive a Falcon for the rest of your life or vice versa. You move on, you find what you like and you find what you do not like.

If a bad operator turns up at your property, knocks on your door and says, 'I want to get access to your land,' or do this and this, and they do it completely the wrong way, and that landholder or that group of landholders have a bad experience out of that, get treated inappropriately or badly, guess what? In those people's minds the whole mining industry has been tarnished. It is quite natural and quite understandable.

The person does not say, 'Well, here is a dodgy operator. I'm going to make sure next time I'm dealing with good ones.' All of a sudden you get one dodgy operator from interstate coming and scratching around on your land and, in people's minds, BHP is blemished or tarnished. That is understandable, and we have to fix that. We need to make that part of the next phase of what we do. This is incredibly important.

I will share an example with the house of very good friends of mine just outside Wilmington. They both have two generations of adult couples actively working on their properties at the moment. An explorer came along and went to both of the older generations' homes and said, 'I want to come along. I think there will be something here, and you will just have to let me on.' They said, 'Well, no, we don't just have to let you on. Actually we don't even want you on.'

He said, 'Well, I'll just go away and get permission. It will just happen. You might as well just let me on now because if you don't it will just happen.' They said, 'Well, go and get your permission. If you come back with something that is legally binding, yes, of course, we will comply, but we do not want you on.' And guess what? Two weeks later one of them found that dodgy explorer trespassing on the other family's farm.

Why would you not have a bad taste in your mouth if that happens? Why would you not say, 'I don't want anybody ever coming here again,' if you had that experience? So then all of a sudden my friends come to me—because unbeknownst to me this is happening—and they say, 'Dan, you're our local MP. You're the mining minister. Sort this out. What on earth is going on?'

That is exactly the type of real-world example which has to be fixed, because do you know what? There are a lot of very good operators, a lot of very good explorers out there, wanting to work with people properly. There are companies that have said to me, 'If people say no, we just don't go there because it's not worth the hassle. We don't want to tarnish our reputation. We don't want to force our way in with legal means and go exploring or have a mine, whether it is native title rights or whatever it is. If they say no, and we can't convince them, we don't go there because we don't want our brand tarnished that way.'

That is tremendously good practice. The other example I shared is tremendously bad practice. As Minister for Energy and Mining, one of my responsibilities is to work with industry to try to clean up that bottom tail so that the industry has less problems, so that landholders have less problems. It is incredibly important that we understand that this is overwhelmingly a responsible industry in mining. This is overwhelmingly a responsible set of operators, whether it is in exploration or in mining. But the ones at the bottom of the pile do a lot of damage to everybody else, and I can understand why landholders would have so many frustrations.

Right of veto has been discussed quite a lot. The shadow minister described his views on this very well. I will lay out a few things but in a slightly different way. If I was a landholder, if I was a farmer—I live in a rural community, but I am not a farmer—I would want a right of veto. Of course I would. Who would not want that right to be able to say, 'I'll choose whether this proceeds or not'?

Some people might want it because they are never, ever leaving, and they want nothing to change. Some people might want it because they know they can bid up the price perhaps and just get a better deal to say yes. There is a range of reasons, but I can understand. I would want a right of veto if I was a landholder. But the reason I cannot agree to that for landholders, and the reason the government does not agree to that is that, number one, we are talking about a genuine transfer of rights from one to the other—and the shadow minister touched on that.

If that were to happen, we would need to apply an extraordinary amount of compensation. I do not even know how many millions of dollars it would be, but over almost all of South Australia there is some kind of mining permission. Whether it is something that may never be used or whether it is something highly prospective, these permissions are all over the state—inland, country, pastoral country. They are everywhere.

If the government were to say that they have decided, hypothetically, to make this change, who would compensate the people who currently have those rights which have just been taken away or perhaps have been made significantly less valuable? Who would pay for that? Would the government just be writing out cheques to people in the resources industry all over the state? No. Would the landholders be writing out the cheques and saying, 'Well, the government has just given me a right of veto and you've got an exploration or a mining lease on my property or under my property; I'm just going to write you a cheque'? No, of course not. How would we get through that? Who would bear that cost? I do not think there is an answer to that.

The sovereign risk would be very serious and very genuine. It would have a significant detrimental impact on our state's economy. Sure, if you are the landholder, that may not be your biggest problem. If you are in government, that is a serious consideration. In my mind, the most important reason that a right of veto should not be given to landholders to have the right to say that they have sole discretion about whether an exploration or mining activity will go ahead is that it would do nothing for the neighbours. I know this is not in all cases; I know that.

There is a very live case in our state at the moment where this does not apply. However, it is true to say that generally, overwhelmingly, the landholder and the mining company come to an agreement on whether there is going to be a mine. If you have the situation we have at the moment, they generally come to an agreement. If you had a right of veto, I still think they would overwhelmingly come to an agreement. It would just be a more expensive agreement; it would be much more expensive.

But what about the neighbours? What about the people who live around the outside of that land? The person who lives where the mining activity is has the right of veto, and overwhelmingly they will surrender that right in return for something else—not always, I accept, but overwhelmingly. All the neighbours are then left next door, hypothetically, to a mine. They get nothing out of the right of veto. So today, if there is a mine, it is the neighbours who are left with the biggest problems because now they will be living next door to a mine, and they do not want that. If we have a right of veto, it is the neighbours who will be left living next door to a mine, and they do not want that.

The biggest reason I do not support a right of veto is that that right of veto to the individual landholder does nothing to help the people and families who, if there is a mine, now have to live next door to it. It does nothing for them, and I think that is a significant flaw. Other people have different views. Other people will disagree with me, and that is how it is, but it is only fitting that I explain my view in this contribution.

Another reason we have these challenges is not so much about whether we grow enough food or whether we have enough copper to export. It is not so much about the value of the production of the land. Is it better to allow it to produce grain or something else for the next however many hundred years or is it better to mine it for the next 10 or 20 years? One of the biggest issues is that we are talking about people's homes; we are talking about where they live. Mining companies do not live there. Mining companies and mining employees fly in and fly out more and more. It is work, and then they go back to their home in a small country town in the middle of Adelaide, Brisbane, Sydney or Melbourne, or wherever it may be.

However, the landholder—most of the time, not always of course but the cases that are toughest to deal with—says, 'It's not only my business, it's not only about food production, it's not only about the economy of the region, and all those other things, it's actually my home.' In my mind, that is one of the most difficult parts of this issue that we need to deal with better. We need to address that better in the next phase of work on this matter if this bill passes.

The shadow minister talked about royalties. He talked about approximately \$1 billion of income from the resources sector in royalties, and he is right; it is around about a quarter of a billion dollars a year. That is very important. It may not be the top priority to the landholder who feels exposed, but I can tell you that it is a huge priority when it comes to government requiring income to build roads, to build schools, to build hospitals, to pay police officers, etc. It is a hugely important issue. I am not saying that everything is about money but I can certainly say that we are not in a position in our state to do anything that would undermine the flow of that income. In fact, we should be doing things that will increase the flow of that income over time.

Another thing that has been discussed is the proposal for an independent review into the mining sector and, broadly, land access in exploration and mining. It is an incredibly compelling proposal. We should have an independent review, and we will get advice and recommendations from that independent review. Yes, it is great in theory. I am 100 per cent on board with that. I know that representatives of the ag sector and the resources sector are 100 per cent on board with that, but they are 100 per cent on board with it, as am I, in principle.

But when you delve down into how that would really work, when you actually sit down with representatives of those industries and ask, 'Could we flesh out terms of reference? Could we actually get the sectors to agree on what is most important with regard to the terms of reference?', that is when it gets really hard. That is when you actually find that the principle that everyone is united on, moving towards the practice of doing it, starts to separate pretty quickly.

When you talk to people and ask, 'Who would be the independent leader of this review?' that is not so easy either. This is probably the most difficult one. If you were to ask people: if hypothetically we could do this, if hypothetically we could get everybody to agree to terms of reference and get everybody to agree on who would lead it, the time line, the budget, exactly how we would do it, would everybody agree to what this inquiry recommends? No way—and nor should anybody agree to that.

No-one should be asked to agree to the recommendations of an inquiry that has not even begun. But without that, what do we have? Without that agreement, whenever that inquiry is done, we are right back to where we started, with people saying, 'We have a whole set of recommendations and some we like and some we don't; some we agree with'—there is a whole range of views—'why

don't we adjust this recommendation just a little bit and why don't we cut that one out?' And we are right back to where we started.

I believe I am taking a pragmatic view about this. I understand that there are people who have another view. I have said that a lot tonight because I really do want to acknowledge it, but the nice, theoretical concept that we can all agree with, of an independent review, when you try to put that into practice it does start to get pretty woolly pretty quickly.

So I come back to my view, the government's view, that we should lock in the benefits, accepting that people want more, accepting that it can be described as half a step instead of a whole step. We should lock them in and get those benefits, that list of benefits that I read out before. I do not want people to wait any longer than they need to in order to get those benefits. Even if those benefits are not all they want, we should still get those benefits out there and not delay moving onto the next phase of work to see how we can make things better from here.

As I said before, I have made a firm commitment to my colleagues, to myself and to people from both the resources and the ag sector that, if this bill passes both houses, shortly afterwards I will get on with the next phase of work along with my department, my team and others. I have been asked about all sorts of things: could this be in or could this be out, or this, that and the other, and I have given a view, and I have described my view as best I can with regard to the right of veto.

Broadly speaking, let me say that I am not ruling anything in or anything out about where we might go from here. It has been put to me by some of my colleagues that we should consider royalty payments to landholders. Well, let's look into it; let's find out. I am not saying that it is right or it is wrong, or that we will do it or we will not do it. But, broadly speaking, let whatever is sensible to be considered in the next phase of work be considered. Let's have a look at it and see exactly what it is that we can do.

Let me just finish and sum up very quickly. We have five amendments in the government's name—in my name, technically. They actually come from discussions with four of my colleagues. We have an overwhelmingly strong position within our government to support this legislation. We acknowledge that not every government member is satisfied, and we respect their rights and their views to represent their seat in this chamber exactly as they see fit.

I give enormous credit to those four MPs I mentioned before for the way they have worked through this to the best of their ability. I have worked through this to the best of my ability with them. We have done everything we possibly could to get to where we are. Is it perfect? No. Is it vastly improved? Yes. If this bill passes, will the resources industry and the ag industry be better off than they are today? Yes. Will we use the work and the learnings that we have acquired over the last 15 months to streamline our approach and make it better? Yes, we will.

I have also made a personal commitment to the member for Narungga and the member for Kavel that, if this bill passes and gets through both houses, one of the very first things that I will do is go with them to their electorates to personally engage with their communities again as quickly as possible. That is the government's position, and I believe it is the right position. I know that not everybody believes it is the right position, but the government thinks that this is where we are and this is what we should do.

I would also like to thank people in my office and people from the Department for Energy and Mining; I will not name anybody specifically. For better or for worse, wherever we are today, whatever anybody's opinion is about what is being presented to this parliament, people in my office, and even more so people in the Department for Energy and Mining because they have been at it for longer, have put an enormous amount of effort into this work, and I thank them for that. Thank you.

**The SPEAKER:** The question before the Chair is that the bill be now read a second time. It has been moved by the Minister for Energy and Mining. Is it seconded?

**Honourable members:** Yes, sir.

**The SPEAKER:** I will put it now. All those in favour say aye. Against, say no.

**An honourable member:** No.

**The SPEAKER:** The ayes have it.

**Mr McBride:** Divide!

**The SPEAKER:** A division—

**Mr McBride:** No, sorry.

**The Hon. A. KOUTSANTONIS:** A division has been called. You either name him—

**The SPEAKER:** One moment.

**Mr BELL:** Point of order: the member is not in his correct seat and therefore cannot be recognised by you as Speaker.

**The SPEAKER:** I have the point of order. I am not going to recognise the call for division. The member is out of his place. He should not be doing it. He is called to order, and if he does it again I will be naming him. I believe the ayes have it, and I believe it is the will of the house to go into committee.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. A. KOUTSANTONIS:** Could I ask the minister a few questions about consultation on this bill. I would like you to give a brief outline to the committee on the process you went through post the bill being adjourned. I understand that you went on a consultative outreach, and I was very keen to hear how that consultation was conducted and what the purpose of the consultation was.

**The Hon. D.C. VAN HOLST PELLEKAAN:** It is a fair question. The purpose of the consultation, obviously, was to check existing representation of people's views, to see what they thought, to see if there were any gaps, to see if there was any additional information and to see if any understandings were inaccurate.

The consultation was undertaken largely through the sector representative groups, Primary Producers SA and Grain Producers SA. I met with and received a lot of information from the YP Landowners' Group as well. In fact, I should say that in terms of meeting with them I met with many of their members. I do not think it was actually a formal meeting with that group, but I certainly met face to face with many of them at Maitland.

On the resources side, SACOME took a large role. APPEA, although not involved with this bill directly but still with a stake in the industry, was invited to talk. There was consultation with other industry representative groups and of course with local members of parliament, directly with local members of parliament, primarily those representing country seats.

I went to meetings myself. The most memorable of them was at Maitland; approximately 300 people, I am told, were at the footy club at Maitland. They shared their views with me in no uncertain way. I dealt with them very directly and openly and constructively. I know that they were not thrilled with what I shared with them, but I did it as openly and straightforwardly as I possibly could. Some were formal and some were informal, but there were a lot, and that included receiving submissions as well.

**The Hon. A. KOUTSANTONIS:** At that Maitland meeting on 27 December 2018, did the minister say, 'I will not consult rural interests on the mining bill'?

**The Hon. D.C. VAN HOLST PELLEKAAN:** No, I do not think so. I do not really remember, to be honest, but I can tell you for sure what my intent was. It was—and I think I described it fairly—that I was not looking to open up from scratch again the entire process that the previous government had undertaken. I did not see any value in that. I am not aware of any rural sector representative groups who have expressed an interest in this topic who have not had the opportunity to share their views with me.

**The Hon. A. KOUTSANTONIS:** I will give the minister some context on this. The opposition has been contacted by an individual who claims that, during this consultation process on the mining bill—and I accept what you say, that you claim you did not say it, because I was not there and so I do not know—the government (that is, the minister) said at that meeting, 'We are not here to consult on rural issues on the mining bill.' I would have thought that was the exact intent of that meeting at Maitland. The reason I am asking this is: if you are not consulting on rural issues and with rural people, why the consultation at Maitland and not anywhere else? I assume it was about the rural impacts of the mining bill on that community.

If this statement has been taken out of context or is different, why would the agriculture minister not be consulting on this bill? I understand that that was promised at the last election by the then Liberal opposition—that the then agriculture spokesperson, the Hon. David Ridgway, in the other place, made public comments about consulting the rural sector about the mining bill. If you are not consulting about the rural sector, are you just consulting them about mining practice? What was the purpose, if you were not consulting them about the rural sector and the impact of mining on it?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I think the shadow minister has answered his own question. It does not make any sense to suggest that. I was there for I think about two hours with about 300 people to talk with them about the mining bill. It just does not make sense that I would have said, 'I am not talking to you about the mining bill.' That is exactly what I was doing. With regard to questions about the minister for agriculture, I know that he has engaged with the rural sector—I would say seven days a week, continuously and nonstop—on an incredibly wide range of issues.

**The Hon. A. KOUTSANTONIS:** Since the minister raised the minister for agriculture in those terms, is the minister supportive of the Mining Act and its implications for the rural sector?

**The Hon. D.C. VAN HOLST PELLEKAAN:** The shadow minister raised the minister for agriculture, and I was happy to respond to his questions. The minister for agriculture is certainly fully on board, as far as I am aware. He has certainly supported this and has supported me. He has never said otherwise. We have had very constructive conversations with regard to being the two ministers most closely connected to this issue. He has raised concerns about specific issues, but not about the full composition of our final bill and where we are today and the amendments.

He has certainly advocated very strongly for the ag sector. He has said to me, 'What about this? I have representations. I have information. My department has brought this.' He has been incredibly responsible with regard to raising the interests of the ag sector with me on this topic for a very long time. He is also a country member of parliament himself, not only as the ag minister for the last 15 months but also as the member for Chaffey for eight years before that.

The agriculture minister could not have been more proactive with regard to engaging in discussions. Is he comfortable with where we are today and with taking the benefits in the bill at the moment, locking them in and then moving on with the next phase of consultation and looking for more benefits? Yes, he is.

Clause passed.

Clause 2.

**The Hon. A. KOUTSANTONIS:** Commencement is always an important clause to make sure the parliament gets its head around it very quickly. Obviously, some people do not want to see this bill commence. Did the minister receive any submissions in writing from any of his party room colleagues advocating that this bill not proceed?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am not sure, because I am concerned about what your definition of 'submission' would be. I have spent a long time explaining how some of my colleagues have told me of their concerns. I don't know if you think that is a submission or not. I don't think I have received particularly formal submissions raising concerns on the bill, but for a very long time, as I have clearly articulated, we have had ongoing, grown-up, mature discussions about concerns that have existed.

**The Hon. A. KOUTSANTONIS:** I thank the minister for his openness and candour in letting me know that no member of the government has written to him saying that they oppose the bill. I think that is a fascinating development.

**The Hon. D.C. van Holst Pellekaan:** You'll have to check the *Hansard*.

**The Hon. A. KOUTSANTONIS:** I'm sorry—did someone? I apologise, I withdraw that. If a member of the government wrote to the minister opposing the bill, I would like to know who it was.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am sure you would like a lot of things. The reality is that I have answered your question truthfully and I suggest, Chair, that the shadow minister checks the *Hansard* before he tries to put words in my mouth.

**The Hon. A. KOUTSANTONIS:** Thank you very much, Mr Chairman. I can take from that answer that no member of the government has written to the minister saying, 'Do not proceed with this bill.' It is an important point that I think communities need to know.

**The Hon. V.A. Chapman:** You're such an idiot.

**The Hon. A. KOUTSANTONIS:** I'm such an idiot—this is what we get from the first law officer of the land.

*Members interjecting:*

**The CHAIR:** Order! The member for West Torrens has the call.

**The Hon. A. KOUTSANTONIS:** Thank you for your protection, sir.

**The CHAIR:** The member for West Torrens is asking his third and final question on this clause, given that there are 190 clauses—

**The Hon. A. KOUTSANTONIS:** Oh, yes, we want to move on from this as quickly as we possibly can, I understand.

**The CHAIR:** Member for West Torrens, can you listen to me for a moment? Standing orders indicate that there be three questions on each clause. You had four questions on the first clause—I was happy to run with that—but, given that there are 190 clauses, some amendments and a schedule as well, we will from now on stay with three questions per clause. You now have the call.

**The Hon. A. KOUTSANTONIS:** I notice that I get all the attention, but none of the interjections were called up by you, sir. So, I understand.

**The CHAIR:** I called the house to order, member for West Torrens.

**The Hon. A. KOUTSANTONIS:** I understand, sir, I understand. In terms of the commencement of the act, have any members of the government asked you, verbally then, not to proceed with this bill?

**The Hon. D.C. VAN HOLST PELLEKAAN:** To be as open as I possibly can with the shadow minister and with this committee, we have had so many discussions over so many months, contemplating so many possible scenarios, that almost any question along those lines that the shadow minister might want to ask me might have been somewhere in that entire bundle of conversations, but I can't remember every single one of them. What I can say is that the government has a bill before this parliament, before this committee, for consideration and that is the government's position.

Clause passed.

Clauses 3 to 7 passed.

Clause 8.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I move:

Amendment No 1 [EnergyMin-1]—

Page 14, lines 7 and 8 [clause 8(1), inserted subparagraph (ia)]—Delete 'for commercial purposes'

Amendment No 2 [EnergyMin-1]—



Page 14, lines 13 and 14 [clause 8(4)]—Delete subclause (4)

These amendments, together, address the one issue I outlined in my second reading speech, which was to remove from the bill the obligation—

**Ms BEDFORD:** Point of order: we do not have any amendments to clause 8. Do you have a copy of them?

**The CHAIR:** It should be available, member for Florey.

**Ms BEDFORD:** It should be available, that is true.

**The CHAIR:** You could ask for them. We are after—

**Ms BEDFORD:** We do not have it; that is why we are asking for one.

**The CHAIR:** Minister, I need to clarify whether you are moving one or both at the moment. You are moving both? Okay. Do the members for Florey and Frome have the amendments? Minister, I think you can continue.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thank you, Chair. I hope any members who did not have copies of the amendments have been able to find them in the place that copies of amendments are always put.

*Ms Bedford interjecting:*

**The CHAIR:** Order, member for Florey! Do not interject.

*The Hon. A. Koutsantonis interjecting:*

**The CHAIR:** Please, have some order. This is a very simple process. We work our way through the clauses. You now have them in front of you. Members get to ask questions of the minister about each and every clause. The minister is moving two amendments. Minister, you have the call.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thank you, Chair. This is essentially about removing the obligation in the bill that would have made it necessary for landholders to prove commercial value for places, land, assets for them to be classified as exempt. The amendments remove from the bill that obligation, so they would not have to do that.

Amendments carried; clause as amended passed.

Clause 9.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I move:

Amendment No 3 [EnergyMin-1]—

Page 18, lines 26 and 27 [clause 9(21), inserted subsection (14b)]—Delete 'parties to the agreement' and substitute 'tenement holder'

This is one amendment dealing with one issue that I described in my second reading speech. Essentially, it clarifies that it is the tenement holder who would need to advise the registrar of a waiver, not the landholder. The original wording in the bill just talked about 'parties to the agreement'. This change is so it is very clear that it is the tenement holder who has that obligation of notification. This is something my colleagues asked me to do. It is something that the ag sector representatives asked for and it seemed to be good sense. It is pretty straightforward.

Amendment carried; clause as amended passed.

Clauses 10 to 52 passed.

Clause 53.

**The Hon. D.C. VAN HOLST PELLEKAAN:** There is an amendment in my name, amendment No. 1, which is actually nothing to do with anything that we have been discussing. This is an amendment that is technical in nature—administrative—and completely linked to the budget process. It is an amendment that the Manager of Government Business in the house, the Minister for Education, filed a while ago—two weeks ago, I think.

For complete clarity, this amendment will be withdrawn. Tonight, it is my intention that we only deal with things in the mining bill proper. We are not dealing with anything in the mining bill that is a consequence of the budget bill. So that everyone understands, there are things that come out of the budget process—in this case, different ways of charging and some higher fees for companies that have exploration rights. That has come out of the budget process, so I withdraw this amendment. It will be dealt with another time.

**The CHAIR:** You are withdrawing the amendment?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes, in a suite of all the things that come out of the budget.

**The CHAIR:** You do not have to withdraw it if you did not move it, but that is okay. You did explain it. There is no amendment to this clause.

Clause passed.

Clauses 54 and 55 passed.

Clause 56.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I move:

Amendment No 4 [EnergyMin-1]—

Page 87, line 1 [clause 56, inserted section 58A(1)]—Delete '28' and substitute '42'

Amendment No 5 [EnergyMin-1]—

Page 87, line 7 [clause 56, inserted section 58A(2)]—Delete '28' and substitute '42'

These two amendments together deal with one issue, which I described in my second reading speech. The act, as it currently stands, provides a requirement for three weeks' notification associated with requesting access to land. The bill changed three weeks to four weeks. This amendment changes four weeks to six weeks. It changes the bill so that, if passed, the act would be changed from requiring three weeks' notice to requiring six weeks' notice. Again, that is a proposal that has come to me from four of my colleagues that I think is very worthy. The ag sector also supported it, as did, in fact, the resources sector.

**Mr BELL:** I have some questions around the actions of the minister in terms of suspending all or some of the authorised operations under a mineral tenement. In terms of your powers, regarding new section 56W, what circumstances would enliven your powers to suspend or cancel a mineral licence? Have you been presented with any examples, perhaps from the South-East, where that has occurred and yet the mineral licence has progressed?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thanks for allowing me to get some advice. The first part of the member's question is about what enlivens it. Basically, someone doing the wrong thing, essentially, is what starts that process. Removing the permission is usually the last step in that pyramid. To put it in layman's terms, which is the best way for me to describe it, you start by talking, you identify the problem, you deal with it and you ask what the rectification is. You move on through that and, if you cannot deal with it in any other way, you revoke the permission.

Someone might ask, 'Why not just revoke the permission straightaway?' As soon as you do that, a lot of the authority that the government and the department have over the permission holder evaporates if you do not have it either. That is one of the reasons to actually use that as one of your last tools. With regard to your question about whether it has been used in the South-East just recently, I am advised that it has not.

**Mr BELL:** Would one of the noncompliance issues be encroachment onto exempt land, progressive rehabilitation not carried out in accordance with the PEPR, a failure to mine or maximise recovery of resource, failure to complete annual compliance reports, as well as potential weed and feral issues on the site of a landowner, be cause for that provision to be enacted?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Member for Mount Gambier, I suppose we both need to be pretty careful with information that we share here. I suspect that your questions, while being used as an example quite appropriately in the committee stage of a bill, directly relate to an

example in your area. It is an example about which we have had discussions and swapped correspondence and obviously about which it would not be right for either of us to go into specific details.

When you ask whether this type of activity is the type of activity that would lead to the removal of the permission, it is not possible to give a definitive answer because it really does depend about the circumstances. For example, if there is a bond in place, if the bond is large enough to deal with the cost of rectification, it might well be that the permission would stay in place. The bond would be used for that because, if you remove the permission, you might be taking a step a little bit sooner than you would actually want to do. I think it is fair to say that in general, and in the case that I think we are both contemplating at the moment, all the steps need to be worked through, that all those options need to be exhausted, with a general view that the removal of the permission would be the last step that is taken.

**Mr BELL:** Minister, without being specific to any case, do you have a time line between encroachment or noncompliance of the regulations through to cancellation? In your mind, is 12 months, 18 months, two years, five years an appropriate time? If not, should there be a time period put in here so that everybody is clear as to how long this could go on so as to give certainty to farmers who have mining on their land where, in their opinion, the mine is not doing the right thing? We are at year 1, but by year 5 or year 10 or year 20 or whatever, will there be an end to this if there is not compliance by the mining holder?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Member for Mount Gambier, I will not be able to give you a specific yes or no or this amount of time or that amount of time. It unfortunately is not that clear-cut. I wish it was; that would be nice. But as in many disputes, even outside the resources sector, it is not possible to say, 'Do you give it 12 months or do you give it 18 months?' It is very much about the progress down that path if somebody is complying, if somebody is trying to help, if somebody is taking responsibility for what they have done versus if they are not versus if there is a bond in place, exactly what the damage is.

I would like to say, because I think this is probably one of the foundations of your questioning, there can be enormous frustration in this issue. It might appear that clearly, 'You only have to come and see what I can see and it is so obvious the wrong thing has been done.' I do not make any excuse for this whatsoever, but the government has to give the person holding the mining right due process, if you like.

We both have one case in the South-East very much in our minds, but there is another case which comes to my mind in another part of the state which has been extremely frustrating. It can, hypothetically, happen that a person is given support but prefers not to access that support right away. So without trying to be coy or anything, they are very difficult situations. I want the right things to happen. I want this area to be made more transparent, more consistent, easier for landholders to understand their rights and responsibilities. But I have to say it is not possible or practical to say, 'We just follow this path every time we get to this result.'

**The Hon. A. KOUTSANTONIS:** Has the minister delegated his authority for section 56W?

**The Hon. D.C. VAN HOLST PELLEKAAN:** For the shadow minister, I will get a little bit more advice in a minute. But I suppose the first piece of advice I have received is that section 56W is a brand-new section that does not exist yet, so by definition it would not have been possible for me to delegate my authority on that. I am happy to get more information, if you want.

**The Hon. A. KOUTSANTONIS:** Sure, okay. Has the minister delegated his authority to suspend an exploration licence, a mining lease and a retention lease for a miscellaneous purpose licence?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am advised that it is delegated but has not been exercised.

Amendments carried; clause as amended passed.

Clauses 57 to 61 passed.

Clause 62.

**Mr BELL:** Minister, in determining the size of the rehabilitation fund, do farmers have any input into the final amount?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am taking advice on this. For clarification, the question, if I understand it, was about clause 62 but was specifically about the fund. I think section 62 talks about the bond and new section 62AA talks about the fund. Is the question about the fund?

**Mr BELL:** Yes.

**The CHAIR:** There is a bit of confusion here. I understand that this bill is a little difficult to read, member for Mount Gambier, but you are asking questions on clause 60 at the moment, which we have already passed. I am in the minister's hands. If he would like to give an answer to that, we are happy to take it. Clause 62 is a couple of pages on.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am advised that the bill creates the fund, if you like. It creates the bucket, so to speak, but there is still work to do in regard to the mechanism of how that is actually used. That is something that will be done if, when, the bill is passed.

**Mr BELL:** Minister, can you give an assurance to the house that the size of that fund, or the mechanism that is used, will be of a substantive nature to adequately rehabilitate the area?

**The Hon. D.C. VAN HOLST PELLEKAAN:** There is a difference between the bond and the fund. When you say, to precis, 'Will there be enough money there to do the rehabilitation or fix the work?' that can be largely about the bond rather than this new fund that is being created. I am not saying that they are mutually exclusive, but they are not exactly the same. As I said, there is a process to go out and develop that mechanism further. That will be done through a discussion paper that will go out soon after the bill is passed, if it is passed, but there certainly will be consultation.

To your question, 'Will there be enough money?' enough money broadly is meant to be in the bond rather than in the fund. The fund is largely meant to be about cleaning up legacy mines, older issues and things that are not so much about contemporaneous operation. To your question that I think you asked, 'Can I guarantee that farmers will have an input into that?' to be really clear, yes, I can guarantee they will have some input into that because they will have the opportunity to consider the discussion paper. Will I guarantee that anybody who might put a response back to the discussion paper will get exactly what they want? No, of course I cannot guarantee that.

Clause passed.

Remaining clauses (63 to 190), schedule and title passed.

Bill reported with amendment.

#### *Third Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (22:17):** I just want to be clear: I understand there are members who would like to make a third reading speech, so I move:

That this bill be now read a third time.

**Mr ELLIS (Narungga) (22:18):** I imagine to the great delight of the gallery, I rise to make a brief contribution to the bill. I would like to start by thanking all those in the gallery and especially those who came today to join us on the steps of parliament. I do not much like rallies myself, but it was good to see so many there at such short notice. I thank them all for the effort they made to come down and join us—it is such a long trip for some—and I would like to acknowledge their presence now.

Once again, I rise to state my opposition to the Statutes Amendment (Mineral Resources) Bill. I previously stated my opposition to this bill during the election campaign when I drove farm door to farm door with the former shadow minister for agriculture, David Ridgway from the other place. We visited tens and tens of farmers from across and all over the peninsula and stated the party opposition to this bill. We jointly trumpeted our success in stopping the passage of this bill in the upper house of the previous parliament, and we jointly decried the unfair provisions of the bill, which we suggested would affect farmers' livelihoods and mental health.

We promised more: more consultation and more favourable legislation for our core constituency. That promise, I would argue, exists in written form on the GPSA website signed by the former shadow minister for agriculture. I also stated my opposition to this bill numerous times in the party room in the past 18 months. I, along with my colleagues the members for Kavel, Davenport, MacKillop and the Hon. Terry Stephens and the Hon. Dennis Hood from the other place, have presented a plethora of amendments seeking out compromise for the betterment of the Liberal Party.

I submit to this house that we have gone above and beyond in an attempt to find a palatable compromise. Indeed, some of the options that we presented to the party room would have been exceedingly difficult to sell as genuine progress to the constituents of Narungga, the great people we see in the gallery tonight. Nonetheless, we presented those amendments, those genuine attempts at compromise, and they were voted down by the majority of the party room, which is how we find ourselves in this position tonight.

Indeed, the most sensible amendment we presented in seeking a compromise was one that triggers an independent review of the Mining Act, and I note the introduction of a bill by the member for Frome doing just that this afternoon. Both sides of this debate support that measure. Both sides view the Mining Act as outdated or insufficient to their needs and regard measures introduced in neighbouring jurisdictions as far superior. In my view, our party should have the courage to provide a solution that is desired by both the mining industry and the agriculture industry, not push through with a bill coveted by no-one.

Finally, I have opposed this bill in this chamber previously and publicly in my community and I do so again today. I have had a consistent position throughout this debate and my position today should come as no surprise to anyone. No meaningful strides have been made on compromise and, as such, my position remains unchanged.

Regarding the merits of the bill, I wish to make two things clear right from the outset. Firstly, farmers have no desire whatsoever to wrest the ownership of the minerals away from the Crown. Contrary to the views of the member for West Torrens, farmers appreciate the need for the benefit of mining to flow through to the community through royalties and are, by and large, amongst the most patriotic South Australians one could possibly find. Often, critics of the push to give freehold landowners improved rights portray some sort of veiled push to transfer the ownership of minerals from the Crown to private citizens. That could not be further from the truth. It is a transparent push to allow farmers to continue to operate their business free from government intervention and intrusion.

Indeed, by interpreting the situation as Crown ownership meaning automatic access, essentially the ownership of those minerals is already vested in private enterprise. For some reason, we are content to have the ownership of those minerals essentially vested in often foreign-owned mining companies that use that against supporting local farming business. Secondly, in my view, the failure to act in support of our farmers is a complete abdication from Liberal values.

The Liberal Party that I signed up to believes in individual freedom and free enterprise, where farmers and freehold landowners who are operating successful, viable, profitable, generational private enterprise should be empowered to continue that operation free from fear of government intervention. Since its inception, the Liberal Party has been operating under the charter of reducing the impact that government has on the daily lives of its constituents. The current legislative and regulatory system supports a significant burden on the lives of individuals, so much so that the uncertainty over the family home and income that supports that home is causing a proliferation of mental health issues.

As I said in my second reading speech in this place, it is implausible that a profitable generational metropolitan cafe would receive a knock on its door with a message that it had a certain number of days to vacate the premises. This hypothetical doorknocker would be from an alternative, larger private enterprise—maybe a car yard, for example—and their justification would be that the government wants the increased payroll tax revenue that comes with their enterprise and therefore it has been prioritised. That just would not happen in metropolitan Adelaide, yet it is happening everywhere in regional South Australia.

What is the increased short-term government revenue that justifies this? Clearly, the short-term difference between mineral royalties and farm revenue is enough to justify it, but I think we all agree in this place that the cafe and the car yard would not be. All business—farmers, miners, the local IGA, cafes—should be empowered to operate in perpetuity for as long as they wish, until they choose not to. That is free enterprise. That is what the Liberal Party values say we believe in.

The custodians of the less than 5 per cent of arable land in this state, which is all that remains with the ever-increasing urban sprawl, know what they would like to see. The precedent already exists interstate. The former Liberal Queensland government, under the leadership of Campbell Newman and the relevant minister, Jeff Seeney, instituted a new act entitled the Regional Planning Interests Act, which effectively segregated parts of their state according to their agricultural fertility.

The hoops through which a prospective mining company must jump became progressively more difficult the more lucrative that the ground became. This act delivered on a commitment to protect prime agricultural land and provide greater power to landowners in negotiating with resource companies—an eerily similar commitment, I would argue. This is exactly what South Australian landowners desire: a promise to protect prime agricultural land and leverage while negotiating with resource companies.

We currently have the absurd situation in South Australia in which someone who owns even a small general farming-zoned block—an eight-hectare block, to use an example I am familiar with—will apply for planning approval that will not be granted in order to protect diminishing agricultural land, yet vast open-cut mines will be approved. Owners are forbidden to build a small house on general farming-zoned land because the footprint is regarded as so precious that to allow such development would jeopardise our food production areas, yet we allow mining companies open slather. It is exceedingly difficult to reconcile those two things.

But it gets easier for the government because, in an effort at compromise, both the South Australian Chamber of Mines and Energy (SACOME) and the Grain Producers of South Australia (GPSA)—and I should include the Yorke Peninsula Landowners' Group (YPLOG), who are present in the gallery and who I have worked especially closely with—have managed to come up with an agreement. SACOME, GPSA and YPLOG agree that the 1971 act needs reform. It is 48 years old and outdated in a lot of ways.

All agree that the best way to proceed is by way of an independent review conducted by an independent umpire who can consider frameworks that exist in other jurisdictions, impacts on each industry and any other related matters. It is wonderful news, I would argue, that these industries, who have been at loggerheads for an extended period and who at different times it seemed would never be able to reach an agreement, have miraculously managed to do so.

Surely, an easy out for the government was to give both industries what they wanted and get to work. That is incorrect: the party room did not see fit to grant the obvious solution. It was a bewildering decision in my view and one that I cannot accept, which is why I stand here today, disagreeing with the bill.

From my perspective, at least, when both predominantly affected parties agree on a solution, then it is best to adopt that solution. Everyone wins in that situation. I will continue my pursuit for an independent review of the Mining Act on behalf of the mining and ag sector into the future and I look forward to working with the member for Frome to deliver that.

I would like to quote the words that I received from GPSA late last week, which summarise their point of view. I quote GPSA CEO Caroline Rhodes:

The Bill as it stands leaves many issues unresolved for our State's farming community. It fails to meaningfully address the land access conflicts arising from the current law, and I believe we can, and must, do better to strengthen the rights of farmers. That's why GPSA will continue to seek further amendments to the Bill, while pushing for an independent review into the legal framework governing mining activity on agricultural land.

GPSA believes that South Australian farmers are at a distinct disadvantage compared to their interstate counterparts. We should be taking best practice models from Queensland, New South Wales and Western Australia, in resolving land use conflicts arising from mineral exploration and coal seam gas activity. This will need a whole-of-government approach to planning and environmental protection of this natural resource, recognising that prime agricultural land cannot be replaced.

South Australia has such a limited area suitable for cropping based on soil type and rainfall, and so it naturally follows that this scarcity should be accounted for when legislating rights for private mining or exploration companies, over the rights of landowners who want to continue farming. We must address the imbalance in the land access framework arising from the current mining law.

Now that we have heard from GPSA, I would also like to take this opportunity to debunk some of the claimed benefits to landholders briefly in this contribution. There are three that I would particularly like to touch on at this point.

Firstly, the increase in legal advice from \$500 to \$2,500 will get farmers exceedingly limited legal advice—perhaps an initial consultation at best. We have the situation where a small, family-owned business is operating year to year. When they get a knock on the door and someone saying that they have to leave, the financial burden falls upon them to retain a lawyer and convince a court otherwise. All they get in this fight to continue their life is a measly \$2,500. It is absurd, in my view.

I would argue that it would also be the easiest money the lawyer will ever make. They take the \$2,500 and offer the initial advice that there is no precedent for the farmer to win the case, that in 100 per cent of the cases judgement has been in favour of the miner and the best thing to do is to start moving the family and find other work. It is easy work, if you can get it.

Secondly, I would argue that the separation distances do increase from 400 metres to 600 metres; I do acknowledge that. It is true for high-impact activities, but it is also true that for low-impact activities the distance will be reduced to 200 metres. The unfortunate reality is that if those low-impact activities uncover a mineral deposit, then it is a matter of time until there is a mine in your backyard.

Finally, there are increased compliance enforcement measures introduced for the department to police. It is the evidence of constituents of mine that the department have proven to be failures in policing mining regulation. The conflict between promoter and regulator of mining—both roles the department currently performs—has proven to be, in the evidence of my constituents, an insurmountable challenge. The fear from my community is that giving greater power to the department will not give them greater cause to use it and, according to constituents, they are unwilling to use their current power to regulate, let alone any further. Those are just three examples of claimed benefits for landowners. I am sure YPLOG would be able to articulate further debunking.

As this bill progresses we will watch now what happens in the upper house and what amendments may come, if any, from the debate and also in due course the form and content of the phase 2 of reforms the minister has indicated in the past he believes are necessary. I am sure that members of the illustrious other chamber, particularly those on the crossbench who may have picked up the community sentiment quicker than some of my colleagues, will be eager to move amendments to this bill. I look forward to those amendments coming to the party room for further debate and hopefully for widespread support.

If those efforts fail to garner support from the other place, or if they fail to come at all, then I look forward to taking the Minister for Energy and Mining up on his commitment for a second tranche of mining bill reform. Ultimately, this is an outdated act that needs significant modernisation for both sectors to achieve their greatest possible potential. It is with great optimism that I look forward to working with the minister on the next tranche of reform. Hopefully, we have the ambition and foresight to tackle the challenge of instituting the change that is needed to protect the regional people.

Similarly, I look forward to working with the Minister for Planning, the member for Schubert, in developing a planning law solution. It needs his support, and I have raised this issue with him in the past and will continue to do so. Plainly and clearly, the most recent precedent, instituted by a Liberal government, is protection of prime agricultural land through planning law measures. I look forward to his support in instituting similar systems to the ones found in Queensland and New South Wales. I also look forward to working closely with the minister for agriculture in seeking out a solution.

We have an obligation to support an industry whose benefit to our great state has been so longstanding that we only need to look down at the carpet in this place to see the clump of wheat to get a glimpse of its importance. If I fail to garner support from those people, which I would like to

think would not be the case, then I would like to indicate to this place that I will be taking steps to further enhance the possibility of gaining an independent review.

Ultimately, this is an effort at compromise for both sides, elusive compromise which has been agreed to by each industry. I feel compelled to attempt to give them what they both desire, and if this bill passes then I will bring back to the house, as I said earlier, the necessary steps to support an independent review. I would look forward to taking another attempt at urging all here to support the compromise measure endorsed by all parties affected.

Thus, with great disappointment, I vote against the bill before us today on behalf of constituents and in support of my firm belief that an independent review must occur for the benefit of this state as a whole. Only the results of that review, undertaken at arm's length of the government and comprehensively done, can dictate the direction of meaningful reform. I will continue to fight for the constituents of Narungga. That is what I was elected to do, and it is what I will continue to do for as long as the voters of Narungga see fit to elect me.

**Mr McBRIDE (MacKillop) (22:33):** I rise today to speak in relation to the Statutes Amendment (Mineral Resources) Bill 2018. Consistent with my speech delivered in the house last year, I rise again to highlight my opposition to this bill in its current form. I wish to reiterate and support the concerns raised by my colleagues the members for Narungga, Kavel and Davenport on this matter. I thank my Liberal government for the freedom to express my views on this matter.

I preface my position on the bill with a strong appreciation that both mining and agriculture are two important sectors of the South Australian economy. Both sectors provide substantial contributions to our state's GDP. They are significant employers, generators of wealth and play a key role in sustaining our economy. Regional landowners are a resourceful and resilient sector. They deal with a great many risks, including fluctuating commodity markets, seasonal variability, disease and pest plants and animals. They are intelligent business owners. They are custodians of our land and producers that underpin the fabric of our regional communities, and I wish to preserve their right to undertake their businesses. They are people who have a voice, and they want to be listened to.

Likewise, the mining sector is undoubtedly a significant sector, providing a great many export, trade and employment opportunities and it is a significant generator of economic stimulus to our state. This sector, too, deals with uncertain commodity prices, important environmental regulation and has significant corporate governance and regulatory requirements. It is a sector that generates infrastructure, employment and wealth. This industry, too, has a voice, like landowners, and also wants to be listened to. I believe our government has a role in supporting and creating the right legislative environment for both these sectors to flourish. We need to ensure that the settings are right.

My opposition to this bill as currently drafted remains associated with the lack of consultation, the need for an independent review and the missed opportunities associated with this bill in its current form. I received overwhelming support for my position from the constituents in my electorate of MacKillop, key industry sectors and the wider regional South Australian landowners. My position is consistent with their values, expectations and aspirations.

It is important, I think, to again reflect on the genesis of this bill under the former Labor government, which showed scant regard for our regional communities. I understand that, as part of the consultation process that was implemented under the former Labor government, input provided by landowners was focused on ensuring that the mining bill achieved a better balance between the rights of mining companies and farmers. These views were not addressed in a meaningful way in the draft bill. The bill today continues to mirror that which was composed under the previous Labor government.

We know that prior to the election the Liberal Party promised consultation in relation to the mining bill. Regional constituents were and continue to be frustrated with the reality that they continue to be placed in a weak position in relation to their rights under an act that has always put mining first. A commitment was made to consult after the election. This consultation needed to occur in a way that welcomed the input and perspectives of both the farming and mining sectors. I retain my position that I want to see this consultation engagement delivered.



Regional South Australia has not been consulted in relation to this bill under the Marshall Liberal government. Nor has the mining sector been engaged in the discussion about how a more thorough independent review of the Mining Act under our government can support mining in this state in the future. I feel today that, in this bill, in what is being delivered for both regional landowners and the mining sector as a whole, we have missed an opportunity for both of these sectors to stand in good stead for the future.

It is with regional South Australia and the agricultural and mining sectors at the forefront of my mind that I maintain my opposition to this bill in its current form. I maintain that the bill would have benefited from a more substantial review, an independent review, and community engagement under the eye of the Marshall Liberal government. This review and engagement are what the regional community and the mining sector have been asking for and have continued to ask for since the bill was tabled last year.

I understand that the formulation of legislation is not done lightly. It takes time, effort and resources. As the Marshall Liberal government, with the responsibility for our state legislation, we have a duty to engage the people of our state in developing settings that enable our state's economy to thrive. We need to ensure appropriate checks and balances are in place to deliver a balanced and fair system that can operate for all. We need to give people the opportunity to continue this discussion and process. Our legislation should not advantage one sector over another.

Iterations of legislation should improve on that of the past and take opportunities to bring new ideas and learnings from other jurisdictions. It should enable settings that provide opportunities for all sectors to both thrive and operate their businesses with certainty. Grassroots consultation with affected stakeholders can support this approach. In my earlier speech on this bill, I highlighted some of the shortcomings of the current legislation which have been raised with me. I am compelled to raise a few of these matters again.

The current bill represents a missed opportunity to bring greater transparency and a better balance to the rights of landholders under the act. I also wish to highlight again that landowners and I want to see a fairer process to enable landholders to operate on a more level playing field with mining companies that wish to undertake mining activities on their land.

I understand that the appeals process under the act has to date resulted in mining companies having a significant success rate in appeals processes against the designation of exempt land. A fairer process would consider landholder rights more strongly and provide a more appropriate level of financial support for landholders to address court proceedings initiated by mining companies. A fairer process would better ensure the acquisition of land by mining companies is undertaken under real commercial and economic terms so that landowners are not disadvantaged by land acquisition.

The current bill represents a missed opportunity to include fit-for-purpose conditions for mining development that make it more straightforward, particularly for smaller-scale mining activity to proceed. We have missed an opportunity to consider existing land uses and how they are being managed/considered for smaller mining operations. Examples that I have previously given include categories of land cover considered for special environment benefit payment, and existing land uses such as grazing which are both requiring onerous requirements on landholders and, importantly, missing important categories of land use in mining assessment approval processes.

The current bill represents a missed opportunity to reduce red tape involved in the Mining Act. There are several examples on this front and include a lack of differentiation of scales of mining activity which is resulting in onerous requirements for small mining operations. I maintain that there is a case to ensure that smaller-end mining operations be subject to less onerous approval requirements. The current level of complexity creates impediments to the operation of these businesses. This impacts local regionally based businesses involved in activities such as small-scale sand mining and rubble raising.

I have also previously highlighted that revisions are required to ensure that common sense prevails to avoid weighty regulatory Mining Act related requirements to ensure that smaller activities, such as the appropriation of pads for silos and grain bunkers, avoids being entangled in heavy regulatory provisions. We have missed the opportunity for an amendment that creates pathways for assessment and compliance that are simpler and commensurate with the scale and risks associated

with mining activity. We have missed the opportunity to examine provisions offered by smaller jurisdictions, including the concepts of agricultural impact statements facilitated through current New South Wales legislation.

We have missed the opportunity to assess options for improved compensation provisions for landholders such as that provided through the Western Australian legislation, a well-known and accepted model for land access. These are but a few of the opportunities that could have been addressed in a bill delivered after an independent review and with more comprehensive community engagement.

Since the period when this bill was tabled, I and others on this side who crossed the floor to delay the bill have worked hard to speak with constituents and the mining sector to bring a constructive and consultative approach to the process of amending this bill. What we have all heard loud and clear is support by the affected sectors for an independent review of the Mining Act. An independent review of the mining legislation will enable a fine toothcomb to be put across the issues that the mining sector and landholders are experiencing. An independent review would support the assessment of the provisions and workability of legislation from other jurisdictions.

An independent review would be a platform from which a progressive and balanced legislative framework could have been generated. My colleagues and I have worked with the Minister for Mining and Energy as respectfully and productively as we could, and we appreciate his attention to this important matter. However, despite many discussions it is unfortunate, in my view, that this dialogue has not delivered a better outcome for the mining bill. Until we have that engagement and robust discussion that brings balance, fairness and settings that ready the mining and agricultural sectors for the future, we will not have a mining act that will stand us in good stead for South Australia's future.

I would particularly like to again highlight the way that the minister has gone about his discussions in a gentlemanly, respectful way, always courteous and always open to all of the discussions that the four of us have engaged in. I really do thank him for his efforts. I also thank the crossbenchers who have joined us in this bid to have these changes: the member for Florey, Frances Bedford; the member for Frome, Geoff Brock; and the member for Mount Gambier, Troy Bell. I thank you.

I also thank those who have stayed in the gallery, from all around the state, I believe, and have listened here tonight about this bill and the changes we are trying to achieve. I thank you for your efforts and your patience. In finishing, it is known, I believe, in the state of South Australia that when mining is applied for on farming land across South Australia that we have the most accessible rules that would probably go against landowners but perhaps some of the hardest rules that go against miners with environmental laws and suchlike. That is why I believe that, when we address this issue, we do not just look after agriculture and landowners but that we look after the mining industry as well. On that basis I am unable to support the Statutes Amendment (Mineral Resources) Bill 2018 in its current form.

**Mr CREGAN (Kavel) (22:44):** I said in earlier remarks in this place on a different day, in the course of debate on this bill, that mining and agriculture are vital state industries. We want both industries to succeed. When both industries succeed, they improve the wealth of the state and our collective wealth. That might be a brief though perhaps not quite so eloquent summary of the member for West Torrens' contribution to this debate absent some of the Labor philosophy that was infused otherwise in his remarks.

In my view, a more appropriate and equitable balance needs to be struck between the interests of mining companies and farmers. Mining executives do not need to strike that balance. Farmers do not need to strike that balance. We need to strike that balance. That is our responsibility and our communities look to us to ensure that there is an equitable balance, that the law reflects an equitable balance between farmers' rights and mining interests. In my very respectful view, we need to look to Queensland, New South Wales and Western Australia as leading mining state jurisdictions to better inform an instrument to achieve that balance. Tensions in those states between mining and agriculture have, in my view, being appropriately resolved.

A landowner recently wrote to me in relation to a mining proposal in my community. I will not identify that constituent or the proposal because it is not my purpose tonight to name or vilify (or ever to) any person or company. Instead, I want to illustrate that the concerns we have raised are real. From the many emails and letters I have received on this issue, I have chosen this one because it also asks very practical questions of all of us. I turn to the correspondence, which reads:

I am contacting you [regarding a] proposal for a mine.

Thereafter follows the name of the project and a description. It continues:

I have been looking through [the] Mining Lease Application and it shows that there are 71 triggers invoking Exempt Land within the mineral claim. 14 of these are residences...As you know there is no way some of the landholders would sign a waiver.

A series of questions follow, including whether exempt land provisions are ultimately effective, the distance of a mine from a dwelling and questions in relation to compensation.

Mr Speaker, I could read emails to you that would detail the difficulties faced by farmers when dealing with mining exploration. I could have read correspondence detailing the failure to adequately compensate landowners. I could have read correspondence that describes the anguish and anxiety of waiting for years on land that your family has always farmed since arrival in Australia for a knock on the door or for legal papers to be served. I could have read stories about the failure to properly remediate land. Those matters are also important, but I return to the email and the correspondence I have raised.

The answer to the email is straightforward. Exempt land provisions in the act, in this bill, could well, in my view, be more effective. What happens in farming communities and what will continue to happen is this: if you do not agree to let the mining company mine on land, which is otherwise exempt from mining because, for example, there is a dwelling on it, the company can ask you to waive your interest in exempt land. If you do not sign a waiver they will take you to court; and what happens when you get to court? The law says that you have to reach an agreement, and one is fixed, and you do not know in advance what necessarily the compensation will be or the terms. In short, you have very few rights.

The member for West Torrens says it is hard on people in those circumstances. He says there is no other better way. He says that those who preach a better way are lying to you, in part perhaps because they do not realise or have not arrived at the same destination. They do not have full knowledge. Well, he is the Father of the House. He has been here longer and there is much in his contribution to this debate and his contribution on other debates.

I have great respect for the knowledge and understanding, drawn, of course, from his time as minister. But I say this: there is a better way, and I think that it is very clear from the course that other states have taken that efforts have been made to resolve these tensions in different ways, in ways quite different to the balance that has been struck in the course of legislative decisions in this state, the balance that is struck in this bill and the balance that will be struck if this bill passes.

I accept the argument that the mineral wealth that lies beneath the land belongs to the people of South Australia and that mining companies need a better system to access that wealth. I accept that argument. It is well made; it is well reasoned; it stands up to scrutiny, but we say, as I have outlined earlier, that inspiration can and should and must be taken from other jurisdictions that in recent years have taken a much more progressive attitude to the resolution of these difficult questions.

We say that it is not a fantasy to think differently about how mining and agriculture might be regulated. We say the examples are out there and can readily be adopted in this state. I say that inspiration can be taken from Queensland, New South Wales and Western Australia. I think, as I have also earlier remarked in the course of this debate, that Labor does not understand farmers or farming communities. South Road is not a productive paddock. It never has been—or perhaps it was at some point, but you cannot grow a crop there.

Trying to educate Labor about how farming works is a very difficult and foolhardy exercise and one that I am not going to detain us with tonight. I accept that their contribution is well-meaning, but there are aspects of farming that are detailed, scientific, practised over generations, passed down

from one generation to the next. It is an art and it is a science, and when it is done well it feeds all of us, it adds to our wealth substantially and it is the engine room of the state.

I have also earlier remarked—but I think it bears repeating in the course of this debate—that it is the measure of the strength of our party that we can express views on any subject openly and freely and reserve our right to vote differently to any decision of the party room. That right forms part of our platform and party rules. We are the only major party that has adopted that course. We are the only major party that has those rules. The rules are valuable; the rights they confer are valuable. It is a right that gives our electors confidence that we will always represent their interests.

As I said at the outset of the debate, in my view the bill does not adequately balance the rights of small farmers against miners' rights, and that balance is important in my community. I acknowledge that important improvements have been made to this bill. I acknowledge that the minister has worked diligently and fairly for a long period with us to try to make those improvements, and I am very grateful that substantial amendments have been passed tonight, but in my view, respectfully, they are not enough.

Can I reflect briefly that all our discussions with the minister have been cordial, thoughtful and useful. They have been the type of discussions that I hoped to have in relation to this bill. I thank the minister very sincerely for taking that course with us. I also want to thank my colleagues and the Premier for being supportive and understanding of our position and for allowing me time in a different forum to seek to persuade them of a different outcome.

Some of the matters that we have attempted to ventilate and succeed in persuading our colleagues have been discussed by other members tonight. I will not detain us. It is late in the course of debate, and I think that my colleagues have fairly represented to this place the nature and the scope of the matters that we have sought to ventilate. It would serve no purpose for me to detain all of us here to reflect further on those matters, except to say this: we made every effort, and we have strained every sinew of our being in order to try to achieve a better outcome for our constituents. Truly, we have.

It is a mark of the man, the minister, that he has been prepared to hear us out in relation to every single one of those matters—patiently, thoughtfully and respectfully. The fact that I do not support this bill at this time is not a reflection on the government or the minister. My comments are a mark of confidence in the robust debate that is openly permitted on our side of the chamber. It bears repeating that only a healthy, confident party in a good government, focused on the needs of all South Australians, would allow such an approach. It is an approach that our party has permitted since its founding—since its founding.

Earlier with us in the chamber tonight, in the advisers' box, were employees of the state, employees of the people, who I know have worked tirelessly with the minister and the government to try to ensure that they give their advice, expertise and knowledge to ensure that we are best placed to serve our constituents. They are no longer with us now, but I also thank them for their work and assistance. I cannot support the bill.

**Mr MURRAY (Davenport) (22:56):** I want to start by thanking my colleagues, especially the Minister for Energy and Mining, for the manner in which they have dealt with me, notwithstanding our disagreement on much of this bill. In particular though, I want to apologise to the South Australian farming community. I have failed to convince the majority of my parliamentary colleagues of the methods, if not the merits, of treating you fairly.

There is little doubt that the existing Mining Act leaves farmers at a substantial disadvantage, and this bill, if enacted, will exacerbate that situation. To be crystal clear, this bill will still result in farmers having mining exploration conducted on their properties, whether they like it or not. It will still result in legislative exemptions for mining on farmland not being worth the paper they are written on. It will still result in woefully inadequate compensation processes, to the financial detriment of the farmer. There will still be no enforcement of the few rights farmers do have. The sad fact is that everyone knows this but few care or, if they do, do not care enough to do something about it.

Jackie Harrop is part of a fifth-generation farming family on Yorke Peninsula. She is a South Australian, just like us. Jackie is affected by this bill and by the current act, and she has fought against exploration on her farm for the last four years. At the same time, Jackie has battled against cancer.

She has very publicly stated that she rates dealing with the mining exploration and the associated courts processes as being worse than cancer. To be clear, someone who has dealt with the practical ramifications of the current act, which this bill reinforces, rates that as worse than cancer—worse.

That is not an indictment of the mining sector or indeed of anyone else. It is up to us, the people in this place, to rectify this situation. We make the rules; the miners and explorers simply follow them. I want to stress that many of our mining companies, especially the larger, locally based ones, do go out of their way to respectfully interact with the farming community. That said, many of the exploration companies are cowboys who do what they want to farmers and their properties, and they inevitably get away with it. This is not about being opposed to mining and it is not about some discussion about vetoes. To suggest it is, as the member for West Torrens has, is at best oversimplifying matters. This is about inadequate access and compensation arrangements.

There are several ugly secrets that I wish to canvass tonight. The first of those is that this bill is bad for farmers for a reason. There is no malice, there is just cold calculation by the department which, after all, being fair, have a job to promote mining. The intention is to make South Australian farms the cheapest and easiest in Australia to access and exploit. That is why our legislation and its protections and compensation for farmers is the worst in Australia; it is designed that way.

This is not just a crude attempt to provide an incentive for added mining activity and it is not just patently unfair to farmers, but it does not work. South Australia's share of the national mining investment spend has been in decline for at least the last decade, notwithstanding the fact that our farms are the cheapest and easiest to get to and, in the event that they are got to, that the compensation due is at best minuscule. This is a longstanding issue. It is an issue with the current act, let alone the current bill, and it is bad for a reason.

Ugly secret number two is that, in my view, this situation will only get worse. The primary zones for exploration in South Australia, based on previous data collected by the industry, include large parts of Eyre and Yorke peninsulas. The South Australian mining industry has matured to the stage that all of the easily locatable and accessible mineral deposits have already been exploited. The industry is confident that there are vast amounts of mineral deposits still yet to be discovered in South Australia.

The industry further believes that the bulk of new discoveries will be located deeper—that is to say with more overburden—and that as a result the only way they can be discovered is by way of drilling. That is to say that other less intrusive methods, such as magnetic surveying or surveying by the air will not work. The pressure on landowners for property access for drilling by mining explorers will only increase here in South Australia in the next five to 10 years. More drilling obviously means more land access. This means more people affected by the inadequacies and inequities this bill perpetuates. Left unaddressed, this situation will therefore get worse, not better.

That said, I want to briefly cover the risk of reiterating or rehashing some of the points previously made. A group of us have unsuccessfully sought support for a range of amendments to the bill. Our aim was to take South Australia from being the worst state at protecting land access and compensation and instead using the best practices from other states and jurisdictions. The amendments have all been canvassed before, but they include:

- stopping farmers being dragged off to court to force them to sign away their exempt land use without adequate compensation for their court costs;
- an independent inquiry along the lines of the one already publicly advocated and envisaged by both the major representative bodies in this argument: Grain Producers SA (GPSA) and the South Australian Chamber of Mines and Energy (SACOME);
- the independent inquiry would be designed to assess alternative models and jurisdictions, with a view to suggesting best practice ways to address the question of land access, aquifer protection and compensation regimes or methods; and
- we also sought, unsuccessfully, realistic compensation methods and regimes, as already used in other Australian states, if exploration does go ahead and as a result there is damage to the farm.

The member for Kavel pointed out, and I reiterate the view, that the answers to a lot of these issues are in the legislation already in place in places such as Western Australia, New South Wales and Queensland. It is possible to do better; I suggest we should, and it is important that we should.

So who really cares? Well, the people of South Australia do. They know injustice when they see it, and I have been heartened by the support of people generally, in particular with the stance we have taken. These people support the farmers' fight for some justice and better balancing between small farming businesses on the one hand and, on the other hand, the mining bloc, which includes the Department for Mining and Energy, its minister and the miners and explorers themselves.

South Australian people do support a better and fairer balance between long-term food production versus the permanent loss of that food production or the destruction of our water aquifers in return for the transient exploitation of a small portion of our abundant mineral wealth. The farming community should know that they do have overwhelming public support, even if they do not yet have overwhelming parliamentary support.

So what now? A group of us, me included, do not think it is unreasonable to want to have South Australia's mining land access and compensation laws at least as good as those in operation elsewhere in Australia. Today South Australia's mining land access and compensation laws are, in my view, very deliberately the worst in the country as an attempt to reduce potential costs for exploration especially, and thereby induce more mining operation investment.

It should be stressed that in my view the mining department and the minister are to be commended, because their job is simply about promoting mining. They are just doing their job. The miners, too, are just doing their job. To their credit, many of them, through SACOME, recognise the need for substantive change towards the bill, hence the SACOME call for a comparative review and adoption of best practice—exactly the same things we have sought, as well.

The need for equity for farmers in this act is the job of this parliament and its members. That is our job. In my view it is our responsibility as MPs. I urge the farming community to continue the fight. You are used to overcoming adversity and this will be no different eventually. I am confident right will prevail. As my late father used to say, 'Do the right thing and you'll be alright.'

I will close by thanking Nick McBride, Fraser Ellis and Dan Cregan for their support and friendship throughout this very long process. I join them in articulating my opposition to the passage of this bill, and I look forward to continuing to work with them to get a better deal for farmers and miners than the one we currently have before us.

**Mr BELL (Mount Gambier) (23:06):** I rise to make just a few very brief comments. Whilst it would be enjoyable to wax lyrical with the member for West Torrens on the rights of the state versus the individual, particularly around airport curfews and mining on Parklands in the heart of the CBD, I will not do that because that would delay the debate even further. What I was hoping would occur out of last November, when we were facing a similar situation and the bill was delayed through an act of this parliament, was that an independent review would occur.

The reason I am opposing this bill is that I think we are putting the cart before the horse because when you have the main stakeholders, when you have the South Australian Chamber of Mines and Energy (SACOME), when you have Grain Producers SA (GPSA), the National Farmers Federation, Primary Producers SA, Livestock SA all coming together at a round table chaired by Rear Admiral Kevin Scarce—who, by the way, conducted the royal commission into South Australia and nuclear waste and the nuclear future, so a very credible individual—when we have a round table like that coming out and saying, 'We're the main stakeholders and what we would like, what we are asking for, is an independent review,' I think you need to take that very seriously.

Having delayed the bill last November, that would have given an opportunity for that independent review to occur and the outcome, or the recommendations from that review, then form the basis of the bill, whether it was a new bill or whether it was amendments to this bill. To me, that is the logical process.

One of the issues I have advocated very strongly for a long time—and I am happy to have these debates, and I am happy to be proven wrong—is that I have always advocated for an independent umpire, a mining ombudsman or some other term that you may want to use because

this is a very complex area and every situation is different. At some point, somebody has to make a decision. We can provide the framework, the legislative boundaries, that it has operated within, but it still comes down to somebody making a decision.

One of the issues I see is that you have the regulator and the promoter of mining coming out of the same department. They have an independent body making that decision. It does not predetermine which way it is going to go—and from time to time there will be farmers very upset and very angry with the decision, and from time to time you are going to have mining companies very upset and angry at the decision—but what an independent umpire allows is all the questions we have been talking about. What is fair? What is reasonable? What we have at the moment is people using lawyers and the court because, quite honestly, that is the only avenue they have.

I have an example in my local area, and I touched on it with a couple of questions. When you see it firsthand and you are sitting down with farmers—or a farmer, in this particular case—and they are talking through their journey, as a local member you cannot help but be influenced by that. In this situation, the department has confirmed noncompliance: encroachment into exempt land for this mining licence, progressive rehabilitation not completed resulting in a disturbed area greater than the operational approval, a failure to maximise recovery of the resource since around 2009 and annual compliance reports not being submitted since 2007.

So when a farmer comes to me and says, 'Listen, we are tied up in court. It has cost me nearly the farm in trying to defend our position, but I think we have a ray of hope because this mining licence expires on 2 January 2018,' and then they come to me a couple of months later and say, 'What the hell is going on? It has just been approved for another 10 years,' you sit there and say, 'I don't know how I can help you.'

That farmer has gone through immense stress and immense costs tied up in court. I do give credit to the minister who has engaged with this—I want to put that on record—but you can see where we end up with the current legislation. As I said, I am not going to take up too much time. To my mind, this bill should have come after the independent review and the recommendations out of that. I am a strong advocate for the independent umpire with appropriate compensations and all the other enabling parts that need to go along with that. With that, I will be opposing the bill.

The house divided on the third reading:

Ayes ..... 39  
 Noes ..... 7  
 Majority ..... 32

#### AYES

Basham, D.K.B.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brown, M.E.	Chapman, V.A.
Close, S.E.	Cook, N.F.	Cowdrey, M.J.
Duluk, S.	Gardner, J.A.W.	Gee, J.P.
Harvey, R.M. (teller)	Hildyard, K.A.	Hughes, E.J.
Knoll, S.K.	Koutsantonis, A.	Luethen, P.
Malinauskas, P.	Marshall, S.S.	Michaels, A.
Mullighan, S.C.	Odenwalder, L.K.	Patterson, S.J.R.
Pederick, A.S.	Piccolo, A.	Picton, C.J.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Stinson, J.M.	Szakacs, J.K.
Teague, J.B.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Wingard, C.L.	Wortley, D.

#### NOES

Bedford, F.E. (teller)	Bell, T.S.	Brock, G.G.
Cregan, D.	Ellis, F.J.	McBride, N.
Murray, S.		

Third reading thus carried; bill passed.

*Personal Explanation*

**PUBLIC TRANSPORT PRIVATISATION**

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (23:19):** I seek leave to make a personal explanation.

*Members interjecting:*

**The SPEAKER:** Order!

Leave granted.

*Members interjecting:*

**The SPEAKER:** Members on my left, be quiet.

**The Hon. S.K. KNOLL:** Earlier today, I made comments in relation to the assigning of bus contracts in the 2011 round of tenders.

*Members interjecting:*

**The SPEAKER:** Leave has been granted.

**The Hon. S.K. KNOLL:** I wish to update the house to say that in 2011 the bus area contracts were tendered. ATE, trading as SouthLink, was awarded the areas of outer north, outer south and the Hills. In 2015, Keolis Downer purchased ATE and, under the contract conditions, ministerial consent was required as the control of the company had changed. That ministerial consent was granted at that time.

*Members interjecting:*

**The SPEAKER:** Order!

*Matter of Privilege*

**MATTER OF PRIVILEGE, SPEAKER'S STATEMENT**

**The SPEAKER (23:21):** I also rise to speak in relation to a matter of privilege regarding Kangaroo Island visitor numbers. I make the following statement with regard to the matter of privilege raised today. Before addressing the matter, I wish to outline the significance of privilege as it relates to the house. It is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by the vote of the house on a substantive motion. We have seen the relevant test that has been quoted in McGee in *Parliamentary Practice in New Zealand*.

I refer to the matter raised by the Attorney-General in relation to a speech made by the member for Mawson on the Appropriation Bill on 2 July 2019. As part of the member for Mawson's speech, he expressed his views on the impact of government decisions on the people of Kangaroo Island and, in particular, made an assessment of the effect of the visitor economy spend in South Australia of there being no visitor centre. The Attorney-General refers to that part of the member for Mawson's speech where he says, 'It has taken (referring to the government) away the visitor centre it has taken away the number of tourists who are going to Kangaroo Island.'

The Attorney-General then refers to published reports on the website of the Department for Trade, Tourism and Investment of which she has provided me with extracts on the visitor numbers to Kangaroo Island. Based on the information provided, the Attorney-General notes that however the figures are viewed, there has been an increase in visitor numbers to Kangaroo Island. The Attorney-General alleges that the member for Mawson has deliberately provided inaccurate information to the house, if relied upon by members, which would materially mislead them. Deliberately misleading the house is one of the matters that can be found to be a contempt. To establish that contempt has been committed, it needs to be established that:



1. a statement had in fact been misleading;
2. the member knew at the time the statement was incorrect; and
3. the misleading had been deliberate.

In addition, to amount to contempt, the action would need to genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties.

I have examined the *Hansard* records and the information provided to me by the Attorney-General. The information contained in the member for Mawson's speech, of which the Attorney-General complains, can be regarded as debating contentions. I note that this is by way of general debating points without the interpretation of specific data. For these reasons, on the evidence available to me, it is not clear that a prima facie case has been made that would amount to, or be intended, or be likely to amount to, an improper interference that could genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties.

Accordingly, I do not propose to give the precedence which would enable this matter to be immediately pursued as a matter of privilege. However, it does not prevent the Attorney or any other member from proceeding with a motion on the specific matter by giving notice in the normal way.

*Personal Explanation*

**KANGAROO ISLAND COMMISSIONER**

**The Hon. L.W.K. BIGNELL (Mawson) (23:24):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. L.W.K. BIGNELL:** I think it is a pretty sad day when the highest law person in this place comes in and takes issue with something.

*Members interjecting:*

**The SPEAKER:** Order! Member for Mawson, by starting—

*An honourable member interjecting:*

**The SPEAKER:** Yes, it could be. I would ask you to get to the point pretty quickly please.

**The Hon. L.W.K. BIGNELL:** Yesterday, I came into this place and made comments about what is happening in the visitor economy on Kangaroo Island from feedback that I had yesterday morning and on Monday from my time on Kangaroo Island. The Deputy Premier comes in here and wants to take issue and bring in figures from last year, which were the figures when we were in charge of the visitor economy and things were booming. She has better things to do with her time—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. L.W.K. BIGNELL:** —than attack me and attack the Commissioner for Equal Opportunity.

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

**The SPEAKER:** Member for Mawson, one moment. The member for Mawson is entitled to put a view across that is relevant to something that may have transpired recently. I am listening, but I will hear the point of order.

**The Hon. J.A.W. GARDNER:** Speaker Atkinson set out the terms in which it is expected that the House of Assembly would allow personal explanations to take place, and the member for Mawson is in no way complying with any of the normal formats of the house.

**The SPEAKER:** I have the point of order. I am listening to the member for Mawson. I will ensure that he does not deviate.

**The Hon. L.W.K. BIGNELL:** Thank you again, Mr Speaker. If I do not know what the forum is to respond to some malicious allegation made by the Deputy Premier, then I am sorry that I have used a personal explanation to get my side on the record.

**The SPEAKER:** Is the member for Mawson finished?

*Members interjecting:*

**The SPEAKER:** Order!

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens, for speaking when the Speaker is on his feet, can leave for the next 20 minutes.

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

### *Bills*

## **CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) AMENDMENT BILL**

### *Introduction and First Reading*

Received from the Legislative Council and read a first time.

## **STATUTES AMENDMENT (CHILD EXPLOITATION AND ENCRYPTED MATERIAL) BILL**

### *Final Stages*

The Legislative Council insisted on its amendments Nos 1, 8 to 11, 13, 20 to 22, 25 and 26 to which the House of Assembly had disagreed and insisted on its amendment No. 3 to which the House of Assembly had disagreed and to which the House of Assembly had made an alternative amendment in lieu thereof and a consequential amendment.

Consideration in committee.

**The Hon. V.A. CHAPMAN:** I move:

That the disagreement to amendments Nos 1, 3, 8 to 11, 13, 20 to 22, 25 and 26 be not insisted on.

**The Hon. S.C. MULLIGHAN:** I would like to ask if members may be furnished with copies of these amendments.

**The Hon. J.A.W. GARDNER:** We are just accepting the Legislative Council's amendments.

**The Hon. V.A. CHAPMAN:** The bill has come back with the amendments in it.

**The Hon. S.C. MULLIGHAN:** Right. Do we have a copy of it? We sent a bill back in another form. We are being presented with something else, which we are being asked to consider. So may we have it?

**The CHAIR:** These are amendments that this house has already considered.

**The Hon. S.C. MULLIGHAN:** So we are accepting amendments that we have already considered; is that correct, sir?

**The CHAIR:** No. What I am saying is that we have already seen them.

**Mr PICTON:** My understanding from what the Speaker read out from the President's message was that there were some alterations to the amendments that were presented previously; hence, I think the member for Lee's question is in order.

**The CHAIR:** The Clerk is going to talk me through this. We will go through this line by line. The council returned the assembly's bill with amendments, and the assembly agreed to some amendments, disagreed to some amendments, and disagreed to one amendment and made an alternate amendment to that. The council considered that and has insisted on its amendments, so it has come back to this house to reconsider. It is up to the house to reconsider.

**The Hon. V.A. CHAPMAN:** Indeed. The government has indicated as I have outlined, which essentially allows the bill to progress in relation to the reforms around child exploitation but does not

extend to other criminal offences which it was proposed by the government be included. Members in the Legislative Council took the view, including the party that has the next most number of seats in the other place, that they did not wish the police to have powers in relation to all these other offences but only allow it for child sexual exploitation matters. Accordingly, the government, in the attempt at resolving this matter to ensure that we at least give protection to victims in that category, accepted those amendments. I hope that makes it clear.

**The CHAIR:** The question before the committee, as was moved by the Attorney, is that the disagreement to amendments Nos 1, 3, 8 to 11, 13, 20 to 22, 25 and 26 be not insisted on. That has been moved. The member for Lee would like to speak.

**The Hon. S.C. MULLIGHAN:** I have to inform the house that this area of proceedings has taken the opposition by surprise somewhat. We were not advised, to the best of my knowledge, that the message was to be received, let alone considered forthwith.

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

**The Hon. S.C. MULLIGHAN:** The Deputy Premier laments that perhaps we had not been sufficiently briefed by the Legislative Council. I do note the time of evening—

*The Hon. R. Sanderson interjecting:*

**The Hon. S.C. MULLIGHAN:** —and the member for Adelaide calling out 'disorderly'. Who knew she could speak?

*Members interjecting:*

**The CHAIR:** Order! The member for Lee has the call and I am trying to hear what he is saying.

**The Hon. A. Piccolo:** They are behaving like an estimates committee, Mr Chair.

**The CHAIR:** Worse, member for Light.

**The Hon. S.C. MULLIGHAN:** Not only was the opposition furnished once again by those opposite with no notice of the proceedings of what was to occur in the house on any given sitting day, we are also not in a position to arrive at our particular position. If it is the government's intention that each of these amendments is to be dealt with forthwith, then I indicate that the opposition would like to avail itself of the committee stage and go through these amendments one by one so that we can be sure of what we are looking at. If the Deputy Premier would like to invite the relevant advisers into this place to advise her, we would be much obliged so that we can have some accurate information provided to the house for a change.

**The Hon. J.A.W. GARDNER:** I speak in favour of the Deputy Premier's contribution. Whether or not there is a filibuster suggested that the opposition wishes to—

**The Hon. S.C. Mullighan:** It's not a filibuster; I have questions on the amendments.

**The Hon. J.A.W. GARDNER:** The member for Lee indicates he has questions on the amendments—the amendments that are his party's amendments that the government has accepted. It is a remarkable suggestion. In the interest of trying to assist the house to move on to some other matters—

*Members interjecting:*

**The CHAIR:** Order! Member for Lee, you do not have the call; you did previously. Minister for Education, you have the call. I am trying to listen, once again. It is 25 to 12.

**The Hon. J.A.W. GARDNER:** It is an extraordinary proposition that the opposition puts forth that they so object to being asked to support amendments that they moved and they supported—

*Members interjecting:*

**The Hon. J.A.W. GARDNER:** Well, that they supported; that the government is willing to let through. That the shadow treasurer is very aggravated, it is very clear. I think that we will deal with this tomorrow, if that assists the house. In making that remark, I make the point that the suggestion

that messages from the Legislative Council not being put on the green paper before they have in fact been dealt with by the Legislative Council is completely unremarkable and entirely consistent with the practice—

*Members interjecting:*

**The Hon. J.A.W. GARDNER:** In fact, I spoke to the member for West Torrens in the wrap-up of the mining debate and said we had some messages from the Legislative Council and then we were going to deal with some grieves. I think I might have even said the same thing to the member for Playford.

*Members interjecting:*

**The CHAIR:** Order! The minister has the call.

**The Hon. J.A.W. GARDNER:** The fact is that when we were in opposition there was absolutely never anything remarkable about a minister wishing to deal with a bill that had been through the Legislative Council—

*Members interjecting:*

**The CHAIR:** Leader of the Opposition, the minister has the call.

**The Hon. J.A.W. GARDNER:** The fact of the matter is—

*Members interjecting:*

**The CHAIR:** Order!

**The Hon. J.A.W. GARDNER:** —that the procedure is unremarkable.

*Members interjecting:*

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

**The Hon. J.A.W. GARDNER:** Nevertheless, we wish to move on. We have a couple of other things we can do tonight in relation to the budget to get that closer to completion and we will therefore put this on the list for tomorrow.

Progress reported; committee to sit again.

## **VICTIMS OF CRIME (OFFENDER SERVICE AND JOINDER) AMENDMENT BILL**

### *Final Stages*

The Legislative Council agreed to the bill without any amendment.

## **APPROPRIATION BILL 2019**

### *Appropriation Grievances*

Adjourned debate on motion to note grievances.

(Continued from 2 July 2019.)

**Mr TEAGUE (Heysen) (23:38):** I am very grateful for the opportunity to rise and make some brief remarks in relation to the Appropriation Bill 2019. Indeed, it is marvellous at this stage of the debate to have that opportunity, with the Marshall Liberal government's second budget coming a little over a year into this period of government. By way of setting the scene, already there are strong signs that our state is on its way back on track: the unemployment rate is down to 5.7 per cent, we have 22,000 new jobs in the state since March 2018, there were 1.4 billion hours worked over the last 12 months and we have a new record 857,000 South Australians employed in this state. It is early days, but we are heading in the right direction.

I take this opportunity to reassure all those who are following the debate this evening that all of us on this side of the house who have this precious opportunity to be in government in this state are dedicated daily to ensuring that those strong early results continue as we progress through this second budget period.

It is not in circumstances of great calm, success and abundance that we came to government; rather, to the contrary, the government was faced with inheriting what has been described as a massive budget deficit that was left to us by the previous government. A \$313 million budget deficit was left to us by Labor. In the early days of the new government, as we all know, the government has been faced with GST revenue reductions that are entirely out of the government's control to the substantial amount of \$2.1 billion.

There are challenges that we have faced and, in bringing the budget back into surplus and ensuring that we take the measures necessary to bring about an outcomes-driven, growth-driven, confidence-building environment in South Australia, we have indeed seen a government making choices that are about delivering on the vision that has been spelled out in these early days of the Marshall Liberal government. The 2019-20 budget is very much a budget about building and growing and I commend the government for it.

Key among the measures that characterise this budget is the massive investment ongoing in infrastructure across the state. As someone who represents an area that straddles the peri-urban areas in the Hills through to our regions in the Hills and Fleurieu, I am hugely conscious of the need in this state to restore a focus on the entire state being part of the picture of growth, restoration and support when it comes to those record investments that are being made—\$11.9 billion in all. It is across all areas of government responsibility, but chiefly, if I may highlight, and very substantially in those key areas for state governments: education and health.

I really want to stress this and I would invite everyone to look very clearly, long and deep at the extent and breadth of these investments in schools and in our hospital upgrades. It continues and it goes all the way through to safer roads throughout our state, to major measures aimed at congestion-busting in our urban areas and far and wide through regional and remote areas of the state where the investment is so sorely needed.

The investment in health is once again increased. It is up by \$1.6 billion. There is \$550 million to go towards the new Women's and Children's Hospital. These are key measures. In education, spending is up \$611 million. This is driving the best opportunities for our children in our schools. It is about ensuring that our children in South Australia have the very best of opportunities in their school life. There is also \$1.3 billion of additional infrastructure upgrades. So with a focus on the entire state, I am very proud to see that this new government, in just its second budget, is ensuring that the investment in our state for the long term, for the future, is solid. We have had some observations already in this debate from those opposite—

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

*A quorum having been formed:*

**Mr TEAGUE:** We have had contributions from those opposite, and I have done my best to listen respectfully. It is important that these contributions are held to account to some extent if we are to maintain meaningful debate on these matters. The member for Light, for example, has reflected on the solid waste levy. He has made an allegation that the increased revenues that flow from the increase in the solid waste levy will go to prop up the budget. I make the observation that that was their form. That is what they did, in the previous government. That is what they did. It was not just the solid waste levy; the ESL was operated in exactly the same way.

This government, where it is applying a revenue measure, is saying, 'We have a Green Industries Fund. The money that is collected will go to the Green Industries Fund. It will be applied to looking for ways to ensure that we deal with our waste in better ways to reduce waste over the journey and to ensure better environmental outcomes.' So accountability is at the core of measures that have been taken in this budget, and I reject what the member for Light had to say on that topic. It is important that these things are called out.

In his contribution, the member for Lee accused the government of insouciant arrogance. Again, in endeavouring to engage with these characterisations, I would encourage some humility on the other side. After 16 years, those opposite left us with an enormous mess to clean up. It is not something that we dwell on, but it needs to be called to account in the course of prosecuting a budget

process. So I call it out, and I encourage everyone to stick to the facts, to stick to the outcomes and to ensure that we remain focused on accountability.

I have spoken about these tremendous additional investments in education. Just last week, on 24 June, the Premier and the Minister for Education joined me at Heathfield High School where there was an opportunity to highlight the tremendous investments that are going on. With the anticipated additional 350 students coming to Heathfield High by 2022, we had an opportunity to see some of the very best developments that are going on in our state's high schools. I am proud to say that Heathfield High is one of five entrepreneurial schools that will be part of the government \$6.3 million program in that area. Emily, Alex and Loui, the co-captains at Heathfield High, were our wonderful hosts over two days, and I commend them.

I also make mention, albeit briefly, of the government's \$80 million program to roll out fast broadband. Last week, Heathfield Primary became the hundredth school to be connected to the fast internet service. We will have 507 schools connected by mid-2020 on projections; that is all headed in the right direction. Eastern Fleurieu schools also had some fantastic outcomes, practical outcomes-driven results, including new classrooms at the end of term 1. I could go on and on and on, Mr Acting Deputy Speaker. This is a tremendous budget and I commend it to the house.

Debate adjourned on motion of Mr Cowdrey.

At 23:51 the house adjourned until Thursday 4 July 2019 at 11:00.

*Answers to Questions***KANGAROO ISLAND MINISTERIAL VISIT**

**861**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). Up until 27 May 2019 when was the last time the Minister for Education visited Kangaroo Island?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education):** I have been advised the following:

Since 22 March when the Marshall Liberal government's cabinet was sworn in, seven ministers have personally visited Kangaroo Island with an eighth minister scheduled to visit in coming weeks. I am not one of the seven ministers that has visited.

**KANGAROO ISLAND MINISTERIAL VISIT**

**862**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). How many times has the Minister for Education visited Kangaroo Island?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education):** I have been advised the following:

I refer the member to my answer to question with notice number 861.

**KANGAROO ISLAND MINISTERIAL VISIT**

**863**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). Up until 27 May 2019 when was the last time the Minister for Human Services visited Kangaroo Island?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General):** The Minister for Human Services has provided the following advice:

Since 22 March when the Marshall Liberal government's cabinet was sworn in, seven ministers have personally visited Kangaroo Island with an eighth minister scheduled to visit in coming weeks. The Minister for Human Services has advised that she is not one of the seven ministers that has visited.

**KANGAROO ISLAND MINISTERIAL VISIT**

**864**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). How many times has the Minister for Human Services visited Kangaroo Island?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General):** The Minister for Human Services has provided the following advice:

I refer the member to my answer to question with notice number 863.

**KANGAROO ISLAND MINISTERIAL VISIT**

**871**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). Up until 27 May 2019 when was the last time the Minister for Police, Emergency Services and Correctional Services visited Kangaroo Island?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing):** Since 22 March 2018 when the Marshall Liberal government's cabinet was sworn in, seven ministers have personally visited Kangaroo Island. I am not one of the seven ministers that has visited.

I do however have a visit scheduled for the coming weeks and am looking forward to meeting with the police officers and emergency service volunteers doing great work on the island. I'm also looking forward to meeting with some of the local sporting clubs.

**KANGAROO ISLAND MINISTERIAL VISIT**

**872**     **The Hon. L.W.K. BIGNELL (Mawson)** (5 June 2019). How many times has the Minister for Police, Emergency Services and Correctional Services visited Kangaroo Island?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing):** I refer the member to my answer to question with notice number 871.