HOUSE OF ASSEMBLY

Tuesday, 24 September 2019

The SPEAKER (Hon. V.A. Tarzia) took the chair at 11:00 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 (CHILD-LIKE SEX DOLLS PROHIBITION) AMENDMENT BILL

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:02): I move:

That this bill be now read a second time.

I am pleased to introduce the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill 2019. The bill was received in this place from the Legislative Council and was introduced there by the Hon. Ms Bonaros. I gladly move this bill as a government bill in the House of Assembly, as it seeks to deal with the troubling part of the child exploitation material industry and, more broadly, child sexual abuse.

The bill seeks to ban the production, dissemination and possession of childlike sex dolls. Childlike dolls are three dimensional, resemble children and have imitation orifices that are intended to be used for simulating sexual intercourse. There is an increasing need here in Australia and overseas in protecting the importation, possession and production of childlike sex dolls.

A recent article by the Australian Institute of Criminology suggests that, while there is a lack of robust evidence relating to child sex dolls, there is reason to suggest that the use of the dolls may lead to societal harms by desensitising the doll user to the harm caused by child sexual abuse. Currently, in Australia childlike dolls can be seized as objectionable goods under the commonwealth Customs Act 1901. However, where a doll is not seized by the commonwealth authorities at the time of importation, there is a gap in the current legislative scheme, which this bill would remedy, if passed.

The South Australian bill is similar to relevant provisions in the commonwealth Combatting Child Sexual Exploitation Legislation Amendment Bill 2019, which was introduced on 24 July 2019 and has passed the House of Representatives. The South Australian bill seeks to amend division 11A of the Criminal Law Consolidation Act 1935, which creates offences relating to child exploitation material. The bill would put it beyond doubt that the childlike sex dolls fall within the definition of child exploitation material.

The bill creates offences of producing, disseminating or possessing a child sex doll with a maximum penalty of 10 years' imprisonment. The bill contains amendments that are consequential upon the passage of the Statutes Amendment (Child Exploitation and Encrypted Material) Act 2019 and ensures that viewing an image of a childlike sex doll online will not amount to dealing with child exploitation material unless the image is of a pornographic nature. The bill also clarifies the distinction between the offences that involve pornographic images or representations of the dolls and the offences involving possessing, producing or disseminating actual dolls.

The bill also ensures that the new powers included in the Summary Offences Act 1953 by the Statutes Amendment (Child Exploitation and Encrypted Material) Act can be used in relation to all the child exploitation offences in division 11A of the Criminal Law Consolidation Act, not just the offences that involve actual children. The bill will not commence operation until the Statutes Amendment (Child Exploitation and Encrypted Material) Act commences operation.

In relation to the publication of an image of a childlike sex doll, members might have noticed, for example, when Mr Daniel Wills published an article in relation to this matter being in the parliament. A photographic image of a sex doll portraying a young girl with a teddy bear might have

otherwise been caught by this legislation if we had ensured that this provision was in the legislation. In my office, I colloquially called it the 'Daniel Wills amendment'.

I think it is important to recognise that there are legitimate purposes by which images would be displayed or published and we need to make sure that child exploitation offences do not follow for innocent publication. The qualifying feature here must be, of course, that it cannot be of a pornographic nature. Quite obviously, in those circumstances, that would not be allowed and would fall foul of the proposed legislation.

The bill creates offences of producing, disseminating or possessing a child sex doll, with a maximum penalty of 10 years' imprisonment. The bill contains amendments that are consequential upon the passage of the Statutes Amendment (Child Exploitation and Encrypted Material) Act 2019. The bill ensures that viewing an image of a child sex doll online will not amount to dealing with child exploitation material unless the image is of a pornographic nature. I make the point that that is going to be the qualifying aspect.

The protection of women and children is at the core of this government's law and order priority for protecting South Australians. To this end, we have passed a comprehensive suite of policies specifically aimed at protecting victims of domestic and sexual abuse—these have included the introduction of Carly's Law—which specifically target adult sexual predators who try to take advantage of children online. We have also introduced the domestic violence disclosure scheme, providing crucial information to those who may be at risk of domestic violence.

We have also passed stronger domestic violence laws, creating the new standalone offence of strangulation and tougher penalties for repeated breaches of intervention orders. The bill before the chamber is another example of how our laws must constantly evolve to stamp out any method of promoting the exploitation of children. The Marshall Liberal government agrees that these types of abhorrent products should not be on the market in South Australia.

I have just had brought to my attention a notice forwarded from Jeremy Malcolm, the Executive Director of Prostasia Foundation. He has urged the government, and maybe other members, to consider the adjournment or postponement of the introduction of this legislation in our house on the basis that there needs to be research done to identify whether or not this is meritorious. I do not agree with that—the government does not agree with that—but I think it is reasonable that I explain why this submission has been put.

Members can read a press release that Prostasia Foundation have issued in relation to special education children and the benefits in relation to these dolls, and I think it is important that we understand what it is. He writes to tell me this:

> I am the Executive Director of Prostasia Foundation, a child protection organisation that works with the world's leading scientific experts on the prevention of sexual offending against children.
>
> I write with reference to the SA-Best private member's bill to ban childlike sex dolls, which I understand is to be introduced into the lower house imminently. Of course, such dolls are creepy and disgusting to contemplate, and it is no wonder that there is a bipartisan desire to see them eliminated from society.
>
> However, as a child protection organisation that works with special educators, our first priority is to stop sexual abuse. The special educators we work with insist that access to these dolls is essential as a tool to stop young adolescents with special needs from abusing their peers.

He encloses the press release. He goes on to say:

> Of course, the ban is not intended to target adolescents with special needs, it is intended to target paedophiles. However, banning such dolls will not stop paedophiles from existing and having exactly the same thoughts that they do now. By taking away these dolls as a sexual outlet, experts speculate that paedophiles may be more likely to act out their wrongful desires against real children. That is why, despite our disgust at the existence of these dolls, they are a much lesser evil than the sexual abuse that they might prevent.
>
> It is true that more research is needed into whether these dolls are helpful or harmful: whether they will reduce or increase offending against actual children. All that we ask is that you postpone the introduction of the legislation into the lower house until the research can be done. We will be presenting with sex researcher Craig Harper on this topic at the 2019 conference of the Association for the Treatment of Sexual Abusers.
>
> Additionally, we have written to the United States Congress about similar bans that have been proposed by Republican lawmakers in the United States. (Although Prostasia Foundation is incorporated in the United States, I am

Australian, we have members from South Australia and we do operate in both countries.) I am attaching a copy of that letter also.

He then goes on to state:

> Please take the views of child protection experts seriously: sex dolls that appear underage may be disgusting to contemplate, but they could be an important tool in the fight against sexual abuse of real children. On behalf of myself and the prevention experts that I work with, I urgently ask you to postpone introduction of this bill until more is known about the effects of these dolls.

Obviously, there is an invitation to contact and discuss it further. The government's position is that there is a case to prohibit these dolls, which really attaches the extension of the commonwealth laws to deal with the importation that may not be caught. There may not be an opening of the container that has these in it at Port Melbourne's port; therefore, we need to cover this.

We agree with the Hon. Connie Bonaros from another place that there is merit in progressing this now. Some evidence may come forward in due course to suggest that there may be some therapeutic advantage for the use of these dolls, but let me say that we have a very different situation in relation to these dolls compared with ordinary dolls. I want to make this point because the issue in relation to these dolls is that they do have quite explicit genitalia and they do have orifices. These are not ordinary dolls.

When we use dolls, for example, to help children in a case of alleged child sexual abuse against them, where they might be asked to indicate where they might have been touched, these are not sex dolls. We are talking about an entirely different product. For the purpose of either being useful in some diagnostic or therapeutic sense or down the track if there is some evidence for their use in relation to special needs young people to try to help them manage their behaviour and not offend against other young people, then let's look at it if it comes, but at present we agree this matter needs to be dealt with.

From our point of view, we confirm that this is an example of how our parliament can work together on an important child protection issue such as this. I commend the Hon. Connie Bonaros for bringing this issue to light. I commend the bill.

Ms STINSON: Mr Speaker, I might just raise a point of order initially. I did not want to interrupt the Attorney, but I wonder if she is able to table the document she was reading from, which is the letter from Jeremy Malcolm. I am unsure if our side of the house has access to it.

The SPEAKER: Is the Attorney happy to table that document?

The Hon. V.A. CHAPMAN: I do not think it is appropriate that I table it. What I read from was an email. I am happy to provide a copy of that to the member and the press release if she does not have it. I will hand it over to her now and she can have a good read of it.

Ms STINSON (Badcoe) (11:17): I rise to speak to the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill 2019. I indicate that I am the lead speaker for this bill and I am pleased to indicate that Labor will support this legislation. It is indeed very sad that such a law as this is required; however, it is a necessary law and, if passed, South Australia will join several jurisdictions across the world that are now moving to specifically outlaw childlike sex dolls.

In my time as a reporter, I would scan the court lists when they were released each evening, and throughout my career it remained a daily shock and sadness to see the huge volume of sexual offences, particularly child sexual offences, over pages and pages of court lists every day in every suburban court, every regional court and almost every level of the court hierarchy.

That time as a reporter, mainly focusing on crime and justice, unfortunately showed me on a daily basis the extent of depravity against children and the need to do what we can to stop it. It is so extensive in our community that most citizens are shocked when I talk to them about the large volume of cases before our courts each day for sex offences, particularly child sex offences.

Now, of course, as the shadow minister for child protection, I continue to hear the very real stories of children, teenagers and adults who have fallen victim to sexual abuse and the impact that it has had on them and their future prospects. Of course, all that experience means that I am

committed to doing what we can to protect children from abuse. Those on this side of the house certainly are and I am very confident that everyone in this house is committed to doing so.

The reasons for sexual attraction to children are not very well understood. While there is quite a lot of research, there are not really any great conclusions that have been made about what motivates this and how to stop it. It is, of course, disgusting. There is no other way to put the abuse of children than as a gross breach of trust and a despicable and disgusting act, so much so that, in my time in court, I even heard from child-sex offenders themselves about how disgusted they were at their own actions and their inability to control them to the point where, in fact, several had even volunteered to the court for chemical castration. Such is the level of disgust that even the person committing these offences sometimes has for the offences being committed.

The mere creation of childlike sex dolls for sexual gratification is of course unfathomable for most of us, but clearly it is happening. I was very interested to hear the Hon. Connie Bonaros talk in the other place about the extent of this, which I think most people would probably be unaware of. There are three clear reasons why we need to act as the bill seeks: to discourage deviancy—and I will go into that in some detail in a moment—to send a message to the broader community about how this parliament and indeed our state feels about child exploitation and, importantly, to send a message to children, particularly children coming into their teenage years, that they are valued and are not to be exploited sexually at all.

Talking on that first point about the need for the bill in relation to deterring sexual deviancy against children, the reflections of the Carly Ryan Foundation are particularly relevant but also particularly disturbing. Sonya Ryan, who heads the Carly Ryan Foundation, which does some excellent work around child safety, has reflected that there are companies in Japan and China, in particular, making these realistic child sex dolls and exporting them to clients around the globe and that of course includes Australia.

Particularly disturbing is the fact that buyers can order child sex dolls predesigned with facial features and expressions. I found it particularly disturbing to know that people can even send images of real children to these manufacturers to create dolls that look like the children they provide in photographs. That is just a level of obscenity that I think most people would find truly shocking and certainly I did when I read about that. Equally alarming is that these dolls can be requested to be manufactured with certain expressions: happy, sad, even scared or afraid. That is truly horrifying as well. The realism of the dolls, and I have seen one or two of them, is quite petrifying and clearly they are designed to replicate as closely as possible a real-life child.

The Attorney raised some interesting ideas from Jeremy Malcolm, which I might come to in a minute. Despite how disgusted we might be by this, I think it is beneficial for us to think about whether there is a therapeutic benefit from such dolls. It is not a view I hold; however, I think it is worth turning our minds to whether there is a therapeutic benefit because, when we think about the use of these dolls, one may well say that there is some benefit in a person exercising their depravity on an inanimate object rather than seeking out a real child.

I can see that members of the public may hold that view and think that is a reasonable view; however, it is also worth looking for any research that actually supports that point of view. I think that many of the organisations, including the Carly Ryan Foundation and others who have contributed to this topic and this bill, would say that there is no research—certainly no sufficient or compelling research—that says that there is any therapeutic or preventative benefit to people who have these proclivities having access to childlike sex dolls.

The Attorney made a good point when she spoke about the desensitisation of people to offences against children, or potential offences against children, by using such products as childlike sex dolls. There is really not a lot of evidence either way as to whether childlike sex dolls are a gateway to offences against children. However, I think that there is sufficient research around the therapeutic benefit of them and sufficient reason for us to believe that the legality of such sex dolls would not curb a person's criminal intentions and would not provide any greater safety to children who may otherwise become victims of a sexual perpetrator.

The bill amends the Criminal Law Consolidation Act 1935, making it an offence to produce or disseminate a childlike sex doll and introducing a maximum penalty of 10 years. The current

maximum penalty for production or dissemination of child exploitation material is 10 years for a basic offence and 12 years for an aggravated offence. The bill also makes it an offence to possess a childlike sex doll and introduces a maximum 10 years for that.

The current maximum penalty for possession of child exploitation material is five years for a first and basic offence, for an aggravated offence it is seven years, for a subsequent basic offence it is seven years and for a subsequent aggravated offence it is 10 years. I think the penalty of 10 years for the production and dissemination of a childlike sex doll is consistent with the penalties that currently exist for other child exploitation material.

I want to speak briefly to the matters that the Attorney raised in reference to the communication from Jeremy Malcolm. Certainly, on this side, we do not want to see this bill in any way delayed. As I clearly stated, we will be supporting the bill. I would say to those concerns that Jeremy Malcolm raises, which I think are worth considering, that if there were further research done or some sort of benefit that could be laid out for utilising or exempting the use of dolls in the circumstances that he has pointed out, I am sure that the parliament would return to this issue and have a look at whether there is benefit to that.

However, I do take on the Attorney's comments that the dolls, or the products that Mr Malcolm is advocating for, are quite different in both intent and design from what the parliament is seeking to outlaw with this bill, so I would hope that Mr Malcolm's concerns are already satisfied and catered for in the current legislation. I thank him for raising those issues, and I look forward to reading through his concerns in a little more detail.

I once again indicate Labor's strong support for this bill, and I look forward to it progressing through the parliament. I thank the Hon. Connie Bonaros of the other place for bringing this to our attention and for introducing the bill to the parliament. I also thank SAPOL, the Carly Ryan Foundation and the Law Society for their contribution, as well as the Attorney herself for taking the bill through the lower house.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:29): I rise as a member of the government to support the Hon. Connie Bonaros's bill and also the amendments that the Attorney-General has put forward. Put simply, the bill seeks to ban the production, dissemination and possession of childlike sex dolls. I never imagined nine years ago when I was elected that I would ever be talking about sex dolls in this place, but I do accept that the matter that the Hon. Connie Bonaros has raised is actually a very important one.

I do not speak as an expert. I have never seen one of these dolls and I have actually never been in the proximity of one, but I do think it is worth sharing a few points on behalf of the people of Stuart. Broadly speaking, sexual activity between consenting adults in private should really be entirely up to them, but I do think that this topic is slightly different. I do not think it is too conservative, I do not think it is unreasonable and I do not think it is old-fashioned to believe from the bottom of my heart that people who are sexually attracted to children have a problem—a very serious problem—and so any activity linked to sexual attraction to children needs to be dealt with differently from the way we would deal with other types of sexual activity.

Assault is a dreadful thing. Sexual assault is a dreadful thing. I am sure many of us have been involved in discussions where we have tried to weigh up in our minds whether a murder, where a person's life is taken, is more or less terrible than a sexual assault on a child, where a life is not taken. I do not know that we will ever figure that out, and I do not know that we ever really need to, to be honest. Let them just both be dreadful crimes, neither of which should be accepted.

The concept that somebody could, in the privacy of their own home, find pleasure in a child sex doll I think is something that we do have an obligation to deal with. My reason for thinking that is connected to something that the member for Badcoe mentioned about the ever-growing reality that manufacturing technology allows to happen in these things. I cannot accept that if a person chooses to engage with a sex doll of their choice, looking like they want it to be, potentially made to look identical to a real-life child—and we know that technology will allow these things to become more and more realistic over time—that would not be likely to encourage a person to want to do so with an actual child rather than a doll or a model of a child.

Assault and sexual assault are dreadful things. Assault on anybody, including assault on women, as is most often the case, is completely unacceptable, but sexual assault on children is an entirely different category. I fully support the Hon. Connie Bonaros, I fully support our Attorney-General and I am pleased to see the opposition is also supportive of this bill.

I cannot think of a reason why we would not ban the production, dissemination and possession of childlike sex dolls. The suggestion has been raised that, if a person who has these desires is able to engage with a sex doll, they may not then perpetrate a crime against an actual child. That does not do it for me, to be honest, because I think anybody who has these urges is likely to want their engagement to become more and more real over time, and I find it very hard to accept that a person who has this attraction would have the self-control to know the difference, to know when to stop.

I cannot see any reason why these dolls should not be banned, and I know that I would speak for the overwhelming majority of my electorate when I express this view. I certainly support the bill as, I understand, do all members in this place.

Ms LUETHEN (King) (11:35): I rise on behalf of government members to speak on the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill 2019, which has been moved by the Hon. Connie Bonaros. I thank her for introducing this important bill.

The increasing importation of child sex dolls in Australia has created increasing concern. The sale of child sex dolls potentially results in the risk of children being objectified as sexual beings and of child sex becoming a commodity. Alarmingly, there is a risk that childlike dolls could be used to groom children for sex. Child sex dolls are anatomically correct, life-size dolls made to look like pubescent and prepubescent children.

I have read in an Australian Institute of Criminology report that, conceptually, child sex dolls could provide their users with both emotional and physical stimuli. This is borne out by testimonials from adult sex doll owners, who frequently report emotional attachment to their dolls, including romance, closeness and companionship. A recent study of sex doll owners indicated that companionship and alleviation of loneliness were important aspects of sex doll ownership, although over three-quarters still described sex as the core element of their relationship.

It is reported that users of these dolls may become desensitised, and in this context this refers to the distorted cognitions that may derive from child sex doll use, where sexual abuse of a proxy child becomes normalised, thereby providing justification for the initiation of contact child sexual offending. Howitt and Sheldon (2007) found that child exploitation material offenders were more likely than contact child sex offenders to view children as sexual beings. This was a function of child exploitation material offenders' views being fuelled by their fantasies, while contact offenders were aware of the realities of sexual contact with children.

Child sex dolls could continue to fuel the fantasy perception of children as sexual beings, further supported by the lack of negative feedback received from a doll. Indeed, Maras and Shapiro (2017) noted that such dolls fail to provide paedophiles with accurate emotional feedback from aggressive actions, particularly ones that would result in emotional and physical damage if performed on a real child. This results from the fact that such dolls will typically be silent and offer no emotional feedback or, in the case of robotic models, only provide positive responses.

Purchasers of these dolls make a choice to buy these dolls. The act of seeking out, selecting, purchasing and receiving a child sex doll is the result of a planned consumer choice that signals a demand to the market, which in turn further promotes the sexualisation and commodification of children. It is reasonable to assume that interaction with child sex dolls could increase the likelihood of child sexual abuse by desensitising the doll user to the physical, emotional and psychological harm caused by child sexual abuse, and by normalising this behaviour in the mind of the abuser.

Childlike sex dolls are an emerging and increasing form of child exploitation material that must clearly be criminalised to prevent children from being abused, as the dolls normalise abusive behaviour towards children, encourage the sexualisation of children and increase the likelihood that a paedophile will engage in sexual activity with or towards children.

The bill seeks to ban the production, dissemination and possession of childlike sex dolls. There is an increasing interest here in Australia and overseas in prohibiting the importation, possession and production of these dolls. In the absence of conclusive research, it is possible that there may be some criticism of the bill as impacting on the civil liberties of individuals. Despite this, it is crucial that the legislation is supported and moved swiftly.

I acknowledge the request by some groups to suggest that these dolls could be useful for education of children. However, if they provide evidence, this can be looked at in the future for consideration. Today, we are focused on prohibiting childlike sex dolls. When discussing this last night with a constituent, they told me they bought a sex doll for an adult party, and they told me how difficult it was to find a doll that was not childlike. That makes me very sad and concerned.

In March this year, the Australian Institute of Criminology prepared a report, entitled 'Exploring the implications of child sex dolls', highlighting serious concerns with the issue of these dolls. We know that the so-called dolls are currently manufactured in overseas markets, including China, Hong Kong and Japan, and are designed to be as lifelike as possible. Manufacturers go to significant lengths to offer an array of tailored options, such as being able to choose skin, hair and eye colour, facial features and body shape.

Most disturbing of all is the trend towards robotic dolls. Robotic versions of adult sex dolls are already available, with child versions thought to be in production. The robotic versions of such dolls can have a heartbeat, use artificial intelligence and programming to give positive verbal cues, track eye movement and assume sexual positions.

The Australian Institute of Criminology report stated that in Australia in 2017 there was a significant increase in the number of imported and seized childlike sex dolls classified as objectionable goods under the Commonwealth Customs Act. Figures provided by the Department of Home Affairs indicate that, between July 2013 and June 2018, 133 childlike sex dolls were detected at the point of importation, although the largest portion of these detections occurred in the 2016-17 financial year.

People living in King and across the state have told me they care about child protection. They have told me they want tougher penalties. Wherever we can, we must invest in primary prevention to stop children being hurt and objectified and stop the cycles of abuse that we have in our community.

It has been well documented that the sexual abuse of children has a range of very serious consequences for victims, including depression, post-traumatic stress disorder, antisocial behaviours, suicide, eating disorders, alcohol and drug misuse, postpartum depression, parenting difficulties, sexual revictimisation and sexual dysfunction, as some of the manifestations of child sexual abuse among victims. We know that most of these symptoms are very prevalent in our community today. We only have to wonder what they stem from.

The misperceptions about those who sexually abuse children abound. The Australian Institute of Criminology published an analysis of 65 research studies across 22 countries, which yielded a high prevalence of child sexual abuse in Australia and only 10 per cent perpetrated by strangers. I have said many times before that I will take every opportunity in this place to talk about child sexual abuse because it is so prevalent and so that it becomes a topic we talk about openly, just like we talk about DV today.

We must talk about how to prevent and stop child sexual abuse because these children are being silenced. We are their voice. I agree with the member for Badcoe: we must send a message to every child that we value them. It is estimated that one in five children in Australia will be sexually abused, and these are the children who have had abuse substantiated. Given the harm caused by child sexual abuse, the parliament must take action where it can to prevent further abuse of children. Today, we send a strong message: sexual abuse of children is not acceptable.

In closing, I wish to make reference to safeguarding children who go online. With the increased prominence of the internet in our everyday lives, and particularly the ease with which it can be accessed, pornography has become a greater risk to our children. The two biggest trends on the demand side of pornography industry today are for younger victims and more violent sexual

behaviour. Put this together with pornography being addictive and progressive in nature, and what you have is an increasing demand for child victims.

Child pornography in particular is documented child sexual abuse. Children are being sexually abused in order to make that material. Seventy-five per cent of child pornography victims are living at home when they are photographed and recorded. Parents are often responsible. Child-on-child abuse is increasing. We must act urgently to give children the knowledge and language to speak up.

Today, it is so heartening to hear a consensus in this chamber that we must ban these childlike sex dolls. We are brave leaders who will not be silent about hard topics. Thank you to every member who cares enough to speak up and support this bill today. We have just held National Child Protection Week, which was all about everyone getting involved in building better communities for children and young people. I urge my honourable colleagues to support this critical piece of legislation. To the people in King, thank you for giving me a voice in this place. I intend to use it on your behalf and on behalf of children. With those words, I commend this bill to the chamber.

Mrs POWER (Elder) (11:46): I rise today to speak on and support the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill 2019. As a government, the safety of all South Australians is our priory. This was clearly demonstrated by our Premier when he created the appointment of the state's very first Assistant Minister for Domestic and Family Violence Prevention.

Anyone can be affected by family, domestic and sexual violence, and children are especially vulnerable. In recent years, both in Australia and overseas offenders have been prosecuted for possessing or importing child sex dolls. In New South Wales, for example, the ownership of these dolls is prohibited; in 2016, a man was sentenced to two years and three months' imprisonment for possession of a child sex doll. A District Court judge ruled that a child sex doll could be classed as 'child abuse material'.

This bill seeks to put beyond doubt in South Australia's jurisdiction that childlike sex dolls fall within the definition of 'child exploitation material' by creating an offence. Like other such materials, these dolls actively create a market that validates the sexualisation of children. We cannot allow any material to normalise sex between adults and children. As members of parliament, that is our expectation and also that of our community.

In 2016, a petition to ban child sex dolls in Australia was reported to have received more than 18,000 signatures. There are online petitions in other countries around the world also calling for the ban of such items, because the sale of child sex dolls potentially results in the risk of children being objectified as sexual beings and of child sex becoming a commodity.

I know, through my work as Assistant Minister for Domestic and Family Violence Prevention, that research has shown that a demonstrated lack of respect towards women, and attitudes that a man is entitled to a woman or should be able to control her, has been associated with violence against women in all its forms. This includes sexual violence resulting from expectations that women should accord with men's sexual fantasies.

It is not okay to treat women or any person in this way. As a society, we simply cannot allow dolls that encourage or validate this behaviour towards children, as these dolls have the potential to do. The use of child sex dolls could serve to reinforce negative societal stereotypes of children being perceived as sexual objects. This bill clearly reflects community attitudes on how unacceptable these dolls are and, as a government, we are taking a strict approach in relation to prohibiting these dolls, given the absolute harm caused by child sexual abuse.

It is reasonable to assume that interaction with child sex dolls may increase the likelihood of child sexual abuse by desensitising the doll user to the physical, emotional and psychological harm caused by child sexual abuse, and by normalising the behaviour in the mind of the abuser. If it is within our power to create intervention on a path to child sexual abuse, it is one we must take, and so I commend the bill to the house.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:50): I do not plan on detaining the house very long on this important bill, but I do wish to take the opportunity to lend my

vocal and enthusiastic support to its speedy passage. I thank the Hon. Connie Bonaros for the work that she has done in bringing this bill to the parliament, and I thank the Attorney-General for taking the unusual step of taking a private member's bill from another house and giving it precedence in government time.

The government has been very eager to see this bill passed as quickly as possible. I recognise the support from the Labor opposition and thank them for that support in us doing so, and thank members who made a contribution. In addition to the Attorney-General, of course, who will sum up in a moment, I particularly acknowledge the members for King and Elder for their very passionate speeches. Anybody I have spoken to who has had their attention drawn to this issue has been passionate in their support for this legislation.

I think it is terrific that the federal parliament has been doing some work in this area. The state parliament has now followed suit in terms of creating this offence, ensuring that we do what we can and that these actions can never be normalised; it is worthy. With those brief words, I lend my very strong support to the bill and encourage all members to support it through its second and third reading in a very speedy fashion this morning.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:51): I just wish, firstly, to acknowledge and thank contributors to this debate. In some ways, the identification and public education of child exploitation is a 21st century exposé; it is not a new crime. There are new ways of exploiting children, with the internet and other advances in technology, but as a mature community we do need to reflect laws that are there to protect children in these circumstances. We have had no less than two royal commissions in the last 20 years, both here in South Australia and at the national level, to tell us about institutional child sexual abuse. We need to heed the fact that we have a very clear responsibility to act and to be responsive to it.

I felt that there was one aspect of the Prostasia presentation which I had not alluded to but which has been identified in their press release. For the sake of completeness, I will put that on the record in response. It really is to highlight—and I think the other members have commented on this—that if there is a therapeutic advantage, if there is a benefit to deal with a 14-year-old special needs child who has the mental age, say, of a six year old who is then developing sexuality and interest in sexual matters as they mature through teenage-hood, but has a restricted mental age by virtue of some disability, and they are a useful therapeutic tool for that purpose, then if research supports that we will obviously have a look at it.

However, at present, there is nothing before us other than some projects or programs or a push for reform in this area that are happening in the United States, which suggests they are not. I will quickly read the public position that Prostasia have published in their press release, entitled 'Special ed kids need sexual outlets to keep others safe: expert', as follows:

> Sex dolls can curb the impulses of adolescents with special needs
>
> Republican lawmakers are planning to ban such dolls
>
> San Francisco—September 16, 2019—Sex dolls could be used by young adolescents with special needs, who are otherwise liable to act out sexually in harmful ways, according to special educator and researcher Melissa DeLapp.
>
> 'I worked with adolescents who may have the sex drive of a teenager, but the mental age of a younger child. Providing them with outlets for their sexual feelings are essential tools to curb inappropriate behaviours, which could harm other children around them,' DeLapp said.
>
> Sex dolls with the physical appearance of adolescents are available for sale, but Republican lawmakers have introduced a bill that would see these dolls banned. Similar bans have already been passed in Florida and Tennessee, and another is pending in Kentucky.
>
> 'We can't blame these children for responding to their sexual impulses,' said DeLapp, who is collecting data for a doctorate in special education. 'But if we don't help channel those impulses towards harmless outlets, other students and staff are put at risk.'
>
> Jeremy Malcolm, Executive Director of child protection organization Prostasia Foundation, said, 'these objects are confronting, but if they could be used in the management of harmful sexual impulses and save real victims from harm, then banning them is the wrong approach.'

Earlier this month the Foundation announced a new, self-regulation scheme for sellers of sex dolls, to address legitimate concerns around the availability of these dolls, but without the need for a ban which would interfere with the use of the dolls for clinical and research purposes.

The organization is also raising money for research to further investigate and document anecdotal reports about the therapeutic properties of the dolls in special education and in child sexual abuse prevention.

It is a press release which is undated but was attached to an email dated 15 September 2019. I just place that on the record for completeness, but can I say this, and I reiterate this: we understand the need to extend the commonwealth law which already deals with this product as being unacceptable. If, in due course, there is some identified benefit for certain members of the community in a therapeutic circumstance, obviously we will have a look at it.

I can remember a time when photographs of children—before we were even on the internet—were identified as not necessarily being dangerous to children. In fact, in some ways the same argument was used: let them have a photograph that is sexually satisfying enough to somebody who has an interest in children and then they will not predate on children. Well, that is just not acceptable.

Children are photographed and their privacy is exploited and worse in relation to the obtaining of information, photographic usually, and then transferred for the world to see in the technology that is available today. That is just not acceptable, and that argument fails on all conscionable standards. So this is going to have to be a very high threshold, let me tell you, for me and I am sure for other members of this parliament. At the moment, this bill will ban it.

I thank members, and I again conclude by thanking the Hon. Connie Bonaros for bringing it to our attention. I do not place her necessarily in the same group as the Republicans in the United States—I think she would probably be horrified to think so—but the important thing is that it has been an initiative there which needs to be closed in Australia, and this bill will do it. I thank members for their indication of support.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms STINSON: Attorney, I understand that this bill did not originate with you and that you might need to seek advice and come back to the house. However, I wonder if you could inform the house how this bill interacts with federal laws. In particular, I understand that there are currently confiscation powers, in that objectionable material can be seized, and I wonder how that interacts with this. I note also that a bill lapsed at the federal level. I wonder if you can enlighten us on that general issue of the interaction between this bill and the federal climate.

The Hon. V.A. CHAPMAN: I think it is fair to say that this legislation, if passed, will be complementary to commonwealth law. In short, the act I referred to (I do not have it in front of me now), which was passed at the commonwealth level, allows for the confiscation of these objects when they are coming into the country. As the member would well appreciate, there are certain laws in relation to customs and so on which, in 1901, we transferred to the establishment of a federal parliament, and of course the Australian Constitution, to have responsibility for that.

But not all these products can be interrupted at the port. I used as an example Port Melbourne and a container full of sex dolls that might get through. Secondly, and perhaps even more importantly, a lot of material comes into the country not in a container but now via post. People can order these things, so it is very important that we have a state law that says that if they are going to be for the purposes of production, dissemination and I think the other word was 'possession', then we need to catch them if they have not already been stopped at the border. That is really what I am suggesting.

I see this as complementary law for the passage of dolls here in South Australia that have got through the commonwealth rules and/or been directly sent to South Australians via the post. Some of them will bring them in across the border in a truck. There are a lot of different ways in

which, if they get into the country, they could then get to South Australia and South Australians, and we want to stop that.

Ms STINSON: Just to expand on that, I understood that there was a bill around the importation of childlike sex dolls in the commonwealth parliament but that bill lapsed in April, and then it was reintroduced in July and is currently with the Senate Standing Committee on Legal and Constitutional Affairs. I wonder if the Attorney thinks that there will be any conflict between what is being proposed here and what may possibly get through at a federal level, and whether we might have to revisit this in future based on whatever might transpire at the federal level.

The Hon. V.A. CHAPMAN: I am advised that in relation to that legislation that, as you rightly point out, lapsed but was reintroduced in July, it is going through its normal process. The member would also be aware that obviously we cannot produce law that is inconsistent with commonwealth law and, if we do, then generally the commonwealth law prevails. That is a very big generalisation but, in any event, at the moment there is no law at the federal level that would challenge the validity of this law.

However, I am advised that what is progressing through the commonwealth parliament in its current form—obviously we cannot make any comment if there is any amendment to it—is consistent with what we are doing here. If there was any other amendment, broadly consistent, I am advised to say, obviously if there is any effort, I suppose, translated to other jurisdictions of this initiative then, ultimately, they may cover the field at the commonwealth level. However, at the moment, this is an important issue, Ms Bonaros has identified it here as an important issue and we are getting on with it in South Australia.

Clause passed.

Clauses 2 to 5 passed.

Clause 6.

Ms STINSON: I think my assumption on this is right, but for the sake of clarity I just wanted to ask about the creation of self-made or homemade sex dolls and whether they would be covered by this bill. I might just leave it at that for now.

The Hon. V.A. CHAPMAN: I am assuming by what the member says that someone here in South Australia makes a doll at home.

Ms Stinson: For non-commercial purposes.

The Hon. V.A. CHAPMAN: I understand that. For the record, I think the member is saying for non-commercial purposes, that is, for their own personal use. I am advised that this would then apply. They have produced it. It does not have to be for commercial purposes. They have produced it; they would be in possession of it. They may not disseminate it, but they would have offended in two ways, at first blush.

Clause passed.

Clause 7.

Ms STINSON: I wondered what promotion and enforcement measures might be undertaken and what agency might be responsible for promoting this new law. I understand that, for example, perfectly legal importers of sex toys or those who sell adult products should probably be made aware of this law. I wondered if the Attorney or any of her agencies had any idea about how they might promote this change in the law to the limited number of parties who might need to be aware of it.

The Hon. V.A. CHAPMAN: I think it is clear that we firstly need to appreciate that this law is complementary to a commonwealth law that already prohibits the importation of these dolls. That does not mean we are talking about a factory in South Australia that might make them. That is obviously one of the reasons why we are trying to fill the gap here. The notice of all laws under my responsibility is the subject of electronic notification; that is, the AGD spends considerable money each year, actually, advising of new legal and consumer law changes. I am not aware at this stage of any proposed promotion of that. The usual arrangement is that there is electronic notice, there is

a summary prepared of the legislation and how it affects people and details of that go to any stakeholders that were involved in the consultation.

Ms STINSON: Is the Attorney satisfied that existing mechanisms for promoting this law will be sufficient, particularly to legal operators who may be retailing adult products?

The Hon. V.A. CHAPMAN: I have not, as I have indicated, been privy to any proposed promotion of the new law. It sometimes follows with some media, and there has already been some media on this, but that is not enough. Although we have come a long way from expecting the public to just know when a law happens here and, as I said recently, it has been a long time since somebody used to stand at the front of Parliament House and say, 'Hear ye, hear ye! This new law has passed,' and the details of it I think as a government we do have a responsibility to advise. I am not privy to the details of the program proposed here, and it may not be finalised until such legislation passes.

But I can assure the member that this information does need to be out there. Either on the AGD and/or the CBS websites is where that information should go. It should also be there, not just for the people who might currently produce or disseminate such products but for South Australians to understand that there are legal consequences and that these are offences. It should also be there for people who might know of others who have products such as this in their possession and who might want to report the same.

So we have, obviously, those who might be guilty of an offence, if they are known as providers or producers of this product or disseminators—'distributors', to use a commercial term. But this also alerts the general public that the parliament has said no to sex dolls, and we mean it, and it is against the law. They have every opportunity to report that to the police if they feel that that is something being breached.

Ms STINSON: Finally, would CBS be the agency that is responsible for advising any relevant parties of this new law?

The Hon. V.A. CHAPMAN: I will have to check on that, but it is a product; there is no question about that. CBS, generally, is the agency that provides for advice and support and regulation where there is a registration or licensing procedure required by law. They are not usually the enforcement agencies for breaches of laws relating to, in this case, the Criminal Law Consolidation Act. This is normally the police, and prosecution under it is the responsibility of either the police and/or the DPP's office.

I would expect that Consumer and Business Services may well get some inquiry about a matter; that does happen. Even though it does not have direct responsibility for criminal activity and breaches of our criminal law, there are certainly offences related to consumer law and, in particular, the registration and licensing regimes that exist for many different operations. To the best of my knowledge, there is no licensing scheme that I am aware of that could in any way relate to the manufacture of these dolls, but it may offend some toy industry regulation. I am not aware of any, but we can certainly make that inquiry.

My expectation here is that this law would be a matter for the police to investigate and enforce. If somebody is concerned about it in due course, that a neighbour or someone else might have access to such a product, it should be reported to the police. They would need to investigate that, obviously identify if that is the case and make the assessment as to whether any prosecution would follow. As a consumer matter, in relation to criminal law, that is what we have the police for.

Certainly, we have other inspectors and agencies such as the EPA that are responsible for protecting our environment and investigating matters and SafeWork SA in relation to workplace matters. We have inspectors in all sorts of legislation, but the police are the agency that we have and provide to the public for the investigation of these matters, and we would certainly urge no-one to try to take the law into their own hands in relation to these matters. But the investigation and successful prosecution rely on the police being advised so that they may, in a professional manner, undertake that responsibility.

Clause passed.

Remaining clause (8), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:15): I move:

That this bill be now read a third time.

Bill read a third time and passed.

RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 10 September 2019.)

Clause 1.

The Hon. V.A. CHAPMAN: I speak on clause 1 to indicate my response to a number of matters that were raised in the debate. Firstly, I thank representatives from the opposition and the member for Florey in relation to these aspects. In relation to the increased penalties under the act, as members were made aware, these are consistent with the recommendations of the Moss review and, in particular, that penalties be increased. The shadow treasurer indicated his concern that that was not sufficiently high enough, and I think the member for Florey also commented on this.

The Department of Treasury and Finance have advised that the consumer price index between 1995 and 2015 was 68.4 per cent. The penalties under the act have been increased in line with CPI and in consultation with parliamentary counsel. Accordingly, the proposed increased penalties are consistent with that, and the government's view is that those proposed increases are adequate.

The question of an increase in the security bond for an amount not exceeding one month's rental to an amount not exceeding three months' rental was introduced in light of recommendation 55(l) of the Moss review and stakeholder feedback during the extensive consultation process. While it is recognised that the increase in the security bond will create an extra cost, it will provide greater protection to tenants by preventing a landlord from terminating the lease of a slow-paying tenant.

The government accepts the point raised by the opposition that a landlord should be required to inform their tenant that they have registered the lease, and an amendment has been prepared to accommodate this suggestion. I thank the member for Lee again for raising this issue. The member for Florey outlined the concerns of one of her constituents in relation to the application of the act. The constituent suggests that the provisions relating to the registration of a lease under proposed section 4(3) should be removed. He is of the view that these provisions fail to protect the small player by permitting a lease to remain outside the scope of the act for the term of the lease because the lease has been registered in accordance with proposed section 4(3).

I am advised, and it is my understanding, that both parties to the lease would negotiate whether or not the lease would be registered to ensure that the protections of the act did not apply before execution and registration of the lease occurred. It would therefore be open to the tenant to refuse registration of the lease as part of the negotiations, which addresses the concerns raised by the member for Florey's constituent. It should also be noted that one of the benefits of lease registration is that it protects the lessee's leasehold interest in the property if the premises are sold.

In short, I can say, firstly, that the negotiated terms between the tenant and the landlord are something that we are not interfering with. This is a whole set of law that is there to protect people under a certain threshold with statutory protection, but the lease procedure—that is, having one—and the registration procedure have benefits for both parties. Each can make the decision or receive advice in relation to whether it is either necessary or appropriate in their circumstances. It is part of the commercial arrangements that go with that. I hope that further information provides some assistance to members who are following this debate.

The Hon. S.C. MULLIGHAN: I thank the Attorney for those comments and also for her willingness to take on board the concerns that I raised and that the member for Florey raised. Furthermore, I thank her for being willing to have an amendment drafted and to contemplate an amendment to provide some greater certainty, if not transparency, for the lessee about a lessor's registration of a lease. I will talk briefly about that now, rather than go to it in detail when we get to clause 5.

I was thankful for the Office of the Small Business Commissioner and, indeed, the Attorney's office for furnishing me with a copy of the amendment she had drafted, which was similar in terms to inquiries I had made with parliamentary counsel for that. On thinking on it after I received it yesterday, I did wonder whether there was one further element of fine-tuning that might be beneficial for particularly the prospective lessee in their impending relationship with their landlord, and that is whether at the outset there should be a requirement for a landlord to notify a lessee of the intention to register a lease before the lease is entered into.

My understanding—and I am happy to be corrected—is that, despite the amendment the Attorney has provided, and despite the issue I raised before the house last time we were discussing this bill, it still may be that although an amended bill, as the Attorney intends, might provide some certainty and transparency about the registration of the lease after the fact, should it not be a requirement of a landlord to be up-front with a prospective tenant about the proposed registration of that lease? I would be pleased, either now or at the juncture of clause 5, to have that discussion with the Attorney.

Aside from that further relatively minor fine-tuning, I am very grateful to the Attorney for being willing to draft the amendment and move the amendment she has placed on file with regard to the registration of a lease. The registration of a lease, of course, is important not just because it provides some comfort to the lessee, as the Attorney has just advised us, in the event, for example, that a premises is sold. Having that lease formally registered also provides some protections for the lessee, as well as lets the prospective property purchaser know what they are in for in terms of having a tenant at the outset.

Of course, there are also some benefits for the landlord in the registration of a lease, particularly in the event that the lease is registered in such a way that it avoids the land tax provisions of the Retail and Commercial Leases Act; that is, registering a lease in some instances will enable the land tax to be specifically passed on to the tenant in those instances. In the current climate, where we are potentially discussing a very significant increase in land tax imposts to some landlords, that becomes a material consideration for us.

Having a further fine-tuning of that registration of leases element, where in setting out to negotiate a lease with a prospective tenant a landlord must formally advise them of the intention to register the lease, would provide that further element of transparency and certainty to the tenant. I realise that, as they often are, parliamentary counsel have been put to some pains to hastily concoct an amendment that would further supplement the amendment that the Attorney is putting on my behalf. Hopefully, that has landed; if it has not, we will just have to move on with the Attorney's amendment.

Mr Pederick: Yes, it has.

The Hon. S.C. MULLIGHAN: It has landed? That is very good news. That would be my intention. It is not that I feel that the Attorney's efforts are not appreciated or not without merit, but on receiving them and thinking it through subsequent to that additional protection, that additional protection is something I intend to seek. Of course, it will be within the Attorney's purview as to whether to accept that or not.

With regard to the penalty, I also propose to increase the relevant penalty from $8,000 to a maximum penalty of $15,000. I believe that it would be a good strengthening of the act. I accept the very logical and credible argument from the Attorney that the increase to $8,000 accurately reflects the CPI climb since these penalties were last set, and there is no real fault in that logic at all. However, given the possible amounts that we will be legislating around, $8,000 in the scheme of things may or may not be such a significant penalty for some landlords, so I foreshadow my intention to run up the flagpole a further strengthening, if you will, of a maximum penalty of $15,000, rather than the $8,000.

On that bond matter, once again—you will be checking *Hansard,* Chair, to see if what I am saying is accurate, such is the extent to which I am agreeing with the Attorney in debate—I accept the argument that she puts forward and also the recommendation of the Moss review itself, which identified an opportunity to strengthen some tenant protections by increasing a bond level from one month to three months.

I accept the argument that if a tenant has had to place a bond of up to three months' rent with the commissioner, if a tenant starts falling into arrears perhaps by a week, two weeks, four weeks or maybe even a little more, then there is some buffer that provides more comfort to the landlord. They do not need to be quite so hasty in seeking to boot that tenant from not meeting their rental obligations. I accept that argument.

However, I still am concerned that, with a newly legislated rental threshold of $400,000 per year, a bond of three months (being a quarter of that yearly rent) or $100,000 is a very significant impost. I realise that not all rents are going to be at that top end of close to $100,000, but I certainly feel that there are likely to be several tenancies—in my electorate, for example, and I gave the example of the regional retail centre of Westfield at West Lakes—where many small business operators are operating a retail lease where the rent is conceivably in the area of perhaps between $20,000 and $30,000-odd a month, which places them otherwise within the purview of the act.

With the requirements that those sorts of shopping centre operators put those tenants to—not only to come in and sign a lease but also to be responsible for what needs to be a fairly extensive, eye-catching fit-out of a retail premises in order to contribute to the customer attraction efforts of the entire centre—coming up with a bond on top of that can be quite significant.

I think it is instructive in that regard to also remember what Alan Moss said in his review when trying to describe some of the circumstances that new tenants find themselves in. They might choose to start a small business because, for example, they might be in receipt of a reasonably sized redundancy payment from whatever their former course of employment was and they are choosing to reinvest that in a new venture and start their own small business.

In the scenario that I paint, where perhaps you have a landlord who owns a number of shops in addition to the premises a prospective lessee is seeking to rent, the prospective lessee not only has to come up with the fit-out, the initial purchase of stock and all the other start-up expenses of a small business, but then has to come up with a bond of that amount, and I am still finding that difficult to reconcile.

I realise that, for the committee, I may be making this point screaming into the wind, given that we have a recommendation from a review done by an eminent person which sought and received submissions and which led that reviewer to the conclusion that it should be three months' rent and not one month rent. However, nonetheless, I feel for those people, particularly those who have made representations to me about their retail experience, and I foreshadow that, when it comes to it, I will move that amendment to maintain it at one month rather than three months.

I will basically leave my contribution there, and I am happy to proceed pretty quickly with the small number of amendments collectively we have.

The Hon. V.A. CHAPMAN: I thank the member for Lee for indicating some other areas of reform that he now seeks. Obviously, we will have a look at those amendments and we will deal with them relative to the clauses as they come up.

In relation to the notice of intention by a landlord to a tenant—at the outset, as the member suggests—of the prospective intention for them to want to have a lease registered, firstly, the negotiations between a landlord and tenant and the commencement date of those may well be hard to even identify. It may not be the intention of a landlord at the commencement of negotiations that they will be seeking to have the lease registered.

It may not be the intention of the lessee that they would seek the security of registration as part of their terms of the negotiations. Identifying that either way I think is problematic, but in any event it is fair to say that we would raise the question of who should be notifying whom and at which time the intention crystallised. Whilst I appreciate the member is foreshadowing a further amendment to require this of the landlord, I think there needs to be consideration in those circumstances of what

obligation there should be of the tenant. I think the whole of this idea is potentially problematic in identifying and defining the crystallising moment at which that intention is formed.

The retail and commercial leases regime in this legislation to be amended is one which is currently in some ways regulated by section 16 of the Retail and Commercial Leases Act 1995 and which is proposed to be amended under clause 12 of this bill. I am advised that, in looking at each of these, the replacing or substituting clause 12—that is, substitution of section 16—is largely the same, except that it removes reference to the stamp duty circumstances, because the current section 16 refers to a stamped lease and the proposed clause refers to a lease.

As the member would be aware, no stamp duty is payable in relation to commercial properties now, so my understanding is that this substitute is there to be able to accommodate that new circumstance, but otherwise it remains the same. What is important to appreciate is that, under 16(a), if a lease is not to be registered, the lessor must provide the lessee with an executed copy of the stamped lease within one month after the lease is returned to the lessee for the lessor or the lessor's lawyer or agent, following payment of stamp duty on the lease.

Firstly, we have a circumstance where, if they have signed a lease and it is not intended to be registered, a copy of that lease has to come back in certain time frames and, secondly, if the lease is to be registered, the lessor must lodge the lease for registration within one month after the lease is returned to the lessor or the lessor's lawyer or agent following payment of stamp duty on the lease, and the lessor must provide the lessee with an executed copy of the stamped and registered lease within one month after the lease is returned to the lessor or the lessor's lawyer or agent following registration of the lease.

In either circumstance there are obligations to provide a copy of what is currently described as the stamped lease, if the amending bill goes through. Under clause 12, that will change to the lease. It sets out a very clear regime as to what must occur in relation to lease documentation and the obligations of the landlord in that instance to make sure a copy of that is provided within a time frame specified.

That is part, I suppose, of all the regime of this legislation, which, as we know, is largely designed to regulate and have statutory obligations in relation to leases which are at $400,000 or less. Obviously, that threshold can vary—and it has monumentally, of course, under the previous government, from $250,000 to $400,000 with the stroke of a pen—but we need to recognise that this is legislation which already sets out a very strict regime and which I would hope the member for Lee appreciates would give some comfort.

Remember that we are talking about leases that relate to negotiated arrangements over $400,000 in annual rental, which, to be honest, is not the local fish and chip shop. We are talking about a significant tenancy arrangement with expected fairly sophisticated capacity as both landlord and tenant. I think I mentioned in the general debate on this matter that it would not be unusual, in fact, to have a situation where the balance of power, the level of operation as a business, might be quite reversed as to what we are expecting to protect under this legislation; that is, where Mr and Mrs Chapman, for example, might own the shopping centre and Coles, Woolworths or the like might be the tenant.

With due respect to the Mr and Mrs Chapman of the day and whatever other enterprises they might have, if we assume for the moment that this is their life savings investment into a shopping centre at Mount Barker then, as big an investment as it might be, to try to compare the negotiating strength and/or any imbalance in relation to each army of lawyers or advice or expertise that they may have may be very different from what this legislation was actually set up to do, which was largely to regulate for the protection of significant power imbalances in the reverse, that is, a vulnerable tenant relative to the position of the landlord.

We do not need to relitigate the merits of having this type of legislation. We have a 1995 act and, for all intents and purposes, no-one is disagreeing that a regime such as this should continue. We are simply trying to update it to be consistent with what Mr Moss presented in his 20 recommendations. Mr Moss is a retired District Court judge who comprehensively undertook a review of this matter in 2016. Except for a minor amendment on lease documentation, he did not recommend any other change. We are following that and so a notice of intent would be difficult.

The second area is the question of penalty raising, which is foreshadowed at $8,000 to $15,000. I appreciate that the member for Lee accepts the argument that there is a CPI adjustment and that that might be reasonable in the circumstances, if I could paraphrase his contribution on this, but, notwithstanding that, he still has the view that it should be nearly double.

There does not seem to be any basis upon which there would be a transformation on behalf of the member for Lee from 2017 to 2019 as to why this should suddenly be necessary. We have a report by Mr Moss. He has made recommendations. They have been implemented. This is the regime that was proposed by the previous government in which the member for Lee was a member of the cabinet and presumably the caucus that made the decision that this was a proper process.

I do not know what transformation of thought the member for Lee has had on this since he has been relieved of the shackles of cabinet solidarity, but I make the point that, if there had been a major increase in relation to conduct in breach of this, or there was some other basis upon which on the assessment of penalty there needed to be a review of this, then the government will certainly have a look at it, but to simply wake up today and come to the parliament and say, 'I think these penalties are too light as well and therefore we should go to $15,000,' frankly, I do not see as justifiable.

The government is happy to look at any important amendment. I think we have demonstrated our position in relation to a most helpful suggestion—namely, giving notice in relation to the lodgement of the lease—which has been foreshadowed in an amendment. We are happy to look at measures that will improve things, but to simply say that this is now not good enough suggests to me that it is really just opportunistic lawmaking.

The third area is in relation to the bond. Again, the member for Lee indicates that he is foreshadowing an amendment that raises some objection to there being a provision of up to three months' rent. For an annual rent of $400,000, that could be up to $100,000—up to $100,000. It might only be $10,000, it might be $15,000, it might be half that or it may be the whole $100,000. If it a $12,000 annual rent, of course, it would be up to $3,000.

Again, Mr Moss has looked at this matter and seen, I think, the benefit and merit in both dealing with the tenant who might get a bit behind with their rent, which is actually a good reason for doing this, and looking at the landlord's capacity to be able to have some protections. Mr Moss has given due consideration to this and consulted with stakeholders. If there are people who have now gone to the member for Lee suggesting that they are at some disadvantage as a result of this proposal that we do not know about, then again I would invite him to present it. It does seem to me to be without merit. I remind the member that we are talking about up to this amount as distinct from it having to be for three months.

Secondly, I think it is still important to remember here that we are talking about tenants and landlords who will continue to have the commercial negotiation opportunity. When the lease concludes or in the last three months when it is coming to a conclusion and they start to renegotiate or give notice that they want to continue and/or renegotiate the terms of the next lease, again that will come to fruition.

It may be at a landlord's request that two months' rent be paid in advance as part of the bond over the lifetime of, say, a 10-year lease, during which there has been goodwill, good payment and good conduct on behalf of a tenant, that the tenant, as part of that negotiation for the extension of those lease arrangements or the occupancy arrangements under a new lease, will say, 'I actually want relief from the amount I have paid on the bond. In fact, I think you should only have two weeks' worth of rent. I have demonstrated my area of responsibility here.' Again, that will become a matter of negotiation between these two parties.

These are commercial arrangements and, in the absence of the member for Lee identifying where there has been some unfair bargaining position or exploitation of a tenant in this regard, the government would have difficulty in accepting such an amendment. I invite him to make provision for that. I hope that allays some concerns of the member and if it does not, I invite him to present the evidence to support them in due course when we come to the clauses.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

The CHAIR: Before the member for Lee speaks, I might make a short statement here in relation to clause 5. Both the Attorney-General and the member for Lee have proposed amendments to clause 5. To enable both members and the house to consider which amendment to accept or reject, I propose to move the member for Lee's amendment insofar as it tests the will of the house.

I will therefore put that the words in clause 5, lines 24 to 25 stand as printed. Those in support of the member for Lee's amendment will vote against the question. If the words are struck out, I propose to ask the member for Lee to move the balance of his amendment; if the words are retained, I will invite the Attorney-General to move her two amendments. I hope that is clear to everyone, but I will ask the member for Lee to speak.

The Hon. S.C. MULLIGHAN: I indicated that I would be brief, and I will be. I appreciate the arguments that the Deputy Premier made about the further protections, which her amendments place in here, the result of which will be some fairly thorough protections or at least some fairly thorough requirements for the furnishing of the details of a registered lease to the tenant but after the execution of the lease. Really, my amendment seeks to not only do that but also, at least two weeks prior to the execution of the lease, ensure that the prospective tenant, before signing that lease, is told of the intention to register.

The Hon. V.A. CHAPMAN: I will not dwell on and repeat the matters that have been said but, having now viewed the amendment, I note that there is a time frame placed on there as two weeks prior. It only relates to the lessor advising of the lessee. It fails to deal with the crystallising otherwise of intent and, quite frankly, if it is the intention of either party to propose a registration of the lease, then the earlier the better that that should be disclosed. I do not see any reason why the current commercial arrangements and negotiations would not cover that. I think it is fair to say and at least place on the record that frequently the terms of occupancy between landlord and tenant in a commercial arrangement are prepared and crystallised in a document drawn up as a lease in registrable form.

There are a number of reasons for that, not the least of which is that it has been a time-honoured way of securing over property the rights of each of the landlord and tenant. Regarding the opportunities and protections that registration grants, it is frequently a situation where the parties are interested in having it in registrable form but they have no intention of spending the money to actually register it. It may be that in the past things such as stamp duty payable on it and the like may have had some effect, although a document is stampable irrespective of whether it is registered. However, I think the law still is that, if you do want to register it, you are not allowed to register a document unless it has been stamped.

Except for correspondence with your mother, just about everything is stampable according to the value as disclosed in the consideration in the document, but I make the point that the process here of extracting or plucking out a period and then identifying intention according to a two-week period does not do justice to the fact that we are still going to have a problem with the crystallising of intent, and it fails to deal with both sides. For those reasons, the government will not be accepting the amendment.

The CHAIR: As Chair, I now put the question that the words in clause 5, lines 24 to 26 stand as printed. I correct my earlier indication: I mentioned lines 24 to 25 but it is actually lines 24 to 26. Those in support of the member for Lee's amendment will vote against the question.

The committee divided on the question:

Ayes 22
Noes..... 19
Majority..... 3

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Gardner, J.A.W.	Harvey, R.M. (teller)

AYES

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.	Tarzia, V.A.
Teague, J.B.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

NOES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
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.		

Question thus agreed to.

Progress reported; committee to sit again.

Sitting suspended from 12:59 to 14:00.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO. 2) BILL

Assent

Her Excellency the Governor's Deputy assented to the bill.

APPROPRIATION BILL 2019

Assent

Her Excellency the Governor's Deputy assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Ombudsman SA—Investigation concerning the use of spit hoods in the Adelaide Youth Training Centre Report September 2019 [Ordered to be published]

By the Premier (Hon. S.S. Marshall)—

Regulations made under the following Acts—
Fees Regulation—Immigration SA—General

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

Adelaide Youth Training Centre—Term 4, 2018—Visiting Program and Review of Records August 2019
Criminal Investigation (Covert Operations) Act 2009—
Australian Criminal Intelligence Commission Annual Report 2018-19

Commissioner of Police Annual Report 2018-19
Independent Commissioner Against Corruption Annual Report 2018-19
Electoral Commission of South Australia—Report into the Operation and Administration of SA Funding, Expenditure and Disclosure Legislation—Corrigendum of page 44 Report July 2019
Serious and Organised Crime (Unexplained Wealth) Act 2009—Annual Review of Section 34 (1) 2018-19
Surveillance Devices Act 2016—
Commissioner of Police Annual Report 2018-19
Independent Commissioner Against Corruption Annual Report 2018-19
Rules made under the following Acts—
Legal Practitioners—Non-Compliance
Magistrates Court—
Civil—Amendment No. 25
Criminal—Amendment No. 79
Notaries Public—General

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

Regulations made under the following Acts—
Electricity—Principles of Vegetation Clearance

By the Minister for Child Protection (Hon. R. Sanderson)—

Regulations made under the following Acts—
Adoption—Cancellation of Registration

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

Local Council By-Laws—
District Council of Mount Barker—No. 6—Cats

Ministerial Statement

OATEY, MR R.

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:08): I seek leave to make a ministerial statement.

The SPEAKER: Leave is sought; is leave granted?

The Hon. A. Koutsantonis: No, sir.

The SPEAKER: There being a dissenting voice, leave is not granted.

The Hon. C.L. WINGARD: Then I table this ministerial statement on the death of football legend Robert Oatey OAM.

Members interjecting:

The SPEAKER: Order, Minister for Primary Industries and member for West Torrens! If you are finished; thank you.

Question Time

LAND TAX FORUM

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08): My question is to the Minister for Child Protection. Why did the minister lock out the media from her land tax forum last Friday?

Members interjecting:

The SPEAKER: Premier, be seated for one moment. Members on my left—

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:09): I am very happy to answer this, sir.

The SPEAKER: Yes, one moment, Premier. I call to order the following members for interjecting: the member for Badcoe, the deputy leader and the Leader of the Opposition. Premier.

The Hon. S.S. MARSHALL: Thank you very much, sir; I am very happy to answer this question. I think it is important that the member for Adelaide works with her constituents through the complex issue of land tax reform—a reform that we are up to here on this side of the house. They contrast very distinctly from the position that is held by the other side of the house.

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

The SPEAKER: There is a point of order, Premier. I will take the point of order.

The Hon. A. KOUTSANTONIS: Debate: the Premier immediately started talking—

The SPEAKER: I have the point of order.

The Hon. A. KOUTSANTONIS: —about the opposition's point of view.

The SPEAKER: Member for West Torrens, please be seated. As I have alluded to on occasion after occasion, I have enabled ministers or the Premier to provide some, perhaps, relevant background to the question, but I will ensure that he does stick to the substance of the question. I have the point of order. I thank the member for West Torrens. I will listen to the Premier.

The Hon. S.S. MARSHALL: Thank you very much, sir. The question is about consultation with the people of South Australia, and I was just making the point of the contrasting consultation between those on this side of the house and those on the other side of the house. We note that the Leader of the Opposition still hasn't formed an opinion—

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

The SPEAKER: I have the point of order.

Members interjecting:

The SPEAKER: The leader and the Deputy Premier are not helping. I don't want points of order to be raised—I am not saying that this one is, but I don't want us to be stifled by frivolous points of order in the future. I have listened to the member for West Torrens. I have given the Premier some time to warm up. He is talking about consultation, but I promise the member for West Torrens that, if it crosses a line, I will step in. Premier.

The Hon. S.S. MARSHALL: Thank you very much, sir. I was just making the point that we on this side of the house are very keen to consult with the people in our electorates about the largest land tax reform—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —in the history of this state and talk to them about our very firm position that we are taking to the people of South Australia.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: It is disorderly to respond but very tempting to respond to some of the unruly interjections of the Leader of the Opposition. The opposition are continually asserting that they are consulting.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: They haven't formed an opinion. We on this side of the house have very clear opinions—

Ms Stinson interjecting:

The SPEAKER: Member for Badcoe!

The Hon. S.S. MARSHALL: —and we are explaining to the people of South Australia—

Members interjecting:

The SPEAKER: Order! Members on my right, be quiet.

The Hon. S.S. MARSHALL: —the very significant reform which we are putting forward. That is precisely what we are doing.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: We are putting forward—

Mr Brown: Decide and defend.

The SPEAKER: Order! The member for Playford is called to order.

The Hon. S.S. MARSHALL: We are putting forward a very strong position, which offers a very significant reduction in land tax in South Australia. In fact, it is the largest land tax cut in the history of South Australia. We are—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —explaining that to—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: We are explaining that to the people of South Australia very clearly. Now it is up for further input from the people of South Australia.

The Hon. A. KOUTSANTONIS: Point of order, sir: the question was about media attendance at these consultations.

The SPEAKER: Yes, regarding the land tax forum. I still believe that the Premier is answering in a germane fashion, but I am listening to him, to his every word.

The Hon. S.S. MARSHALL: And so we are very keen to speak to the people in electorates when they ask us questions.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Some MPs will make a decision to speak to their electorate—

Mr Brown: What have you got to hide?

The SPEAKER: The member for Playford is warned.

The Hon. S.S. MARSHALL: —directly, and that is precisely what we are doing. As to whether or not media should be attending these functions, that is up to the individual situation. Some people—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —who come to functions and events called by members do not want to be filmed. Some people want to provide feedback to the government in a forum which is not subject to having a television camera or a microphone put in their face. We respect those—

Mr Boyer interjecting:

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

The Hon. S.S. MARSHALL: —concerns that people have. The opposition can choose to conduct their consultation with the media if they choose to do so, and I am sure that they make it clear—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to people who are attending their functions that media will be present, but we choose to conduct our consultations—

Mr Odenwalder interjecting:

The SPEAKER: Order! The member for Elizabeth is called to order.

The Hon. S.S. MARSHALL: —in our own way. We have arrived at our position. What we are not clear about is what the opposition thinks regarding a massive land tax cut. They have no position.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: The Leader of the Opposition is floating around like a feather in the breeze.

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

The SPEAKER: The point of order is for debate?

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: I uphold the point of order. Is the Premier finished? The Premier has finished his answer. The Leader of the Opposition.

LAND TAX FORUM

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14): My question is to the Minister for Child Protection. What was the feedback the minister got from her land tax forum last Friday?

The SPEAKER: Premier.

Mr Brown: Maybe he could tell us.

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

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14): The member for Adelaide speaks to me regularly on this topic, as do all the members on this side of the house, and it's fair to say—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —some people are strongly in support of what we are doing and there are others who raised legitimate concerns. This is always the case—

Members interjecting:

The SPEAKER: Order! The member for Wright is warned.

The Hon. S.S. MARSHALL: —when there is a significant reform which is being pursued by government.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned.

The Hon. S.S. MARSHALL: —and that's what we are doing. We are pursuing the largest reform of land tax in this state's history. We make no apology—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —for putting the people of South Australia first. We make no apology that 92 per cent of people—individuals in South Australia—will be paying less under what we are putting forward.

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: This is a very important reform, which is going to create a fairer situation in South Australia with lower land tax—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and of course, most importantly, make us more competitive on a national basis. As you would be well aware, sir, the regime that was presided over by those opposite led to a situation which many people have given us feedback on. They have said it was completely unsatisfactory to have a top marginal land tax rate—

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —of 3.7 per cent. We got a lot of feedback from people—before the election, subsequent to the election and subsequent to the announcement that we have made regarding our land tax position—that 3.7 per cent drove investment out of our state and repelled investment coming into our state. That's completely unacceptable.

Mr Brown: They all wanted aggregation, too.

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

The honourable member for Playford having withdrawn from the chamber:

The Hon. S.S. MARSHALL: Our focus is all about improving the South Australian economy, and we will work every single day that we are on the treasury bench to advance our economy, continue to grow our economy, create jobs and keep our young people in South Australia, and that is the feedback that we have been receiving.

LAND TAX FORUM

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:16): My question is to the Premier. What does the Premier have to say to Mr Louis Stevens, who told the land tax forum yesterday evening amongst concerned South Australians in the seat of Hartley that the government's land tax policy will force him to sell all his holdings and consider having to move interstate?

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

The SPEAKER: There is a point of order that's been raised by the Minister for Education. I anticipate it is for argument. I'm afraid, leader, that the way that question is phrased does breach the—

Members interjecting:

The SPEAKER: Ministers on my right are interjecting while I am deliberating on a finding. Would ministers like to leave, or how are we going to do this? Leader, I will give you one opportunity

to rephrase, as I have tried to do from time to time for members on both sides, trying to be as impartial as possible. I will give you another crack at it. If not, I will move to the member for Kavel.

Mr MALINAUSKAS: Thank you, Mr Speaker. My question is to the Premier. Is the Premier concerned at the representations made by people like Mr Louis Stevens that the government's land tax policy would force him to sell all his holdings and move interstate?

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

The SPEAKER: I have the point of order. That one is a bit better. I am prepared to enable the Premier an opportunity to respond. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17): Thank you very much, sir. As you would be more than aware, I don't have the details of the constituent and the issues that he has raised. The Leader of the Opposition could have sought leave to introduce facts so that we could have actually considered them, but of course—

The Hon. S.C. MULLIGHAN: Point of order, sir: the Premier is now reflecting on your ruling to allow that question—

The SPEAKER: No, I don't believe he is, member for Lee. It's on the cusp. You have to call it as you see it. I will give the member for Lee the benefit of the doubt, but I don't believe the Premier was reflecting on my ruling and, if he did, I would be the first to do something about it. But, thank you, member for Lee. The Premier has the call.

The Hon. S.S. MARSHALL: Mr Speaker, let's be very clear what I was doing. The Leader of the Opposition is asking me to provide advice on a constituent. He has provided me with no facts. That's got nothing to do with your ruling. That's a statement of fact.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: But I don't know the particular circumstances because the Leader of the Opposition sought not to introduce the facts to question time today because his side of this chamber—

Members interjecting:

The SPEAKER: Order! I'm listening.

The Hon. S.S. MARSHALL: —have been involved in a petty argument for a long period of time, and they are disadvantaging themselves and the constituents that they purport to represent by continuing with this childish, petty position. Regardless of that—

The Hon. A. Koutsantonis: You're a child.

The SPEAKER: Member for West Torrens, I'm not a child.

The Hon. A. Koutsantonis: No, you're not, sir.

The SPEAKER: No. You are called to order and warned. Premier.

The Hon. S.S. MARSHALL: Regardless of that, I am happy to answer in general terms that our reform is the largest land tax reform in the history of this state. It's the largest land tax cut in the—

The Hon. A. Koutsantonis interjecting:

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

Mr Malinauskas: It's a land tax increase. The budget increases land tax.

The SPEAKER: The leader is warned.

The Hon. S.S. MARSHALL: It's the largest land tax cut in—

Members interjecting:

The SPEAKER: The Premier has the call.

The Hon. S.S. MARSHALL: It's the largest land tax cut in the history of South Australia.

Members interjecting:

The SPEAKER: Leader, if you keep interjecting at this rate you will be departing today. I am giving you notice. The Premier has the call.

The Hon. S.S. MARSHALL: It is very difficult to understand, sir—

Dr Close interjecting:

The SPEAKER: The deputy leader is called to order.

The Hon. S.S. MARSHALL: —the financial acumen or otherwise of those opposite, because it is very clear that there are three very significant—

Members interjecting:

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

Members interjecting:

The SPEAKER: Order! The member for Elizabeth is warned.

The Hon. S.S. MARSHALL: There are three very significant reforms being put in place: aggregation, an increase in the threshold and, of course, a reduction in the top marginal rate from 3.7 per cent—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —down to 2.4 per cent. Those three things combined offer the largest land tax cut in the history of this state. It is now shown—

Members interjecting:

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

The Hon. S.S. MARSHALL: —by the Treasurer, a $70 million reduction in land tax receipts over the next three years—a $70 million reduction from 1 July. And the only thing that is standing in the way of this massive reform, which is going to drive down the cost for 92 per cent of individuals—

Members interjecting:

The SPEAKER: The member for Wright is warned.

The Hon. S.S. MARSHALL: —is the Leader of the Opposition forming an opinion as to whose side he is standing on.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Well, we know exactly and precisely whose side we are standing on.

Members interjecting:

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

The Hon. S.S. MARSHALL: We are standing on the side of the 92 per cent of individuals who will benefit from our land tax cuts, the 75 per cent of corporate groups who will benefit from the reforms that we are putting forward—

Members interjecting:

The SPEAKER: The member for Badcoe is warned.

The Hon. S.S. MARSHALL: —and the economy that will continue to grow under these Liberal reforms, these important Liberal reforms that those opposite are just not up to, they don't

have the ticker for. They don't have the stomach for reform. They want to go out and cherrypick individual cases—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —rather than look at what is in the best interests of this state, and that is exactly—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and precisely why those opposite are on the opposition bench.

JOB CREATION

Mr CREGAN (Kavel) (14:21): Can the Premier update the house on how the government is creating jobs and growing the economy?

Members interjecting:

The SPEAKER: Before I call the Premier, the member for Elizabeth can pay for that outburst and leave for 20 minutes under 137A. Let's just dial it down a bit, shall we?

The honourable member for Elizabeth having withdrawn from the chamber:

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:22): The government is working harder than ever to create new jobs and to grow the South Australian economy. There are just enormous opportunities in our state when it comes to defence and space and cyber and many of our very, very strong historic industries in South Australia. As many people would know, last week I travelled to Canberra and had a meeting—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —with the Prime Minister of Australia, the Hon. Scott Morrison. I was able to provide him with a general update on our—

Members interjecting:

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

The Hon. S.S. MARSHALL: —very significant industries in South Australia, like defence and space and cyber, and our skills preparedness for the jobs increases that we anticipate into the future. We know that the Australian Space Agency decision is already starting to yield results for our state. We know that the Prime Minister is currently in the United States. He was joining President Trump, and one of the key issues that they were talking about was the area and the opportunity—

Dr Close interjecting:

The SPEAKER: The deputy leader is warned.

The Hon. S.S. MARSHALL: —which is space. The Prime Minister announced that an additional—

Dr Close interjecting:

The SPEAKER: The deputy leader is warned for a second and final time.

The Hon. S.S. MARSHALL: One of the key points that the Prime Minister was making was about the enormous job opportunities that exist in the very large and growing global space sector. Of course, Australia was late to the opportunities in the space sector but, boy, they are making up for it in recent times, with the Prime Minister announcing in the US over the weekend that $150 million will be put on the table to join with NASA in their lunar mission.

Just 12 months after launching the Australian Space Agency, this sector is 100 per cent on track to triple in size, creating 20,000 new jobs in Australia. Of course, many of those jobs will be created right here in South Australia because, as every single South Australian knows, the Australian Space Agency is going to be based here, mission control is going to be based here, the space discovery centre is going to be based here and the largest space-related research program in the history of our country—$250 million over the next seven years—is going to be based right here in South Australia on Lot Fourteen.

There are many young people who are already getting super excited about the opportunities that exist in space. Most recently, we had the opportunity not only to launch but to kick off the space-related work experience program for secondary students in South Australia, launched at the Norwood Morialta High School earlier in the year by the Minister for Education in South Australia. Positions have already been allocated.

I am very grateful to the industry who will take these work experience students, giving them an insight into the future jobs that will exist in South Australia courtesy of this great working relationship that we now have between the federal government and the state government. All these jobs in the space sector are on top of other investments that will create new jobs in South Australia, like the growing interest in renewable hydrogen production. Today, of course—

Mr Hughes interjecting:

The SPEAKER: The member for Giles is warned.

The Hon. S.S. MARSHALL: —we welcome global leaders from 22 countries around the world to hear about our Hydrogen Action Plan in South Australia, which I launched earlier today.

Mr Hughes interjecting:

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

The Hon. S.S. MARSHALL: Other key projects that will create jobs in South Australia—they hate it over there. They hate any good news. They absolutely hate every single bit of good news in this state.

Members interjecting:

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

The Hon. S.S. MARSHALL: They hate it. They hate job creation. They hate good news. Captain Negative over there—

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

The SPEAKER: The Minister for Energy and Mining is called to order.

The Hon. S.S. MARSHALL: —just gets so excited when there is any hint of negativity in South Australia, but the problem is the good news keeps coming. I was up at Monarto last week, where a $40 million expansion of the Monarto Safari Park—

The Hon. S.C. Mullighan: When is the airport going in?

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

The Hon. S.S. MARSHALL: —was announced, creating hundreds of new jobs in that very important area of our state. These sorts of initiatives will continue to grow the participation rate in South Australia and the number of people employed in South Australia. That is our focus and it will be every single day that we are in government.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the leader, I welcome to parliament today members of the Working Women's Centre, who are being hosted by the deputy leader, and also year 8 students from The Heights School, who are hosted by the member for Wright. Welcome to parliament.

Question Time

LAND TAX

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:26): My question is to the Premier. Does the Premier's latest land tax bill provide a tax cut, or is it a revenue raising measure?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:27): I have explained this in the last answer. This is like a Dorothy Dixer, because every single day that we are talking about our economic reform agenda here in this chamber is a happy day as far as I am concerned. There is $70 million worth of land tax reduction over the next three years, $70 million worth of land tax revenue decrease over this year. Those opposite would hate it because they love taxes. They are addicted to taxes. They like inflicting them on the people who are trying to get ahead—

The SPEAKER: Premier, there is a point of order. Premier, be seated. Member for West Torrens, your point of order?

The Hon. A. KOUTSANTONIS: That is debate, sir.

The SPEAKER: Pretty close to debate, Premier. I ask you to come back to the substance of the question.

The Hon. S.S. MARSHALL: Yes, the substance of the question was, of course, about the massive reduction in land tax revenue that will come in. Some governments, maybe of another political persuasion, would hate this because they love taxing. We on this side want to ease that handbrake that those opposite inflicted upon the productive component of our economy for a long period of time.

We make no apologies that this is going to reduce revenue into our state coffers, but what it will simultaneously do is grow the size of our economy, grow investment into our economy, grow investment from South Australians reinvesting here in South Australia and bring investment dollars from interstate and overseas into South Australia. At 3.7 per cent, this is like kryptonite for people wanting to invest in our economy—it is like kryptonite. We are taking it from 3.7 per cent down to 2.4 per cent, and this will reduce revenue. It will reduce revenue in South Australia, but it will stimulate the economy. As you stimulate the economy, you create jobs, and this is exactly and precisely what our focus in government has been.

Mr Picton: I think you should stake your leadership on it.

The SPEAKER: The member for Kaurna is warned.

The Hon. S.S. MARSHALL: We are proud of the job creation that has occurred in South Australia. We now have record employment in South Australia and there is plenty more work to do. There is only one side in this debate that is up for complex reform and that is the government.

LAND TAX

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:29): Supplementary question: given the Premier's previous answer that the new bill provides a tax cut, why then does his Treasurer say he will have to find other sources of revenue—

The SPEAKER: Leader, there is a point of order.

The Hon. J.A.W. GARDNER: Sir, the characterisation in that supplementary, verballing the Premier, in effect, is providing an argument.

The SPEAKER: I will listen to the question. I see what the Minister for Education is saying or where he is going. I understand that the leader is trying to ask a supplementary, so I will hear him out. The leader has the call.

Mr MALINAUSKAS: Given the Premier's answer that the latest bill is a land tax cut, why then does the Treasurer say he will have to find other sources of revenue if he fails to implement the land tax policy?

The SPEAKER: I'm going to allow the Premier an opportunity to answer.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:30): I refer the honourable member to my previous answer.

Members interjecting:

The SPEAKER: I gave the leader great latitude. He is now abusing that latitude and he can leave for 20 minutes under 137A, and then, when he does, the member for West Torrens will have the call. It was one of the two.

The honourable member for Croydon having withdrawn from the chamber:

The SPEAKER: The member for West Torrens.

LAND TAX

The Hon. A. KOUTSANTONIS (West Torrens) (14:30): Thank you, sir. My question is to you. Why did you feel it necessary yesterday to clarify your intentions when exercising a deliberative vote on land tax legislation given the established precedent?

The SPEAKER (14:31): I thank the member for West Torrens for his question. What I might do is take the opportunity to confirm that I have put on the record that what I will do by convention is to preserve the status quo in any vote where I am called on to break an equality of votes in my role as Speaker. I am quite happy to refer to certain texts that talk to that matter. Firstly, I could refer to Blackmore's *Practice of the House of Assembly*, page 97, where it states:

> …the recognised principle is for the Chair so to give a casting vote as not thereby to make the decision of the House final.

There is also another reference in Erskine May where, in the 25th edition at page 471, it talks about the decisions of successive Speakers. While they may not always have been consistent, it is acknowledged that three principles have emerged that have guided successive Speakers when casting a vote. The three principles are, namely:

1. that the Speaker should always vote for further discussion, where this is possible…
2. that, where no further discussion is possible, decisions should not be taken except by majority…
3. that a casting vote on an amendment to a bill should leave the bill in its existing form.

I can also say that I have spoken to the federal Speaker, Tony Smith, who has been very wise in his counsel on this matter. I don't wish to elaborate further in terms of any specific bill. I don't want to postulate a state of affairs that might exist or not exist in the future.

What I will say is that obviously this is a very serious role. My integrity in the role and impartiality in the role I take very seriously, and I think for good reason. Like Speakers before me, I will certainly be guided by these principles when I am called upon to cast my vote when presiding over proceedings of the house.

LAND TAX

The Hon. A. KOUTSANTONIS (West Torrens) (14:33): My question is again to you, Mr Speaker. Given the current parliamentary majority enjoyed by the current Liberal government, does the Speaker have reason to believe that there will be a tied vote on the Premier's land tax legislation?

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

The SPEAKER: There is a point of order. I can see the Clerk running to my aid, but I will take the point of order.

The Hon. J.A.W. GARDNER: Well, it's a disorderly question for being hypothetical, if nothing else.

The SPEAKER: It is hypothetical. I believe that I referred to a hypothetical reason. I'm taking that to mean that there might in the future be a vote going a certain way or another. I think, respectfully, member for West Torrens, I have answered the question pretty thoroughly and I refer to my previous answer.

The Hon. A. KOUTSANTONIS: May I rephrase, sir?

The SPEAKER: No, you may not.

The Hon. A. KOUTSANTONIS: May I move on, sir?

The SPEAKER: Do you have another question?

The Hon. A. KOUTSANTONIS: Yes, sir. I do.

The SPEAKER: I will take one more.

LAND TAX

The Hon. A. KOUTSANTONIS (West Torrens) (14:34): My question is to you, sir. Given your public statements on the Premier's land tax proposals, do you stand by your public statements that you have had no representations from constituents opposed to those proposals?

The Hon. J.A.W. GARDNER: Point of order: that question to you is nothing to do with your role as the Speaker. It is a question appropriately framed to a minister who is responsible for public affairs in an area, and the member for West Torrens knows that.

The SPEAKER (14:34): Yes, I thank the Minister for Education. I would like to know who has made that statement and in what context it was said. I would like to find out a little bit about who said it and where that statement was made. I am more than happy to talk to anyone who thinks that they may have heard something or otherwise to that effect. I think I have answered this question pretty thoroughly and I refer the member for West Torrens to my previous answer. I move to the member for Elder.

HYDROGEN ACTION PLAN

Mrs POWER (Elder) (14:35): My question is to the Minister for Energy and Mining. Can the minister update the house on how the Marshall Liberal government is creating jobs in new industries.

The SPEAKER: The Minister for Energy and Mining.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:35): Thank you very much, Mr Speaker.

The Hon. A. Koutsantonis interjecting:

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

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

The SPEAKER: The Minister for Energy and Mining has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you very much, Mr Speaker, and thank you to the member for Elder for this question. Her question was specifically about creating jobs in new industries. As the Premier mentioned just a little while ago, he launched our Hydrogen Action Plan today when he did the official opening for the International Conference on Hydrogen Safety here in Adelaide, the first time this conference has ever been held in the Southern Hemisphere, let alone in South Australia—so a terrific day. I thank the people who work in the Department for Energy and Mining, particularly Nick Smith and his team, for their work not only to attract the conference to Adelaide but to actually chair it, help run it and make it go so smoothly.

The Hydrogen Action Plan is incredibly important. There are countries that have set themselves targets and, in some cases, mandated targets for the consumption of hydrogen as part of their emissions reduction strategy, but those countries quite often can't supply the hydrogen to themselves. This is a tremendous opportunity for South Australia because we have a very firm intention to be a world leader in regard to the production, the domestic consumption and the export of hydrogen to those countries.

It is actually a terrific partnership opportunity, with $4.2 billion worth of exports by 2040 for Australia, and we really are in the box seat to get as much of that as we possibly can. There are thousands of jobs connected to this and the partnerships with these countries. For example, Japan

and South Korea are two countries in exactly that situation. Those countries can't produce the hydrogen themselves.

But what they do have, as well as a set of policies around the demand, is tremendous technology and manufacturing in regard to shipping—shipbuilding. We can partner with them and we can produce the hydrogen, clean hydrogen, here in South Australia. They have a strong pedigree in regard to the shipping and we can work very closely together with those countries. It is an outstanding opportunity. I have to give some credit to the former government.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: When they found themselves in a diabolical situation, having taken dreadful advantage of electricity consumers in South Australia, nearly a decade—

Mr Hughes interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: —of increased electricity prices, an unprecedented statewide blackout—

The Hon. Z.L. Bettison interjecting:

The SPEAKER: Member for Ramsay!

The Hon. D.C. VAN HOLST PELLEKAAN: —and many other blackouts, they finally decided that they would try to do something. In the lead-up to the last election—

Members interjecting:

The SPEAKER: The member for Giles can leave for 20 minutes under 137A. The member for Kavel will be joining him, if he continues.

The honourable member for Giles having withdrawn from the chamber:

The Hon. D.C. VAN HOLST PELLEKAAN: In the lead-up to the last election, in a desperate attempt at trying to finally discover good energy policy, the previous government did make some announcements in regard to hydrogen. At the time, we supported them and, very importantly, the Marshall Liberal government is actually fulfilling those commitments on behalf of the people of South Australia.

We take this very seriously. We are committed to delivering more affordable, more reliable and cleaner electricity to the people of South Australia. The member for Elder is very well aware of this. She is a very strong supporter of the project we have in her electorate in regard to introducing 5 per cent and then 10 per cent hydrogen into the already existing gas reticulation network in Mitchell Park, something that will prove up how we can blend hydrogen with natural gas to reduce emissions. This is one of many planks to our energy policy which will be far better for South Australians than anything that the previous Labor government ever did for them.

GOH, DR T.

The Hon. S.C. MULLIGHAN (Lee) (14:39): My question is to the Premier. Has the Premier now inquired whether any of his staff were involved in providing information on Dr Timothy Goh to the media?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:39): You asked this question and I stated then that I would ask my chief of staff. I did ask my chief of staff and she said that she was not aware of any activity as alleged by those opposite.

GOH, DR T.

The Hon. S.C. MULLIGHAN (Lee) (14:40): My question is again to the Premier. Can the Premier rule out knowing the source of the information to the media on Dr Timothy Goh?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:40): I've just answered that question and have answered it—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —in the previous session of question time. It is quite clear that the opposition has already run out of questions just 31 minutes into this question time. It is almost exactly the same—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —as the question—

Members interjecting:

The SPEAKER: Member for Playford and member for Lee, quiet.

The Hon. S.S. MARSHALL: —that was put to me two weeks ago.

The Hon. S.C. Mullighan: And you still haven't got an answer.

The SPEAKER: The member for Lee is warned.

The Hon. S.C. Mullighan: Don't ask me; I just work here.

The SPEAKER: Member for Lee, you'll be departing if this continues. Premier.

The Hon. S.S. MARSHALL: As I said, I would speak to my chief of staff, I have spoken with my chief of staff and the allegations which have been put by those opposite are certainly something that my chief of staff knows nothing about. If those opposite have something to assert further or provide some evidence, then I suggest that's exactly and precisely what they do.

BUS CONTRACT

Ms LUETHEN (King) (14:41): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister inform the house about the Marshall government's new bus supply contract and in particular how it will create jobs and grow apprenticeships?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41): I do thank the member for King for her interest in this matter, knowing that some of these new buses will find their way into north-eastern suburbs and some of them will hopefully find their way over the coming years into the new 556 service that we are providing in and around her electorate of King. The outcome that we have been able to achieve by retendering—

Ms Hildyard interjecting:

The SPEAKER: The member for Reynell is warned.

The Hon. S.K. KNOLL: —of the bus supply contact is a brilliant one for South Australia—a brilliant one for South Australia—with up to 40 new jobs being worked through with Precision in partnership with Scania to deliver these buses for South Australia. But, even better news: up to 50 apprentices over the life of this contract will be there as part of the apprenticeship academy that Precision is seeking to set up.

An honourable member interjecting:

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

The Hon. S.K. KNOLL: It was brilliant yesterday to be able to go and visit the factory with the Minister for Innovation and Skills—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —and, for those that don't know, the Minister for Innovation and Skills was an apprentice once as well—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —to see the benefits firsthand of apprenticeship training in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Overall, there are going to be 95 people working to build buses at the Precision plant there at Edinburgh Parks. What's exciting about that is not only are Precision building buses in partnership with Scania for the South Australian market; this has given them the opportunity to be able to bid for interstate work. In fact, up to 60 per cent of the work that they are going to be procuring is going to be interstate bus contracts, and that is fantastic news for South Australia that we have been able to underpin this job opportunity to develop jobs locally and also develop skills capacity that is going to help essentially bring interstate work here to South Australia.

There are those, maybe some in this chamber, who have previously questioned why we would go back out to tender. They are trying to fearmonger in the community about the fact that changes to the tendering arrangements were going to mean that somehow South Australia was going to miss out. What we have been able to achieve by putting the bus contract back out to tender is to make sure that Scania and Precision won this contract—won this contract—because they're the best people to deliver buses for the South Australian market.

Not only were we able to negotiate a significantly better price than we otherwise would have—because looking after taxpayers' dollars is probably one of the key fundamental concerns that governments on this side of the house concern themselves with—but more than that we've actually been able to deliver a contract that will enable new technology to come on board more quickly. So working with Scania we'll be able to look at our first hybrid bus next year as part of this contract and look at how we can integrate this technology into future bus contracting arrangements, but also Precision themselves are looking at all sorts of different formats from smaller format buses to hydrogen to electric buses, essentially becoming a test bed for new technology.

The brilliant thing is that part of this contract gives us the opportunity to reset the technology we use for our bus network in year 4 and year 7. It means we don't have to wait 10 years to think about bringing new technology on board: we can do it at specific points in the contract. The beautiful thing about that is not only will it mean better buses for South Australians into the future but, again, it will help underpin a bus-building industry here in Adelaide that is going to allow this technology to be exported to the rest of the country.

Mr Speaker, your electorate and the member for Newland's and member for King's electorates, and maybe even the member for Wright's electorate, will be able to get the benefit of this new bus contract and the new technology that we are putting into place sooner. For all those workers who are coming out of ASC and who came out of Holden who have now found a home at Precision, they will know that they have a secure future for the next decade building buses to be used locally right here at home.

OATEY, MR R.

Ms BEDFORD (Florey) (14:45): My question is to the Minister for Sport. What has been the reaction to the death of sporting legend Robert Oatey?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:45): I thank the member for Florey for her question about a man who is well revered here in South Australia for his time as a player and a coach in the SANFL. It is with a heavy heart that I acknowledge his passing just recently.

Robert Oatey was a wonderful person and a great footballer. Through the sixties and seventies, he played 232 games with Norwood and kicked 365 goals. He was captain of the club and

coach of the club between 1968 and 1973. He was a four-time best and fairest, the leading goal kicker on three occasions and was named in the forward pocket for Norwood's team of the century. In 1974, he went to play at Sturt. He played in a premiership under his dad, Jack, which was a wonderful moment for the family.

Robert is a South Australian Football Hall of Fame representative as well. Whilst his playing career was absolutely wonderful and sits up with some of the greats of South Australia—in fact, in 1968, he was runner-up in the Magarey Medal to the great Barrie Robran, and he played nine state games along the way—it is arguably his coaching where he touched most people here in South Australia. He had a great energy for coaching and a great energy for teaching. He was a teacher at Pembroke School in both PE and maths and coached tennis at any turn. He would look for an opportunity to work with young people and try to make them that little bit better.

I was fortunate enough to work with Robert at the SANFL, where he worked for a long time as a development officer as well as working with Sturt and Norwood, as I have pointed out. In my days after university, I worked in the coaching field. Robert was a great mentor of mine and a great friend. He was just a wonderful person who could impart his knowledge with a zest and enthusiasm that is rarely seen in coaching circles. He had a passion and a love for it like you wouldn't believe.

On a personal level, when I finished university, he initiated the level 1, 2 and 3 coaching certificates, which are run nationally now. He was a big part of the movement that wanted to define that accreditation and set that standard for coaches so that people were educated and could deliver coaching at that pristine level. I was lucky enough to do my level 2 coach's course with him, and he continued to accredit me for that along the way.

As a very small payback, Robert often asked me to MC the coach's award. The SANFL would have an awards dinner at the end of every year and thank coaches. We know coaches do a great job in our community and give so much back to communities for very little reward. I would do this very happily for him every year. He would rock up with a list of names of all the people who had received awards throughout the course of the year. He thoroughly enjoyed doing that, again as another way to give back to people in the coaching sphere.

I point out that he worked with a lot of modern-day players as well. He played his football in the sixties, but players like James Aish, who plays with Collingwood, Orazio Fantasia at Essendon and also Trent Dumont at North Melbourne were players he worked with and taught how to kick the footy. It sounds like a simple skill, but Robert loved to work on kicking. He was an immaculate kick himself, and he loved making sure that players had that skill similar to him when he was playing. His wife, Raelee, is another wonderful person. His son, David Oatey, coaches Sturt's under-18s. Robert's wife is the trainer there, so she still gives back to football as well. His daughter, Petrea, was there handing out the Jack Oatey Medal at the SANFL grand final on the weekend.

It is with a heavy heart that we recognise Robert Oatey. We thank him for his wonderful service to coaching. We thank him for all the people that he has had an influence on who now go back and give back to our community. It is again with a great deal of sadness that I say vale, Robert Oatey.

LAND TAX

The Hon. S.C. MULLIGHAN (Lee) (14:49): My question is to the Premier. As the leader of the parliamentary Liberal Party, is the Premier concerned that prominent Liberal supporters are being targeted for speaking out against his land tax reforms?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:49): No, I'm not concerned by that because I don't think that is what is occurring. We are very keen to pursue this reform on behalf of the entire state—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and on behalf of the—well, if you like, the opportunity to grow our economy and to grow jobs in South Australia. That's our primary focus; it has been our primary focus from the moment that we envisaged these major reforms. We have said that South Australia

has been uncompetitive because of the very high land tax rate that was imposed upon them over a long period of time by those opposite. We found it unacceptable in opposition, we have sought this opportunity and we are presenting it to the people of South Australia.

Consultation is open now until 2 October. We hope to introduce this legislation into the parliament next month. We do that because we want to get the legislation passed. On 1 July next year, we'll see those tax cuts—those massive land tax cuts—in South Australia start to flow through. As soon as that starts to flow through, I'm sure we are going to get a massive increase in investment in South Australia and more jobs in our state.

GOH, DR T.

The Hon. S.C. MULLIGHAN (Lee) (14:50): My question is again to the Premier. Does the Premier believe that David Penberthy's report in *The Australian* was wrong in quoting Liberal sources about Dr Timothy Goh?

The Hon. J.A.W. GARDNER: Point of order, sir: the member seeks to characterise articles in *The Australian*, offering them by way of facts without leave and argument, contrary to standing orders.

Members interjecting:

The SPEAKER: Yes, I do uphold the point of order. Would the member for Lee like to rephrase his question?

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. My question is to the Premier. Does the Premier believe it was Liberal sources that gave information to *The Australian* about Dr Timothy Goh?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51): I have already provided a comprehensive answer to this question and I refer the honourable member to the previous answers I have already provided on this matter.

INFRASTRUCTURE PROJECTS

Mr PEDERICK (Hammond) (14:51): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister inform the house how the Marshall government is investing in productive infrastructure to create jobs in the Murraylands?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:52): Mr Speaker, can I say that the member for Hammond—and I have previously talked in this place about when the man comes at you for a bear hug—is invested hugely in the town of Murray Bridge. It's the heart of his electorate. He is also invested in the biggest gig in town in Murray Bridge, and that is Thomas Foods.

We have been through a very difficult 18 months at Thomas Foods and dealing with the aftermath—and the employment aftermath—of essentially one of the state's largest employers needing to significantly reorient their operations. But the beautiful thing is here is another way that the Marshall Liberal government is moving forward to help grow jobs in this state. We know at the moment that we are experiencing a period of record employment here in South Australia. We are—

Mr Brown: Unemployment!

The SPEAKER: Order!

The Hon. S.K. KNOLL: —experiencing a period of record hours worked here in South Australia, but there is a very bright future to come, especially in one of our largest export sectors, that being the red meat and livestock sector. This is a government that, instead of trying to pick winners, is seeking to underpin entire industries. The work that we've done together with Thomas Foods will deliver up to 2,000 jobs—

Members interjecting:

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

The Hon. S.K. KNOLL: —around the Murraylands area but, more than that, it will actually underpin jobs in the livestock sector right around South Australia. At the moment, we see the very awful outcome, where we see trucks of livestock—small stock as well as cattle—having to head across the border to be processed in New South Wales and Victoria because we don't have the capacity here locally to do it.

By working together with Thomas Foods, we will be able to underpin an industry that will see not only all of South Australia's stock able to be processed here but also trucks coming the other way—trucks coming back into South Australia—to be processed here and for those jobs to be here in South Australia, especially around Murray Bridge.

Can I say that we worked long and hard with Thomas Foods to get to a deal that would underpin this success, including around $14-odd million to help underpin road infrastructure, which we know is so very important to provide efficient access for large-format performance vehicles into Thomas Foods so that, when we are carting these animals around our state, we do so in the most efficient way possible and that we improve the productivity of that so that we can return better margins and better returns to the growers of that livestock.

We are also very keen to make sure that we support that underpinning infrastructure. We think that is a very important role for government, in that we are here to help underpin and make sure that the government is providing the infrastructure necessary to support these kinds of operations. But it is not only Thomas Foods that we have been able to deliver for: we were also able to help deliver for Teys in the South-East, around Naracoorte, in the member for MacKillop's electorate.

We are also helping to underpin access to the Dublin saleyards in the member for Narungga's electorate—all to help improve freight productivity for the livestock sector, which, as it skills up and as it gears up for the expansion that is going to happen under the Thomas Foods' plant expansion, will see a re-enlivening of this industry here in South Australia and a huge increase in exports out of our state overseas.

The Premier has said often that we need to focus on improving the biggest sectors of our economy that are going to deliver the biggest returns for South Australia, and I can think of nothing bigger in achieving that task than helping to grow 2,000 jobs in the Murraylands and in the member for Hammond's electorate.

GOVERNMENT POLICIES

The Hon. S.C. MULLIGHAN (Lee) (14:55): My question is to the Premier. Does the Premier believe that South Australians should expect to be targeted for speaking out against a government policy?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:56): I have already provided an answer to the house on this matter, sir.

GOH, DR T.

The Hon. S.C. MULLIGHAN (Lee) (14:56): My question is again to the Premier. Was the treatment of Dr Timothy Goh appropriate?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:56): I have provided a comprehensive answer on this matter to the house already, sir.

GOH, DR T.

The Hon. S.C. MULLIGHAN (Lee) (14:56): My question is to the Premier. Does the Premier believe Dr Timothy Goh deserves an apology?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:56): I just refer the honourable member to my previous answers on this matter.

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier is called to order.

NATIONAL PARKS

Mr BASHAM (Finniss) (14:56): My question is to the Minister for Environment and Water. Can the minister please update the house on how the Marshall Liberal government's investment in national parks will benefit regional communities and local economies?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:56): I thank the member for Finniss for his question. He has a great affinity for the outdoors and for the parks that form the part of the state that he represents down on Fleurieu Peninsula, and he understands how important our parks system is to attracting people to visit South Australia.

As a consequence, he understands how important it is for us to continually invest in our parks system in order to ensure not only that conservation outcomes are continually maintained but also that the amenity of our parks—particularly our parks which have a particularly high visitation—is upheld, that we show a sense of pride through investing in those parks and that, as a consequence, visitation continues to grow and return visitation will occur.

We know that our parks system here in South Australia has the opportunity to really turbocharge our nature-based tourism economy and our visitor economy, because we've got incredible assets, natural assets, whether it be our coasts, whether it be the outback, whether it be our wilderness areas or some of the areas represented by the member for Finniss around the south coast of the Fleurieu.

Those areas draw people to them, people fall in love with them and they want to see them protected, but they want that visitor experience to be a high-quality experience as well. That is why the Marshall Liberal government in the most recent budget, the 2019-20 budget, has substantially increased its investment in the amenity and the conservation elements within our parks system. We know that 21 per cent of our state is locked up within our parks system. That is a great opportunity to have so much of our state encapsulated in our protected areas system and the conservation elements and the amenity come together to create something really worthy within our visitor economy.

In the last budget, we pledged more than $11 million towards investment in our national parks for the creation of the Great Southern Ocean Walk between Cape Jervis and Victor Harbor, which the member for Finniss knows well. Also, there was further funding towards the creation of Glenthorne National Park but also, importantly, $3.3 million towards conservation and amenity upgrades in parks all across the state.

This funding might not go to particularly sexy stuff, but signage, pathways, toilet blocks, boardwalks, access points—things like that—create the visitor experience to make sure that our national parks continue to be accessible to everyone in our community, including those with physical disabilities, and we recognise the need to continually look for opportunities for more accessible destinations within our parks system.

More activity in our parks system will lead to more employment in the visitor economy, also in the outdoor trades, which are helping us invest in the amenity of our parks. Our parks system means an incredible amount to South Australians. It also means a lot to the Marshall Liberal government, and we will continue to invest in the opportunities that those natural assets bring to our state.

SALISBURY, MR S.

The Hon. S.C. MULLIGHAN (Lee) (15:00): My question is to the Premier. Why did the government claim builder Scott Salisbury supported the government's proposed land tax package?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:00): Let's be very clear—

Ms Stinson interjecting:

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

The Hon. S.S. MARSHALL: —there are a range of issues and positions that have been put forward by people from right across South Australia. I have not spoken with Scott Salisbury myself—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and I think we are now clear that Scott Salisbury has differing opinions from the government on this issue. I think that has been made abundantly clear. But, again, regardless of Mr Salisbury's position, our position on this side of the house is resolute: we are standing for the people who will very significantly benefit from the land tax cuts that we are putting in place.

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: We believe that 92 per cent of individuals currently paying land tax will be better off under our reforms.

Mr Boyer interjecting:

The SPEAKER: The member for Wright can leave for the remainder of question time under 137A.

The honourable member for Wright having withdrawn from the chamber:

The Hon. S.S. MARSHALL: In fact, thousands and thousands of South Australians who are currently paying land tax under the punishing regime presided over by those opposite will no longer pay any land tax in South Australia—thousands and thousands of South Australians.

Mr Malinauskas interjecting:

The SPEAKER: Order, leader! Quiet!

The Hon. S.S. MARSHALL: One of the fundamental things that we are doing as part of this reform is to increase the threshold, from $391,000—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: Some people are getting increasingly agitated—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and sometimes people want to substitute—

The Hon. Z.L. Bettison interjecting:

The SPEAKER: Member for Ramsay, be quiet. Order!

The Hon. S.S. MARSHALL: —frustration for actually having a position on something. But there's no substitute for forming an opinion, backing the people of South Australia. We know exactly who we are backing—92 per cent of individuals. Seventy-five per cent of company groups are going to be better off. And they hate reform—they hate reform in South Australia. They have been presiding over a mess, a train wreck, in terms of the economy. That's 16 years.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens will not use props.

The Hon. S.S. MARSHALL: That's 16 years—16 years, massive problems. They were crushing the confidence of every person in this state, destroying the narrative nationally—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens can leave for the remainder of question time for using a prop.

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

The Hon. S.S. MARSHALL: —and we won't stand for it. We won't stand for it. We are working every single day to grow our economy, and that means lower taxes in South Australia, that means lower payroll tax in South Australia, lower emergency services in South Australia and, of course, lower land tax. Land tax being so high has had a major handbrake on the South Australian economy. Some people are happy to persist with that handbrake. Some people—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It's almost as if they don't want South Australia to move forward. They don't want young people to get jobs in South Australia. They hate the fact that there have been 5,000 jobs created in the last six months in South Australia—5,000 jobs—and that is something to celebrate in this state. The only reason that these jobs have been created is that businesses and individuals in South Australia are feeling more confident in this state and, when businesses feel more confident and individuals feel more confident, employment rises, and they hate it—they absolutely hate it.

We are now just a smidge off the highest participation rate in the history of this state, and we won't rest until we smash the all-time record of participation rate in South Australia. That means we've got to push ahead with important reforms, and that is precisely what we're up for.

Members interjecting:

The SPEAKER: The member for Heysen is called to order. The member for Lee and then the member for Heysen.

LAND TAX

The Hon. S.C. MULLIGHAN (Lee) (15:04): My question is to the Premier. Can the Premier identify members of the community who are supportive of changes to land tax?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:05): I'm certainly very happy to talk about the 92 per cent of individuals and the 75 per cent—

Members interjecting:

The SPEAKER: Order! We have the question. Be quiet.

The Hon. S.S. MARSHALL: —and the 75 per cent of company groups who will be better off. What we show with the modelling, which we have been providing to the people of South Australia, independently verified—

Members interjecting:

The SPEAKER: Leader, be quiet.

The Hon. S.S. MARSHALL: —by one of the major four companies in this state—

Members interjecting:

The SPEAKER: Premier, be seated for one moment. If this continues, members will be leaving. Premier.

The Hon. S.S. MARSHALL: As I was just saying, there are a huge number of people who will benefit. Those who will no longer be paying any land tax in South Australia will be clearly better off. Those on that side of the house clearly don't want to stand up for those people who are currently paying tax that will not be paying land tax under our regime, but we're very happy for all those people to be supported by the government. The second group of people, of course, who will benefit will be the individuals and the company groups who will have their land tax reduced.

Ms Stinson: Name an individual. Name a company.

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

The honourable member for Badcoe having withdrawn from the chamber:

The Hon. S.S. MARSHALL: The net effect in year 1 is a $20 million reduction in land tax. This is principally delivered by two key measures: one is an increase in the threshold and the second one is driving the top marginal rate from 3.7 per cent down to 2.4. Now, 2.4 is the average of the mainland states in Australia. It is still not the best, and we've got more to do in terms of reducing the burden of taxation on the individuals and the businesses here in South Australia. But we're up for that. We know it's going to reduce revenue into the state coffers, but what we know is that it will stimulate economic activity in this state, and that's precisely what we're all about—creating opportunity for the next generation.

To provide evidence to you, sir, and to this house of the increasing level of confidence in this state, I refer this house to the statistics of the net interstate migration that have just been released by the ABS. I think this is an important issue for us to consider—

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

The SPEAKER: Premier, there is a point of order. The point of order is for—

The Hon. S.C. MULLIGHAN: Debate: it was clearly about beneficiaries of proposed land tax policies.

The SPEAKER: Yes, yes. The Premier is speaking broadly about economic activity. It is on the cusp. I will listen to him carefully.

The Hon. S.S. MARSHALL: It's disorderly to respond to interruptions—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. S.S. MARSHALL: But it's probably not disorderly to respond to points of order. But for the member for Lee to suggest—

The Hon. S.C. Mullighan: It is actually. You mentioned that for another point of order.

The SPEAKER: Order!

The Hon. S.S. MARSHALL: For the member for Lee—

The Hon. S.C. Mullighan: The standing orders?

The SPEAKER: Member for Lee, you can leave for 15 minutes under 137A.

The honourable member for Lee having withdrawn from the chamber:

The Hon. S.S. MARSHALL: For the member for Lee to suggest that it is debate to talk about the massive reduction in the net interstate migration in South Australia—

Mr Brown: Name one person who supports it.

The SPEAKER: Member for Playford!

The Hon. S.S. MARSHALL: —really suggests that there is a major and increasing chasm between the ideologies on both sides of this chamber.

Mr Brown: One—one person.

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We stand for the beneficiaries of our land tax reform and our broader reform here in South Australia. This is now gathering in evidence. What we are now increasingly seeing is a more confident South Australia, with younger people deciding they want to stay here. They see their future here. Previously, there was a mass exodus of young people and capital out of South Australia. Now we see the opposite—a massive increase in private new capital investment in South Australia, up in double digit increases here in South Australia while the rest of the country is going backwards. They hate it.

The other issue, of course, I was referring to is the net interstate migration. Under those opposite, sometimes we saw the net figure up over 7,000—in fact, trending towards 8,000. The stats

that came out last week say that we are now at 4,000, and our focus is to get it back to zero and then have a net migration to South Australia. But it's not going to happen by hoping for it to happen. It's going to happen through economic reform, driving lower taxes and creating a more attractive business environment for jobs and investment in South Australia.

Mr PICTON: Point of order, sir: it appeared that the Minister for Education took a photo of the member for West Torrens when he was being ejected from the parliament.

The Hon. J.A.W. GARDNER: I am happy to advise I did take a photo of the member's behaviour. I was planning on providing it to you. I am happy to do so or delete it as you wish.

Members interjecting:

The SPEAKER: I don't need your help, but thank you. I called the member for West Torrens out for what appeared to be him displaying a picture on an iPhone—I think he is an iPhone guy—to the government. That was out of order and he should not have done that. The minister, if he has taken a photo, should not have done that. I do remember Speaker Atkinson pulling me over the coals for something similar, so I ask the Minister for Education to delete it and I don't want to see it happening again.

Grievance Debate

LAND TAX

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:10): I am not too sure if in recent history we have ever seen a Premier increasing taxes and talking about decreasing taxes at the same time to the extent that this Premier is. Make no mistake, and it is very important that those members opposite understand this: at some point in the not too distant future, this house will have an opportunity to vote on land tax 3.0, the third position that the government has had on land tax in approximately 12 months.

The bill that will come before this house will unequivocally do one thing above all else—that is, increase the revenue to government in the form of land tax; vis-a-vis, it amounts to a land tax increase, not a land tax decrease. If anyone wants any further evidence of that, they need only look at the remarks of the Treasurer himself, who articulated last week that if his bill does not succeed he will be seeking to implement alternative raising of revenue, i.e. either tax increases or implementing other harsh cuts on the people of South Australia.

Why on earth would the Treasurer be postulating the option of increasing taxes or cutting expenditure if indeed this bill were about cutting revenue to the state rather than increasing it? There is only one possible answer: we have a Premier who is asleep at the wheel and starting to believe his own bull. He is starting to actually believe himself that this is indeed a tax cut rather than a tax increase.

We heard the Premier repeatedly refer today to the 92 per cent. I ask one simple question: where are they? I would invite the members opposite to think to themselves, 'Where are these 92 per cent?' because they are certainly not making representations at any number of opportunities they have had available to them. The member for Adelaide baulked at the opportunity to answer a question to her today about the feedback that she heard at her forum. I can say with a pretty high degree of confidence that the 92 per cent that support this were not at that forum. They were not at our forum last night in the seat of Hartley, Mr Speaker, I can assure you of that. None of the 92 per cent were there.

How about in regard to the various business organisations that have otherwise previously associated themselves with those members opposite? Does the UDIA support this reform? No. Business SA? No. Maybe the Master Builders Association? Surely they have their ear to the ground and are hearing from all the 92 per cent? No, not them either, nor the Property Council, nor indeed the Motor Trade Association, whose members I had the pleasure of spending some time with this morning.

If 92 per cent of South Australians are set to be better off from this reform, I would have expected that after two weeks of having the opportunity to consume the information from the government they would be beating down my door, saying to the opposition, 'Please, can you vote for

the government's bill? We understand that you are going through a thorough process, examining the options before you and contemplating what is in the best interest of the state, as a good opposition should.'

I would have anticipated by now that at least one of those 92 per cent would have made such representations to my office. Not one. Not since the announcement of this bill have we had representation from one person affected by this bill, coming to us and saying, 'Please, vote in favour of it.' Instead, we have had industry association after industry association, small business representative after small business representative, and individual mum-and-dad investor after individual mum-and-dad investor coming to our forums and coming to our offices begging and pleading that the opposition oppose this bill.

That begs the question: if this 92 per cent of people exists, why are they not showing up? Why are they not voicing their passionate support for this bill? Our contention is that they clearly do not exist. If they did, we would have the government rushing out and releasing the modelling that underpins their numbers, but they do not. We have asked repeatedly: can the Premier or the Treasurer release the modelling that demonstrates the 92 per cent? They have steadfastly refused, just as the member for Adelaide steadfastly refused scrutiny of her forum and just as the member for Adelaide and the member for King and the member for Hartley steadfastly refused to lift their eyes and start hearing from South Australians directly that this 92 per cent is clearly a fastball number.

Instead, most South Australians are genuinely concerned about the prospect of the implementation of this proposal. This opposition will continue its hard work engaging with South Australians and hearing from the small business community to ensure that the decision we arrive at is the right one for the people of this state.

KANGAROO ISLAND COMMUNITY EDUCATION

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:16): Today, I pay tribute to Kangaroo Island Community Education, otherwise known as KICE, being named Australia's best regional school of the year for the second year in a row at the recent Australian Education Awards. This annual event recognises the top performing schools, principals, department heads and teachers throughout Australia, so to win this award back to back is a remarkable achievement. It goes without saying that it is a very proud moment for the school, its principal, its teachers, the students, the governing council and indeed the entire community. I congratulate everyone involved.

The school is a multicampus school that was established in 2005 by bringing together area schools from across the island. I am pleased to inform the chamber, and I fully disclose, that I am a proud former student of the Parndana Area School, having attended there for 11 years. Parndana is now one of the campuses that makes up KICE, with the other two campuses located at Kingscote and Penneshaw, being the former Kingscote Area School and Penneshaw Rural School.

Winning this award represents the pinnacle of what has been years of commitment to delivering relevant and practical education to students at all stages of their school life. In 2005, the Kangaroo Island community engaged in this overhaul of their schools and the amalgamation of services with the establishment of KICE. It also brought with it enormous history from each of the other three schools. I particularly acknowledge Kingscote as being one of the earliest schools in the state and also the Parndana campus, which was built after World War II to provide primarily for the education of children of the soldier settlement scheme.

This reform has provided a new level of learning and an important reform for the island, which has successfully linked child care, preschool and TAFE with a birth to lifelong learning focus. Under the guidance of the school's principal, Maxine McSherry, it has maintained its commitment. I also acknowledge Peter Philp, head of Kingscote; Leanne Woods, head of Penneshaw; Matt Linn, head of the Parndana campus; Lois Wilson, current chair representative for the parents; Darren Keenan, the deputy; and all who volunteer in the governing of the school.

The school itself now has over 700 students located across the island, and it has also been able to put into practice its vision of linking learning centres with the wider community and the island's unique resources and environment. It has embraced the opportunities presented to it as a rural island

community by utilising national parks, as well as having farmers who open their blocks for use by the students.

Parndana campus made a name for itself at the national level a few years ago with a student aquaculture program and forward methods of teaching subjects more practical to island life. This innovation saw the Parndana campus receive free fish feeding supplements from a company to help enhance the fishes' water supply. As a result of this commitment, the school's students have become ambassadors for the local community and the natural environment of the island.

This is a remarkable achievement of which the school should be incredibly proud. I take this opportunity to commend all those in leadership for winning this award and the commitment of Ms McSherry and her staff in delivering innovative and practical education of the highest quality to the Kangaroo Island community and our leaders of tomorrow. My congratulations on this outstanding achievement.

GENEVA CONVENTIONS 70TH ANNIVERSARY

Ms MICHAELS (Enfield) (15:20): I rise today to talk about one of the most important international works of the 20th century. On 12 August 2019, while we were on our winter break, the international community celebrated the 70th anniversary of the Geneva Conventions. In the last few years, we have had the opportunity to remember some significant anniversaries of many international war events, including the ending of Word War II in 1945. In its aftermath, the international community came together to ensure that the atrocities that occurred during that war never happened again.

Mr Acting Deputy Speaker, as I am sure you are aware, the Geneva Conventions are a series of four agreements that provide a broad outline of the rules of war. The first Geneva Convention is an agreement to protect sick and wounded soldiers on land during war. The second Geneva Convention protects wounded, sick and shipwrecked military personnel at sea during war and is an update of the Hague Convention of 1907. The third Geneva Convention applies to prisoners of war and was adopted for the first time in 1929, largely as a result of World War I.

While the first three Geneva Conventions were updates of previous conventions, the fourth was also adopted at that time and provides protection to civilians, including those living in occupied territory. The fourth Geneva Convention is a direct consequence of the horrors inflicted on civilians during World War II.

Thankfully, we in Australia have enjoyed a largely peaceful existence, but the same cannot be said for many countries around the world. Like many other Australians, I live in this wonderful country because my family was displaced by military occupation. Sadly, in the last 70 years the world has not necessarily become a more peaceful place. Instead, since the end of World War II, the world has become, in many cases, a more violent place and the nature of conflicts has certainly changed significantly, as seen in the recent drone attacks on Saudi oilfields.

No longer is it nation against nation; now armed conflicts often involve non-state actors against nation states. The changes we have witnessed in armed conflicts must compel the international community to recommit to the principles of the Geneva Conventions signed on 12 August 1949. We must ensure that humanitarian treatment of both soldiers and civilians is protected in these destructive conflicts.

It is clear that the conventions have not stopped humanitarian abuses of soldiers or civilians in armed conflicts. In 1929, Germany was a signatory to the updated Hague Conventions on the civilised treatment of prisoners of war, yet that did not prevent the horrendous conditions and treatment of prisoners inside their military prison camps and civilian concentration camps during World War II.

Sadly, we continue to witness the abuse of civilians in armed conflicts around the world, which raises the question: have the Geneva Conventions failed? I do not believe so. The conventions serve as a moral imperative. They speak to a world that the international community strives to achieve, much the same way as our laws work in this place. The diligent enforcement of our laws strives to make our state a better, safer place to live and work. In the same way, we must keep advocating to ensure that the international community is resolute in enforcing the Geneva Conventions.

I am fearful that the world is moving away from a cooperative international approach to resolving conflicts and international issues. The 70th anniversary of the Geneva Conventions presents us all with the opportunity to reflect on the benefits of multilateralism to the international community and the values for which they stand. Governments must recommit themselves to the humanitarian principles espoused in the Geneva Conventions and commit to striving for a world devoid of humanitarian abuses. That is the world I want to live in and the world I want to see my children live in.

The international community must remain resolute in its commitment to these conventions and continue to fight to ensure that our vision for a world without humanitarian abuses becomes a reality.

SANFL GRAND FINAL

Mr PATTERSON (Morphett) (15:24): Here in parliament today I take the opportunity to speak about a fantastic 2019 season for a much-loved team in Morphett, the Glenelg Football Club. Sunday 22 September 2019 will go down in the club's history as a great day that saw 39,000 people fill Adelaide Oval to watch the Glenelg Tigers defeat their arch enemy, the Port Adelaide Magpies, by 28 points. The Tigers took advantage of the breeze in the first quarter to score the first four goals of the match while holding the Magpies goalless. Key forward, Luke Reynolds, kicked the opener followed by Carl Nicholson.

The remaining three quarters were an arm wrestle with plenty of skilful highlights from both teams, including Marlon Motlop's freak individual goal in the forward pocket in the third quarter. The Magpies kept pressing and the Tigers' defenders were called upon throughout the match, including captain, Chris Curran; vice captain, Max Proud; previous captain, Andrew Bradley; Jonty Scharenberg; and Aaron Joseph, who will be remembered for his desperate dive on the goal line to touch a certain goal. Finally, the siren sounded and, while the players celebrated on the field, the roar of the Tiger fans was deafening. Matthew Snook was the Jack Oatey Medallist and judged best afield.

Congratulations to SANFL CEO, Jake Parkinson, and his team for putting on a fantastic grand final, coming in the same season as the AFLW grand final, which saw a full house at Adelaide Oval. It is therefore disappointing to South Australians that the AFL has locked in the AFL grand final at the MCG until 2057 instead of being visionary and rotating it across the nation. The 1990s saw the dismantling of the entitlement of the MCG to host a final each week, and this last vestige of the VFL should go the same way.

Glenelg's premiership tops off a remarkable season, which saw the Bays finish top of the ladder after the minor round with 13 wins and two draws as well as win the Stanley H. Lewis trophy as the best performed SANFL club. The Magarey Medal was won by Luke Partington. The Ken Farmer Medal was won by leading goal kicker, Liam McBean, for kicking 46 goals, with Luke Reynolds one behind on 45 after the minor round. Coincidentally, both finished on 53 goals after the finals had finished. Congratulations to the players, senior coach, Mark Stone, and reserves coach, Paul Sandercock, on winning the club's first elusive premiership in 33 years.

In modern football it is very apparent that to win a premiership also requires a well-run club off the field. Club president, Nick Chigwidden; CEO, Glenn Elliott; manager, Kristin Jeffery; and the board, which includes incoming president and club legend, Peter Carey, David Whelan, Justin Scripps, Michael Michaels, Rob Gillies and Catherine Sayer who make up this off-field team and deserve a lot of credit for laying the foundation to give Mark Stone and the players the chance to succeed last Sunday.

Going back to the end of 2015, the club had just announced a combined loss of $1 million over the 2013 to 2015 seasons and the club was on the brink. David Whelan stepped in as interim CEO until Glenn Elliott was appointed CEO at the start of 2016. Glenn soon realised the big challenge ahead but, as he said, 'There was a pulse,' and he launched the 'Save the Tigers' campaign. The first step was to recognise the problem and prioritise finance over football, which involved tough decisions to longstanding programs.

This ultimately meant that the footy side would suffer in the short term, but the legacy was to ensure the club that means so much to people, especially in the local Morphett community, would survive. This focus, and working closely with the SANFL and the Holdfast Bay council, has seen the club running at modest profits since the 2016 season and being able to reduce debt. At the same time, the club was able to steadily improve on the field, going from six wins in 2016 to eight wins in 2017.

In 2018, Mark Stone was appointed coach and he finished the season with nine wins and just outside the finals, then seizing the opportunity this season with the premiership. The premiership celebrations continued back at the footy club at Brighton Road on Sunday night, and Glenn Elliott said that for all the tough decisions and effort over the years, to see the authentic joy on past players, volunteers and supporters' faces was priceless as the club song rang out *We're from Tigerland*.

TATACHILLA LUTHERAN COLLEGE

The Hon. L.W.K. BIGNELL (Mawson) (15:29): Like many members in this place, one of the great things about being a local member of parliament is getting around and visiting the local schools, getting to know the students, the teachers, the principals and all those people who make these places not just a community within our community but a really important hub for us to go in to speak with the leaders and students at the schools.

I am really happy with the way students feel really free to come up and tell me about what is happening at their schools, whether that is down the street or they send me an email. At the beginning of this year, I received a few emails from some students at Tatachilla Lutheran College, an outstanding school in the McLaren Vale area, where hundreds and hundreds of students from across the Fleurieu attend school each day. I want to read out part of one of those emails:

> Hi Mr Bignell. My name is Stella I am 10 and met you lots of times at willunga netball [club]—

That is true, Stella. The email continues:

> I started at tatachilla [Lutheran college] this year and it's really hard for me to get there from willunga and the bus is really expensive. You should come to my school at 3.20 and see all the cars and lots of kids it's a bit scary.

So I did go to the school and there were lots and lots of cars. It was followed up with another email in that same week from Elani, who said:

> Last Wednesday, was my first day at Tatachilla Lutheran College and I really enjoyed it. My dad dropped me off and picked me up on that day, and I doubt that he is ever doing that again in his life. When he was picking me up it took us about 20 minutes to drive that 300 meter driveway down to the road because of the amount of traffic. How ridiculous? If you don't believe me I invite you to come and have a look yourself. It's a lot of cars polluting the environment.

Again, I was out there having a look. These kids are making a lot of sense. I like this line from Elani:

> Mr Bignell, have you ever heard of tea-cup children?

I have to admit that I had not heard of teacup children. It does not matter how old you are or how young your teachers are sometimes, you can always learn. I had not heard of teacup children, so I will let the house know what it is all about in Elani's words:

> Tea-cup kids are the children who have been brought up relying 100% on their parents to do everything for them. They don't get opportunities to get out and learn about life. From a Tatachilla parent's perspective I can definitely see why they wouldn't want their kids walking or riding to and from school because 1, there aren't any good paths to ride or walk on near the school, and 2, its practically in the middle of nowhere.

Well, it is not really in the middle of nowhere, but I guess when you do not have a means of transport it is. It is about 2.4 kilometres from McLaren Vale and a bit farther from Willunga, but what Elani is saying is that it is not on a bus route. Elani goes on:

> I don't want to become a tea-cup kid, but I want to be an independent, environmentally friendly, responsible teenager able to get around by bus.

I wrote to the transport minister, minister Knoll, and asked whether the public bus could be diverted, just one in the morning and one in the afternoon at school drop-off and pick-up times, to make sure that these students can get there. The response back was: 'No, you can't,' in short, which is

interesting because before the last election the Liberal Party said that they were going to introduce bus services for regional students at non-government schools around the state.

They said that students at non-government schools in the regions should have the same access to bus services as students at metropolitan non-government schools. It is interesting because McLaren Vale is one of those areas, thanks to some legislation that we brought through a decade ago, covered by an agricultural preserve. It is regional but, as the crow flies, it is about 45 kilometres from the CBD, so it is often considered metro at the same time.

Either way you look at this, Tatachilla Lutheran College should have a bus service that is provided by the government. They have said that they want regional schools to have the same services city schools have. It is either a city school or a regional school; it does not matter. If they are going to give the same service to both schools, then Tatachilla Lutheran College should have that.

There is also a need for a bike path from McLaren Vale to Tatachilla Lutheran College. Again, I wrote to the transport minister and, again, the computer—or the minister—said no. The children and young adults at Tatachilla Lutheran College are very upset, but I will keep fighting for that bus service to Tatachilla Lutheran College and for that bike and walking path.

FLINDERS ELECTORATE FOOTBALL CLUBS

Mr TRELOAR (Flinders) (15:34): The cornerstone of social life in our country towns is country sport, and the cornerstone of country sports, at least in southern Australia, is Australian Rules football. On Eyre Peninsula, this year there are three clubs that I am aware of that have celebrated a centenary season. The Kyancutta Football Club held celebrations between 21 June and 23 June to mark 100 years since the formation of the Kyancutta Football Club in 1919. The event organiser was Paul 'Gus' May, a former Kyancutta player and the first ever Central Eyre president. Central Eyre came about as the result of an amalgamation between Kyancutta and Warramboo, but that was to come much later.

On 23 June, there was a meet-and-greet at the Kyancutta Football Club at 6pm, with a meal provided, before Central Eyre faced Wirrulla at Kyancutta the following day, with the Bulldogs to wear a heritage guernsey modelled after Kyancutta's 1950-65 guernsey. After the match, there was an auction of guernseys, as well as speeches and interviews, with meals available, before a barbecue lunch and a farewell at the club the following day.

One of the former club members present was Henry McKenna, who first played with Kyancutta in 1942, when he was 15 years old and went on to serve the club in many roles, including president. Mr McKenna said that he remembered riding a horse to football, wearing his football gear and ready to go on.

Rudall also celebrated their football club's centenary. Celebrations were held at the Rudall Community Sports Club, celebrating 100 years of football in the district. The radiant red and gold of Rudall made a comeback on Saturday 10 August. The western rovers football club was formed 27 June 1919—hence the centenary—which later evolved into the Rudall club in 1921.

The Rudall Community Sports Club reverted to the former colour scheme in celebration of a centenary of football in the community as they took on their old rivals, Ports Football Club, which is an amalgamation of Arno Bay and Port Neill. Once again, centenary guernseys were worn and auctioned off after the A-grade game that night. The 100-year milestone comes during one of the club's most successful periods, with Reserves on a winning streak and the Junior Colts on their seventh premiership in succession. In the 100 years, the A-grade team has one 10 premierships, and that is a tremendous achievement for a small club.

Closer to home for me was the celebration of the Cummins Rambler Football Club, which also formed in 1919 and celebrated its centenary on the 26, 27 and 28 July. There was football played in and around Cummins before 1919, but with the influx of men following World War I there seemed to be enough around for another team, and the Cummins Rambler Football Club was formed. We wore black and white. I must confess that I played all my club football for Rambler, playing my first minis game in 1969 and my last senior game in 2004, I think—whatever that adds up to.

We wore heritage guernseys of black and white hoops, rather than the black and white Collingwood strip we are wearing now. We took on the cross-town rivals, the Cummins Kapinnie Cougars, and were fortunate enough to win the A-grade game that day. There was much celebration and a huge influx of people into the town. We began wearing black and white, and we have worn black and white all the way through. The football club went into recess during the Second World War, of course, as did many other country clubs. We re-formed as Cockaleechie in 1946 and 1947 but rebadged ourselves as Rambler in 1948.

On the Friday night, we hosted an On the Couch session with four players from each of the decades going back to the 1950s and it included Tom Ferguson, who came back from Western Australia and played his first game in 1948. We launched a club history book on the Sunday. Congratulations to the committees that organised all the events I have just spoken about, because it is such a huge achievement. Finally, on a local level, I congratulate Luke Partington, originally from Tumby Bay, who is the winner of the 2019 Magarey Medal.

Ms STINSON: Mr Acting Speaker, I draw your attention to the state of the house.

A quorum having been formed.

Ministerial Statement

ADELAIDE YOUTH TRAINING CENTRE

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:41): I table a ministerial statement relating to the Adelaide Youth Training Centre, made earlier today in another place by my colleague the Hon. Michelle Lensink, and provide copies of the same.

Bills

LANDSCAPE SOUTH AUSTRALIA BILL

Final Stages

The Legislative Council informed the House of Assembly that, due to a clerical error in the schedule of amendments and suggested amendments transmitted with the Landscape South Australia Bill in message No. 107, it is necessary to forward to it the corrected following schedule:

No. 1. Clause 3, page 20, after line 26 [clause 3(1)]—Insert:

peak body means—

(a) the LGA; and

(b) Primary Producers SA Incorporated; and

(c) Conservation Council of South Australia Incorporated;

No. 2. Clause 3, page 21, line 15 [clause 3(1), definition of *regional landscape levy*]—Delete the definition and substitute:

regional landscape levy means a levy declared under Part 5 Division 1 Subdivision 1;

No. 3. Clause 7, page 27, lines 31 to 33 [clause 7(1)]—Delete 'the ecologically sustainable development of the natural resources that make up or contribute to our State's landscape' and substitute:

ecologically sustainable development by establishing an integrated scheme to promote the use and management of the natural resources that make up or contribute to our State's landscape

No. 4. Clause 7, page 28, lines 1 to 3 [clause 7(1)(c)]—Delete paragraph (c) and substitute:

(c) provides for the protection, enhancement, restoration and sustainable management of—

(i) land, soil and water resources; and

(ii) native fauna and flora,

especially so that they are resilient in the face of change; and

No. 5. Clause 7, page 28, lines 4 and 5 [clause 7(1)(d)]—Delete paragraph (d) and substitute:

(d) promotes, protects and conserves biodiversity, and insofar as is reasonably practicable, supports and encourages the restoration or rehabilitation of ecological systems and

processes that have been lost or degraded, and promotes the health of ecosystems so that they are resilient in the face of change; and

No. 6. Clause 7, page 28, line 6 [clause 7(1)(e)]—After 'environment' insert '(including a recognition of the need for mitigation and adaptation)'

No. 7. Clause 7, page 28, after line 41 [clause 7(3)]—Insert:

(ca) environmental factors should be taken into account when valuing or assessing assets or services;

No. 8. Clause 7, page 29, after line 4 [clause 7(3)]—Insert:

(da) consideration should be given to the conservation of biological diversity and ecological integrity;

No. 9. Clause 8, page 29, line 27 [clause 8(2)(a)]—After 'resources,' insert 'including the protection of biodiversity,'

No. 10. Clause 8, page 29, line 30 [clause 8(2)(b)]—After 'including' insert 'in relation to the state of matters regarding biodiversity and'

No. 11. Clause 8, page 29, line 36 [clause 8(2)(e)]—After 'resources' insert 'including in relation to the environment and its biodiversity'

No. 12. Clause 8, page 29, line 38 [clause 8(2)(f)]—After 'environment' insert 'and its biodiversity'

No. 13. Clause 8, page 29, line 40 [clause 8(2)(g)]—After 'resources' insert 'including the environment and its biodiversity'

No. 14. Clause 11, page 32, line 30 [clause 11(2)(a)]—After 'environment' insert 'and give particular attention to water catchment areas'

No. 15. Clause 11, page 33, after line 7 [clause 11]—Insert:

(4a) The Minister must, before a proclamation is made under subsection (3), give each peak body notice of the proposed proclamation under that subsection and give consideration to any submission made by any peak body within a period (being at least 21 days) specified in the notice.

No. 16. Clause 13, page 34, after line 8 [clause 13]—Insert:

(4a) The Minister must, before publishing a notice under subsection (3), give each peak body notice of the Minister's intention to publish a notice under that subsection and give consideration to any submission made by any peak body within a period (being at least 21 days) specified in the notice.

No. 17. Clause 15, page 35, after line 5 [clause 15]—Insert:

(3a) Of the members of a regional landscape board that are to be appointed by the Minister under subsection (1)(a), (2) or (3), at least 1 must be a member or officer of a council at the time of the member's appointment unless—

(a) the board's region does not include any part of the area of a council; or

(b) the Minister cannot, after taking reasonable steps, find a member or officer of a council who—

(i) in the opinion of the Minister, is suitable to be appointed as a member of the board; or

(ii) is willing and available to be a member of the board.

(3b) Before appointing a person or persons under subsection (1)(a), (2) or (3), the Minister must give each peak body notice of the fact that an appointment or appointments are to be made and give consideration to any submission made by any such body within a period (of at least 21 days) specified by the Minister.

No. 18. Clause 16, page 35, lines 21 to 23 [clause 16(1)]—Delete subclause (1) and substitute:

(1) A regional landscape board must consist of persons who collectively have the knowledge, skills and experience necessary to enable the board to carry out its functions, including, so far as is reasonably practicable, knowledge, skills and experience across the following areas:

(a) community affairs at the regional level;

(b) primary production or pastoral land management;

(c) soil conservation and land management;

(d) conservation and biodiversity management;

(e) water resources management;

(f) business management;

(g) local government or local government administration;

(h) urban or regional planning;

(i) Aboriginal interest in the land and water, and Aboriginal heritage;

(j) pest animal and plant control;

(k) natural and social science;

(l) if relevant—coast, estuarine and marine management, fisheries or aquaculture.

No. 19. Clause 16, page 35, lines 24 to 28 [clause 16(2)]—Delete subclause (2)

No. 20. Clause 16, page 35, lines 32 and 33 [clause 16(3)(a)]—Delete 'determined by the Minister (and the Minister may put in place processes to ensure' and substitute:

referred to in subsection (1) (and the Minister must put in place processes to ensure, so far as is reasonably practicable,

No. 21. Clause 16, page 35, line 39 [clause 16(4)]—Delete 'subsection (3)' and substitute 'subsection (3)(b)'

No. 22. Clause 17, page 36, line 36 [clause 17(3)(a)(ii)]—Delete 'section 17(1)' and substitute 'section 17(1)(a)(i) and (b),'

No. 23. Clause 17, page 37, line 11 [clause 17(3)(b)(ii)]—Delete 'section 17(1)' and substitute 'section 17(1)(a)(i) and (b),'

No. 24. Clause 17, page 37, after line 35 [clause 17]—Insert:

(6a) If—

(a) a council is constituted by an administrator or administrators (whether under the *Local Government Act 1999* or any other Act) at the time that the processes for the conduct of an election are commenced (being at a date determined by the Minister for the purposes of this subsection); and

(b) the Minister determines, by notice in the gazette, that this subsection should apply for the purposes of the election (on the ground that it is not practicable or appropriate to use the council's voters roll for the purposes of the election),

subsections (3), (4) and (5) will apply as if the council did not exist (and as if the area in relation to which the council is constituted were an area outside the area of a council).

No. 25. New clauses, page 39, after line 32—Insert:

22A—Meetings of boards to be held in public

(1) Subject to this clause, a meeting of a regional landscape board must be conducted in a place open to the public.

(2) A regional landscape board must give public notice of its intention to hold a meeting that will be open to the public in accordance with the requirements prescribed by the regulations.

(3) The notice must state the time and place at which the meeting will be held.

(4) The regulations may dispense with the requirement to give notice in prescribed circumstances.

(5) A regional landscape board may order that the public be excluded from attendance at a meeting if the board considers it to be necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider any prescribed information or matter in confidence.

(6) A member of the public who, knowing that an order is in force under subsection (5), enters or remains in a room in which a meeting of the board is being held is guilty of an offence.

Maximum penalty: $2,500.

(7) If an order is made under subsection (5), a note must be made in the minutes of the making of the order and of the grounds on which it was made.

22B—Agenda and minutes of meetings open to public to be made available

(1) A regional landscape board must make available to members of the public copies of the agenda, and copies of the minutes, of each meeting, or the part of each meeting, that is open to members of the public by publishing them on a website determined by the board, or in such other manner prescribed by the regulations.

(2) An agenda under subsection (1) must be made available at least 3 days before the meeting to which it relates is held except where the meeting is held in urgent circumstances.

No. 26. Clause 23, page 39, line 39 [clause 23(1)(a)]—After 'landscape management' insert 'and biodiversity conservation'

No. 27. Clause 23, page 40, after line 24 [clause 23(1)]—Insert:

(ea) to undertake an active role in ensuring, insofar as is reasonably practical, that the board's regional landscape plan, landscape affecting activities control policies, water allocation plans and water affecting activities control policies, advance the objects of the *Native Vegetation Act 1991* and promote the conservation of wildlife as envisaged under the *National Parks and Wildlife Act 1972*; and

No. 28. Clause 23, page 41, after line 16 [clause 23(4)]—Insert:

(ab) the constituent councils for the region, and other councils as may be relevant; and

No. 29. Clause 24, page 41, line 38 [clause 24(2)(e)]—Delete 'and flora' and substitute ', flora and ecosystem health'

No. 30. Clause 42, page 53, after line 41 [clause 42(3)]—Insert:

(da) assess the state and condition of the natural resources of the State; and

No. 31. Clause 42, page 54, after line 2 [clause 42(3)]—Insert:

(ea) provide for monitoring and evaluating the state and condition of the natural resources of the State; and

No. 32. Clause 42, page 54, line 8 [clause 42(4)(a)]—Delete paragraph (a)

No. 33. Clause 42, page 54, after line 11 [clause 42(4)]—Insert:

(d) the best available climate science information.

No. 34. Clause 43, page 54, line 19 [clause 43(1)]—Delete 'The Minister' and substitute 'Subject to subsections (1a) and (1b), the Minister'

No. 35. Clause 43, page 54, after line 24 [clause 43]—Insert:

(1a) The Minister must at least, in acting under subsection (1), consult with each peak body.

No. 36. Clause 43, page 54, after line 24 [clause 43]—Insert:

(1b) The Minister must at least, in acting under subsection (1), consult with bodies (other than peak bodies) that are, in the opinion of the Minister, bodies interested or involved in management of the State's landscapes.

No. 37. Clause 45, page 55, after line 8 [clause 45(1)]—Insert:

(aa) include information about the issues surrounding the management of natural resources and the state of landscapes at the regional and local level, including information as to methods for protecting, improving and enhancing the quality or value of natural resources within the relevant region, and the health of those aspects of the environment that depend on those natural resources; and

No. 38. Clause 45, page 55, line 21 [clause 45(1)(c)]—After 'level' insert ', with particular reference to the conservation, use and management of natural resources,'

No. 39. Clause 45, page 55, after line 34 [clause 45]—Insert:

(1a) A regional landscape plan must take into account the best available climate science information.

No. 40. Clause 49, page 58, lines 27 to 41 and page 59, line 1 [clause 49(4)(a) to (g)]—Delete paragraphs (a) to (g) (inclusive) and substitute:

(a) for a levy to be imposed under Part 5 Division 1 where a levy has not been imposed by the board in relation to the financial year immediately preceding the relevant financial year; or

(b) to impose a levy under Part 5 Division 1 which will require the approval of the Minister under section 65(4) or 69(10); or

(c) to change the basis of a levy under section 66(1) or 69(4); or

No. 41. Clause 49, page 59, lines 12 to 18 [clause 49(5)(b) and (c)]—Delete paragraphs (b) and (c) and substitute:

(b) at the conclusion of the processes and consultation required under paragraph (a)—prepare a report to the Minister on the outcome of those processes and that consultation.

No. 42. Clause 49, page 59, line 23 [clause 49(7)]—Delete '(5)(c)' and substitute '(5)(b)'

No. 43. Clause 49, page 59, line 31 [clause 49(9)(a)(ii)]—Delete '64(5)' and substitute '65(4)'

No. 44. Clause 49, page 60, line 18 [clause 49(14)(b)]—Delete '64(4)' and substitute '65(3)'

No. 45. New clause, page 209, after line 38—After clause 246 insert:

247—Review of Act

(1) The Minister must, as soon as practicable after the expiry of 3 years from the commencement of this section, appoint an independent person who has, in the opinion of the Minister, extensive knowledge, skills and experience in relation to the management of natural resources, to conduct a review of the operation and effectiveness of this Act since that commencement.

(2) A report on the review must be submitted to the Minister within 6 months of the commencement of the review.

(3) The Minister must, within 12 sitting days after receiving the report, cause a copy of the report to be laid before both Houses of Parliament.

No. 46. Schedule 5, page 227, after line 8 [Schedule 5 Part 16]—Insert:

48A—Amendment of section 65—Use of poison

Section 65(3)(a)—delete 'in pursuance of the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986' and substitute:

under the Landscape South Australia Act 2019

No. 47. Schedule 5, page 233, lines 1 to 4 [Schedule 5, clause 88(2)]—Delete subclause (2)

No. 48. Schedule 5, page 234, lines 23 to 32 [Schedule 5, clause 88(8)]—Delete subclause (8) and substitute:

(8) In relation to any other board established under this Act—

(a) elections for the purposes of section 15(1)(b) will not be held until 2022; and

(b) the Minister must ensure that the elections held in 2022 are conducted so that voting closes at 5 p.m. on the last business day before the second Saturday of November 2022; and

(c) a person elected in an election in 2022 will take office on a day determined by the Minister; and

(d) until the day determined under paragraph (c), the board will be constituted by 7 members appointed by the Minister.

No. 49. Schedule 5, page 234, lines 37 and 38 [Schedule 5, clause 88(10)]—Delete 'before the day determined by the Minister in relation to that board under subclause (8)' and substitute 'until the Minister determines to constitute the board with 7 members'

No. 50. Schedule 5, page 234, lines 39 and 40 [Schedule 5, clause 88(11)]—Delete 'until the day determined by the Minister in relation to that board under subclause (8)' and substitute 'until the Minister determines to constitute the board with 7 members'

SCHEDULE OF THE SUGGESTED AMENDMENTS MADE BY THE LEGISLATIVE COUNCIL

No. 1. Clauses 64 to 68, page 71, line 4 to page 74, line 13—Delete clauses 64 to 68 (inclusive) and substitute:

64—Interpretation

In this Subdivision, unless the contrary intention appears—

rateable land means rateable land under the Local Government Act 1999;

ratepayer means a ratepayer under the Local Government Act 1999.

65—Board may declare levy

(1) If the annual business plan for a regional landscape board specifies an amount to be contributed by ratepayers in respect of rateable land within the region of the board towards the costs of the board performing its functions under this Act in a particular financial year, the board may, by notice in the Gazette, declare a levy (a *regional landscape levy*) under this Subdivision.

(2) The amount specified by a regional landscape board in an annual business plan under subsection (1) in respect of a particular financial year should not exceed—

(a) unless paragraph (b) or (c) applies—the amount imposed by the board under this Subdivision for the immediately preceding financial year adjusted by the percentage applying under subsection (3); or

(b) an amount allowed by the Minister under subsection (4); or

(c) an amount approved by the Minister under subsection (6).

(3) The percentage applying under this subsection in respect of a particular financial year is the percentage change in the CPI (expressed to 1 decimal place) when comparing the CPI for the September quarter of the immediately preceding financial year with the CPI for the September quarter of the financial year immediately before that preceding financial year, being this percentage change published by the Australian Bureau of Statistics.

(4) The Minister may allow a regional landscape board to specify an amount under this section that exceeds the amount that would otherwise be payable under subsection (2)(a) if the Minister is satisfied that exceptional circumstances exist that justify the principle established by subsection (2)(a) not applying in relation to the board for a particular financial year.

(5) For the purposes of subsection (4), exceptional circumstances must fall into 1 of the following cases:

(a) that there is an urgent need to address an issue with existing infrastructure located within the board's region that cannot reasonably be dealt with through other funding sources or over a longer period;

(b) that there has been a natural or environmental disaster that has resulted in extraordinary measures being proposed by the board;

(c) that some other major event with an adverse impact on a significant part of the community within the board's region has occurred and the board considers that it should take immediate action in relation to the matter;

(d) that some other situation exists that is exceptional and that the benefits in allowing the board to impose an amount under subsection (4) in a particular financial year outweigh the fact that additional costs are to be imposed on the relevant community in a particular financial year.

(6) In a case where a regional landscape board did not declare a levy under this Subdivision in relation to the immediately preceding financial year, the Minister may approve an amount under this subsection for the relevant financial year after taking into account such matters as the Minister thinks fit.

66—Basis of levy

(1) A levy declared under this Subdivision may be based on 1 of the following factors, as specified in the relevant annual business plan:

(a) the capital value of rateable land;

(b) a fixed charge of the same amount on all rateable land within the relevant region;

(c) a fixed charge of an amount that depends on the purpose for which rateable land is used;

(d) the area of rateable land;

(e) any other factor prescribed by the regulations.

(2) Differential levies may be declared on any basis prescribed by the regulations.

(3) The purposes for which land may be used that may be the basis of a regional landscape levy under subsection (1)(c) may be prescribed by the regulations.

(4) A regional landscape board may, in declaring a regional landscape levy, fix a minimum amount payable by way of a levy under this Subdivision (despite a preceding subsection).

67—Liability for levy

(1) The person who is the ratepayer in respect of rateable land at 12.01 a.m. on 1 July of the financial year for which a regional landscape levy is declared is liable to pay the levy to the regional landscape board.

(2) Two or more persons who are ratepayers for the same land are jointly and severally liable for the regional landscape levy in respect of that land and are entitled to contribution between each other in proportion to the value of their respective interests in the land.

(3) A subsequent ratepayer of land is liable for a regional landscape levy, in respect of that land, that has not been paid by the person or persons liable under subsection (1) or (2).

(4) A subsequent ratepayer who has paid the whole or any part of a regional landscape levy is entitled to recover—

(a) the amount paid from the person primarily liable or, if there are 2 or more such persons, from any 1 or more of them;

(b) a part of the amount paid from another ratepayer (if any) in respect of the land that is in proportion to the value of their respective interests in the land.

(5) The Governor may, by regulation, grant remissions in respect of the levy, or part of the levy.

(6) In this section—

subsequent ratepayer includes a person who has ceased to be a ratepayer in respect of rateable land.

68—Constituent councils to provide information

(1) In connection with the operation of section 67, each constituent council for the region of the regional landscape board must, in accordance with the regulations, provide to the board—

(a) a full copy of its assessment record under section 172 of the *Local Government Act 1999*, as it is up-to-date for 1 July of the financial year in respect of which the regional landscape levy is to be imposed; and

(b) such other information prescribed by the regulations.

(2) The relevant regional landscape board is liable to pay a fee, determined by the Minister after consultation with the LGA, to a council in connection with the council providing an assessment record or other information under subsection (1).

68A—Notice and collection of levy

(1) The relevant regional landscape board must as soon as is reasonably practicable after the declaration of a regional landscape levy cause notices of the amount of the levy that must be paid in respect of any land for the relevant financial year to be prepared.

(2) A notice must state—

(a) the amount of the levy payable; and

(b) the factor on which the levy is based and, if it is a differential levy, the differential basis; and

(c) the date on or before which the levy must be paid or, if the regional landscape board is prepared for payments to be made in instalments, the amount of each instalment and the date on or before which it must be paid.

(3) The regional landscape board must provide the notices that have been prepared under this section to the Commissioner of State Taxation.

(4) The Commissioner of State Taxation will be responsible for—

(a) serving the notices on the persons who are liable to pay the levy; and

(b) collecting the levy under this Subdivision on behalf of the regional landscape board.

(5) The notices may be served with any notice served under the *Emergency Services Funding Act 1998*.

(6) The Commissioner of State Taxation will be responsible for the costs of—

(a) serving any notice under this section; and

(b) collecting the levy under this Subdivision.

(7) If there are 2 or more persons liable to pay a levy, service of a notice on 1 of them will be taken to be service on both or all of them.

(8) The Governor may, by regulation, make any other provisions for the collection of the levy.

68B—Funds may be expended in subsequent years

To avoid doubt, if an amount due or paid to a regional landscape board under this Subdivision is not received or spent by the regional landscape board in the relevant financial year, it may be spent by the board in a subsequent financial year.

68C—Regulations

The Governor may, by regulation, provide for such other matters relating to the operation or administration of this Subdivision as the Governor thinks fit.

No. 2. Clause 80, page 85, after line 5 [clause 80]—Insert:

(aa) a regional landscape levy; and

No. 3. Clause 83, page 85, line 22 [clause 83(1)]—Delete 'In the case of an OC levy,' and substitute 'In the case of a regional landscape levy or an OC levy,'

No. 4. Schedule 5, clause 94, page 237, line 13 [Schedule 5, clause 94(4)]—Delete 'amounts or contributions' and substitute 'levies or amounts'

No. 5. Schedule 5, clause 94, page 237, lines 19 to 22 [Schedule 5, clause 94(5)]—Delete subclause (5)

RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 5.

The Hon. V.A. CHAPMAN: I move:

Amendment No 1 [AG–1]—

Page 5, line 26 [clause 5, inserted section 4(3)(a)(i)]—After 'lease' insert:

, and in relation to which the lessor has provided written notice of lodgement to the lessee within 1 month of lodgement,

Amendment No 2 [AG–1]—

Page 5, lines 32 to 36 [clause 5, inserted section 4(3)(b)]—Delete paragraph (b) and substitute:

(b) any renewal of a retail shop lease referred to in paragraph (a)—

(i) that is lodged for registration by the lessor within 3 months after both parties have executed the renewal, and in relation to which the lessor has provided written notice of lodgement to the lessee within 1 month of lodgement; and

(ii) that remains registered for the term of the renewed lease,

Essentially, these amendments provide for a notice to be given within one month of lodgement of a lease—that is, lodgement for registration of a lease—and for such notice be given by the lessor to the lessee. It is as a result of matters raised by the member for Lee, and I have acknowledged that this is a matter that needs to occur on the basis that that is given.

I have managed during the course of the last week to consult with those who are involved in the property level, not as broadly as one would normally with the bill itself, but most importantly I have had the opportunity to discuss the matter with Commissioner Chapman, who is here today ably assisting me in the presentation of this bill. As the commissioner who has the working operation of this legislation, he indicates that that is a reasonable proposal and can be accommodated in this amendment; accordingly, I have moved the amendments in my name.

The Hon. S.C. MULLIGHAN: In place of the amendments that I am unable to move, given that we have moved on from the particular lines in the clause, I am willing to support these amendments because some improved level of protection is better than none. As I said at the outset, before we started to descend into unnecessary and regrettable politicking about these amendments, I do believe that having this additional protection is worthwhile. At the outset, I was pleased that the Deputy Premier was willing to pay some mind to the concerns raised by me, as well as the member for Florey, so I am happy to support these.

Amendments carried; clause as amended passed.

Clauses 6 to 12 passed.

Clause 13.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 2 [Mullighan–1]—

Page 9, line 34 [inserted subsection (1)(b)]—Delete '3' and substitute 'one'

Amendment No 3 [Mullighan–1]—

Page 10, line 7 [clause 13(2), inserted text]—Delete '3' and substitute 'one'

These amendments really maintain the status quo as to the term of the maximum bond. Rather than the three months as proposed by the bill, it leaves it at one. It is important to note that, despite foreshadowing this change, for the reasons that I have already articulated to the house before the break, the other amendments that are desired in relation to the setting of a bond are retained—for example, clarification about the treatment of goods and services tax and the increases in penalties in section 19(1) and (3).

The Hon. V.A. CHAPMAN: For reasons as previously indicated, amendments Nos 2 and 3 are opposed.

The committee divided on the amendments:

Ayes 18
Noes..... 22
Majority..... 4

AYES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
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.	Picton, C.J.

AYES

Stinson, J.M.	Szakacs, J.K.	Wortley, D.

NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	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.	Tarzia, V.A.
Teague, J.B.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

Amendments thus negatived; clause passed.

Clause 14 passed.

Clause 15.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 4 [Mullighan–1]—

Page 10, line 23 [clause 15, inserted section 20AA(1), penalty provision]—Delete '$8,000' and substitute '$15,000'

As I foreshadowed in my second reading contribution two weeks ago today, I and the opposition have some concerns that, while there has been an increase in the penalty, we still do not believe that increase in penalty is commensurate with some of the other changes in the bill.

This amendment proposes that the maximum penalty provision in this part of the act be amended up to $15,000 rather than it being amended up to $8,000, as is proposed in the government's bill. Quite contrary to the assertions of the Deputy Premier, I did not simply wake up this morning and decide that $15,000 as an increased penalty was appropriate. As I said, I foreshadowed two weeks ago that we had concerns with this.

I sought the advice of parliamentary counsel and they suggested to me a figure of $15,000, which I am advised is commensurate with the highest monetary penalty elsewhere in the bill for an offence under the act. In that regard, I do not think it is too much to ask that the government supports this.

I do hope that the government takes the view that the original act held; that is, this is about consumer protection or, more specifically, the protection of lessees in lease arrangements between themselves and landlords. As ready as the Deputy Premier may have been to leap to the example where the party needing protection was indeed the landlord, I still believe that this act is designed to ensure, moreover, that it is the lessee who is protected.

In also providing a further reflection on the report, which was drafted by Alan Moss into the act, he does note the significant power imbalance that can operate between a landlord and a tenant: landlords, of course, by the very nature of being ongoing property owners and tenants who may, in many instances, be coming in to a lease arrangement for the first time. Understanding how leases operate, what are reasonable terms and so on in those circumstances is something that is worthy of protection by virtue of the act.

I do not think it is unreasonable that we increase this maximum penalty. It is not an exorbitant or an outrageous increase beyond the purview of other provisions within the bill or the act and I would hope that the government could see fit to support it.

The Hon. V.A. CHAPMAN: As previously indicated, the government will not be supporting this amendment in the absence of there being any information to justify it. Clearly, there are a number

of penalties that are to apply that are consistent with the recommendations of the Moss review. The obligation to return an original bank guarantee to a lessee within two months is a new obligation as recommended and with it a commensurate penalty.

I do not think anybody reading this bill and the proposed penalties for other offences at $15,000 could in any way see the level of mischief from a failure to do something within the two-month period—that is, return a document to a party—as being anywhere near commensurate with the laws, for example, on prohibiting a premium for renewal or extension, which is obviously a really important thing to protect consumers against.

Essentially, it is the landlord requiring that extra moneys be paid just for the privilege of having that opportunity. That is not extortion in a criminal sense, but it is clearly a power imbalance and should not be allowed to occur. Mr Moss confirms that and says that the penalty should be increased. The $15,000 is there for that type of offence. I do not think an obligation to return a document within two months is anything like that.

Similarly, the penalty for unlawful threats is recommended to be increased. It is now proposed in this bill to go from $10,000 to $15,000. These are the types of offences that deserve to have a serious penalty. Confidentiality of turnover information is probably one of the most potentially damaging pieces of disclosure of information against a business, especially if it goes public or goes to a competitor. This is the type of material that is important for negotiations in relation to landlord and tenant, but should it get into the wrong hands it could crucify the business in question. Clearly, that also attracts a proposed $15,000 penalty.

The proposal of the member to increase the penalty for failure to return a document within a two-month period really is not commensurate with these. I still do not know from the presentation made by the member for Lee why this should attract this level of penalty. It is without merit, it is without support and it is without any evidence to justify it occurring.

The committee divided on the amendment:

Ayes 18
Noes..... 22
Majority..... 4

AYES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
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.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	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.	Tarzia, V.A.
Teague, J.B.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

Amendment thus negatived; clause passed.

Remaining clauses (16 to 31) and title passed.

Bill reported with amendments.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: I would like to welcome to the parliament today the Italian Ambassador to Australia, Ms Francesca Tardioli—excuse my Italian, but you are very welcome—and a delegation from the Lombardy region. Welcome to state parliament. Benvenuti.

Bills

RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:10): I move:

That this bill be now read a third time.

I wish to conclude the debates on this matter—and obviously other members may wish to comment—by thanking the opposition for the indication of support generally for these reforms. As has previously been noted, they have their genesis in the former government having commissioned the review from Mr Alan Moss, the retired District Court judge who conducted the same and provided a report in 2016. The bill incorporates a good part of the bill that was proposed in 2017 by the former government and, with some variations, the bill before us now, which has been comprehensively debated and slightly amended, is to progress.

I am pleased to thank Mr Alan Moss for his work in undertaking the review and Commissioner John Chapman, who has provided advice to myself and the government in the development of this legislation. I think it is fair to say that he provided comprehensive advice to the previous government as his commission predated the new government, but I can personally attest to the contribution he has made in this regard.

I thank my personal adviser, Mr Ingo Block, who has been excellent in his diligent attention to the preparation of material for this. Overall, with the improvements that are made by this bill, I think the community who rely on the standards and obligations that are imposed by this law, largely the landlords and tenants of retail and commercial properties, will be the better for it. I thank all those who have made that contribution and look forward to its swift passage through the other place.

Bill read a third time and passed.

LANDSCAPE SOUTH AUSTRALIA BILL

Final Stages

Consideration in committee of the Legislative Council's amendments and suggested amendments.

The CHAIR: The house is in committee on the Landscape South Australia Bill 2019. We have 50 amendments and a further five suggested amendments; is that correct, minister?

The Hon. D.J. SPEIRS: Yes.

The CHAIR: Really, we are in your hands as to how you would like to handle this. You can move one or all or some of. I will give you the call.

The Hon. D.J. SPEIRS: Thank you, Chair. Are you comfortable with me making some remarks on the process thus far?

The CHAIR: Yes.

The Hon. D.J. SPEIRS: Before we begin to look at the amendments in full, I would like to make a few overall remarks about the process thus far and the passage of the Landscape South Australia Bill 2019 through the House of Assembly and into the Legislative Council. I would like to thank all those members in this house and the other place who have made contributions to this bill. We certainly believe that it is an important bill, and I know that there are many land managers, community members, farmers and conservationists watching its progress through this parliament.

We have made it very clear in the lead-up to the 2018 election, during our time in opposition as we were developing policies to take to that election, and then since forming government that this is a key reform priority for the Marshall Liberal government. We saw a great opportunity to take what was good from the Natural Resources Management Act and the integrated framework that it provided for natural resources management in South Australia.

We supported the integration. I think it is a good thing that a whole-of-landscape approach is taken across issues such as water management, sustainable agriculture, pest control, biodiversity, climate resilience and so on, taking the aims and objectives of the Natural Resources Management Act and embedding them into a new act that is much closer to the community.

I received criticism and feedback from my colleagues, members of the community and all different types of peak bodies. From peak bodies representing the agricultural sector to peak bodies representing the conservation side of the debate, a consistent message came that the Natural Resources Management Act had drifted from its purposes, drifted too far from the community and required substantial reform.

People managing the land, people involved in conservation, people involved in the productive aspect of the regional economy, people involved in agriculture, people involved in tourism and people living in our cities and towns across South Australia felt that under the centralised and bureaucratic situation that had become natural resources management in this state they were not able to have the same level of interaction and engagement with the system and ability to shape the system that they might have liked.

The Landscape South Australia Bill sought to change that and position this piece of legislation and the government structures that come from it much closer to the South Australian community. I think we have that balance right. I think the decentralised model that we have proposed and have seen largely passed through both houses will enable future Landscape South Australia boards, subject to the final passage of this legislation, to have a much more immediate impact on the environmental challenges facing the land across our state.

I hope that board members in particular will become more representative of the communities for whose regions they are charged with environmental responsibility. It is not across all boards, but my assessment is that certainly some boards currently do not necessarily represent the interests of landowners and land managers. They have climbed into ivory towers where they have been unable to connect effectively with the communities that they are there to represent.

They ought to keep in mind that they are there to represent the communities and not themselves. I call out some board members who have seemed to show through this process that they have not been there for the communities but have actually been there for themselves and their own egos. This has been disappointing, but of course those people are unlikely to continue under the new system should it pass this place.

The new legislation proposes not only decentralisation but also a number of boundary changes. I think these boundary changes are very important to help communities become more connected to the boards that are managing their environment. I think engagement between boards, governments and the communities they seek to work for is important. Creating opportunities to connect people in a geographical sense is an important part of that engagement, so we have a number of boundary changes.

In a minor sense, we are proposing that the town of Port Augusta move into the South Australian Arid Lands region rather than being in the Northern and Yorke region. The landscape that city occupies is much more of an arid landscape and lends itself to being found within the SA Arid Lands region. The most significant change is around metropolitan Adelaide. We have proposed the abolition of the Adelaide and Mount Lofty Ranges Natural Resources Management Board and its replacement with a Hills and Fleurieu region. There are some boundary changes to the north of Adelaide, taking areas such as the Barossa, Gawler and the plains north of Gawler and putting them into the Northern and Yorke region.

I think one of the most significant reforms is the creation of a body called Green Adelaide. Green Adelaide is specifically created within this legislation as a body that will be in charge of the bold greening of metropolitan Adelaide, not only recognising the specific environmental challenges

faced by a large capital city but specifically looking at the opportunities that a city can have in terms of being a biodiversity hotspot.

We have encapsulated in this legislation the opportunity to create a body called Green Adelaide, which will have this bold greening agenda. It will look at issues such as urban rivers and wetlands; our metropolitan coastline; nature and nature education within the city; dealing with pest plants and animals within the metropolitan context; and the greening of our streets, our Parklands and also our buildings.

An area that I am very keen for the Green Adelaide body to explore and really pioneer across the city is the greening of buildings in a really practical sense. This includes green roofs, green walls, creating habitat and of course cooling our city in the face of a changing climate. There is absolutely no doubt that the greatest environmental challenge facing our capital city is our changing climate and increasing temperatures.

The urban heat island effect, which comes from heat being attracted to and magnified by a whole range of hard surfaces, such as concrete, glass, metals, etc., within the metropolitan environment, obviously pushes up our temperatures. That becomes even more pressing in the face of a changing climate. Everyone in this place will remember the day in January this year that reached 46º Celsius and how very unpleasant that was. Green Adelaide really needs to be at the forefront of cooling our city by bold plantings across our city.

They will be working very closely with local governments and also non-government organisations, but particularly local governments, to maximise the dollar, to maximise the planning and coordination, the mapping of canopy cover, the mapping of the impacts of the heat island effect and really working in what I think is a world-leading sense to cool this city through increasing our canopy cover.

Of course, that does not happen overnight. That is one of the great challenges we face; it does not happen overnight. It will take several generations probably, although we need to go faster than that in some ways. We have to give Green Adelaide the imperatives, the legislative functions and the mandate from government to get on and green this city to create habitat here but, more than anything, to cool it in the face of a changing climate.

Another reform is the redistribution of the levy collected within metropolitan Adelaide so that it can be used for environmental benefit in regional South Australia. When we consulted on the creation of the landscape bill there was no pushback at all around the concept of taking some of the levy collected within metropolitan Adelaide and placing that within a special fund that can be used to advance large scale, landscape scale, projects within regional and rural South Australia.

One of the great motivations for that, from my point of view when creating this policy—and this was agreed with, I think, by the vast majority of the people who were involved in the engagement processes around the landscape bill—was the idea that people who live in metropolitan Adelaide and who enjoy and benefit from the regions in terms of food production or travel for work or holidays put pressure on the regions and on the environments of the regions. As a consequence, perhaps they should be putting their hand in their pocket through their metropolitan-based NRM levies, or landscape levies as they will progress to be called, and be contributing financially to large scale, landscape scale—

The CHAIR: Minister, can I interrupt here. I have given you some latitude. I might ask you to turn your mind to the amendments themselves now.

The Hon. D.J. SPEIRS: I could do. I thought it was important that the house got lots of—

The CHAIR: You have given us good background.

The Hon. D.J. SPEIRS: —good background as to how we got to this place, Chair.

The Hon. S.C. Mullighan: Chair, I missed it. Will he start again?

The Hon. D.J. SPEIRS: I am happy to. I am disappointed that the member for Lee was not paying close attention. I want to reflect very briefly on the process of this legislation through the

houses because, by and large, I think that many of the amendments that were made have enhanced this legislation, and that is what you want from your legislative process.

There are 50 amendments before the house and a number of suggested amendments as well. I will be accepting the vast majority of those amendments. There are some, for very clear policy reasons, that I seek to reject today, but the vast majority of the amendments that were made enhance the bill and really demonstrate that good engagement processes through the preparatory stages of this bill have taken us to a point where we were able to put a piece of legislation into this place that more or less hit the mark.

However, through further engagement and through the parliamentary process we have been able to accept a range of amendments that we believe continue to enhance the bill. Some of those amendments were made in this house and some were suggested by the opposition in this house and, while not necessarily agreed by me in this house, I made it very clear at the time that, because of internal party processes in terms of getting approval and endorsement of those amendments, I would be happy to look at many of those amendments in the Legislative Council. That is exactly what we did, and that has seen us agree to a significant number of amendments that were then put forward in the Legislative Council.

In total, the Legislative Council has made 50 amendments to the bill and also suggested five amendments. These suggested amendments relate to money clauses and seek to transfer responsibility for collecting land levies inside council areas from councils to regional landscape boards, with the assistance of the Commissioner of State Taxation.

The government opposed a number of these amendments in the other place. However, in the interests of moving towards consensus, the government, as I have indicated, will support the passage of 39 of the Legislative Council's amendments. To be clear, those remaining in contention concern regional boundaries, the timing for the first elections to the landscape boards and land levy collection arrangements in council areas. There may be an opportunity to go through some of these amendments as clusters, while others should be focused on so that we can discuss them in more detail at an individual level. I turn now to amendment No. 1.

Amendment No. 1:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendment No. 1 be agreed to.

This amendment reinstates the term 'peak body' from the Natural Resources Management Act and relates to amendments that require consultation with peak bodies ahead of making certain decisions. I can advise the house that the government supports the passage of this amendment.

We have absolutely no concern whatsoever in consulting with peak bodies ahead of making certain decisions under the Landscape South Australia act. A removal of that requirement was part of one of our overarching aims for this legislative reform, and certainly an aim that was backed up through consultation, which was to simplify the quite onerous and bureaucratic consultation processes that were built into the Natural Resources Management Act. We did not want to be in a situation where we were throwing the baby out with the bathwater. I am certainly convinced through this process that reinserting the term 'peak body' from the NRM Act before making certain decisions should be supported, so I seek to support amendment No. 1.

Motion carried.

Amendment No. 2:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

Amendment No. 2 is consequential to suggested amendments moved by the Hon. Frank Pangallo in the other place. This would transfer responsibility for collecting land levies inside council areas from local councils to regional landscape boards with the assistance of the Commissioner of State Taxation. The government's position has been very clear on this and, in fact, mirrors the position of the South Australian Labor Party during its four terms in government, that is, that local councils

should continue to collect the land levy as this is the most cost-effective way to collect the levy and maximises the funding available for on-ground delivery.

The government has received preliminary advice that it would be extremely expensive for a change in the circumstances of levy collection here, and that would take funds directly from environmental works on the ground and, in particular, from regional South Australia. We strongly believe that we should continue to see local governments collect the levy through council rates bills, maximising the funding available. The government therefore disagrees with amendment No. 2.

Motion carried.

Amendments Nos 3 to 13:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendment Nos 3 to 13 be agreed to.

Amendments Nos 3 to 8 concern the bill's objects and related principles of ecologically sustainable development. Amendments Nos 3, 4, 5, 7 and 8 largely insert concepts from the Natural Resources Management Act's objects and principles of ecologically sustainable development. Amendment No. 6 amends the existing object on climate change to specifically reflect the need for mitigation and adaptation. Amendments Nos 9 to 13 include express references to biodiversity in matters to be considered in determining whether someone has breached the general statutory duty found within the act.

We believe that all these amendments enhance the legislation that has passed through the two houses of parliament. Again, I reiterate our real openness to accepting amendments that enhance the legislation, particularly focusing on the need to include more references to biodiversity in matters being considered within the act. This was raised on a number of occasions by particularly the conservation sector when the proposed act was undergoing its very extensive engagement process across the state during the month leading up to the introduction of the bill.

We strongly believe that the landscape act should pay close attention to the sustainment of biodiversity. I see biodiversity as a concept which really is laid over the bill and the hoped-for outcomes of the act and, as a consequence, strengthens reference to biodiversity throughout the proposed act and ensures that landscape boards pay close attention to undertaking activities which enhance biodiversity in their particular region is something the act should certainly pay close attention to.

We also have an amendment here, amendment No. 6, which amends the existing objective on climate change to expressly reflect the need for mitigation and adaptation. It is my view that the proposed bill did in its original form make very significant efforts to ensure that climate change was built into the planning and delivery work of landscape boards, but there have been amendments put forward to say that that could be strengthened. I am certainly supportive of that.

We know that these are largely regional boards and that regional South Australia will really be the first place to—well, is already experiencing the effects of a changing climate. We want landscape boards to have that the forefront of their minds. The best way to do that is to build it into the act, so to see amendment No. 6 strengthening that existing object on climate change to flesh out the objective around mitigation and adaptation is important and valid, so we are also keen to support amendment No. 6. The government supports the passage of this cluster of amendments.

Motion carried.

Amendment No. 14:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendment No. 14 be disagreed to.

Amendment No. 14 provides that in recommending regional boundaries to the Governor the minister must give particular attention to water catchment areas in recommending proposed landscape regions to the Governor. In recommending regional boundaries to the Governor, the minister will still be required to consider the nature and form of the natural environment alongside other factors. Water

catchment areas are an aspect of nature and form of that natural environment. As a consequence, we do not think that water catchment areas should be specifically highlighted. We have tried to take a more generalist approach to this.

We have also tried to create a situation within this legislation where communities of interest are placed above geographical concepts. We have some unusual situations in our state because of where particular towns have grown, particularly around Mount Barker and around the towns that form the final stages of the River Murray: Goolwa, Meningie and the Coorong communities. These, in a communities of interest sense, perhaps find themselves in a different board under our proposals from might be the case if you were looking at water catchments.

That is also the case for the town of Burra in the state's Mid North, with Burra currently being in the SA Murray-Darling Basin Natural Resources Management Board but having little direct relationship in a communities of interest sense with the other towns that find themselves making up the vast majority of the population within that particular region. So the town of Burra, in a communities of interest sense, would find itself more naturally suited to the Northern and Yorke board.

Because of the disconnect between the current Natural Resources Management Act's functions and the communities that the act seeks to benefit, one of our criticisms was that it had drifted too far from communities of interest. Communities of interest must trump every other aspect. Notwithstanding that water catchment areas do find themselves as part of the nature and form of the natural environment, which is embedded into the act anyway, we do believe that this is covered in the language of the act. The government therefore opposes amendment No. 14.

Motion carried.

Amendments Nos 15 to 39:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendments Nos 15 to 39 be agreed to.

Amendments Nos 15 and 16 require the minister to consult with peak bodies on certain decisions relating to regional boundaries and boards respectively. I covered this when I was referring to the earlier amendment, which I believe was amendment No. 1, in that it certainly was not our intention, as a consequence of developing this legislation, to shut out peak bodies from their involvement within the administration and the engagement around the landscape act.

We are more than happy to see peak bodies given the respect that they perhaps ought to have in this legislation and be consulted when decisions are being made by landscape boards in relation to regional boundaries and boards. Amendments Nos 15 and 16 will be agreed to by the government.

Amendments Nos 17 to 21 require board members to have specific skills, knowledge and experience and for there to be consultation with peak bodies on proposed appointments to landscape boards. Amendments Nos 22, 23 and 24 are government amendments that were brought in following analysis showing that minor technical drafting issues had to be tidied up.

Amendment No. 25 concerns public access to board meetings and meeting agendas and minutes. Again, we have not been as prescriptive in the bill around public access to board meetings and meeting agendas and minutes. It certainly was not our intention to see this not enshrined in legislation. It had previously been our intention to use regulation to structure and outline the requirements around public access to meetings and meeting agendas and minutes, so we are more than happy to agree to amendment No. 25.

Amendment No. 26 concerns the outcomes to be achieved by boards in the exercise of their function of undertaking, promoting and integrating the management of natural resources. Again, this is an amendment that we believe enhances the overall act. I indicate that the government will support amendment No. 26.

Amendment No. 27 concerns the relationship between board plans and policies and the Native Vegetation Act and the National Parks and Wildlife Act, ensuring that the aims and objectives of those two acts are taken into consideration when landscape boards are establishing their plans

and policies. I indicate that we see a value in this amendment and we will be agreeing to amendment No. 27.

Amendment No. 28 concerns collaboration with local councils by landscape boards. This further enhances what the government wanted to achieve through this legislation, in terms of building partnerships across a whole range of non state government organisations. Through this legislation, we really want boards to be looking for partners across the landscape, particularly local government. We see them as an absolutely critical partner in effective environmental management.

As a consequence, the draft bill proposed by the government included a range of strengthening clauses around the role of partnerships with non state government bodies, placing particular emphasis on local councils. Amendment No. 28 further strengthens that, seeking collaboration with local councils by landscape boards, so I indicate we will agree to amendment No. 28.

Amendment No. 29 would include ecosystem health as part of Adelaide's seven legislated priorities. Green Adelaide, as I mentioned in my introduction, is a body that we want to focus on the vibrant greening of our city. Ecosystem health is a key part of that. We accept an amendment in this house in relation to creating a biodiversity-sensitive city here in Adelaide. Including ecosystem health as part of Green Adelaide's seven priorities is something we are quite comfortable with, so I indicate our intention to accept amendment No. 29.

Amendments Nos 30, 31 and 32 require the state landscape strategy to assess the state and condition of the state's natural resources and to provide for monitoring and evaluation. These are all amendments that again make sense to the government and enhance the act, so we are happy to agree to amendments Nos 30, 31 and 32.

Amendment No. 33 concerns the role of climate science in the development of the state landscape strategy. We see an importance in ensuring that climate change, as I mentioned before, and the need to mitigate and adapt to the effects of climate change form a key part of the landscape boards' work. Having climate science as part of the development of the State Landscape Strategy underpins that objective, so I indicate that the government will be agreeing to amendment No. 33.

Amendments Nos 34, 35 and 36 concern consultation and development of the State Landscape Strategy. They are minor in nature and again enhance the engagement side of the bill, which we are very comfortable with supporting. Amendments Nos 37, 38 and 39 require regional landscape plans to include or address additional matters and to take into account climate science. Again, without repeating myself, we are happy to include those three amendments. So I indicate for that cluster, which was amendments Nos 15 to 39, that the government supports all of them.

Motion carried.

Amendments Nos 40 to 44:

The Hon. D.J. SPEIRS: I move:

That Legislative Council's amendments Nos 40 to 44 be disagreed to.

These are consequential to suggested amendments that would transfer responsibility for collecting land levies inside council areas from local council to regional landscape boards, with the assistance of the Commissioner for State Taxation. As I mentioned in my earlier comments around other amendments, I think in amendment No. 2, the government's position is that councils should continue to collect the land levy as this is the most cost-effective way to collect the levy and maximises the funding available for on-ground delivery. As a result, the government opposes these amendments.

Motion carried.

Amendments Nos 45 and 46:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendments Nos 45 and 46 be agreed to.

Amendment No. 45 provides for the act to be reviewed after three years of operation. This is a very worthy suggestion. This act is a substantial piece of legislative reform and ought to be reviewed at

some point in the future. There was discussion with crossbenchers about whether this should be three years or five years. We landed on a three-year review and that is what was passed by the Legislative Council. I indicate that the government is more than happy to agree to a review after three years of operation. Amendment No. 46 is a government amendment addressing a consequential change to the National Parks and Wildlife Act. The government supports the passage of both these amendments.

Motion carried.

Amendments Nos 47 to 50:

The Hon. D.J. SPEIRS: I move:

That the Legislative Council amendments Nos 47 to 50 be disagreed to.

Amendments Nos 47 to 50 concern one of the government's key election commitments, and that was to insert into the NRM Act or the replacement legislation, the Landscape South Australia Bill, the need to have community elections for a number of positions—three positions out of seven—on each of the regional landscape boards, so excluding Green Adelaide.

We saw this as a very important amendment that would instil a level of grassroots democracy into boards and give levy payers and community members the confidence that they had an elected voice on these boards, which were not simply appointed by the minister of the day, and that it would enhance the democracy present within Landscape South Australia as an entity.

The amendments before us seek to delay those elections until 2022. That would essentially align the first elections to the boards with the 2022 local government elections. It was always the government's intention to align board elections with local government elections simply because of efficiency in terms of cost delivery but also in terms of enhancing voter turnout for landscape board elections. We felt that when that ballot paper was part of a pack for local government elections it would be much more likely to be filled in than if it were a standalone election.

Notwithstanding that, we had planned to have an initial election, a one-off election, to get elected members onto the landscape boards in 2020, subject to the passing of this legislation, to enable that community voice to be part of the landscape boards from day one. The amendments that were passed in the other place seek, for financial reasons I am told, to delay those elections until September through to November 2022 in order to align them with local council elections. That would result in the minister of the day appointing the full seven members of the board first off and then those expiring around the council elections.

It is our view, because this was a very clear election commitment and it was popular when it was consulted on as part of the detailed engagement process, that it is unacceptable for communities to wait until November 2022 to be able to elect community representatives to be effective in shaping and influencing the future directions of boards in terms of their planning and business priorities. The community's voice should be represented in board decision-making from the very outset. This is a large piece of reform. I believe it is a piece of reform that is being asked for by South Australian communities, particularly in our regions where these elections will be focused. As I have previously stated, the government's election commitment is about giving those regional communities a voice about who sits on their regional boards.

The commitment was backed by the findings of a 2017 statewide survey, with 95 per cent of survey participants believing local communities should be able to nominate board members in their own region. By aligning eligibility to vote and stand with local government election arrangements, the bill has provided scope for elections to be conducted in conjunction with local government elections, if it is cost-effective to do so, from 2022 and beyond.

Providing for a combination of elected and appointed members provides a mechanism to ensure there is a good mix of skills on boards. The bill also enables all members to be appointed if special circumstances arise, such as if for some reason it is not practical to hold community elections in a given region. Statutory boards comprising all or some elected members are not uncommon in South Australia or elsewhere. For example, in New South Wales the Local Land Services Board, which plays a similar role to landscape boards, has a mixture of minister-appointed and elected members.

I understand that the most recent local land services board elections held in 2017 were conducted by an external provider using online voting technology. Here in South Australia, the South Eastern Water Conservation and Drainage Board is just one example of a board comprising a mix of minister-appointed and elected members from the community.

In line with developments around elections nationally and in other jurisdictions, the state government is looking at how technology and other innovations can be used to encourage participation whilst minimising costs. Efficiency and cost-effectiveness will be key considerations in engaging the services of a provider equipped to run the elections. Deferring the elections until the 2022 local government elections is a missed opportunity to test out these arrangements.

Holding the first elections separately from local government elections will enable lessons learnt to inform ongoing election arrangements. We see this as a breach of faith in what the South Australian community was after when it came to inserting a democratic voice onto the proposed landscape boards and so for that reason the government opposes the amendments which seek to delay those elections until November 2022.

Motion carried.

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's suggested amendments be disagreed to.

The suggested amendments before the house, made by the Hon. Mr Pangallo in the other place, are largely around the collection of the levy. I covered this in my discussion earlier, but I will go into them in some detail now. It is the government's primary concern that the collection of the levy should remain with local councils. We acknowledge that the local government sector has not always been fond of the collection of the levy. Part of that lack of fondness, I believe, has been because local councils have not felt that they are a central part of the administration of natural resources management in South Australia.

However, we made it very clear, and have done through the creation of the landscape bill, that local councils will be part of the system going forward and that they are a key, critical and fundamental partner within the future administration of landscape boards and the day-to-day business, whether that be on-ground works through to strategic planning being undertaken by landscape boards. I have continually acknowledged and repeatedly emphasised since becoming the shadow minister in January 2017, through to becoming the minister and during my time as minister for the last 18 months, that the role of local government in landscape boards and the work of landscape boards are fundamental.

My message to local councils across this state is that their work is valued when it comes to environmental management, conservation, biodiversity, protection and so on and that they are a partner across all the aims and objectives of this legislation. While it is the government's position that landscape boards should not collect the levy with the assistance of the Commissioner of State Taxation and that it should remain with local councils, we have also made a very clear commitment and transferred that commitment into legislation to ensure that councils—local governments—become and are a fundamental part of the administration of this act. They will not just be a levy-collecting instrument; they will actually be embedded into this business.

We have preliminary advice that the shifting of the collection of the levy suggested in these amendments made by the Legislative Council will cost South Australia's environment considerable money because the advice suggests that the funds that would be required to do this—to change the billing procedure and move it to the state government, to landscape boards—will be highly onerous from an administrative point of view and take money directly away from the environment.

It will lead to reduced environmental outcomes on the ground and it will reduce the effectiveness of landscape boards. It will undermine the ability of landscape boards to achieve their aims required under the act to care for the environment, to deal with water management and to deal with sustainable agriculture, soil protection, pest management, biodiversity conservation and ecologically sustainable development. This will all be undermined because, by state government taking on the collection of this levy, it will take a big chunk out of the funds that are available, and

that will have a direct environmental impact. On that basis, we just do not believe that it is efficient to do so, so it is the intention of the government to reject the suggested amendments.

Motion carried.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Final Stages

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

No. 1. Clause 5, page 3, lines 1 to 13—Delete clause 5 and substitute:

5—Amendment of section 57A—Payment of interest accruing on trust accounts

(1) Section 57A(2)—delete 'Subject to subsection (3), the' and substitute:

The

(2) Section 57A(2)(c)—delete paragraph (c) and substitute:

(c) 10% of the money must be paid to the Law Foundation of South Australia Incorporated subject to such conditions as the Attorney-General directs.

(3) Section 57A(3)—delete 'and may, from time to time, with the approval of the Society, vary the portion of the money allocated for payment pursuant to each paragraph of that subsection'

(4) Section 57A(5)—delete subsection (5) and substitute:

(5) At least 50% of the money paid to the Law Foundation of South Australia Incorporated pursuant to subsection (2)(c) must be applied in, or in relation to, the provision of legal services to the community.

ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

Parliamentary Procedure

ADJOURNMENT

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (17:09): I move:

That the house does now adjourn.

The house divided on the motion:

Ayes 21
Noes 18
Majority..... 3

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	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.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

NOES

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

Motion thus carried; house adjourned.

At 17:14 the house adjourned until Wednesday 25 September 2019 at 10:30.

Answers to Questions

KAURNA ELECTORATE MINISTERIAL VISIT

1089 Mr PICTON (Kaurna) (10 September 2019). Between the dates of 18 March 2018 and 18 July 2019 has the Minister for Innovation and Skills visited the electorate of Kaurna?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills): Yes.

KAURNA ELECTORATE MINISTERIAL VISIT

1090 Mr PICTON (Kaurna) (10 September 2019). On what dates and at what locations has the minister for Innovation and Skills visited the electorate of Kaurna from 18 March 2018 to 18 July 2019?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills):

- Moana—14 February 2019
- Port Noarlunga—21 August 2018

KANGAROO ISLAND SLIPWAY

1105 The Hon. L.W.K. BIGNELL (Mawson) (11 September 2019). With regards to Kangaroo Island:

(a) What is the status of the Kangaroo Island slipway at Kingscote? Has it been closed?

(b) What is the closest slipway to Kingscote where people can lift their boats in and out of the water?

(c) Can you please advise why you have not included local users and the wider Kangaroo Island community in discussions about this vitally important piece of local infrastructure?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised the following—

(a) Operations at the Kangaroo Island slipway ceased from 1 July 2019. DPTI will shortly be commencing the process to decommission the site.

(b) The alternative locations where people can lift boats in and out of the water is dependent upon the size of the vessel, with locations at Port Adelaide, Port Lincoln, and Wirrina Cove Marina.

(c) Local users and the wider Kangaroo Island community were included in a public consultation meeting in December 2015 which was also attended by the commercial fishing sector, recreational fishing sector, relevant government agencies, Kangaroo Island Council and the Commissioner for Kangaroo Island. Further consultation occurred and culminated in the publishing of a Regional Impact Assessment Statement on the PIRSA website.

On 5 June 2019, DPTI wrote to the Kangaroo Island Council regarding the closure of the Kingscote slipway on 30 June 2019 and notification provided to recent users of the closure.

On 15 July 2019, following a letter received from council, DPTI again wrote to Kangaroo Island Council advising the decision to close the facility centred on safety concerns, with significant capital improvements required to ensure that its ongoing operational, safety and environmental performance complied with current regulatory standards. DPTI statistics also indicate that only ten vessels were authorised to use the slipway in the last three years which is considered a low usage rate.

DPTI will continue to keep council informed on the decommissioning of the slipway as it progresses.

TARGETED VOLUNTARY SEPARATION PACKAGES

1318 The Hon. S.C. MULLIGHAN (Lee) (11 September 2019). With regards to TVSPs in 2018-19:

(a) How many TVSPs were funded in the 2018-19 financial year?

(b) What was the total cost of the TVSPs paid in 2018-19?

(c) How many TVSPs were provided by each agency in 2018-19?

(d) What was the cost of the TVSPs by agency in 2018-19?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised that:

These questions have been addressed in the response provided to the Estimates Omnibus question on TVSP funding (omnibus question 7).

TARGETED VOLUNTARY SEPARATION PACKAGES

1319 The Hon. S.C. MULLIGHAN (Lee) (11 September 2019). With regards to TVSPs in 2019-20:

(a) How many TVSPs are budgeted in the 2019-20 financial year?

(b) What was the estimated cost of TVSPs in the 2019-20 financial year?

(c) Is there an estimate of how many TVSPs will be provided by each agency in 2019-20?

(d) Is there an estimate of the cost of the TVSPs by agency in 2019-20?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

These questions have been addressed in the response provided to the estimates omnibus question on TVSP funding (omnibus question 7).

RETURN TO WORK CASE MANAGEMENT

In reply to **Ms BEDFORD (Florey)** (10 September 2019).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been provided the following advice:

No. ReturnToWorkSA is funded solely through premiums paid by South Australian businesses.

Estimates Replies

ABORIGINAL ART AND CULTURES GALLERY

In reply to **Ms HILDYARD (Reynell)** (24 July 2019). (Estimates Committee A)

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

In creating the new horizon year 2022-23 (after the release of the 2018-19 budget), an additional provision of $90 million was created on top of the $60 million which had already been announced in the 2018-19 budget. The City Deal at that time was being negotiated and the commonwealth agreed to contribute $85 million. The government has provisioned $150 million over the forward estimates for the gallery—which is $85 million from the commonwealth government and $65 million from the state government.

PUBLIC SECTOR, ABORIGINAL EMPLOYMENT

In reply to **Ms BEDFORD (Florey)** (24 July 2019). (Estimates Committee A)

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

The Commissioner for Public Sector Employment does not collect data on the number of public sector roles that are open only to people of Aboriginal or Torres Strait Islander descent.

GOVERNMENT ADVERTISING

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (24 July 2019). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised that for the following:

Department of Treasury and Finance

- At 30 June 2019, 21.1 FTEs were allocated to communication and promotion functions, costing approximately $2,092,812 per annum.
- The table below outlines the budgeted FTEs and estimated employment costs:

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense
2019-20	21.1	$2,128,247
2020-21	n/a	
2021-22	n/a	
2022-23	n/a	

Staffing budget planners for 2020-21, 2021-22 and 2022-23 have not been set.

Note: Some of the listed roles include responsibilities that are not exclusively communication and promotion functions.

Office of the Commissioner for Public Sector Employment

- At 30 June 2019, 3.4 FTEs were allocated to communication and promotion functions, costing $372,600 per annum.
- The table below outlines the budgeted FTEs and estimated employment costs:

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense
2019-20	2.7	$325,800
2020-21	n/a	

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense
2021-22	n/a	
2022-23	n/a	

Staffing budget planners for 2020-21, 2021-22 and 2022-23 have not been set.

Compulsory Third-Party Insurance Regulator

- At 30 June 2019, 4 FTEs were allocated to communication and promotion functions, costing $360,700 per annum.
- The table below outlines the budgeted FTEs and estimated employment costs:

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense
2019-20	4.0	$408,600
2020-21	3.0	$276,900
2021-22	3.0	$282,500
2022-23	3.0	$288,100

Office of the Industry Advocate

- At 30 June 2019, .02 FTEs were allocated to communication and promotion functions, costing $2,500 per annum.
- The table below outlines the budgeted FTEs and estimated employment costs:

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense
2019-20	.05	6,000
2020-21	.05	6,000
2021-22	.05	6,000
022-23	.05	6,000

As an open and transparent government, marketing communications activity reports and annual media expenditure details are proactively disclosed. The reports list all marketing campaigns over the cost of $50,000 and are disclosed on the DPC website: https://www.dpc.sa.gov.au/about-the-department/accountability/government-marketing-advertising-expenditure.

TARGETED VOLUNTARY SEPARATION PACKAGES

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (24 July 2019). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): The following information is provided on behalf of all ministers:

Agencies have advised that a total of 1,554 TVSPs and executive separations (1,431.2 FTEs) were accepted during 2018-19, and that the following expenses were incurred (excluding payments associated with accrued leave):

- TVSP and executive separation payments—$128.4 million
- Payroll tax and shared services fees—$2.6 million

Expenses associated with 1,359 acceptances were centrally reimbursed—$113.8 million for TVSP and executive separation payments and $2.4 million for payroll tax and shared services fees.

Agencies met costs associated with the other 195 acceptances—$14.7 million for TVSP and executive separation payments and $0.2 million for payroll tax and shared services fees. The budget includes $60 million in 2019-20 to assist agencies in meeting the cost of TVSPs and/or separation payments up to 31 December 2019. The budget for TVSPs is not set at the agency level. Instead, a whole of government provision is held and paid to agencies as required.

2018-19 TVSP acceptances

	Centrally Reimbursed		Cost met by agency	
	No.	$	No.	$
General Government Sector				
Arts SA	18	1,684,703.39	2	150,991.18
Art Gallery Board	3	265,573.80	–	–
Attorney-General's Department	105	8,914,753.37	–	–

	Centrally Reimbursed		Cost met by agency	
	No.	$	No.	$
Human Services	340	27,007,646.22	–	–
Carrick Hill Trust	1	35,195.20	–	–
Child Protection	2	219,715.32	60	4,463,877.26
Correctional Services	135	9,117,556.98	–	–
Courts Administration Authority	17	1,201,959.17	–	–
Education	75	6,689,182.86	70	6,014,244.80
Education and Early Childhood Services Registration and Standards Board	1	61,564.00	–	–
Environment and Water	119	9,995,056.59	–	–
Environmental Protection Authority	24	2,051,891.61	–	–
Green Industries	1	101,763.56	–	–
Innovation and Skills	56	5,314,982.51	–	–
Health and Wellbeing	16	1,713,093.23	–	–
Libraries Board of South Australia	–	–	1	95,306.72
Trade, Tourism and Investment	21	2,055,178.22	–	–
Energy and Mining [(a)]	29	2,707,223.55	–	-94,410.70
Office for Recreation, Sport and Racing	1	82,815.54	–	–
Office of the Commissioner for Public Employment	5	430,057.00	–	–
Planning, Transport and Infrastructure	66	6,163,301.57	7	567,429.04
Premier and Cabinet	15	1,439,050.70	4	244,527.79
Primary Industries and Regions	50	4,500,910.33	–	–
South Australia Police	21	1,368,764.36	–	–
TAFE SA	50	4,508,774.41	49	2,998,096.06
Tourism	2	198,448.56	–	–
Treasury and Finance	89	8,102,943.08	–	–
Public Non-Financial Corporations				
Public Trustee	3	178,269.47	1	132,799.76
South Australian Housing Authority	94	7,659,858.04	–	–
Urban Renewal Authority	–	–	1	77,964.94
Total Payments to Employees (excluding Accrued Leave)	1,359	113,770,232.64	195	14,650,826.85
Payroll Tax on TVSP Payments		1,631,029.87		125,847.87
Shared Services SA Fees		733,553.00		90,639.00
Total Employee Separation Expenditure		116,134,815.51		14,867,313.72
Grand Total			1,554	131,002,129.23

PUBLIC SERVICE EMPLOYEES

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised of the following:

Between 1 July 2018 and 30 June 2019, there were two executive roles abolished within the Department for Child Protection. During this period there was one executive role created.

The abolished positions were:

- Director, Legislation and Reform (SAES1)
- Director, Statewide Services (SAES1)

It should be noted that the position of Director, Legislation and Reform, was a short-term role and therefore created and abolished in the reporting period.

The total employment cost for these two roles was $364,097 (excluding on-costs).

GOVERNMENT ADVERTISING

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised that for the Department for Child Protection:

- In 2018-19, 5.6 FTEs were on average employed for communication and promotion functions, costing $730,000 ($597,000 without on costs).

- The 2018-19 variance from budget was due to the communications team having several staff changes during the year and, at times, additional resources being committed to the team for specific projects.
- The table below outlines the budgeted FTEs and estimated employment costs:

Year	No of FTEs budgeted to provide Communication and Promotion Activities	Estimated Employment Expense including on costs ($000s)
2018-19	5.0	569
2019-20	5.0	578
2020-21	5.0	587
2021-22	5.0	596
2022-23	5.0	605

As an open and transparent government, marketing communications activity reports and annual media expenditure details are proactively disclosed. The reports list all marketing campaigns over the cost of $50,000 and are disclosed on the DPC website: https://www.dpc.sa.gov.au/about-the-department/accountability/government-marketing-advertising-expenditure.

PUBLIC SERVICE EMPLOYEES

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised of the following for the Department for Child Protection:

Attraction allowances, retention allowances and non-salary benefits paid to public servants and contractors between 1 July 2018 and 30 June 2019:

Position Group	Classification	Allowance Type	Allowance Amount
Manager	ASO8	Attraction/Retention	$22,557.64
Manager	MAS3	Attraction/Retention	$7,237.84
Manager	AHP5	Attraction/Retention	$6,579.01
Professional	ASO6	Attraction/Retention	$1,939.16
Manager	MAS3	Attraction/Retention	$23,547.15
OPS	OPS4	Attraction/Retention	$277.05
Manager	MAS3	Attraction/Retention	$23,547.17
Social Worker/Case Manager	AHP3	Attraction/Retention	$1,375.36
Manager	MAS3	Attraction/Retention	$23,547.14
Social Worker/Case Manager	AHP3	Attraction/Retention	$10,327.43
Manager	MAS3	Attraction/Retention	$672.08
Manager	MAS3	Attraction/Retention	$11,904.15
Aboriginal Family Practitioner	AHP1	Attraction/Retention	$8,269.22
Lands Based Worker	OPS5	Attraction/Retention	$15,172.74
Social Worker/Case Manager	OPS5	Attraction/Retention	$2,279.31
Professional	MAS3	Attraction/Retention	$4,122.00
Manager	MAS3	Attraction/Retention	$17,660.33
Manager	MAS3	Attraction/Retention	$2,529.52
Manager	MAS3	Attraction/Retention	$23,547.17
Manager	MAS3	Attraction/Retention	$11,773.64
Manager	ASO8	Attraction/Retention	$11,707.61
Manager	ASO8	Attraction/Retention	$23,137.83
Manager	MAS3	Attraction/Retention	$11,773.57
Lands Based Worker	OPS5	Attraction/Retention	$5,507.17
Lands Based Worker	OPS5	Attraction/Retention	$14,975.93
Lands Based Worker	OPS5	Attraction/Retention	$8,459.47
Lands Based Worker	OPS5	Attraction/Retention	$9,646.34
Lands Based Worker	OPS5	Attraction/Retention	$1,703.21
Lands Based Worker	OPS5	Attraction/Retention	$18,201.64
Manager	ASO7	Attraction/Retention	$9,393.05
Manager	ASO8	Attraction/Retention	$8,434.58
Manager	MAS3	Attraction/Retention	$3,981.51
Professional	MAS3	Attraction/Retention	$5,750.85
Manager	MAS3	Attraction/Retention	$3,488.76
Manager	ASO7	Attraction/Retention	$10,558.49
Manager	ASO8	Attraction/Retention	$4,917.88

MINISTERIAL STAFF

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised the following in relation to staff employed within my office:

- The list of ministerial staff employed as at 5 July was published in the *Government Gazette* on 18 July 2019.
- The following table lists the role titles of public sector staff employed as at 30 June 2019

Title	ASO Classification	Non- salary benefits
MANAGER OMCP	ASO7	Car park
MINISTERIAL LIAISON OFFICER	ASO6	
MINISTERIAL LIAISON OFFICER	ASO6	
EXEC ASSIST TO MINISTER	ASO6	
PARL & CAB LIAISON OFFICER	ASO5	
BUSINESS COORDINATOR	ASO4	

TERMINATION PAYOUTS

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised of the following:

No executive level employees have been terminated from the Department for Child Protection since 1 July 2018.

PUBLIC SECTOR EXECUTIVES

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised of the following:

Since 1 July 2018, there were no new executive appointments made within the Department for Child Protection.

GRANT PROGRAMS

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): In response to questions 13 and 14 I have been advised the following:

The following table provides the allocation of grant program/funds for 2018-19 and across the forward estimates for the Department for Child Protection—Controlled:

Grant program/fund name	Purpose of grant program/fund	2018-19 Actual Expenditure $000	2019-20 Budget $000	2020-21 Estimate $000	2021-22 Estimate $000
Reach your potential	Community peer advocacy and advisory model research trip	45	0	0	0
Child and Family Welfare	NGO sector workforce development strategies	84	0	0	0

There are no grant program/funds for 2018-19 or across the forward estimates for the Department for Child Protection—Administered:

Grant program/fund name	Purpose of grant program/fund	2018-19 Estimated result $000	2019-20 Budget $000	2020-21 Estimate $000	2021-22 Estimate $000
-	-	0	0	0	0

The following table shows that there is no *new* commitment of grants in 2018-19 for the Department for Child Protection—Controlled:

Grant program/fund name	Beneficiary/Recipient	Purpose	Value $
-	-	-	0

The following table shows that there is no *new* commitment of grants in 2018-19 for the Department for Child Protection—Administered:

Grant program/fund name	Beneficiary/Recipient	Purpose	Value $
-	-	-	0

GRANT PROGRAMS

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised for the Department of the Premier and Cabinet:

The government has provided a complete list of grants paid during 2018-19 in question 13.

GOVERNMENT DEPARTMENTS

In reply to **Mr BROWN (Playford)** (25 July 2019). (Estimates Committee B)

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection): I have been advised:

The annual reports published for each of the agencies I am responsible for will contain this information.

GOVERNMENT ADVERTISING

In reply to **Mr BOYER (Wright)** (29 July 2019). (Estimates Committee B)

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development): Answer

(a) 7.8 FTEs were allocated to communication and promotion functions (excluding website management) as at 30 June 2019, costing $848,000.

(b) FTEs budgeted to provide communications and promotion activities (excluding website management):

	2019-20	2020-21	2021-22	2022-23
FTE	6.6	6.6	6.6	6.6
Estimated employee expenses	$735,000	$746,025	$757,215	$768,573

(c) As an open and transparent government, marketing communications activity reports and annual media expenditure details are proactively disclosed. The reports list all marketing campaigns over the cost of $50,000 and are disclosed on the DPC website:

www.dpc.sa.gov.au/about-the-department/accountability/government-marketing-advertising-expenditure

GOVERNMENT ADVERTISING

In reply to **Mr BOYER (Wright)** (29 July 2019). (Estimates Committee B)

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development): Ministerial staff employed at 5 July 2019 was published in the *Government Gazette* on 18 July 2019.

The following table lists public sector staff employed at 30 June 2019:

POSITION TITLE	CLASSIFICATION	NON-SALARY BENEFIT
OFFICE MANAGER	ASO702	Carpark
PA TO THE MINISTER	ASO504	Carpark
MINISTERIAL LIAISON OFFICER	ASO502	-
MINISTERIAL LIAISON OFFICER	ASO501	-
PARLIAMENT/CABINET OFFICER	ASO501	-
SENIOR BUSINESS SUPPORT OFFICER	ASO503	-
CORRESPONDENCE/RECEPTION	ASO302	-
BUSINESS SUPPORT OFFICER	ASO303	-

TERMINATION PAYOUTS

In reply to **Mr BOYER (Wright)** (29 July 2019). (Estimates Committee B)

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development): I am advised since 1 July 2018, there have been no executive terminations in PIRSA.

PUBLIC SECTOR EXECUTIVES

In reply to **Mr BOYER (Wright)** (29 July 2019). (Estimates Committee B)

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development): Since 1 July 2018, the following new executive appointments were made within PIRSA:

POSITION TITLE	SAES LEVEL
CHIEF FINANCIAL OFFICER	SAES1
RESEARCH DIRECTOR, FOOD SCIENCES	SAES1

The total employment cost for these executive appointments was $407,775 (excluding on-costs). Individual executive total remuneration package values as detailed in schedule 2 of an executive employee's contract will not be disclosed as it is deemed to be unreasonable disclosure of personal affairs.

GOVERNMENT DEPARTMENTS

In reply to **Mr BOYER (Wright)** (29 July 2019). (Estimates Committee B)

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development): I have been advised:

Section 4 of DPC Circular 13—Annual Reporting details the use of the annual report template. The template includes sections for an organisational structure and changes to the agency to be included by each agency.

I refer the member to the annual reports which will be published for each of the agencies I am responsible for.