HOUSE OF ASSEMBLY

Tuesday, 15 October 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.

Members

MEMBERS' REMARKS

The SPEAKER (11:01): I wish to make a few remarks about reflections on the Speaker. I use this opportunity to remind all members about reflections on the Speaker by way of comments made by members outside the house and in the media.

Following the precedent set by the Speaker of the Forty-Eighth Parliament on the interpretation of standing orders, which is found in *Hansard* on page 563 in the Third Session of the Parliament on 16 November 1995, I make the following observations, referring to Speaker Lewis's statement to the house on 8 May 2002 at page 30 of *Hansard*, concerning reflections on the Speaker:

> The honourable member will be dealt with in accordance with Standing Order 137.

For brevity, I go on and paraphrase:

> [He] has reflected on [the] Speaker...the dignity of the house and the impartiality of the Chair. Our system operates effectively only if there is respect for the Chair by all members. I refer to Erskine May…
>
> 'Reflections upon the character or actions of the Speaker may be punishable as a breach of privilege.'
>
> This unprecedented attack brings the whole parliamentary institution into disrepute and, as Speaker, I do not intend to tolerate this behaviour.

Speaker Lewis then quotes other rulings of the Speaker of the Forty-Eighth Parliament, from Tuesday 27 May 1997 at page 1404 of *Hansard*, and, for brevity, I again paraphrase:

> In relation to the recent press reports about the contents and correspondence to me concerning the member for Ridley which have caused embarrassment…I believe the member for Ridley has seriously reflected on me as Speaker, and I have no option but to name the member for Ridley.

I warn members that remarks and criticism of the Speaker will be dealt with with far less tolerance and that there will be far less generosity shown by me from now on. I advise the house that I will be guided by the practices and ruling made by previous Speakers in this house.

Personal Explanation

HOME BATTERY SCHEME

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:03): I seek leave to make a personal explanation.

Leave granted.

The Hon. D.C. VAN HOLST PELLEKAAN: On 26 September, in answer to a question from the member for Flinders about all the benefits of the Marshall government's Home Battery Scheme with regard to creating jobs for South Australians, just after the Speaker warned the member for Playford, I said:

> It was a pleasure for me yesterday to be with the Premier to launch the new production facility for Alpha ESS down at Lonsdale.

The correction I need to make for the record is that the Premier actually did not accompany me on that occasion. We have had the pleasure of participating in many very positive announcements together, but I made the mistake; he was not actually at that one with me.

The SPEAKER: Not physically; spiritually perhaps. Thank you, minister.

Motions

PETITIONS, SUSPENSION OF STANDING ORDERS

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:04): I move:

That for the remainder of the session, standing orders be and remain so far suspended to provide that—

Eligible petitions—referral, response and address

1. Eligible petitions referred to Legislative Review Committee

   A copy of every petition, being a single petition, received by the house, certified by the Clerk and signed by 10,000 or more persons, an 'eligible petition', shall be referred by the Clerk to the Legislative Review Committee.

2. Minister's response to a report on an eligible petition

   (a) Within six sitting days of a ministerial response being made to a report relating to an eligible petition, the prescribed minister shall at the usual time during routine business for ministers to give notices—

   (b) Address the house and explain:

      (i) What if any action is to be taken in relation to the petition; and

      (ii) If no action is to be taken in relation to the petition, the reasons for that fact.

   (c) Without further leave of the house, the time allowed for the address by the prescribed minister is limited to 15 minutes.

3. Minister's address noted

   In the event that a minister addresses the house with a response to a report relating to an eligible petition, a member may give notice of a motion, in accordance with the same rules as for other notices of motion, 'That the house note the minister's address.' The notice of motion will be taken into consideration within the time allocated for Private Members Business: Committees and Subordinate Legislation.

The purpose of this motion is to enact the bill brought to this house, and indeed the parliament's attention, by the member for Florey in relation to there being a response by the parliament using our mechanisms when there is a petition signed by more than 10,000 South Australians.

The bill was supported by this house and the council and is now the law of the state. Usually, when we have laws, there are regulations that give practice to those laws. In the case of a bill relating to petitions in the house, the regulations in question are our standing orders. The usual practice—and probably the long-term practice—is for the Standing Orders Committee of the parliament to give some reflection on these matters, and I expect that to be the case.

I am advised that a member may be imminently bringing a petition to the house that may potentially have the requisite number of signatures. Rather than delay the inclusion of a sessional order to give effect to the bill that the parliament has passed, the government has sought advice from the Clerk about what those sessional orders would look like. We present them to the house for inclusion in the sessional orders. I would anticipate that they will then be available immediately upon the house's adoption of them for any member who wishes to bring a petition with the requisite number of signatures.

I would further anticipate that the Standing Orders Committee of the parliament, either after the first application of the sessional order or potentially at some stage in the next year or so, would give their consideration to the application of the sessional order to whether it has worked in the way in which it was intended in its current form, and further consider whether it is adopted in the standing orders at that point or whether amendments might be considered.

The government will be supporting the introduction of this sessional order into our house's sessional orders today, but I indicate to the house that I as the member for Morialta, as would indeed the government, would be open to further reflections on enhancements and/or the adoption into the standing orders of this sessional order as is in the future.

Once again, I take the opportunity to thank the member for Florey for bringing the initial bill to the house. That bill has been supported by all corners of the political spectrum because I think

what it does is ensure that once you have a petition of 10,000 signatures, you clearly have an issue of some public significance and interest.

The mechanism outlined herein, whereby consideration will be given by a parliamentary committee, and then the opportunity and mechanism for a debate in the house about the report of that committee, I think gives an enhancement to the status of those petitions over and above what they currently have. With that, I encourage all members to support the motion.

Mr BROWN (Playford) (11:07): The right to petition the parliament is one that citizens of our state enjoy, and it is also a very important one. It is an ancient right, but not one that should not be modernised whenever possible. I think the bill presented by the member for Florey was a very good one and, as the minister pointed out, it was supported by all members of the parliament. But, like all pieces of legislation, it is not just about the bill or the act itself; it is also about how it is implemented, and I think the government's attempt to bring forward this motion today is a very good one.

It is also very appropriate that after this is done the Standing Orders Committee later looks at it to see if it has been working effectively. I would also agree that any petition that can be signed by over 10,000 people of this state is certainly an issue that needs to be considered by this parliament, particularly since it is also in the form of what could be described as a 'real' petition with real signatures, and not online Facebook likes types of petitions, which I note receive a large number of likes even though they do not deal with very serious issues.

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

Mr BROWN: That's right. I know we have all seen petitions receive tens of thousands of likes that deal with who should be Dr Who and other important issues like that. I think that a petition presented that more than 10,000 South Australians have actually put their names and addresses to it is certainly something this parliament should consider. I think that this is a good first attempt at a procedure to implement the legislation that has been passed by the parliament and that it is eminently sensible that the Standing Orders Committee look at it afterwards. I am pleased to advise the house that the Labor Party has resolved to support this motion.

Ms BEDFORD (Florey) (11:09): May I just say how grateful I am, on behalf of the electors of the state, for the support from both the government and the opposition. I think it really reinvigorates for electors the notion that parliament is part of a participatory democracy, a place where their views can be considered more than once every four years, in a far more detailed manner, by bringing to the attention of the house issues of relevance and importance to them. I am very grateful also for this opportunity to thank the parliament on behalf of the electors of the state, and I look forward to perhaps being the first person to table a 10,000-plus petition under the new rules.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:10): The week has got off to an excellent start, with bonhomie and goodwill on all sides. I look forward to three days of spirited debate in the same spirit as we seek to support the best interests of the people of South Australia, whom we serve. The member for Florey has brought a good bill to the house, and we are about to put it into a place where it can be enacted. I am sure that there will be value in the consideration of these matters in the future where we have 10,000 signatures and those petitioners whose attention is drawn to the debates, as I am sure many of them will be, will equally value that effort.

Motion carried.

Bills

LAND ACQUISITION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 September 2019.)

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

A quorum having been formed:

The SPEAKER: Member for Kaurna.

Mr PICTON (Kaurna) (11:12): Oh!

The Hon. J.A.W. Gardner: Not the lead speaker, I'm guessing!

Mr PICTON: The Minister for Education is correct, that I am not the lead speaker on this bill.

The Hon. V.A. Chapman interjecting:

Mr PICTON: That is right; the Attorney-General is correct—I will make an excellent contribution. This is an interesting piece of legislation in terms of land acquisition. It is an important area for our parliament to consider. This is an area in which we have significant powers in our state. We have powers that far exceed the commonwealth's powers, in fact, where land can be acquired without just terms. They have to be on just terms at a commonwealth level; we have greater powers than that. This is something we need to consider carefully.

We need to make sure that—the member for West Torrens has left us—where land is acquired, particularly for important projects, people are dealt with sensitively, and I believe we should offer just compensation for people for that land we are acquiring. This has been a subject of particular importance in metropolitan Adelaide through the South Road acquisitions; in particular, we have had the Torrens to Torrens project, the Darlington project, the Northern and Southern expressways and also the Northern Connector project, all of which were started by the previous government.

We are still waiting for the new government's plans. They have said that they are starting on the next project, which was in planning under the previous government, in relation to the Regency to Pym Street project. We are waiting to see the outcome in terms of land acquisition there. Particularly, what is going to be very significant is between the River Torrens and Darlington where a significant number of properties will have to be acquired. They will have to be acquired under any of the options that are being considered by the government at the moment, even including tunnelling.

We have already seen an outpouring of support from the community in relation to some of those properties, most notably in regard to Thebarton Theatre. We were talking about petitions before and a significant petition has been circulated online to save Thebarton Theatre. Of course, the Premier himself has said that he was going to save Thebarton Theatre, but that seems to have gone out the window now. We need to make sure that that theatre is saved. I hope that it is saved.

I hope that this government can make sure in its planning groups that we save Thebarton Theatre because our heritage is important. That is a landmark venue for live music and other events in Adelaide, and it needs to be saved. No matter what the case, we have literally thousands of properties between the River Torrens and Darlington where acquisition will need to take place, and that needs to be done with sensitivity. People in those areas need to receive accurate information in a very timely manner. They need to receive appropriate compensation for acquisitions that happen. It is obviously going to be devastating for some people.

The member for West Torrens himself—and I am sure when he comes here, he will make this in his contribution—has previously spoken about how this will affect his electorate. People in his electorate will come to him to plead, 'Can you save my property?' He will have to say, 'Well, I cannot because there is this greater good on behalf of the whole state.' Ultimately, that is why we have these significant powers to make sure they benefit the whole state.

I know it is also impacting upon my electorate. Another one of the projects that was budgeted under the previous government—and I hope we will see it start soon, even though there is yet to be any sign of it so far—is the Main South Road extension and duplication project between Seaford Road and Sellicks Beach. The government has only budgeted it to Aldinga, even though we had previously committed to Sellicks, and they in fact previously committed to Sellicks as well. In relation to that, there are particular properties all along that journey that will need to be acquired, but the government has not yet made clear to those residents and those property holders where the route is likely to be and, therefore, there are people in that zone who are significantly questioning what the situation is going to be for their properties.

I was speaking to a family recently at Seaford Rise who have a property that backs onto the land adjacent to Main South Road. They are in a difficult situation. One of the family's breadwinners has a significant illness and disability that has led them to be unable to work. They have had to reduce their income, therefore, and they are very concerned. They obviously have a mortgage, as per most people in South Australia, where they owe a significant amount to the bank. So, even if they were going to be paid out under this scheme, a significant amount of the income that they would receive in response would go back to the bank.

They are concerned that, due to their reduced income, they would be unable to get a loan to buy another property. They have a number of children. They have particular needs. They are worried that, if they had to move to a much smaller house, their family would suffer greatly. I raised this and wrote on their behalf to the Minister for Transport, Infrastructure and Local Government and received a very brief, stock standard response. It seems that there is no end in sight for the anxiety for that family as to whether the alignment of the duplication is going to be on the western side, which would affect them, or on the eastern side, which would not affect them. That is a very simple question that they need answered for the betterment of their situation.

I hope that the minister will speed this up a bit, because this has been going for some time now and there has been no communication to any of those property holders. They need indication now. Despite all the interesting things, I am sure, that are part of this legislation, the government need to make sure that, when they are dealing with land acquisitions, they are open and honest with people and they make this clear as soon as possible.

In conclusion, I hope that the minister takes this issue seriously. I hope that in relation to the north-south road we protect some of our particular landmarks, such as Thebarton Theatre. I hope that in relation to Main South Road in my electorate we see some proper consultation and communication with people in those affected areas about how it is likely to impact them, because it has been completely negligent to date. People are anxious and people are worried. They need clarity and the government could very easily give them that if it wished to.

Mr PEDERICK (Hammond) (11:20): I rise to support the Land Acquisition (Miscellaneous) Amendment Bill 2019. For the record—I will talk about it more in depth later—part of my remarks will be commenting on my family having had land compulsorily acquired three times since, and including, 1939. I will talk more about that later.

The Land Acquisition Act 1969 establishes a process for the acquisition of land by acquiring authorities. Land is generally acquired to accommodate various road and infrastructure projects. For example, the Torrens to Torrens upgrade and the Northern Connector are recent significant infrastructure projects that have required the acquisition of land by government.

Operationally, the land acquisition process is overseen by the Department of Planning, Transport and Infrastructure (DPTI). DPTI liaise with landowners to follow the process under the act to acquire the land and negotiate compensation for the landowner and other claimants holding interests in the land. DPTI undertake this work as part of their delivery of infrastructure projects with the Crown Solicitor's Office, preparing legal documents and representing the government. The act itself is committed to the Attorney-General.

The bill has been drafted to implement recommendations made by the 2017 parliamentary select committee, which examined the compulsory acquisition processes for properties acquired for the Torrens to Torrens project. The select committee identified a number of areas where improvements could be made to the act to improve the process and outcomes for the department, landowners and other parties with interests in the land. The bill also introduces amendments proposed by the Department of Planning, Transport and Infrastructure and the Crown Solicitor's Office to remedy issues that frequently arise during land acquisitions and to clarify uncertainties in the law relating to underground acquisitions.

The select committee made a number of recommendations for legislative amendment, including a solatium payment of up to 10 per cent of market value of the land to owner-occupiers (primary residence), to compensate for having to find, purchase and move into a new home. Currently, non-financial loss is not compensable. The inclusion of a solatium payment will increase

the amount of compensation landowners will be entitled to. It is expected that the payment will also lead to a quicker resolution of claims and reduce legal fees for both parties.

Another recommendation is to require both the landholder and DPTI to act in good faith throughout the acquisition process. Another recommendation is to allow an allowance of $10,000 payable in advance for professional costs relating to the acquisition, such as legal fees or valuation costs to assist landowners.

Another recommendation involves requiring a compulsory settlement conference before compensation proceedings can be commenced. The cost of the conference will be paid by the department. It is expected that this will lead to the faster resolution of compensation claims and also reduce legal fees for both parties. Other amendments recommended by the Department of Planning, Transport and Infrastructure and the Crown Solicitor's Office include legislating an existing DPTI policy that stamp duty, lands titles office fees and transfer fees associated with buying a new residential property will be paid by DPTI. Stamp duty will also be payable to owners of investment properties where certain conditions are met.

Another amendment recommended is the introduction of a valuers' conference to allow the valuers for the landowner and DPTI to discuss factual issues in their valuations early in the compensation negotiations. There is also an amendment to require that compensation that is paid into the Supreme Court must be withdrawn within 24 months. There is also another amendment recommended allowing an offer of compensation to be varied up or down. If DPTI wish to vary an offer downwards, they will need a court order.

A further recommended amendment is changes to the way that DPTI determine not to be paid by claimants if they remain on the land after the exploration of the three-month grace period. The rent must not exceed acceptable market rate for the property. It is expected this will decrease disputes over rent amounts. Amendments to improve the compensation negotiation process between the parties and various administrative and legal costs are also recommended.

In relation to underground acquisitions, the act will be amended to provide that compensation will not be payable for underground acquisitions, as landowners will not lose the use or enjoyment of their land. This brings South Australia into line with the position in New South Wales and Western Australia, and I note that Victoria are still looking at this position. It is important that this position is clarified prior to work commencing on any future tunnels that may be required as part of the north-south corridor works.

Compulsory acquisition—or land acquisition, but compulsory acquisition is what we are talking about here—is a very blunt instrument. It is about governments being able to acquire property, whether it is federal or state governments, I suppose you could say for the greater good. Certainly, there will be disputes over whether it is for the greater good and landholders affected can ask, 'Why is this happening?' but, at the end of the day, even if you own freehold property, it can be compulsorily acquired.

Just for the sake of history, I want to lay on the table the incidents where my family have been affected by compulsory acquisitions. In 1939, my grandfather—

The Hon. A. Koutsantonis interjecting:

Mr PEDERICK: That is serious stuff, Tom, especially for the defence of this nation. Leonard Pederick had land acquired at Angle Vale for the weapons dumps, and you can still see where they are today, surrounded by the bunkers—good Pederick country. That happened in 1939, and then in 1950, as part of Edinburgh air base, further—

Members interjecting:

The SPEAKER: Order!

Mr PEDERICK: Not much now! The member for West Torrens interjects to ask how much land we owned. Back in the day, I think it was about 180-acre farms, but they were spread around a bit around Gawler River, Angle Vale, Edinburgh airfield, Penfield and Smithfield and those areas. Certainly, as part of the Edinburgh air base, some more land was accessed in 1950. In the end, my grandfather and grandmother and my father all had to move into the town, at Gawler, because they

had lost their home. They still had land in the region and were sharefarming country at One Tree Hill for a while.

In 1961, dad came down to Coomandook, and our property is dissected by the Dukes Highway to Melbourne and obviously, also, the Melbourne-Adelaide railway line. We have 100 acres or 40 hectares over the road, as we say. It has always been interesting farming that. Back in the seventies, as kids, we helped run cattle across the road. We would not bother trying that now.

The Hon. V.A. Chapman interjecting:

Mr PEDERICK: Yes, perhaps we need an underpass. Certainly, we have taken stock across there, and we have lost good sheepdogs because of people not taking heed.

In the early seventies—and I remember this quite starkly as a young bloke on the farm—the government decided to move the alignment of the Dukes Highway. This was probably the lesser of two evils. I still know where the survey marks are where they were talking about putting the bypass around Coomandook. Instead of going 250 or 300 metres further north, they were going to put a four-lane road between our house and shearing shed, which is probably a gap of 200 metres or so. Working out the compensation as your property was carved up like that would have been an interesting process.

In the end, the road was realigned and straightened out quite a bit, mainly to get a better alignment, and it was obviously safer, because the Coomandook-Coonalpyn section was always notorious, with a lot of hills and a lot of corners. In the old language, 7½ acres were acquired. After my grandfather and father had land acquired in 1939 and 1950, I think dad thought perhaps he had got past it. To be fair about what happened in the day, I do know that the compensation paid was about 2½ times the value of the land, plus new fencing was installed, some of which survives to this day, but some has been burnt by bushfire and replaced. The main gates into the property were put up then, together with a very good fence. It is a very blunt instrument and, as I said before, just by the nature of the words 'compulsory acquisition' that is what happens.

I note that in the debate over the proposed Wellington weir, which I fought against from day one—and this was under the former Labor government, and the former member for Chaffey was the minister at the time—and from talking to the Withers family at Nalpa Station and the McFarlane family at Wellington Lodge Station, the land was all but compulsorily acquired. They had it made known to them that the government were going to acquire land, and so I must congratulate the landholders on coming to a negotiated outcome.

At the time, I presented to the parliament's Public Works Committee about the roadworks access on both sides: the Wellington East side and the Langhorne Creek side for the Withers family. The roadworks were built, but thankfully the weir never progressed. Possibly, with the spectre of compulsory acquisition—and I guess that is what it was—the parties confidentially agreed to a settlement.

We have seen this happen over time, and we saw the MATS plan 50-odd years ago. If that were in place, it would have saved a lot of compensatory money and a lot of pain, so we are treading over old ground. In the scheme of things, as long as things are done in a practical manner and for the greater good, I would like to think that any government of any colour would not take lightly any sort of acquisition because it is a serious process.

It is not just about land acquisition; it is about projects that impact on businesses next to projects and access for goods, customers or clients. It can be difficult and it is a difficult process, more so in the urban setting, where you have a heavy built environment and you are impacting on it, whether it is roadworks, whether it is pipework, or maybe even putting in new power infrastructure.

It certainly is a blunt tool and a spectre over home owners of their quarter-acre block or whatever size block. I noted before the comments from the member for West Torrens about people who face what turns out to be fact: that no matter what is happening, their land has to be acquired for that certain project. It is tough. My father and grandfather obviously were not pleased about losing their home, but it was all for the greater good, that is, both for federal defence projects. Obviously, the acquisition at the farm at Coomandook, where I live, did not impact us like that, but 7½ acres, or three hectares, of land was acquired for that project.

In the scheme of things, with some projects, negotiations can be done. If I compare what happened to the proposed works with the proposed Wellington weir, that did get to that. I can understand why people might say, 'No, we are not going.' Probably from pretty close to the start of the discussions, it becomes a compulsory acquisition process. That is why, when looking at parts of the South Road upgrade and the north-south connector, you have to look at all the options. Is it easier or cheaper? Does the engineering fit to go underneath? Do you compulsorily acquire the properties?

Sometimes, people will look at it as an opportunity because they can see what could happen in several years' time and think, 'We will buy this property and it will be compulsorily acquired,' and then do that. I guess you could say that some people play the market, but I am sure that is sorted out in the discussions and the negotiations.

In the scheme of things, it is something that will need to be done by all governments over time in the name of progress. If you want a good state, a good country and a growing population, you have to be able to service those needs. You only have to look at some of the infrastructure in more populous states, where there are double-stack roads crisscrossing the centre of cities and more public transport options, such as train services. A lot of that, and the infrastructure around it, is driven simply by the population base that helps fund it. We obviously have a low population of something like 1.7 million, so to get these projects in place can be difficult at times, working in hand with the federal government.

I would like to think that, with the improvements in this legislation, we can make it easier for all parties, including the government, in regard to land acquisition. Even though it can be a very painful process, if there are guidelines in place that set out the procedures and, essentially, guidelines so that people at least know the points they can work through—whether it is the conference, whether it is if they are losing their home, what other compensation can be paid in regard to stamp duty when buying another property, etc.—they can help ease some of the pain.

But it does not take away the fact that people may have been living in that house for 30 or 50 years. Who knows—they might have had generational change in that house for 80 to 100 years. That is progress, but we also need governments and negotiators to be mindful. I am sure they are. I am sure there are good people involved in these negotiations, which are not negotiations in the end because they are compulsory.

If we can make it as comfortable as it can be, there will be a better outcome for all. Everyone, whether the government working on the project or landholders seeking as fair an outcome as they can get, will come out of it a lot happier than perhaps they might have been. I commend the legislation and look for its speedy passage through the house and the parliament. Let's hope that, in regard to compulsory acquisition, we have better outcomes for all into the future.

The Hon. A. KOUTSANTONIS (West Torrens) (11:40): I can notify the parliament that I am the opposition lead spokesperson on this matter. The opposition is not ready to debate this, but I understand that the government is and will be proceeding with this, so the opposition will have to ascertain its position between the houses. It was an unfortunate set of circumstances that led to this. It was no-one's fault in particular. I am not assigning blame, but the opposition has not had a chance to consult with stakeholders or to fully brief the shadow cabinet or the caucus on this matter.

Interestingly, the government is opening an act that gives the executive tremendous powers. The power to acquire a home that is not for sale by 'negotiation' is an interesting feat. The government needs to protect taxpayers, that is, offer fair recompense. I was not aware of this, but I was advised yesterday that, in the objects of the act, the act is to provide for the acquisition of land on just terms.

That is a constitutional provision for the commonwealth to conduct its land acquisitions, which no doubt has led to the national partnership around the country where states acquire land for roadworks and the commonwealth simply funds them. I am sure that no government ever intentionally acquires land where it is not on just terms. When something is not for sale and you are being told the value, it is very difficult to believe that it is on just terms, but progress is progress.

My understanding from the briefings that I have received from the government is that there is a new requirement for both parties to negotiate in good faith. The government is imposing upon people whose land is being acquired that their lawyers must act in good faith in these negotiations,

which is an interesting concept. It introduces a new provision for a larger amount of recompense payable to an owner of a principal place of residence of $50,000 or 10 per cent of the value, whichever is larger, above market value for that home.

The Hon. S.K. Knoll: Lesser.

The Hon. A. KOUTSANTONIS: Sorry?

The Hon. S.K. Knoll: Whichever is lesser.

The Hon. A. KOUTSANTONIS: Whichever is lesser, is it? Okay. It extends the time allowed for a right of review by SACAT, from 14 to 21 days, and it introduces a new ability for the authority to settle sooner. Importantly, it gives the state the ability to compulsorily acquire land without compensation. This is new. No-one denies that the parliament has the right to do that. The parliament is sovereign. We do have the right to acquire land without compensation. Whatever the parliament says, it is. What the minister and the Attorney are asking us to accept is that the state can now acquire someone's property without recompense.

I do not necessarily disagree with that because I think the question becomes: what use is that land to the landowner? If it is a tunnel 18, 20 or 25 metres below their land, do they have a use for it? But make no mistake—if this legislation passes, this parliament is taking away people's property and we are also saying that they will not compensate them for it.

It is interesting that it is a Liberal government doing this. It is interesting that we are debating this, although without saying that it is controversial, the truth is that these measures—and I am still checking on this—are the norm in some other jurisdictions where tunnelling is a lot more prevalent than it is here in South Australia, so I understand the need for it. Indeed, I do not doubt the intentions of the bill. It seeks to give the government the ability to tunnel. I assume that the problem we are trying to solve here through this legislation is the north-south corridor.

The government has announced it is doing a feasibility study on tunnelling for the remaining sections of the north-south corridor. Obviously, that tunnelling will require land acquisitions for entry and ventilation. Importantly, land beneath freehold titled property will be taken away from a landowner and put on their title without compensation. I do not know what the market will think of this.

I do not know what it will mean for the market value of a home that has a north-south corridor underneath it or what the impact of that will be. I assume that, like any alteration to any title at the point of sale, legislation will require that to be known. I assume that there will be some form of easement or marking on the title so that prospective buyers or lenders will know that the north-south corridor or a government tunnel is running underneath that property, whether it is 18 metres, 20 metres, or whatever the engineers decide.

But I ask parliamentarians to contemplate this: in the real world of the real estate market, whether it is commercial or private, I suspect that a tunnel under your property will have an impact on the value of that home, justified or not. I suppose the question then becomes: would you buy a home that was situated above the largest freight corridor in South Australia, even if it is a tunnel? Some people might say they have no problem with it, but the question then becomes: should the government compensate or realise a loss in value? The government says no.

The government says there is no impact, therefore we are taking the land without redress to the owner, much like we have done in other acts, such as the mineral resources act. Members opposite wholeheartedly support access to land for mineral rights and I thank them for that, but this is something new in South Australia because I think this will be the first time in this parliament's history that we are proposing to take compulsorily acquired land without compensating the owner.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: The Attorney scoffs and laughs. I think it is. I would love to know if there is another example of it.

The Hon. S.K. Knoll interjecting:

The SPEAKER: The Minister for Transport is called to order for interjecting out of his seat.

The Hon. A. KOUTSANTONIS: I stand to be corrected by my learned junior, the Attorney-General. I do not know what crossbenchers in this parliament think of this legislation or what the other place will consider of this legislation. I will be contacting what I believe are the appropriate stakeholders, the Property Council, REISA, UDIA, Business SA, the appropriate tenants' associations across South Australia, residential tenancies associated that are impacted and, importantly, my constituents, because I suspect my constituents will be the first people impacted by this new legislation when they receive the lovely letter from the Minister for Planning, Transport and Infrastructure saying, 'We are building the north-south corridor under your 1909 heritage villa in Mile End or Torrensville or Thebarton.' Then, as we move closer to Richmond and other suburbs, a lovely letter will be sent out to those people as well.

I do understand that there are some iconic buildings whose future is at risk, and we have had not very much from the government in terms of their future. The first one is the Queen of Angels Catholic Church on South Road, one of the most beautiful buildings in the western suburbs. It is an iconic building, beloved not just by the Catholics of the western suburbs but indeed, I think, by all western suburbs residents, atheists or otherwise. It is a beautiful, architectural marvel, and as people drive along the north-south corridor they see the Queen of Angels. It is a beautiful landmark in the western suburbs and I would like to see it protected.

I hope that this measure of the government goes some way to protecting that beautiful landmark. I have to say that the interest in protecting that landmark is not just local; it has been statewide. A number of people have contacted me asking how to volunteer to help to save the Queen of Angels, and it is very difficult. I do not say for a moment that the minister is happy to knock down these beautiful buildings, but he has a job to do to deliver the north-south corridor. He has done a pretty poor effort so far by not beginning the Pym to Regency as quickly as we would have liked and his record on Darlington is abysmal, but let's hope he does a lot better with the next section.

The other building that is potentially impacted or saved by this measure is, of course, the Thebarton town hall, otherwise known as the Thebarton Theatre. The Thebarton Theatre is an iconic South Australian landmark. It is important for the arts, it is important for live music, it is important for the economy of the western suburbs and it is an important historical and integral part of the fabric of the western suburbs. The idea that the Thebbie could be bulldozed or knocked down is abhorrent, I think, to almost everyone in this parliament and the people of South Australia.

Importantly, the Premier himself publicly said that the Thebbie should be saved, yet unfortunately we have not had those reassuring words from the minister. We have not heard the minister say that the Thebbie will be saved; hopefully, in his remarks he can once and for all rule out the Thebarton Theatre being demolished because it would be a tragedy to lose that heritage. It can never be brought back and rebuilding another theatre will not be the same. The acoustics will be different. It is not the same. The blood, sweat and tears in that building has an impact. The smell is also very important, too.

Theatres are more than just the music that is there. I remember when the Apollo Stadium in Richmond was demolished for a land development. It was a tragedy because that is where Cold Chisel played their *Last Stand*. I remember as a young boy riding my BMX bike there and standing out the front listening to Cold Chisel's *Last Stand*, and my father searching for me, not knowing where I was. Once these iconic buildings are gone, they are gone forever.

Then, of course, as we move down South Road, there are a number of heritage buildings and businesses gravely concerned about what is coming next. I think a large number of people in the western suburbs are hoping that a tunnel option can be pursued by the government. The questions I will have about tunnelling are about access and egress, in and out, for tunnels, especially for those roads that are perpendicular to the north-south corridor, such as Henley Beach Road, Sir Donald Bradman Drive and, of course, Richmond Road.

Sir Donald Bradman Drive, Richmond Road and Henley Beach Road are all connected to one very important economic asset in this state, and that is Adelaide Airport. Adelaide Airport is the lifeblood of our economy in this state—one of the important arteries we have for our exports and for the tourism industry—and it employs a lot of people. So it is very important that it maintains its access to the north-south corridor. If we are to have tunnelling along the north-south corridor, then ultimately

there will need to be some sort of entry into the tunnel from either all three or at least a minimum of one of these roads. How will that work? What impact would that have on the Thebarton Theatre?

There are schools on the north-south corridor, such as Richmond Primary School. Those parents need to plan. Those parents need to think about what happens: is that school going to be relocated, closed, or amalgamated with another school? I think parents deserve to know, if there is to be tunnelling, what impact it would have on that school. Obviously, with tunnelling comes higher risks but, of course, lots of advantages. By and large, this legislation just deals with the legality of getting access to the land and improving for the government some of the measures to compulsorily acquire land.

As I said, the government is asking us to contemplate compulsory acquisition without compensation and I think that is the first time that has occurred in South Australia. I am not saying it is without merit; I am just saying that is the principle the government is asking us to accept. That is difficult because if you are acquiring, as the act says, on just terms, is it just to acquire land beneath a property and place that acquisition—or right of access or whatever the legal terminology is—on the title of that land without compensation? It will be interesting to hear what we discover in committee on this.

The minister is to be congratulated on contemplating tunnels. I think tunnelling in South Australia is something that we have not embraced as much as other jurisdictions have, and there have been some benefits in other jurisdictions from tunnelling. Obviously, in two of the largest cities in the world, London and New York, tunnelling is a very important part of keeping those cities moving, with the Tube and the Subway. In New South Wales, tunnelling is quite common for motorways, and I think even in some parts of Victoria. Tunnelling for large freight corridors is not something that this state should fear: it is something that the state should welcome and I applaud the government in contemplating how that is dealt with. I just hope that we maintain the principles of just terms outlined in the act.

The contrary argument here is: what denial of enjoyment of land is there for people from a tunnel that is 18, 20, 25 metres below their property? The honest answer to that is nothing. The answer that I do not think anyone in this parliament can answer us is: will that have an impact on value? The alignment of the north-south corridor is not a straight line; there are bends and turns in it. There are currently people who are not on a freight corridor who may now be above a freight corridor and that will change the dynamics of value. There may be examples in New South Wales which the minister can provide us, which we will check, to see whether or not there has been any deterioration in values or change in perceptions about markets and what the impact is. That is an interesting concept.

The good faith requirements that the government is imposing on both parties here are interesting. I have to say that, on an initial glance, I think that is probably an appropriate move, but the point to remember is that we—that is, the government—are acquiring land that is not for sale. The owner of the land has not contemplated selling and it is being taken from them for a use that is not to their direct benefit.

So why should those parties negotiate in good faith? The government has made a very good argument that all lawyers should negotiate in good faith and that there are some people taking advantage of this system to avoid some taxation measures, to avoid some welfare measures to benefit themselves above and beyond other people. I think a lot of those provisions make sense but, again, I get back to the principle which is this: why should the state that is using the power of this parliament to take away someone's land without compensation then impose on that person a requirement to act in good faith?

I suppose that is the principle we will have to contemplate between the houses: whether or not that is an appropriate use of the parliament's power. But we are the minority. We do not have the majority of either house in this parliament, so we are just one voice in this debate. I will be interested to hear the minister's views on the requirement of good faith, and I am sure they are very practical and reasonable: there are some people who just do not settle, there are some lawyers who take advantage of this and there are moneys accruing interest without contributing to the tax burden that

anyone else otherwise would, and that of course means testing and other welfare purposes are not taken into consideration.

That makes complete sense but, again, the state is imposing a requirement on a group of people who own land, who did not want to sell it and are being forced to sell it, and a cohort of those people are not getting anything for it. That is the principle we have to consider. The government was very kind in offering me the explanation of clauses. It was very generous, I thought, of the Attorney's office to give them—

The Hon. V.A. Chapman: They are tabled in parliament.

The Hon. A. KOUTSANTONIS: No, you have refused in the past.

The Hon. V.A. Chapman: It's actually tabled in parliament.

The Hon. A. KOUTSANTONIS: Yes, and the Attorney-General has refused in the past to table the explanation of clauses.

The Hon. V.A. Chapman: It gets tabled in every bill.

The Hon. A. KOUTSANTONIS: Again, I will provide the *Hansard* to the Attorney-General where she denied that to the parliament in debating a bill. Yes, so it was very generous of her staff to provide this and I thank them for it. Without boring the parliament, the explanation of clauses states:

5—Amendment of section 7—Application

This clause puts beyond doubt that a special Act that authorises the compulsory acquisition of land will be taken to authorise the acquisition of underground land.

The advice that we received from the government was that technically landowners own everything below their title. I found that to be a very interesting concept. The government is having to come in here and say, 'Well, actually, you do, and we recognise that, but we are creating this special provision in the act to acquire that land under a process and take it from you.' I think that is an interesting development. It then states:

6—Amendment of section 10—Notice of intention to acquire land

This clause removes the requirement that notice of amendment be served in the same way as the notice of intention to acquire the land. It also clarifies that a notice of amendment does not constitute a new notice of intention to acquire land for the purposes of the Act.

Could I ask the Attorney-General if, in committee, she can give us an explanation of clause 6, the amendment of section 10. She has taken note of that for me. Again, in part 2, clause 7, the explanation of clauses states:

Insertion of section 10A

This clause imposes an obligation on an owner of land who is given a notice of intention to acquire land to notify the Authority of any other person who, to the owner's knowledge, has an interest in the land to which the notice of intention to acquire land relates, and the nature of that interest.

I am interested in that because I assumed that it was already the requirement that, if you are compulsorily acquiring the land, you would notify everyone with an interest in that land, or is this only for land that is underground? I would be interested in an answer to that from the Attorney-General. I am putting out my questions so she has notice.

There are a couple of points on the right of review to SACAT. I understand that SACAT was already in the bill. Why is SACAT the appropriate body for this and why the need for the increase to 21 days? Did the government receive any advice that 14 days was not sufficient, and how did it come to 21 days? I think acquisition by agreement is probably a good move by the government. The clause removes the requirement that a notice of decision not to proceed with acquisition be served in the same way as a notice of intention to acquire the land. Can the Attorney expand on that for me, because I did not ask the appropriate questions in the briefing? I am just being honest.

Clause 10—Amendment of section 16—Notice of acquisition: this clause changes the time period after which the authority may publish a notice of acquisition in relation to land from three months after the last occasion on which notice of intention to acquire land was given to three months

after the first occasion on which any notice of intention to acquire land was given. What does the government mean by 'any notice'? Is that a press release? Is that a government video or a photograph on a website? What does 'any notice' mean? I assume it does not mean that. I assume it means some sort of formal notice. If the Attorney-General could look into that for me, that would be important.

In regard to the amendment of section 22B—Entitlement to compensation, clause 12 amends this section to provide that only persons with an interest in land that is capable of alienation are entitled to compensation. This requirement has not been extended to an interest consisting of native title. When we are in the committee stage on this section, could the Attorney answer this for me: I did not think the state could extinguish native title. I am not sure if I have misread that. I do not understand the explanation. I am sure there is a simple explanation for it. Also, what does the government mean by 'alienation'? Is there a legal definition of 'alienation'? Is that because tunnelling is not alienation of their land and therefore not open to compensation or is there some other reason that terminology is being used?

Negotiation of compensation is always a very unique concept by a government that has the sovereign power to acquire land and to decide how much they will pay. What is the government definition of 'negotiation'? In negotiation in ordinary sales there is a willing participant to sell their property and there are willing participants wishing to purchase the property and negotiation can happen in different ways: an auction, a private contract or whatever it might be. In regard to negotiation of compensation, are we just talking about the good faith provisions or are we talking about other provisions, like sentimental objects that are within a property?

In 2013-14, when I was transport and infrastructure minister and we began the process of compulsorily acquiring land, people wanted to negotiate about individual aspects of their home, like architraves that had markings from children growing up, or a fireplace that they wanted removed or that they had just laid, or some other nostalgic or important mementos from that home. I am assuming that is what it means. I do not know, so I would like more explanation on that.

Clause 14 amends section 23A to allow the authority to not make an offer of compensation when it gives notice of the acquisition of land in certain circumstances, that is, if the authority is of the view that the amount of compensation is unable to be determined, or in any other circumstances prescribed by regulations. Firstly, what process does the authority go through to make that assessment? Is it codified in legislation, is it done by regulation, or is there a process that the authority would adhere to? I am assuming that the object of the act's just terms is the guiding principle here if we want to make sure that that occurs.

It goes on to say, in the same explanation, that the authority is also given an ability to vary an offer of compensation in this clause. The authority may increase the offer by notice to the person who received the original offer, so you get an offer and the authority can vary it. The question then becomes: why has the authority not made the best offer initially? Is it that, from the information that it receives, the authority is allowed to change it? Alternatively, it provides:

> …if after making the [original] offer the Authority becomes aware of information that negatively affects the value of the…land…

Why would an authority care about the condition of the land if it is going to bulldoze it to build a road on it? If you have not maintained your garden or the house has cracks—I am assuming this is asbestos, or it is—

The Hon. V.A. Chapman: Contamination.

The Hon. A. KOUTSANTONIS: Contamination. Given that it is a road, though, we are not going to be—

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: My understanding of those, being our rules, is that we cover it up.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: Okay. It is interesting to see that the state wants to transfer those costs to the landowner rather than to the state.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: Well, it is your amendment, not mine.

The Hon. V.A. Chapman: There is another rule that says that, Tom.

The Hon. A. KOUTSANTONIS: Well, I want to—

The Hon. V.A. Chapman interjecting:

The DEPUTY SPEAKER: Order! The Attorney will cease interjecting, and the member for West Torrens will continue with his contribution.

The Hon. A. KOUTSANTONIS: I am just trying to ask questions, sir.

The DEPUTY SPEAKER: The opportunity to ask questions will be—

The Hon. A. KOUTSANTONIS: Thank you for your protection, sir; it is overwhelming.

The DEPUTY SPEAKER: It is my pleasure, member for West Torrens.

The Hon. A. KOUTSANTONIS: It is overwhelming. I am interested in knowing why the state would want to lower their offer if there is information that negatively affects the value of the land and why the authority may apply to a court for an order for the offer to be decreased. I am interested in knowing, if the authority, which is the state, applies for a court order for the value to be decreased, whether the state will fund the action to defend that, as opposed to the state funding the legal advice, or a works or the opinion of a lawyer on the value or the process.

I am interested in whether this is a different amount that is not payable to a landowner to defend themselves or whether fees will be paid for this. Apparently, the clause also provides for the manner in which the difference between the original offer and the offer, as varied, will be paid back to the authority or the claimant; that is, will the state charge interest?

I am assuming the money has been paid, they have taken it, the titles have been transferred and the state goes to the court and says, 'We found contamination, asbestos'—whatever—'and we want to vary our claim'. Is the state giving itself a right that no-one else has when they buy land? If it is, how does it justify that once the money has been paid and the title has been transferred? No other landowner in the state, from my knowledge, has that right. If you buy land, and it is settled and you discover contamination—the Attorney-General is shaking her head.

I would like to know if that right is available to any other home owner. What is the process? At what point does the state extinguish its right to reduce its payment or its offer? Is it up to the point where the offer is accepted and paid and the title is transferred, or can it be done at a later date? I accept that if the government discovers something, it may want to alter its offer; whether that is fair or not is something we will consider between houses. But at what point does the state extinguish that right, or does it not extinguish that right and maintain it throughout the entire project?

The insertion of sections 23AB and 23AC I think makes a lot of sense. The government is attempting to bring an end to how long this process takes. As I said earlier, the government informed me yesterday that there are people who take advantage of not settling with the government, leaving funds deposited in the Supreme Court accruing interest that are not taxable and that also allow them to gain other benefits, like means testing and otherwise. So that makes sense.

The question I ask the government is: how did they come to six months? Why not 12 months? Why not 24 months? Why is six months the magic number? How long do these disputes usually take? What is the average? Do they take three months, four months, 12 months, three years? Are they ongoing? Have some lasted 10 years? If the government could give us some light on that, that would be very useful.

In terms of a conference, there is the proposed insertion of section 23BA, which provides that upon the application of the claimant a settlement conference must be convened by the authority before the matter is referred to a court. How is that settlement conference constituted? Is there a

process for that that I am not aware of? There are requirements that apply in relation to a settlement conference, including the appointment of a conference coordinator. How are they chosen? Are they accredited by someone? I assume that they are. There must be a process already established. If the government could point me towards that, I would be very interested. I note that the conference will be conducted without prejudice, but given the government is paying the bills it is always interesting to know how they are chosen.

I refer to the proposed amendment of section 23C—Reference of matters into court. The clause amends section 23C to provide that a claimant must apply to the authority to convene a settlement conference before referring a matter to court. I would like to understand the justification for this process, because a claimant might not want a settlement conference where there could be directions made. A claimant might wish to go to court directly. Why would we fetter that right? It is their land. Surely the government would have no objection to allowing someone to go directly to court. You are requiring they act in good faith—tick. You are requiring that this be settled within six months—tick. Why not let them go straight to court? What is the problem?

I would like to hear the justification for that, because it feels like—and I am not saying this is accurate—this is a measure that waters down people's rights to take the state on, if they want to. I am not quite sure what the benefit is for the claimant to be compelled to go to a conference first before they can go to a court. I would have thought the state should very rarely limit the ability of anyone to go directly to a court to seek an outcome. My initial reaction to that is that claimants should be able to go to court anytime they feel it is necessary. If you have good faith provisions in there, I think the government is covered, but I am happy to hear the explanation and be convinced otherwise.

In regard to substitution of section 24, again I think this is the government trying to do the right thing. Section 24 of the act is substituted by this clause to change the manner in which the authority can enter into possession of land, or an interest in possession has been acquired under the act in relation to land. The clause removes the requirement for the authority to obtain the agreement of the relevant claimant as to the terms of which it went into possession of the land and provides that the authority may enter possession on a fixed date by the authority no sooner than three months.

I think this clause, from memory, is about letting people move on quickly, which is great, but I would not mind confirmation on this from the Attorney-General in the house and an explanation as to why this is the case. However, it seems to me to be appropriate to allow people to get their settlement earlier, move on, make an offer on another property and off they go.

The insertion of section 25A is the part that I had confused and the Minister for Transport cleared up for me. The clause provides a mechanism by which the authority may increase the amount of compensation payable to a person by 10 per cent of market value of the land, or $50,000, or such other amount as prescribed by regulations. So it is not limited to $10,000 or $50,000 by regulation. Does that mean it can exceed the $50,000? It says 'whichever is the lesser'.

The increase in compensation is available to persons who owned and occupied the acquired land and whose principal place of residence was acquired. The questions I will have for the Attorney-General are: what is the definition of an owner-occupier? Is it someone who is enrolled to vote there? Is it someone who actually lives there? How do you work that out? What is the definition of an owner-occupier? I am sure there is a standard template used. I think the briefing I received yesterday was that is was standard ATO rules.

The question I have is that a lot of these homes are very, very similar and I do not know how the authority will judge who gets the 10 per cent or $50,000 loading and who does not. How do you judge what percentage of that to give? Are these just codified at 10 per cent or $50,000, whichever is smaller, or is there another process you go through, and what is that process? Is it community interest? Is it mental health interest? Is it compassionate grounds? Is it improved works? Is it value? Is it the state of the house? What is it?

I can tell you, as a local member, there are a number of properties side by side that are in very, very different condition. Sure, that changes the value but, again, these properties are not for sale and the state is moving in. I would hate to see people disadvantaged in their communities through this provision, so I would like to know how it is going to be applied. Will it be applied equally to everyone, or is it simply at the will of the authority when and where it is applied? That is, can an

owner-occupier not receive this 10 per cent just because the authority deems it not necessary, or is it to apply to every owner-occupier?

I also understand (and I would like some clarity here) that insertion of part 4, divisions 3 and 4, provides a mechanism by which the authority can make a payment of compensation directly to the claimant, where the amount of compensation is under the prescribed amount, rather than paying the amount into court. I assume this means two types of payments: one for the value of the home, the market value the government has deemed fit for compulsory acquisition, where the compensation goes directly to the claimant. Earlier provisions decide, try to identify, who all the claimants are. Do they each get a percentage of this? What is the thinking of the government paying this compensation directly to people rather than through lodging it in the court? Is that to improve the ability of the government to negotiate for a quicker settlement?

Without starting conspiracy theories, I assume the government wants to say, 'We've deposited X hundred thousand dollars into the Supreme Court account, there it is, that's what your house is worth. If you accept it, here is $45,000 in compensation as well.' If that is what the government is attempting to do, I do not think that is an appropriate use of this type of power from the parliament. If compensation is payable, it should be paid. It should not be used to try to force a quick or fast settlement. I would be interested to hear from the government how this will work in practice.

I do not think it is appropriate that we should be using these mechanisms by the state. The state should be a model litigant and a model participant in these, and I am sure the government wants to be, and the state should not try to use compensation or this extra payment as an incentive to try to settle faster, given that you are imposing good faith conditions on them already, given that you are limiting the time they have to settle and move on, so let's make sure that we are not using this as another weight stacked in favour of the government against landowners. I would be happy to hear the explanation there while we consider our position between the houses.

Now we get to the rubber on the road: part 4A. Insertion of 4A relates to the acquisition of underground land. Much of the act 'disapplies' to the acquisition of underground land ('disapply'—never heard that term before) and as such section 26F provides for the way in which underground land is to be acquired. The authority may acquire the land by publishing a notice of acquisition in the *Gazette* at any time and must thereafter, as soon as reasonably practicable, give notice to the person who is the owner of the land. The land is not entitled to compensation for the acquisition of underground land for this part.

This is the part the opposition will have to contemplate. The government is saying that the alienation of this land is of no consequence to the landowner; therefore, no compensation should be payable. Questions I have for the government on this measure are: how do you know that; how have you determined that; what does the Real Estate Institute and other bodies involved in the property market have to say about that; and, if the government has evidence put before it that actually it will have a detrimental impact on values, should compensation of a form be paid?

I am not advocating for that—I am just asking the question because, if there is going to be some sort of deterioration of value, perhaps the government should consider that. I will be interested to hear the arguments from the minister about whether or not there is any alienation or loss in value. My instincts are probably not in the long term, but very certainly in the short term I think that people will perhaps feel a sense of, 'Well, this has had an impact on the value of my home.'

I think it is an important debate that we need to have as a community if we are going to embark on this. If this is a tunnel, it will be the largest tunnel South Australia has built and the most expensive and, if we are going to build it under people's homes, are we affecting their homes' value? Therefore, why are we not compensating? These are the questions the government should answer to the parliament and to the people, and I look forward to the minister's remarks on that. It will certainly inform what we do between the houses.

Again, I go back to first principles. I think tunnelling is a good idea and I congratulate the minister on proposing tunnelling. The north-south corridor is a bipartisan project. We have our differences about how it is being conducted and the timing of it—fine—but I think tunnelling makes a lot of sense. Again, to get back to the same point without repeating myself, if we are going under

people's houses who are not on the north-south corridor now, who are not impacted by South Road now, what does that mean for the value of their homes? Maybe nothing, maybe lots. What does it do to a suburb where there is no road and a tunnel underneath, then massive ventilation shafts coming up out of the ground? What does that mean for the value and amenity of that suburb? It is new and we need to think about that.

The other process I would like to ask the minister about in committee—and I assume this bill will be assigned to the Attorney-General, rather than the Minister for Transport, Infrastructure and Local Government?

The Hon. V.A. Chapman: Yes, it is.

The Hon. A. KOUTSANTONIS: It is. I also would be interested to know who does the acquisition? If the Attorney-General is the authority doing the acquisition, is the land then vested in the ownership of the minister or another body? Once the land is acquired for tunnelling purposes and access, I am assuming that there is no requirement to include any further amendments for access and operation underground. That is, can tunnelling be done 24/7, as opposed to any other works? What will be the impact on residents above if there is ongoing tunnelling being done at night and during the day? Maybe nothing, and they will not even know it is happening, or will there be a known impact? These are the questions I want to flesh out, if I can, in committee.

More importantly, I know that the government has offered another briefing to the member for Badcoe later this afternoon. I think after we get through the committee stage and the third reading here, the opposition will take the time between houses to get some consultation and then ask the government again for a further briefing to answer some of the questions we raise.

By and large, the opposition is happy for this to pass the house in a speedy and timely manner but, between the houses, we reserve our right to move amendments in the other place or even oppose the bill. By and large, I am supportive of what the government is doing, but I have not had the opportunity to consult my caucus and shadow cabinet colleagues on this matter and there are further questions that we would like to ask between the houses.

I hope that the members on the backbench might be thinking to themselves as well about this idea of the government imposing conditions on people having their homes compulsorily acquired to act a certain way, and then having other rights taken away from them about when and where they go to court to object to what the government is doing. I think we should just consider these principles rather than think about the mechanism.

I will not commend the bill to the house. There will be questions in committee. We will not move any amendments in the House of Assembly, but we are going to consult. I would like agreement by the government to be open-minded to some of the questions and concerns that we have just to get a better understanding, because I think this is about getting this one right. If tunnelling is an option that the state can undertake, it will be something that survives any one government, and it is important that we get the fundamentals of this right now.

This is an opportunity for the government to act in a bipartisan way. The opposition is certainly offering it. We want to be bipartisan here and make sure that we get a good outcome for the people affected and for the future prosperity of South Australia, because the freight corridor is vitally important to this state.

I accept that the government is attempting to do something new. We are in, but we just want to make sure that we dot every ‘i’ and cross every ‘t’ and that we get it right, that we do not just let this be dictated to us by a bureaucracy that is keen to move forward quickly—not that I am accusing them of it. I want to make sure that we have got everything right and that we are being very sensitive and always worrying about people who are impacted by this, because this parliament has extraordinary powers to change people's lives and it is our fundamental duty to make sure that we temper that power and that the people's voice is heard in here.

Thus far I think the government has done the right thing. I have only a few concerns, but I will be interested to hear the remarks of the minister and then the answers of the Attorney-General in committee.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (12:36): I would like to thank the member for West Torrens for his contribution. Some of the questions I can attempt to answer in the broad here, but no doubt the detail will be teased out through committee. Can I say first and foremost that I agree with the member for West Torrens that this is an extraordinary power that the government has, and it is a power that we use out of necessity and a power that we use sparingly with a very rigid set of guidelines. This land acquisition bill is designed not only so that people understand the rules of engagement but essentially to balance that power between an individual and the state.

It is all about trying to balance private property rights and the private good with the public good, and the idea that there are times when public good around infrastructure provision and about making our city work more as a whole and our a state work more as a whole, and making sure that our road traffic network works for everybody, has a public good that overrides that private good or those private property rights. As a government that is fundamentally underpinned by the notion of private property rights, this power is one that does need to be regulated, does need to be well understood and does need to be strict in the way that it is interpreted and the way that it is used.

This is also very much an issue for this government because of the significant infrastructure program that we have on the table. Obviously, we are talking about the north-south corridor, but we also have seven intersection upgrades, two grade separations, as well as a host of other projects around the state: the Horrocks Highway-Victor Harbor Road duplication, the Main South Road duplication, Port Wakefield Road, and the Joy Baluch Bridge. All these projects will require some degree of land acquisition, so making sure that this bill is contemporary and that it can deal with the situations that exist is extremely important, as is making sure that what is a very difficult situation is dealt with with as much respect and as much compassion as can be mustered.

Earlier this year, I was at a community meeting around the Goodwood Road/Springbank Road/Daws Road intersection and talking to landowners who are affected. In fact, I saw the distress on one woman's face whose house was going to be acquired—not for the house so much, I think the house itself was not the thing that she was tied to, but it was disruption that was going to go on in her life—and it brought home to me in a very real way the fact that what we do here is immense and so respect and compassion need to happen. In fact, by and large, this is what the bill is seeking to achieve: to insert more respect and more compassion into the way that we undertake this very difficult land acquisition process.

To try to answer some of the big questions on the north-south corridor, can I say that we are again looking at tunnelling options. I understand that tunnelling is something that the department and the former government looked at about 10 years ago. Under the venerable Patrick Conlon, whom I have never actually had the opportunity to meet, tunnelling was discarded at that stage because of the technology that was used, the cost-prohibitive nature of it and, potentially, the more mundane or, I suppose, outdated techniques that were being used at that time to undertake tunnelling.

We also have, potentially, a difficult soil profile with more clay soils, so tunnelling does not always stack up for South Australia. We took another look at it, based on some advice that we had got from the industry, basically saying, 'You should have another crack at this.' Certainly, when posed the question, the department's answer was, 'Yes, things have substantially changed. Yes, it is time for us to look at tunnelling.' The new modern technique of using tunnel-boring machines as opposed to a cut and cover technique does create a new opportunity to deliver tunnels at better value for taxpayers' money.

What we are standing up the tunnelling design against is the 2015 reference design that the former government put on the table. That design would have seen a series of overpasses and underpasses: underpasses more at the city end and western suburbs end of the remaining sections of the north-south corridor, with a series of overpasses as you head out towards Edwardstown and the Darlington sections of that corridor. I say categorically that the tunnelling solution will have a far lesser impact upon local residents than the tunnelling solution would.

Members interjecting:

The Hon. S.K. KNOLL: Sorry, the tunnelling solution will have less impact than the reference grade solution would have had. Essentially, the understanding is that, instead of having to

go wide and acquire houses all along the corridor, what needs to happen is that you require a maybe larger square pad at the point at which the tunnel entrance and exit come into play, but then once you are underground you essentially do not need to acquire properties along that corridor. As somebody who drives that corridor quite often, I do look up and down at the businesses and the residents who might or might not be affected, depending on the design that is chosen, but also depending on that more finite design process that will happen even after the government chooses its solution.

Can I say that, from a principle-based point of view, tunnelling will impact property values in a less adverse way than the reference grade solution. The best example I can give you of that is the Torrens to Torrens project—a brilliant project, and again bipartisan in its approach, in the sense that both sides of this chamber agree that a continuous north-south corridor is the highest large-scale infrastructure priority for our state.

If you look at that Torrens to Torrens section, it has divided communities. If you talk to the traders on Queen Street, for instance, you understand that their catchment has now been halved because nobody on the other side of South Road can get to them. Businesses along that road saw half their catchment taken away and negative impacts have happened. That is what happens when you deliver the upgrade solution.

In the end, that may be the solution that the government picks because it provides the best value for taxpayers and because it provides the best outcome, but tunnelling, by its very nature, will deliver less adverse impact to property owners—in the broad. There will be very specific differences, depending on where your property is. Are you next to a ventilation stack? Are you at the entrance to where the tunnelling is going to start? But, once you are underground, those properties that would otherwise have been affected if the reference grade solution was to have been taken up will see a far lesser impact.

In fact, there is a school of thought that says that once you put a tunnel underneath—and in this case you take somewhere between 20,000 and 50,000 cars off the surface road—you actually could see an increase in property values, and certainly you could see an increase in development along the corridor. I know that the member for Kaurna has raised concerns about the uncertainty for people on Main South Road. There has been uncertainty about what is going to happen on the remaining sections of the north-south corridor for a decade.

What we are hoping, through making a decision about which design to choose, is to give a greater degree of certainty to those people because there has been an underinvestment on that remaining section of the north-south corridor for a long time. As I drive it, I see the difference between other sections of Adelaide and the fact that a lot of people have been holding off on investment decisions based on what the government chooses to do. We are very keen not only to make that decision but to make it early in the process so that we can give certainty over a longer period of time and try to do what we can to elongate the time that people have to be able to react to that decision.

The other thing that I would say is that tunnelling will disrupt those local communities less. There will be disruption where the tunnel entrance is but, once you are underground, all those houses around where the reference grade solution would be at the surface, rather than where we would like to go underground, will potentially have a far lesser impact. In fact, a lot of the property value consequence happens during construction.

These are long construction time frames. Again, these are years and years in the making and years in the delivering, so it is that short-term property value impact from disruption that we also need to bring into account. I think it would be a very easy argument to make that tunnelling will have a better impact for more people in terms of property value and property disruption than will the reference grade solution.

The member asks a question about the government paying compensation in regard to going underground and says that this is a first. This is in no way a first. In fact, for every bit of council-owned land that we acquire we do not pay compensation. It is something that we have had to work together on, with the City of Port Adelaide Enfield, in relation to the Regency Road to Pym Street section but also with other projects that we are undertaking at the moment where, if council is the owner of that land, we acquire that land without consideration. That is a longstanding principle. That is something

that the former government did on many an occasion. Again, councils do not get paid compensation for the land.

The only other time we have tunnelled in South Australia is the Heysen Tunnels, and there was nobody that we had to acquire the tunnels from because we owned the land. On this issue of whether or not we can acquire land to tunnel, the Land Acquisition Act is silent. What we need to do is put a positive power in there to be able to clarify that to make sure that, if the government was to decide to go down that tunnelling solution on the north-south corridor, we have the act in place and the powers to be able to do it.

If we take two different scenarios, the first scenario is that we acquire land at the surface. That will happen in the usual way that it happens, but once you are underground, what the government is seeking to own, once you are down to the depth, is the section between 18 and 24 metres below the surface, where the tunnel is. At the moment, somebody owns the land, and they own down to the centre of the earth. However, in order to be able to do something with the dirt that is underground, they would need to dig it up, or dig down, or dig a tunnel down to be able to get to it.

The answer is that, at the moment, if an individual were to seek to do that—I am not sure what for, and if we put mining tenements over to one side—they would need to go through a development approval process to do that. I struggle to think of what somebody really wants with the 18 to 24-metre section below their property because they cannot really get at it. Essentially, that is the bit that the government is trying to own and the bit that the government will be acquiring in the potential tunnelling option for the north-south corridor part. That is the crux of where that is at.

Can I say that, especially in response to the member for Kaurna's questioning, we are trying to engage with landowners at an earlier stage of the process. There is a very rigid process, as is proper under the Land Acquisition Act, that allows the government to go and talk to a landowner about acquisition. Uncertainty can often exist. I appreciate that for the project the government has announced, where we have not gone through enough of a design phase to be able to talk to landowners, there is a degree of uncertainty. You also do not want to go out there and start to talk about what might happen without having the facts in front of you. So there is a delicate balancing act.

As I understand it from the department, we used to work up a 100 per cent design on a project and then go out to land acquisition. In order to try to engage landowners at an earlier stage of the project, we are now seeking from a policy point of view to work the development up to a 30 per cent design, from there make a decision about what land needs to be acquired and then start the ball rolling on that process.

That means that we are able to try to give as much time as possible—and I appreciate the fact that there are statutory time frames in the act—to help work through with people the issues around acquiring their existing property. It also helps, potentially, to make sure that road projects can happen in a more compressed fashion. We can deliver them earlier and essentially give ourselves the ability to get the best outcomes for everybody, for the public taxpayer, to try to deal as early as possible with the issues of disruption, the issues of acquisition of property and the need to have to relocate people—on all those issues.

In terms of this bill, I thank the select committee that was started by the Hon. John Darley in the other place. It was started in 2015, in response to land acquisition on the Torrens to Torrens project, and it was finished in 2017. John has a very keen interest in this area and, as somebody who understands property and land, titles and valuations, he provides invaluable advice. From a legislative standpoint, the government has accepted every single one of the legislative recommendations that the Hon. John Darley's select committee made.

In fact, turning my mind now to some of the provisions in the bill, the need to act in good faith by both parties came from the Hon. John Darley's select committee. The idea that everybody should be working towards a best endeavours process and that we should be looking after people's private property rights as much as we can, but in the area in which the public interest has been balanced as outweighing the private interest and where we then have a project that seeks to acquire someone's

property, and that everybody should have to act in good faith, is just a common-sense way that we do things.

For instance, if we were to take away the fact that the government is one party to this land acquisition process and put that out into the private sphere and, say, it is two private individuals or two private parties having to negotiate with each other, the obligation on both sides to operate in good faith would be something that we would consider normal and, again, something that is important to be in here.

The second big change that the Hon. John Darley wanted to talk about was the solatium payment. This is something that exists interstate and something that we have sought to put in here. The solatium payment is about trying to inject some compassion, respect and common sense into the way that payments are made. The government provides a whole series of payments to people if their land is being acquired. We pay for valuations, we pay to help people move—whether that is relocation or whether that is a whole series of other issues—and we also pay for legal costs and all sorts of stuff.

The opportunity here, though, is to be more sensible about it and say that here is an opportunity—rather than us mucking around—to provide a payment earlier in the process, which gives the landowner comfort in that the disruption to their lives is being catered for in a financial sense as much as possible as early as possible. The desire here is very much to show some of that good faith on behalf of the government and, essentially, through what is a difficult process for the landowner, to show a degree of compassion, saying up-front, 'Here is a payment that we can provide. In doing so, we hope to be able to make that process more smooth for the individuals involved.'

There is also a series of measures in the bill which no doubt will get teased out through the committee stage and which are really just about reducing red tape in the process in the sense that, if a decision is made to acquire a property, we will need to work with the landowner through this difficult situation, but we want to be able to do this practically. There are a number of outdated clauses in the act that stymie parties from being able to get on and deliver this. Sometimes that obfuscation is deliberate and sometimes it is accidental.

Regardless, really what we are seeking to do here is make sure that the process is as sensible and common sense as possible. The idea that time frames are reset because a new party is found or the ability to be able to talk to tenants, as distinct from landowners, more sensibly as part of this process—none of it comes out of a desire at all to somehow take away rights from private property owners or the tenants who are involved. It is just about being sensible and practical. A lot of those timing changes really are just about being able to have those conversations at the right time, rather than having to follow a sequential process that is not logically sequential in the first place.

I commend the bill to the house and thank the Attorney for taking this through the parliament. Quite clearly, my department deals with this on a daily basis and has a very keen interest in how this operates. Again, I think that the balance of measures that have been put in place here inject more compassion, more respect and more common sense into the way this process is undertaken and also preserve the government's opportunity to be able to tunnel into the future to deal with an eventuality that had, up until now, not needed to be contemplated. I really do look forward to the parliament agreeing to these measures.

I would say, as the former attorney was often wont to say, from time to time both sides of this chamber will find themselves in government. These measures are really here to make sure that the running of government can be done in a common-sense way and as efficiently as possible, whilst ensuring that we do everything to protect the rights of private owners and also show them compassion in what is otherwise a difficult circumstance.

Ms STINSON (Badcoe) (12:56): As the member for Badcoe, and very proudly so, the question of the expansion or upgrade of South Road is an absolutely key concern for me and the constituents of Badcoe. In fact, the very first question I was asked after I formally became the candidate for the seat of Badcoe was about South Road.

There is certainly a high degree of awareness among pretty well all my constituents, considering that South Road runs straight down the middle of the electorate of Badcoe. There is a

high degree of awareness and interest and even a fair bit of concern about what the upgrade of South Road is going to mean not only to individual residential property owners and business owners who are already affected by questions that are yet to be answered about the future of South Road but also for community infrastructure.

There are several schools that sit right on the edge of South Road. All the parents of students at those schools frequently ask what is happening with South Road, what it is going to mean for their school and whether their school is even going to exist after the expansion of South Road. Those are all very important things. There are also a number of churches and some historic pubs, which are very important, along South Road. There is a question mark over their future at the moment because there is uncertainty about the alignment of South Road, when work is going to be done and, of course, how it is going to be done.

We have certainly heard quite a few remarks from the government about undergrounding. That raises more questions than answers for a lot of people in Badcoe who rightly want to know if their stretch of road is going to be affected by a tunnel, whether they are going to have their land compulsorily acquired or whether there is going to be some other sort of outcome for them and either their own land or the community assets they have an interest in. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL

Assent

His Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (CHILD-LIKE SEX DOLLS PROHIBITION) AMENDMENT BILL

Assent

His Excellency the Governor 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—

Auditor-General—
Part A: Executive Summary Annual Report, Report 6 of 2019
Part B: Controls Opinion Annual Report, Report 6 of 2019
Part C: Agency Audit Reports Annual Report, Report 6 of 2019
State Finances and Related Matters Report, Report 8 of 2019
[Ordered to be published]

Independent Commissioner Against Corruption and Office for Public Integrity—Annual Report 2018-19

Judicial Conduct Commissioner—Annual Report 2018-19 [Ordered to be published]
Parliament of South Australia—House of Assembly—Parliamentary Service of the Annual Report 2018-19

By the Premier (Hon. S.S. Marshall)—

Commissioner for Public Sector Employment—Office of the Annual Report 2018-19
Construction Industry Long Service Leave Board—Annual Report 2018-19
CTP Insurance Regulator—Annual Report 2018-19
Distribution Lessor Corporation—Annual Report 2018-19
Essential Services Commission of South Australia—Annual Report 2018-19
Generation Lessor Corporation—Annual Report 2018-19
Industry Advocate—Office of the Annual Report 2018-19
Local Government Financing Authority of South Australia—Annual Report 2018-19
Lotteries Commission of South Australia—Annual Report 2018-19
Motor Accident Commission—Annual Report 2018-19
State of the Sector—Annual Report 2018-19
State Procurement Board—Annual Report 2018-19
Transmission Lessor Corporation—Annual Report 2018-19
Treasury and Finance—Department of Annual Report 2018-19

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

Attorney-General's Department—Annual Report 2018-19
Commissioner for Victims Rights—Annual Report 2018-19
Legal Services Commission Act 1977—Annual Report 2018-19
Privacy Committee of South Australia—Annual Report 2018-19
Retail and Commercial Leases Act 1995—Annual Report 2018-19
State Records Act 1997—Administration of the Annual Report 2018-19
Regulations made under the following Acts—
Bail—Terror Suspects
Criminal Law (High Risk Offenders)—Terror Suspects
Criminal Law Consolidation—Prescribed Occupations and Employment
Young Offenders—Terror Suspects
Rules made under the following Acts—
Magistrates Court—Civil—Amendment No.26

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

Australian Energy Market Commission—Annual Report 2018-19
Stoney Point Environmental Consultative Group—Annual Report 2018-19
Regulations made under the following Acts—
Electricity—General—Early Termination Fees
Gas—Early Termination Fees
Gene Technology—Miscellaneous

By the Minister for Primary Industries and Regional Development (Hon. T.J. Whetstone)—

Pastoral Board—Annual Report 2018-19
Regulations made under the following Acts—
Genetically Modified Crops Management—Designation of Area

By the Minister for Police, Emergency Services and Correctional Services (Hon. C L Wingard)—

Regulations made under the following Acts—
Correctional Services—Terror Suspects
Police—Terror Suspects

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

Leases and Licenses Granted for properties held by the Commissioner of Highways—
Annual Report 2018-19
Regulations made under the following Acts—
Road Traffic—Miscellaneous—Budget Measures
Local Council By-Laws—
Adelaide Plains Council—
No. 1—Permits and Penalties
No. 2—Local Government Land
No. 3—Roads
No. 4—Dogs
No. 5—Moveable Signs

By the Minister for Planning (Hon. S.K. Knoll)—

Regulations made under the following Acts—
Development—Public Notice Categories

The Hon. A. KOUTSANTONIS: Point of order: sir, you tabled the ICAC annual report. I understand there are no printed copies available.

The SPEAKER: I will make inquiries, member for West Torrens. It is available on a papers tabled database at the moment. I am informed it gets printed in the other house.

Parliamentary Committees

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Mr PEDERICK (Hammond) (14:10): I bring up the second report of the committee, entitled 'Charles Sturt council development plan—Bowden-Brompton mixed use (residential and commercial) development plan amendment—privately funded—by the council'.

Report received and ordered to be published.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

Mr PATTERSON (Morphett) (14:10): I bring up the second report of the committee, entitled 2018-19 Annual Report.

Report received and ordered to be published.

Question Time

ALUMINIUM COMPOSITE CLADDING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:11): My question is to the Minister for Transport and Infrastructure. Can the minister advise the house whether every resident, employee or property owner working in a high or extreme-risk building has been notified of the outcome of the state's cladding audit?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:12): As I outlined last Thursday, the second phase of the interim audit into aluminium composite cladding has been finalised, and there are some 28 private buildings and two public buildings that have been identified as having a high enough risk rating as to warrant further action. In relation to the two public buildings, one of them is an ablution block that is currently being remediated. We expect those works to be finished within weeks.

The other is a building that is under construction; it's not being occupied at the moment. The reason that it received the risk rating that it did was because the fire safety system is currently being installed and hasn't been completed, but once it is completed the expectation is that that building's risk rating will come back down to a level such that there is no increased risk to life safety.

In relation to private buildings, those audits are being conducted by councils. Under the Development Act 1993, it's actually the council and their building fire safety committee that have the

power to be able to deal with defects in buildings, and that's what nonconforming cladding on buildings is: it's a defect in a building. Essentially, councils right across South Australia have been assessing their buildings and whether or not they have any buildings of an increased risk, and a number of councils have found there are 28 buildings that need further work.

Not to be partisan in any way, this was a process that was set up in 2017 before this government came to office. So from there, those building owners are being notified, and they are being notified by the people who have the power to do so, and that is councils. Those defect notices that are going to building owners will detail the issues that are at hand. They will detail the obligations that those building owners have not only to rectification but also to undertaking works with tenants or undertaking to tell tenants and those that occupy the building of the issue that exists.

Can I say first and foremost that the response that this government has put in place, and the response that we have made public, has all been, first and foremost, about what this government needs to do in the best interests of life safety of people in South Australia. That means that we need to balance the public interest and the right that the public has to know what's going on, but also to protect the public to make sure that that information doesn't—or at least of government actions—fall into the hands of those people who would otherwise do things that would create an increased risk to public safety and to life safety. It is why we have taken the decision, as has every other jurisdiction around the country, not to release the details of where these buildings are.

Can I say in terms of the timeliness of this process that, apart from Tasmania, who has by their nature very few buildings that are an issue, we are actually the jurisdiction that's furthest along in this process. Having now completed phase 2 of the audit, we move into phase 3, which is the rectification phase. We are further along and have actually released more information than other jurisdictions around the country. So for those people who own those buildings, you have now been notified of what needs to happen. For those people who live in those buildings, you will now be told, and you will be told by the building owners, and we expect that to happen—

Mr Brown interjecting:

The Hon. S.K. KNOLL: —expeditiously and straightaway, but where we see that doesn't happen we as a government reserve the right to step in.

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

ALUMINIUM COMPOSITE CLADDING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:16): My question is to the Minister for Transport and Infrastructure. Has any resident, employee or landowner been advised that they occupy a high or extreme-risk building within the audit?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:16): So the question was: has any?

Mr Malinauskas: Yes.

The Hon. S.K. KNOLL: Yes.

ALUMINIUM COMPOSITE CLADDING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:16): My question is to the Minister for Transport and Infrastructure. What is the legislated penalty or remedy for not informing residents, employees or property owners of high or extreme-risk buildings of the outcome of the audit?

The Hon. J.A.W. GARDNER: Point of order, sir: it's not customary or appropriate in question time to ask for legal advice. The legislation is available for the member to read.

The SPEAKER: I have the point of order. I do believe that the minister has an appetite to answer the question, so I'm going to give him a go.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:17): We must be in sync, Mr Speaker. Can I say that I actually concur with the Minister for Education's answer there and say that, again, the things that we

have said are because that's what is appropriate for us to say. We expect that there is a duty of care as well as a moral obligation on building owners to tell tenants but, more than that, can I say that we will ensure that it is done. We will ensure that tenants and those who occupy those buildings are told.

But, in the first instance, the responsibility and in fact the contractual obligations are between the building owners and the tenants of those buildings. First and foremost, that's the mechanism by which these discussions need to be had. The reason that that's appropriate is because the tenants are going to have a lot of questions that only building owners can answer, and it will be different for different buildings in relation to their different ownership structures, but most appropriately that contractual relationship is between a tenant and a building owner, and that is where we talk about using the existing power.

For instance, councils are using the existing power within the Development Act 1993, and that's why councils are the ones that are enforcing defect notices upon building owners: because they have the legislative power to do so. But, again, the government will make sure that tenants are told, and are told in a timely manner, but first and foremost it is a relationship that is had between tenants and the building owner.

The SPEAKER: I am going to give the leader one more, and then the member for Morphett.

ALUMINIUM COMPOSITE CLADDING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18): My question is to the Minister for Transport and Infrastructure. Why won't the minister share the information he has regarding high-risk buildings with relevant owners, occupiers, tenants and employees?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:19): Again, I think the Leader of the Opposition here has listed off different groups of people who need to be treated in a different way, but first and foremost, when it comes to building owners—

Mr Malinauskas: They all have a right to know.

The SPEAKER: The leader is called to order.

The Hon. S.K. KNOLL: —building owners need to be told because they are the ones who are going to need to undertake the rectification. As I have just updated the house, they have now been sent notification. That has now happened.

Mr Malinauskas: Why not just give them the info?

The SPEAKER: Leader!

Mr Malinauskas: You've got it. Why not just let them know?

The SPEAKER: Order, leader!

Mr Brown: Why are you keeping it a secret?

The SPEAKER: Member for Playford, be quiet.

The Hon. S.K. KNOLL: Again, can I reiterate the fact that councils have now sent those notices to the affected building owners.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Again, there is a duty of care upon property owners—

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. S.K. KNOLL: —to let their tenants know. As I have stated publicly, where that obligation isn't met the government will step in and we will do so in a timely manner.

Mr Malinauskas: How about now? You could at least let them know.

The SPEAKER: Leader!

The Hon. S.K. KNOLL: Again, this is a complex issue that we are dealing with—

Mr Malinauskas: You've got information; they want it.

The SPEAKER: The leader is warned.

The Hon. S.K. KNOLL: —one that jurisdictions not only around the country but around the globe are having to come to grips with. There are many, maybe some within this chamber, who, now that they are in opposition—I must admit that their tune has changed since they were shoved out of office—think that this is somehow some sort of binary question, that buildings with cladding are all bad and buildings with no cladding are all good.

That kind of binary simplicity does not exist in this case, the difficulty being that the issue we are trying to grapple with at the moment is nonconforming cladding. It is already, by its very nature, not supposed to be on the side of a building. The difficulty is that it's actually not that easy to identify what is good cladding and what is bad cladding, what is cladding that is conforming to the specifications and should be on the side of these buildings and which ones aren't.

The refrain that is often used publicly, and potentially shouted across the chamber, is, 'Why not just take off a panel and burn it?' The real issue is that there is a degree of substitution. For instance, to look at a building and say, 'Well, let's pull off one panel, burn that and that means that every other panel is okay,' is not right. In fact, there are issues of substitution even within batches of cladding, especially those that are imported.

What we are trying to do is go through a risk-based approach to make sure that we have confidence that, when we get to the other end, we actually have a safe building, but also, in the rectification being undertaken, we don't actually solve this problem but create a different problem. The work that is going to need to happen to remediate this cladding is going to have to deal with the issues when taking the cladding off the wall. The cladding, for instance, is likely providing some degree of waterproofing. We will need to find a different solution for how we deal with that. It is likely that cladding is also there to provide a degree of thermal protection. We are going to need to deal with that.

Again, the other point that I would like to make is that there has been a lot of discussion about equating the Grenfell Tower fire in the UK with what exists here in South Australia. The lack of fire safety mechanisms and the lack of fire safety provisions, as well as the design and construction of that building in the UK, are not like in a building we have here. There are a whole host of reasons why the Grenfell fire happened and why it was as devastating as it was.

South Australians should rest assured that the system we have in place here in South Australia affords us a much higher level of protection. A lot of the in-built fire safety systems and the National Construction Code and our building fire safety systems that are in place are all designed to lower risk. This means that, here in our state, we can have a greater level of assurance that these buildings are safer than what happened during the Grenfell fire.

MINERAL EXPLORATION

Mr PATTERSON (Morphett) (14:23): My question is to the Minister for Energy and Mining. Can the minister update the house on the latest exploration numbers and what this is delivering for jobs and economic growth in South Australia?

The Hon. S.C. Mullighan interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:23): Thank you to the member for—

An honourable member: Morphett.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you very much—sorry, I was distracted thinking about another topic when the absolutely outstanding member for Morphett, who is an extraordinary first-term member of parliament—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —and a very good friend, asked me this important and constructive question.

Mr Duluk interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: Like all of us on this side of the chamber, the member for Morphett is interested in economic growth. An outstanding measure of economic growth is exploration in the minerals sector and I have fantastic news for the entire chamber: exploration in the mineral sector is on the up.

In fact, $85.4 million was spent on minerals exploration in the last financial year and 26.6 per cent of it in the last quarter—the highest quarterly expense in minerals exploration for five years. So not only is business confidence up, and not only are we bucking the trend as we saw last week compared with other states, but minerals exploration is up.

We estimate that we have received $300.1 million in the last financial year in royalties. Of course, that is based on actual mineral production. Minerals exploration is what will deliver mines and royalties for our state into the future. It's an outstanding example of business confidence in this very important sector, which is one of our most important employers as well and will contribute increased royalties in years to come.

Why is this so important? Because not only do we get the economic growth from the sector and not only do we get the thousands and thousands of jobs in this sector but we also get the royalties. The mining industry pays royalties to the state government and the state government uses that money to invest in schools, roads, hospitals, police, nurses, disability services and many other things, so this is a very important area of work for our state.

These numbers are outstanding and they also go towards greater employment opportunities. Through 2018-19, we had 2,967 job vacancies in the resources sector—outstanding opportunities—and I know that the Minister for Innovation and Skills is working very hard with his programs to create traineeships and apprenticeships and other ways that South Australians—

Ms Stinson: He's going to have to try a bit harder.

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

The Hon. D.C. VAN HOLST PELLEKAAN: —can skill themselves up to avail themselves of these outstanding opportunities. Let me also say that the 2,967 job vacancies in the resources sector in the last financial year are the highest on record since these numbers started being collated back in 2013. Eighteen months into the Marshall Liberal government in South Australia we see that the last 12 months have delivered outstanding results for the entire state through this sector.

People are full of confidence in this sector. People are not only operating their existing mining opportunities but they are getting out there. They are exploring and they are spending—in this case $85-plus million in the last financial year—so that hundreds of millions and billions of dollars can be spent in the years to come in productive mining activities.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for West Torrens, I welcome to parliament today year 7 students from Tumby Bay Area School, who are hosted by the member for Flinders. I hope you enjoy your visit to the parliament.

Question Time

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:27): My question is to the Minister for Local Government. How many defect notices have been issued since he published his audit on aluminium cladding?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:28): I have to unpack this question a little bit because he said 'since the audit was released'. We released the information last Thursday. Prior to that time, some building owners—in fact, many building owners—had already been told. Since that time, the balance of those building owners have been told. I think the fact that we released this information as quickly as we did and the fact that rectification and notification are happening contemporaneously would tell South Australians that we haven't held onto this information. In fact, we have wanted to get what we can get out there as quickly as possible.

There are 28 buildings. Each of those building owners has received a notification. That notification is, to a certain extent, a defect notice. The information that I don't have is whether or not more than one defect notice has been applied to a building owner. Regardless, of the 28 buildings, all those building owners have been notified. For South Australians' awareness, the way that we deal with defects in buildings—and, again, cladding is difficult but cladding is—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned. You have asked your question. I would like to hear the answer.

The Hon. S.K. KNOLL: Cladding is not unique. There is an existing process by which buildings that are not built up to scratch are dealt with and this is the process. This is the legislated ability that governments have—in this case, local government—to be able to enforce the building standards upon building owners, and it is why this mechanism is the one that needs to be used in order to see defect rectification undertaken. These building fire safety committees, which are populated by members of council but also of the Metropolitan Fire Service, are the right people with the expertise to be able to write those notices.

The other thing that I would say is that there has been a lot of commentary in the public sphere about the types of information that we have released publicly and, obviously, about the information that we have chosen not to release publicly. Can I say that the actions that we have taken have been consistent with actions in jurisdictions around the country. As a minister with some pretty serious responsibilities, the idea that I would do anything that would potentially give an arsonist the map to know which buildings to create the most havoc on, I think is irresponsible.

This isn't being alarmist. In fact, in the last week alone there have been two suspected arson attacks in South Australia, but more than that we are heading into the fire danger season and there are a group of firebugs who I understand are monitored because they have a proclivity—

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

The SPEAKER: There is a point of order. Minister, be seated for one minute. The point of order is for?

The Hon. A. KOUTSANTONIS: I am not asking about public notification; I am asking about defect notices, sir.

The SPEAKER: The point of order is for?

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

The SPEAKER: Debate. I have the point of order. With fairness to the member for West Torrens, the question was pretty specific. I have allowed the minister some time to get to the point. I would ask him to come back to the substance of the question.

The Hon. S.K. KNOLL: There are people who want to light fires, and this government is not going to be the one that provides the road map for somebody to be able to create the most havoc. That is irresponsible and something that we wouldn't do.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: What is also very apparent is that there are those who would seek to create fear in the community irresponsibly off the back of this issue. But can I say that we as a government are taking the responsible action, we are taking the prudent action, we are taking the action in a timely manner, dealing with this most difficult issue more quickly than jurisdictions around the country. Building owners have all been notified. That notification quite clearly says to them that they have got some problems, that they have got some defect rectification that they need to go through—

Members interjecting:

The SPEAKER: Order!

Mr Malinauskas: Won't answer the question.

The SPEAKER: Leader!

The Hon. S.K. KNOLL: —and this is essentially what has happened as a result of the finalisation of the second stage of the audit. So, quite clearly, those extreme-risk buildings will have those defect rectification works undertaken immediately and for those buildings with a high-risk rating that work is expected to be completed over the next 12 months.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:32): My question is for the Minister for Local Government. Of the 28 buildings he referenced in his previous answer, how many have received defect notices as issued under the Development Act?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:32): I refer the member to my previous answer.

The SPEAKER: Member for Newland. I will come back to the member for West Torrens.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned.

LOT FOURTEEN

Dr HARVEY (Newland) (14:32): My question is to the Premier. Can the Premier update the house on how the government is delivering Lot Fourteen?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33): I thank the member for Newland for his question.

Mr Brown interjecting:

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

The Hon. S.S. MARSHALL: It is great to have the member for Newland in this parliament. He is a highly learned gentleman, a former postdoctoral research scientist at the University of Adelaide, and we should be grateful that he has come into this parliament. He gives us another element to the different range of skills that different people bring to this house.

We are very fortunate in South Australia. We have some great traditional sectors here in our state: agriculture, mining, construction, retail, manufacturing, tourism and international students. But, while having those fantastic industries as the bedrock of our economy here in South Australia, we also need to have one eye looking to the future industries in South Australia. Whilst those opposite wanted to put 1,300 apartments on the old Royal Adelaide Hospital site, we have decided that there is a higher use for that site—

Mr Brown interjecting:

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

The Hon. S.S. MARSHALL: —right in the centre of the city, seven hectares available for us to develop into what I consider to be the most exciting innovation precinct anywhere in the country. We are very pleased with the way that it is moving at the moment. We were very pleased earlier in the week that Squad announced—

The Hon. A. Koutsantonis interjecting:

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

The Hon. S.S. MARSHALL: —that they will be moving onto Lot Fourteen into the defence landing pad. Squad is the fastest growing French cyber company. It's a company that we originally met when the Leader of the Opposition and I travelled to Euronaval in Paris last year, where we launched the defence landing pad. They are not the first company to go through the defence landing pad, but they are the latest company to arrive at this landing pad. They believe that they will have 40 people employed here in South Australia within the next three years.

Cyber is one of the fastest growing sectors in the world, and we want a part of that action in this state. We have good resources in this area already. We have announced recently that we as a government will be putting $8.9 million onto Lot Fourteen to establish the Australian cyber collaboration centre, and this will really be looking at developing all these opportunities to create thousands of new jobs in this exciting sector.

Part of our push into this area is the signature that we put onto the MOU with the state of Maryland in the US. Maryland is a state that really credits its entire economic turnaround to the cyber sector, creating tens of thousands of jobs in that state in recent years. Similar opportunities are available to us in this state, and we want to work with the French, through companies like Squad and our relationship with Brittany, which is the cyber capital of France, as well as the opportunities in Maryland, as well as other countries—Five Eyes countries in particular.

Lot Fourteen is really developing. Next month, we will have MIT moving onto Lot Fourteen, the number one ranked university in the world. In December, we will have the Australian Space Agency taking up their position on Lot Fourteen, the SmartSat CRC and, of course, the University of Adelaide's Australian Institute of Machine Learning, which has very significant support from Lockheed Martin.

There are lots of things happening—and so there should be. We want to give every single person in this state an opportunity for a fulfilling, long-term, sustainable career in these future industries right here in South Australia because for too long people who were getting good quality qualifications from school and university were moving interstate to find jobs in these new areas. Now those jobs will be available right here in Adelaide.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:37): My question is to the Minister for Local Government. Is it true that of the 28 buildings referenced by the minister in relation to his cladding audit none have had defect notices issued under the Development Act by their corresponding councils?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:37): Again, this is just a different variation on the previous two questions that have been asked. Can I say that in relation to—

Mr Boyer interjecting:

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

The Hon. S.K. KNOLL: —a number of the buildings, rectification works or the rectification process are already underway. Yes, there is an instrument that gives power for us to be able to enforce this but, regardless of that, building owners are getting on, in a number of instances already, with the rectification of those buildings.

Again, the time frames there for extreme buildings are immediate and for high-risk buildings over the course of the next 12 months. That work is already underway. Again, those time frames are there. The government has obviously moved on its two government buildings immediately. In relation to those private buildings, as I said, that rectification is at different stages depending on at what point during the audit those buildings were identified. Again, there are quite a number of them on which work has already been undertaken.

This is not an easy issue because for those building owners there are going to be questions of how those defects are paid for. As is the case with consumer protection law, the person who owns the asset is the one who needs to take responsibility for it. There may be opportunities, depending on whether or not this building was built recently or as far back as when I understand this product was first introduced in about 2003.

Buildings are of varying ages and whether or not there are warranties or guarantees provided by the builder or whether there are opportunities via insurance or whether there are other opportunities by calling upon the professional indemnity insurance of people along the building certification supply chain, if I can put it in that way—whether that be building fire safety engineers, whether that be architects or whether that be the people who certified the buildings—there are many opportunities to essentially pay for these works, but first and foremost that opportunity rests with the building owner.

This is, as I can reiterate, a government that has moved more quickly than other jurisdictions. We are, in essence, dealing with a problem that is of a lesser scale than other jurisdictions are dealing with. In Victoria, for instance, there are 72 extreme-risk buildings and over 400 high-risk buildings. We are obviously dealing with a number of buildings of a far lesser magnitude than that.

Can I also say that we have been working with councils every step along the way. It is fair to say in the first instance that there was a degree of coming to grips, I suppose, with understanding what this responsibility for council means. The department has been providing some very clear advice and guidance to councils to be able to undertake these audits. Especially now that we are much further along the process, those councils are working with the government extremely well and extremely closely, and we are getting on with the job of fixing this problem.

It is a wicked problem that jurisdictions around the globe are dealing with. I think that, here in South Australia, South Australians can look forward to the fact that in our state at least this issue will be dealt with much more quickly than it has been and will be dealt with in jurisdictions around the country.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:41): My question is to the Minister for Transport and Infrastructure. Does the MFS endorse his department's rating system of buildings rated as being either extreme or high risk, and did they offer any alternatives?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41): To make a couple of points, the MFS have been part of this process the entire time. The MFS actually have representatives on the Council Building Fire Safety Committees, so they are very, very much involved in this process. To make a clear distinction, if we put cladding to one side for a second, there is a whole series of issues of fire danger that buildings need to contend with. Cladding is not the only thing that burns in a building. In fact, there are many substances and many building products that are used that have a degree of flammability. That's why we need to have fire protection systems in buildings of various sizes in the first place. So there is an existing structure to be dealt with.

In terms of cladding, what we are dealing with—and again it's in the assessment tool that was set up before this government came to office—is life safety. It's the idea of whether the people who are in this building from time to time are safe: if there is a fire, can they get out safely and can we preserve human life? That is the assessment tool that is being undertaken.

The Hon. A. KOUTSANTONIS: Point of order, sir: I asked if the MFS endorsed the rating system.

The SPEAKER: I have the point of order. I will be listening very carefully. I think the minister—

Mr Malinauskas: Very, very, very evasive.

The SPEAKER: Leader, you can leave for the remainder of question time because I am trying to deliberate and you are interjecting. You can leave for the remainder of question time.

The honourable member for Croydon having withdrawn from the chamber:

The SPEAKER: I try to listen to every answer. I believe that the minister started to deviate from the substance of the question, so I ask him to come back to the substance of the question—and if not, to conclude his answer. Thank you.

The Hon. S.K. KNOLL: This is a complex topic, a very complex topic, and helping to provide information to the house I think provides assurance and reassurance to the people of this chamber and the broader South Australian public that we are on top of this and are dealing with it. Yes, the MFS sit around the table. They are part of the decisions that we make. But we are looking discretely here at life safety as distinct from asset protection, which is a different role and again one that the MFS takes on in relation to all buildings as being our front line of defence.

Can I also say that the other role that the MFS have had to play in this is to make sure that they have upped their response for these 28 buildings—well, for the 30 buildings—whilst rectification works are being undertaken, essentially making sure that they have put protocols in place to help deal with the elevated level of risk that we currently find ourselves in. I understand that the computer-aided dispatch and all of those systems have now been updated, ready to respond if, heaven forbid, something bad should happen at one of these sites.

The MFS has been involved in this process at every step of the way, and they continue to be involved at every step of the way. Again, this is a coordinated response across the various government agencies for whom this impacts. We will continue to utilise that process until the last building is remediated.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:44): My question is to the Minister for Transport and Infrastructure. Has the minister received any advice from the MFS or any other agency that the ratings published by his agency, DPTI, do not accurately reflect the true risk from fire or life safety in the buildings identified as being at risk in the state's cladding audit?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:45): I haven't received specific advice, but can I tell you that this is a live tool that outlines a series of questions. In fact, there are quite a few questions as you go through this. There would quite clearly be different ways to answer those questions. Some of those questions, whilst not being subjective, don't always have hard quantifiable data—factors like what type of occupants would be in the building from time to time. Some of these things are subject to variability.

But this is a coordinated, across-government response. We are dealing with this methodically and appropriately, and we are doing it hand in glove with the Metropolitan Fire Service, who have been providing invaluable advice in relation to this process. We will continue to do that. We will continue to work through that. Again, with the role that the MFS plays with the building fire safety committees, they have a seat at the table when it comes to their direct interactions between those building fire safety committees and building owners as we head along the rectification and the remediation path.

SKILLS TRAINING

Mrs POWER (Elder) (14:46): My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is delivering training and job opportunities for South Australians?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:46): I thank the member for Elder for the question.

Mr Hughes interjecting:

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

The Hon. D.G. PISONI: Not only does she have a strong interest in this because she shares the aspiration of her constituents but her husband, Brad Power, is a tradie and a heritage carpenter at that. I am advised that he is finishing some very detailed work in the restored GPO building in Victoria Square as we speak. When it is open to the public, you will be able to see Brad Power's work on full display.

I am delighted to inform the house that the Marshall Liberal government is delivering under Skilling South Australia. We took to an election a bold commitment to create over 20,800 apprenticeships and traineeships in four years. We were the only party that took a skills policy to the last election—not those over there. The Liberal Party took a policy on skills to the election. In our first year, we have achieved almost 13,000 training commencements. This is a fantastic result, achieving 96 per cent of the Skilling South Australia target in our first year.

Our $200 million Skilling South Australia program was launched in September last year to turn South Australia's training system around. We took to the election a clear commitment to fix South Australia's training system, a system we inherited in serious decline. Between 2012 and 2018, because of the cuts to skills funding and failed policies of the previous Labor government, commencements in South Australia of apprentices and trainees reduced by two-thirds or 66 per cent over that period, the worst drop in apprentice and trainee commencements in Australia.

Under the Skilling South Australia program, we are delivering real outcomes. We have changed our policy settings, and we are rebuilding the foundations to stop and then reverse the downward trend. We are turning the training system around. We have placed industry at the heart of the training system, delivering eight new industry skills councils and revitalising the Training and Skills Commission.

More than 700 South Australian businesses have taken on apprentices for the first time in the first 12 months of the Skilling South Australia program. That is a big step for businesses to do such a thing for the first time. It is not an easy task, but my department has been working with those businesses to encourage them to get on board with the government's program—700 businesses have chosen to do so for the very first time.

We have already delivered more than 80 Skilling South Australia projects codesigned in partnership with businesses, industry and training providers. We are investing in the professional development of our training sector through a $4 million building capability framework, and our $1.6 million advertising campaign is shifting the perceptions of vocational education for students, parents and those who help students make their decisions.

We are lifting the status of vocational education here in South Australia back to where it used to be. I am excited about the first year of Skilling South Australia, particularly the positive impact on students, employers and training providers here in South Australia. We are ensuring that South Australians have access to the right training now so they are ready to step into jobs today and enjoy rewarding careers into the future.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:50): My question is to the Minister for Transport and Infrastructure. Can the minister assure the house that in his audit all the buildings deemed 'acceptable risk or lower' have core samples taken of their aluminium cladding?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:50): That is not the way that the audit process works, but can I say that where cladding isn't tested that cladding is actually just rated as being the worst kind of cladding. Essentially, we dial up the risk to 10 out of 10 and assume the worst for the purposes of undertaking this assessment.

Again, I think there is a simplicity to saying, 'Well, if you just test every building, then they will be safe.' That is not correct. You would actually have to rip off every panel and test every panel and then replace it, and there is a difficulty with understanding whether the stuff you are replacing it with

is any better than the stuff that was on there before. So, this needs to be more complex in the way that we provide an answer, and that is that, as we go through the rectification process, the updated design of these buildings will make sure that these buildings are safe.

However, again, when it comes to the buildings that are of lower risk there is a very wide set of circumstances that provides a complete risk profile: some things to do with the design and structure of the building, some things to do with the in-built fire safety protections of the building and some things to do with the risk profile or the vulnerability profile of the people who are in the building and their times of occupancy. It is quite a detailed assessment, hence the reason why it has taken a good couple of years to be able to work through phase 2 of the audit.

Again, this is a tool, a tool that has been certified and verified by building fire safety experts, and, again, a tool that is being used nationally around the country to come to grips with this issue, and one that, as we move forward working together with other jurisdictions to grapple with it, we are confident that we are using a rigorous evidence-based process to undertake these assessments.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:52): My question is to the Minister for Transport and Infrastructure. Is the minister or any of the participating councils making any financial institutions with security over at-risk buildings or property aware of the outcome of the government's audits?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:53): In the first instance, the correspondence is between the building owner and the council. My first answer to what the financial and security arrangements are for building owners would be that that is a matter for building owners. Again, I am not necessarily sure it is the state government's place or even the councils' place to try to unpack whatever contractual arrangements exist between a building owner and anyone who holds debt over that building, or anybody else who has a financial interest in that building.

First and foremost, the building owners are the ones we are holding responsible to rectify these buildings. They are the ones who own them, and so first and foremost that is the primary relationship and the primary mechanism by which we are going to enforce the Development Act. In relation to anything beyond that, in the first instance, that is a matter for the building owner.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (14:54): My question is the Minister for Transport and Infrastructure. Are there buildings in his audit that have the highest risk cladding on them but have sprinkler systems and fire security and evacuation procedures that have deemed them acceptable risk?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:54): Again, that is a question that seeks for me to give a simplistic answer to a difficult and complex set of circumstances. The in-built fire safety protection systems within a building are a key component of whether or not a building is safe regardless of what type of material is on that building. It's why we require in-built sprinkler systems in buildings of a certain class—compartmentalisation, firewalls, all sorts of in-built fire safety protections to make sure those buildings are safe. That very much comes into it.

Again, I think this speaks to a simplicity that somehow a building without cladding is safe but a building with cladding is unsafe. That sort of binary position does not stand up to scrutiny and does not reflect the complexity of the situation that we deal with. It's why the risk assessment tool is comprehensive. It looks at all the risk factors that are involved rather than this sort of binary choice. I would reiterate the fact that we are using an evidence-based process that has been backed up and independently verified and, again, is something that is being used consistently around the country.

We will get on and we will work together with councils and building owners to fix this issue. I think that what South Australians primarily want to know is: when is this problem going to be solved? We have a strong pathway to deliver that. In relation to extreme-risk buildings, we will get on with that straightaway and prioritise those first. The other thing that I want to assure South Australians of

is that, as part of this risk assessment process, none of these buildings were identified as having a high enough risk rating for those buildings to be evacuated, i.e., that people shouldn't be living in these buildings according to the risk assessment tool, that—

Mr Brown interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —these buildings should not be occupied. Again, decisions of building owners, decisions of tenants are matters for those. We again—

Mr Brown: You don't even know.

The SPEAKER: The member for Playford can leave for the remainder of question time.

The honourable member for Playford having withdrawn from the chamber:

The Hon. S.K. KNOLL: We have undertaken a rigorous evidence-based process, one that I again must stress was well underway before I got here, and we have essentially followed that process because it is nationally consistent and what the experts in the field suggest to us is the best way for us to proceed.

FUEL PRICE MONITORING

Ms BEDFORD (Florey) (14:57): My question is to the Attorney-General. Further to my question without notice on 31 May, and in light of petrol price increases in metropolitan Adelaide of up to 40¢ per litre in recent weeks, when will the government enact a legislative mechanism for real-time fuel pricing to provide certainty and transparency for South Australian motorists?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:57): I thank the member for the question. In relation to fuel pricing and a real-time solution, we on this side of the house committed, prior to the last election, to investigate this option as something that would provide relief to the consumers of fuel and be able to give them a capacity to identify where and at what rate they could acquire fuel and be able to slot that into their household or indeed commercial budgets to ensure better scrutiny and, I suppose, put effective downward pressure on those who provide fuel to do so at the best available rate.

I have reported to the house previously that Victoria considered the New South Wales proposal and found that this was both expensive and not effective and declined to progress. New South Wales are continuing their program, which is fairly expensive to say the least, and reviewers of that have indicated that there is a likely overall increase in fuel prices. Accordingly, the last time I think I reported to the house that we had considered the Northern Territory model and engaged with them even to the extent of considering whether we would acquire their model and/or program for the purpose of the application in South Australia.

Indeed, we had discussions with the Royal Automobile Association, who had called for some management of this issue, where possible, in a real-time program or a process by which that could be achieved. When I last reported to the house that wasn't effective. The last state, Queensland—as I indicated last time we discussed this—was undertaking a two-year program. I think they have nearly concluded the first year. I understand there will be some interim information available at the end of this year, which we will consider, as to how that's progressing.

On early indications, what I am receiving doesn't fill me with joy or opportunity that that's going to be effective, but nevertheless I am ever hopeful. Obviously, if there is a solution which gives real-time information to consumers, without having the detrimental effect of giving it the capacity to inform other providers and thereby increasing the fuel price, then we will look at it.

TRANSPORT SUBSIDY SCHEME

Mr COWDREY (Colton) (15:00): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on how the Marshall Liberal government is delivering certainty for South Australian NDIS participants who use the SATSS (South Australian Transport Subsidy Scheme)?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:01): Can I say that we made a promise to vulnerable users who have transitioned to the NDIS earlier this year that we would not leave them in the lurch, and we have delivered on that promise. Again, much to the consternation, fear and smear that were coming from certain sections of this chamber from people who were essentially undermining this government's efforts to get on and deliver a solution to a problem that they created, we fixed by working together.

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

The SPEAKER: There is a point of order, minister. The more points of order that there are the less questions that get asked, but I will hear it.

The Hon. A. KOUTSANTONIS: Thank you for not impinging on my privileges, sir. First, the minister is imputing improper motive and he is creating debate, sir.

The SPEAKER: He didn't name any member in particular, but I will say this: if you start, minister, arguably saying things like that, we might descend to a level of decorum that we are much better and more capable of. So let's get to the point, and then I would like to have some more questions answered. Minister.

The Hon. S.K. KNOLL: So we fixed the mess that was created. We did it by working maturely, in a grown-up way, with the federal government, by using the relationship that we had—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. S.K. KNOLL: —in this case with minister Stuart Robert, to deliver a solution that is going to provide certainty for those users who have transitioned to the NDIS.

Ms Cook interjecting:

The SPEAKER: Member for Hurtle Vale!

The Hon. S.K. KNOLL: For those some 5,000 people who have transitioned or will transition to the NDIS, they will now have access for the next two years to the current taxi subsidy scheme—essentially, the federal government helping to underwrite the state's existing taxi subsidy scheme to make sure that it can continue.

There is also recognition federally, and I want to thank the minister in the other place, the Hon. Michelle Lensink, for the fantastic advocacy that she has undertaken in this role to work with the federal government so that they identify and have now accepted the fact that the NDIS packages in relation to transport that were put in place are inferior. They do not provide the level of subsidy and service that vulnerable members of our community deserve, so what we will be doing is providing the existing taxi subsidy scheme in the short term—

The Hon. A. Piccolo interjecting:

The SPEAKER: The member for Light is warned.

The Hon. S.K. KNOLL: —over the next two years whilst we work on a permanent solution. I think that is a fantastic outcome for vulnerable people living with a disability in our community.

Members interjecting:

The Hon. S.K. KNOLL: The least you could do is sit there quietly or say thank you for fixing your mess—

The Hon. A. Piccolo interjecting:

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

The Hon. S.K. KNOLL: —that you guys set up in 2015 and you couldn't fix while you were in government. We have had to come along and clean it up. You could at least have the decency to be quiet about it. But, no, that's not what happens. That is not what has happened. Five thousand people have been looked after—vulnerable people in our community that this government has

delivered for—and those members opposite should be ashamed of themselves and the fact that they created a mess that once again we have had to clean up.

The SPEAKER: The minister has finished his answer. The member for Light can leave for the remainder of question time and, when you do, the member for Elizabeth will have a question.

The Hon. A. Piccolo interjecting:

The SPEAKER: Sorry, member for Light? What was that?

The Hon. A. PICCOLO: I said I should be sorry; thank you.

The Hon. J.A.W. GARDNER: Point of order: I distinctly heard the member for West Torrens, during that altercation between you and the departing member for Light, undermining your ruling.

The SPEAKER: I will consult with the video referee, minister. The member for Light is leaving.

The honourable member for Light having withdrawn from the chamber:

ALUMINIUM COMPOSITE CLADDING

Mr ODENWALDER (Elizabeth) (15:04): My question is to the Minister for Emergency Services. Minister, were you warned in a briefing from the MFS in March this year about the specific dangers that cladding poses in specific Adelaide buildings?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:05): I thank the member for the question and note the answers given by the Minister for Transport about this process—

Members interjecting:

The SPEAKER: Order! The minister has the call. We have had the question.

The Hon. C.L. WINGARD: —and the way that it has been worked through. I note that the MFS have played a role in this, working with the local council and the building fire safety committees within those councils to work through phase 2. Again, the Minister for Transport and Infrastructure has outlined the situation with the cladding. As a result of this, the MFS have put systems in place that I am very satisfied with. Of course, there is a heightened awareness around the 28 buildings that have been outlined—

Mr ODENWALDER: Point of order: relevance. The question was whether the minister was warned in a briefing in March.

The SPEAKER: The point of order is for debate. I would ask the interjections to cease so I can hear the minister's answer. I will be listening attentively. Minister.

The Hon. C.L. WINGARD: As I was outlining in my answer, through the process of dealing with this situation and through the phase 2 process, which was identifying the buildings that were in need and having them categorised, the MFS have been heavily involved and they have looked at all facets of this throughout this process. Yes, there were situations where the MFS were looking at all the buildings and making assessments along with the council, and we identified that there is a heightened risk.

Ms Hildyard interjecting:

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

The Hon. C.L. WINGARD: As I said, I can go over the ground that the Minister for Transport and Infrastructure has outlined throughout this process—

Ms Stinson: Or you could answer the question.

The SPEAKER: Member for Badcoe!

The Hon. C.L. WINGARD: —with that identification of the heightened risk. There have been put in place through the MFS the appropriate risk responses for those buildings. It has been a process, and the MFS have worked through the process. They have identified the areas, as they

have spoken with DPTI and as they have spoken with the council about issues that need to be addressed, and they have addressed them along the way. They had the appropriate procedures in place for those identified high-risk buildings.

ALUMINIUM COMPOSITE CLADDING

Mr ODENWALDER (Elizabeth) (15:07): My question is again to the Minister for Emergency Services. What action has the Minister for Emergency Services taken following any briefing from the MFS on the buildings that they have identified?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:07): I refer the member to my previous answer.

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (15:07): My question is to the Minister for Transport and Infrastructure. How many buildings whose core samples of aluminium cladding were taken were found to have black core cladding?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:07): Again, as I have reiterated in my previous answers, this issue is not as simple as, 'Just test the cladding and everything is safe.' The difficulty with this issue is the way that substitution has occurred. By and large, around the nation, the issue that we are grappling with is that that substitution is happening likely—mostly, if not all—from imported product.

As we understand it, there is substitution sometimes not just of a whole batch—you ask for the good stuff and you get sent this dodgy stuff—but that even within batches of ACP there are components of good and bad cladding. So, for the purposes of what we are seeking to do here, it is not a case where you can just test a panel and everything will be okay. For the purposes of what we have done, we have just assumed that everything is a—

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

The SPEAKER: The point of order is for debate.

The Hon. A. KOUTSANTONIS: I asked a very specific question, sir: how many buildings which had their core samples taken were found to have black core cladding?

The SPEAKER: Yes, I have the point of order. I believe that question may elucidate several facets. I am giving the minister an opportunity to answer, but if he crosses the line I will pull him back into line. Minister.

The Hon. S.K. KNOLL: Again, I think that what is being attempted here is for us to be funnelled into a very narrow, binary discussion when this issue is far too complex for that. Potentially, minds with the broader ability to be able to look at the complexity of these situations are needed in this regard. To that end, it is not as simple as saying, 'Just rip off one panel, test it, and if it comes back clean everything is good.' That is just not the way that we deal with this.

So, for the purposes of the assessments that have been undertaken, we assume the worst. We assume that everything has an issue, and what that does is make sure that, as we head through this rectification process, we are assuming the worst level of circumstance. When we look at those rectification measures, whether we look at increases to in-built fire safety systems or a whole host of ways that we can remediate these buildings, by making the worst level of assumption, or making essentially a level of assumption that is based on the worst-case scenario, we can assure South Australians that we are taking the most risk-averse approach to dealing with this very wicked and difficult issue.

SURF LIFE SAVING SOUTH AUSTRALIA

Mr BASHAM (Finniss) (15:10): My question is to the Minister for Recreation, Sport and Racing. Can the minister update the house on the start of the 2019-20 surf lifesaving patrol season and how the state government is delivering safer beaches for all South Australians?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:10): I thank the member for Finniss very much for his question. I note that every time I travel into his electorate—and a beautiful electorate it is, too—I get to see some of the finest surf lifesaving clubs that we have in our state, be it Goolwa, Port Elliot or of course down there at Chiton Rocks.

What he does have in his electorate are a number of the toughest surf beaches that we have in South Australia. What he also has in his electorate is a beach named after him. Basham Beach is his family's beach down there on Fleurieu Peninsula. It was great to be with him and the President of Surf Life Saving South Australia, Mr John Baker, and the CEO, Damien Marangon, at Glenelg Beach last week when we launched the season on Friday. It was great to have some volunteers come down for that launch.

To show how important a role our surf lifesavers play in our community, we were doing the media call, as is the wont in this caper, and a father came running up the beach carrying his son, calling out, 'Patrol, patrol!' They were very quick to react. We know that when we go to the beach during surf lifesaving season, which kicked off last weekend, we ask people to swim between the flags. It's vitally important that they do that to give them the best chance of staying safe on our beach, but so much happens away from the water as well.

We had this situation at the launch where a father was carrying his son and calling for patrols. They rushed over to help him out. This young child had a bee sting and they were concerned that he might go into anaphylactic shock. It was great to see members of the Glenelg Surf Life Saving Club kick into action and help out in this situation. So not only is this great work done in the water but it's also done on the beach.

Last summer, we know that 13 lives were lost in the water and that is 13 too many. It is up on the year before, so it is great that we have so many volunteers—more than 2,500—who patrol our beaches and they kicked off on the weekend. We thank them for the wonderful work that they do. There were 71,000 hours put in last summer by volunteers. When you think about it, that is a resource that you obviously can't pay for and it's vitally important that we are out there saying thank you to the great surf lifesavers for the work they do.

One of the ways that we can thank them is by getting them better resources. As a government, we came in and committed to giving all 21 of our surf lifesaving clubs $5,000 each to make sure they are well resourced each and every season to make sure they are doing the wonderful work they can. Also in the 2019-20 budget, we have $3.9 million out of the Community Emergency Services Fund for upgrades of clubs.

With the member for Finniss, we were at the Goolwa club on the weekend. They have just finished building their wonderful new club. The government put $2.6 million towards that project. The local council put in $500,000 as well and it is a beautiful facility down there. As I said, it is rated as one of the most dangerous stretches of water that we have here in South Australia. They have some 300 members now and we saw the place full for the opening as well. I will acknowledge the Minister for Environment. He was down there as well. In fact, he has patrolled that beach a little bit over time and we know he is a very avid surf lifesaver.

It was great to be there with David Reynolds, the president, and all the volunteers. In fact, we had so many people there that the member for Finniss was a little bit cheeky. With a brand-new facility, he figured that by having so many people overflowing out of the club he would try to get some extra money for an extension already. They were enjoying the facility. It is a great facility and it will serve South Australians incredibly well over the summer ahead.

Again I would like to thank our surf lifesavers. I am lucky enough to have Somerton and Brighton in my electorate as well, and we were at Seacliff again in fact with the Minister for Environment just last week as they erected their new surf lifesaving tower down there, of course, where they keep and stow the beach mat to allow people with wheelchairs to access the water. Seacliff do a great job with that. Again, to all our surf lifesaving volunteers, we thank them so much for their service. We hope that they have a very inactive summer and we hope everyone stays safe, even in the member for Lee's electorate where they have wonderful volunteers.

The SPEAKER: The minister's time has expired.

Grievance Debate

ALUMINIUM COMPOSITE CLADDING

The Hon. A. KOUTSANTONIS (West Torrens) (15:15): Every South Australian has the right to know if they are living or working in a building with aluminium cladding that is dangerous. Every South Australian has the right to know, and this minister does not have the right not to tell them. We found out today that the minister has not informed each and every occupant or resident who owns or works in one of these buildings that they are potentially working and living in a death trap.

Indeed, he will not even tell us, of the 28 buildings he has identified, if defect notices have been issued. He has washed his hands of it. He is saying, 'This is all up to the councils. Don't blame me. I just work here. I am just the minister in charge. I can't possibly be held to account for people's safety in buildings.'

The opposition holds grave concerns for the way in which this minister has conducted himself and the way in which he has managed this fiasco. The minister will not and cannot escape scrutiny. We asked him a very simple question. We did not ask him to identify the buildings and we did not ask him to identify where they were or their addresses. All we asked was this: how many defect notices have been issued under the Development Act by councils to begin remediation works? He will not answer. From that, we should assume that none have.

Indeed, he is trying to conflate an owner or occupier being notified that they are at high risk with a defect notice. What is the penalty, without a defect notice, for work not beginning? What is the penalty for an owner not telling the tenant of their property that they are living or working in a high-risk building? Nothing. What is the penalty, if a defect notice has not been issued, for not beginning remediation work? Nothing.

This government is washing its hands of it and where are the MFS? When former deputy premier John Rau launched this audit, alongside him were the MFS. The MFS have the first and last word on this issue. They have been nowhere to be seen. The opposition has in its possession a briefing in March to the minister raising concerns about the way in which cladding was being dealt with. We have not heard from the MFS.

I asked the minister a very specific question today: how many of the 28 buildings were sampled, were they all sampled and, of the ones sampled that had cores taken, how many had the black core cladding? He would not answer. Why? Why will the minister not tell the people of South Australia that if they are working or living in one of these buildings they are at risk? What if a tenant wants to break their lease because they are living in a high or extreme-risk building? The minister has washed his hands of all responsibility. That tenant probably cannot break their lease because there are penalties in the lease. The minister is throwing around words like 'good faith'. Good faith is only as good as the legislation that backs it up.

If the government will not stand up for these people, who will? If the government will not protect you, who will? If the government will not tell you the outcomes of the audit, who will? The minister is hoping, begging and praying that nothing happens and hiding behind an act of terrorism or a firebug as a reason for not telling people. The opposition accepts the minister's argument of not publicising the addresses of these buildings—fair enough. But how can the government possibly stand without telling each and every individual before they make any public statement? Instead, what they did is they outsourced this to councils and the councils outsourced this to the owners of the buildings.

Here is a hypothetical for the government: a landowner is informed that the property they own is high risk. What is the obligation on them, without a defect notice, to tell the person living in or leasing that building? What if that person has 50 employees in that building? The government is relying on a fire system or a sprinkler system or evacuation procedures to say a building is safe. What he is telling the parliament and the people of South Australia is, 'If the building you are in is wrapped in petrol but there is a fire escape and a sprinkler, don't worry.' It is not good enough—not good enough. People have a right to know.

God forbid, if anything happens it is on the government. The government have had time to do something and they have sat on their hands. Shame on them. They have sold out the people of South Australia, especially the people living and working in these buildings.

HALLETT COVE FOOTBALL CLUB

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:20): The importance of sport in our community cannot be underestimated. Sport is a great equaliser, creating opportunities for people to learn values, make friends, stay healthy and be part of something that is bigger than themselves. In the southern suburbs, where I am a local MP, sport is a huge part of many people's lives. Whether it is footy, soccer, surf lifesaving, cricket, netball, tennis or countless other sports, our clubs forge a sense of community and strengthen relationships. We need our sporting clubs to grow and we need our clubs to thrive, and all levels of government have a role in supporting this happening.

This brings me to the situation that has unfolded at the Hallett Cove football club in recent weeks. The matter is well documented but, in short, allegations of poor behaviour by a small minority have seen the club's lease terminated by Marion council. This means that the longstanding seniors team, the incredibly successful women's team and the popular juniors teams have all been kicked to the kerb, told to get out with little in the way of an explanation and initially no pathway to recovery.

While I do not condone bad behaviour and believe that allegations of a poor culture and individual indiscretions ought to be carefully examined and dealt with, it is equally important for us to get alongside sporting clubs when they are experiencing challenges and give them the opportunity to recover. If there are individual clubs within a broader sporting precinct that are in dispute, it is the council's role to get alongside that club and provide mediation.

If bad behaviour is identified, it should be the council's role to support and provide the leadership and resources to overcome such challenges. That is why I was so personally disappointed by the City of Marion's decision to terminate the Cobra's lease at their Oval Road clubrooms. This should have been an action of last resort, not a first resort reaction. It has, however, been fantastic to see the way that our community has rallied around the club and to see so many people support one another through this difficult time.

I want to particularly highlight the role of Tony Kernihan, the club president, who has worked hard to find a way forward in the face of these challenging times. I have been part of the Hallett Cove community since I was a teenager, freshly arrived from Scotland, and the strength of community in that part of Adelaide is strong and resilient. In many ways, the area, including Trott Park and Sheidow Park, is like a big country town with the values and attitudes that you would associate with rural life. In our clubs there are generations of the same family playing together or volunteering and the Cove footy club is no different.

Last Tuesday night, at a council meeting it was great to see deputations not only from Tony Kernihan but also from 13-year-old Skye Willcocks and 10-year-old (11 the next day) Tom Gill outlining what this club meant to them and their families. Despite the way that the situation has unfolded, I am hopeful that the council will reverse its decision, giving the club a lifeline, and also outline clear expectations required going forward.

While there have been difficult times at the club lately, I also want to take this opportunity to celebrate the recent achievement of the Hallett Cove football club's women's team, which on 15 September won the Southern Football League women's premiership. It was an incredible result, described as a Cinderella story by some members of the team, coming from the bottom of the ladder to topping the table.

I would like to acknowledge all in the premiership team, including Captain Dana O'Brien, Vice-Captain Renee Ullrich, Jaime Galley, Kate Galley, Lauren Griggs, Sam Franson, Lauren Kenny, Lauren Pattimore, Alesia LeDuff, Felicity Oliver, Breeana Stoldt, Emma Fitzpatrick, Emma Sandor, Alanah Lashmere, Indiana Harrison, Layla Dungey, Lissa Wilcocks, Josie Smith, Kellie Heitman, Sara Sheehan, Jarna Perry, Mikala Graham, Kathryn Wigzell, Poppy Fitzpatrick, Jenna McMahon, Cassie Glynn and, last but not least, Seraphina Moon. I also want to congratulate coach Brett Baldy on the work that he has done to drive the team forward in recent months.

This is a good club and one that must have a future in our community. It is a club that has brought much joy to its members. Tonight, the City of Marion gathers for a special meeting to consider the future of this club. I would ask the council to reflect on the need, its requirement, to provide this club with a future, with support and with the understanding and resources to overcome this short-term hurdle and move towards a vibrant, sustainable future. That is what I intend to do for the Cove Cobras.

DROUGHT ASSISTANCE

Mr HUGHES (Giles) (15:25): In parts of my electorate, and indeed in parts of our state, a lot of people are doing it hard. Farmers and pastoralists are doing it incredibly hard at the moment, as the grip of drought extends. I was somewhat surprised, during the Marshall government's first budget estimates, when I asked a question about what tangible support would be offered to farmers in our state who are doing it tough and what financial allocation had been made, that the answer was 'nothing'.

There was a fair bit to say about what the federal government is doing, and I will get onto that in a minute, but there was no allocation in the budget or in the forward estimates to look after those farmers and pastoralists doing it hard. I was even more surprised by the latest budget, given the continuation of drought. Once again, the question was asked whether any tangible assistance was available for farmers and pastoralists in this state suffering from the effects of drought, and once again there was no allocation in the budget.

I note that, almost a year ago now, back in November in the *Stock Journal*, minister Whetstone, when he went to visit a drought-affected area, raised the prospect of having to look at a number of ways to assist farmers. The things that were raised included looking at waiving natural resources management levies, water rates and council rates. Indeed, the minister said that these were things that really do help and things that the Marshall government would give consideration to.

Here we are, almost a year down the track and nothing has happened in that particular area to give some real assistance to farmers and pastoralists in our state. Indeed, with the removal of registration concessions in the unincorporated areas of the state, plus Coober Pedy, Roxby Downs and Kangaroo Island, we have seen some extra charges and levies imposed especially upon the pastoralists in this state. That is going to have an impact on pastoralists.

Of course, the new property tax has been proposed for the unincorporated areas of this state as well. That is going to hit pastoralists. When minister Knoll was asked directly whether this tax would be imposed upon pastoralists, the answer was yes. So here is a group of people in the Far North of our state who are doing it really tough, and, at a time when they need assistance, what they are getting is additional burdens placed on them by this government.

When it comes to assisting farmers and pastoralists who are facing drought, the record of this government is incredibly poor when we compare it with what is happening in Victoria, New South Wales and Queensland. I acknowledge that in New South Wales and Queensland the drought has been longer lasting and more severe, but we are moving on in this state when it comes to the impact of drought.

The federal government is providing some assistance. As I said, the minister constantly refers to the assistance that the federal government is providing and never the assistance that the Marshall government is providing. The federal government's record is not great. It has had six years to come up with a long-term drought strategy for Australia, and it has failed miserably to do that, to the point where the National Farmers' Federation has taken on some of that work itself out of frustration. At least the National Farmers' Federation accepts the science behind global warming, which cannot be said for a whole bunch of people in the federal Liberal-National Party Coalition.

Of course, the Prime Minister did appoint Barnaby Joyce to wander around the country as a drought envoy to get him out of the way. Apparently, his report is made up of a few texts that have gone to the Prime Minister, so it will be really interesting to look at those texts from Barnaby Joyce. This state needs to do far more when it comes to provide tangible assistance for farmers and pastoralists doing it tough.

GENETICALLY MODIFIED CROPS

Dr HARVEY (Newland) (15:30): I rise today to speak about my support for the Marshall Liberal government's recent announcement to allow South Australian farmers on the mainland the choice to plant genetically modified food crops. This decision recognises the disadvantage that our farmers have endured under a statewide moratorium that has persisted seemingly to satisfy blind ideology rather than any substance in either economics or science.

It is important to note that in relation to GMOs (genetically modified organisms) federal legislation addresses the protection of the health and safety of people and the environment through the Office of the Gene Technology Regulator and, more specifically, as the agency responsible for the approval of field trials and commercial release of GMOs. Moreover, Food Standards Australia New Zealand is responsible for the regulation of GM food products, including safety standards and labelling. Both agencies are tasked with administering regulatory regimes that provide very strong protections and national consistency.

On the other hand, the state government is responsible for the regulation of GM crops for trade and market purposes. Since the passage of the federal legislation, shortly followed by legislation in the states in the early 2000s, different states varied in terms of the implementation of a moratorium and also in the timing of the lifting of moratoria. South Australia is now the only mainland state to maintain a statewide ban on GM crops. Under the regime left to us by the former Labor government, the moratorium is set to continue until 2025, with little evidence of any benefit for our state.

Shortly following the 2018 state election, the Minister for Primary Industries and Regional Development commissioned an independent expert review into the moratorium, the findings of which were released earlier this year. The review prepared by Emeritus Professor Kym Anderson AC found that there was no economic benefit from a statewide ban and in fact found that the state suffers an economic loss from the ban due to a lack of access.

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

A quorum having been formed:

Dr HARVEY: The review prepared by Emeritus Professor Kym Anderson AC found that there was no economic benefit from a statewide ban and in fact found that our state suffers an economic loss from the ban due to a lack of access to technologies that could otherwise provide benefits to our farmers. Moreover, the moratorium has proven to discourage investment in research and development from both public and private sources due to a lack of a clear pathway to market.

South Australia has a proud history in plant science, a legacy that the moratorium only serves to undermine, and there are certainly incredible opportunities that exist for us to export new technologies in plant science to the world for which there is very likely to be enormous demand in the future. The decision of the Marshall government to lift the moratorium for mainland South Australia is based on the best available evidence, which is exactly how good governments should operate. We have backed the experts, backed the economics and backed the science.

We believe that South Australian farmers should be able to choose for themselves whether or not they want to use GM crops, and blocking that choice for ideological reasons with no basis in fact should be opposed. GM crops that are available now, and potentially those that will be available in the future, present many possible benefits to the economy, the environment and human health—such examples include increased crop yields, reduced fuel consumption (which is obviously a reduced cost for farmers but also means reduced greenhouse gas emissions), reduced land area required, reduced use of pesticides, reduced demand for water, greater tolerance to salinity, and many other possible benefits. All these benefits our farmers would be deprived of under a continuation of the moratorium.

Whilst the state government's decision to lift the moratorium is based on the implication for the state in terms of trade and market access, there is no doubt that this debate often drags in other things that are not within the state's jurisdiction, often dealing with an ideological belief that GM plants are inherently bad. The fact of the matter is that humans have been genetically manipulating plants for centuries. The difference with biotechnological techniques is that the changes are targeted and

defined. This technology is simply a tool and, like any tool, can be used for good and can potentially be used to do bad things and should quite rightly be tightly regulated, as it is at the federal level.

However, the technology is not fundamentally bad, and the role of government is to back experts and respond to the evidence. We do not get to choose what science we like and what science we do not like. For example, what is quite stark is the hypocrisy of some on this issue who would champion the acceptance of the science of climate change (and I would certainly agree), but on the other hand diminish or dismiss science that could very well be an important part of dealing with and adapting to that very important issue.

This is not to say that science is infallible. There should rightly be robust processes and caution exercised with any new invention, but we need to accept the best available evidence when it is presented, and that is exactly what this government is doing.

NATIONAL DISABILITY INSURANCE SCHEME

Ms COOK (Hurtle Vale) (15:37): I speak today in support of the thousands of South Australian families being let down by the NDIS. They are simply not getting the help they need from either the state or federal Liberal governments.

On Tuesday 1 October, the Hon. Amanda Rishworth, the Hon. Bill Shorten and I hosted a community NDIS forum in our southern suburbs, and we were expecting a lot of community interest. We were not surprised to speak to a room full to the brim of families and people living with disability. They told us how the NDIS had failed them. The reason we were not surprised is that when things are going well a forum is not needed—a forum is not needed to provide people with their voices—but with this forum we closed off registrations in advance and the forum was full to brim.

Bill Shorten is on a mission to get the NDIS delivered how it was intended. I am determined to work with him to ensure that the NDIS also lives up to the promise it made to deliver better outcomes for people living with disability. Of course, when it is easy it can do that, but the NDIS really is not delivering on its promise, particularly for those people who need it the most. Using some of Bill's words:

> ..the NDIS is being constipated by the federal Liberal government, who is more interested in banking $4.6 billion NDIS savings [as a surplus] and cheering this as a budget success.

Shame on that government and shame on the Marshall government for being accomplices in the failure, shrugging their shoulders and saying, 'The NDIS is not our problem. Disability services are no longer our problem. Nothing to see here. The NDIS is fully rolled out. Move along.'

The broad themes of complaints about the NDIS we heard at the forum are mostly a symptom of the Liberals' lack of funding, staffing caps and inexperienced staff. One problem I have spoken about before in this place is the lack of transport funding for participants. I received an email from Avril, who was not able to attend the forum but wanted to submit her situation and have it shared. Avril has fragile bones and she is in a wheelchair. She also works, however.

Avril has NDIS transport funding of $136 per fortnight. She needs to take a taxi to and from work. Working three days a week, she spends $420 a fortnight on taxis. It is quite easy to do the maths and see how Avril is out of pocket just to get to work. Her shortfall amounts to approximately $7,000 per year—but yay for budget savings. Previously, Avril was a SATSS member and, in her words, using SATSS taxi vouchers 'opened up so many opportunities as I was not bound by transport woes and could be equally a part of society'.

Last week, we heard the Minister for Human Services and the Minister for Transport, I am sure, asking for a round of applause, and we have seen that repeated today by the Minister for Transport, for stepping in at the eleventh hour and extending SATSS. But will this help Avril? Avril did not have vouchers. She lost her Centrelink allowance also—

The Hon. D.J. SPEIRS: Point of order.

Ms COOK: Will you really interrupt this?

The ACTING SPEAKER (Dr Harvey): Member for Hurtle Vale, could you please take your seat. The Minister for the Environment on a point of order.

The Hon. D.J. SPEIRS: Mr Acting Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Ms COOK: When I was interrupted, I was speaking about Avril. Avril is in constant pain and is out of pocket some $7,000 a year because of the challenges of the NDIS to meet her needs. Avril is now stuck in a situation where she will still be disadvantaged by her NDIS plan even if she is re-eligible for her vouchers. We hear nothing, it is completely silent, on the loss of the Centrelink payments, which are also taken away from people, in the hundreds and hundreds of dollars every month.

We also heard that not only do NDIS plans often lack funding for required therapy but that funds are provided in areas where they are not needed and that it is near impossible to move funds from one part of their plan to another. Additionally, even when funds are allocated as needed, there are often waitlists to get access to the service providers, such as specialist therapists. If funds are not spent, they are lost in the next plan. This is not a system that is working successfully. There are also far too many people waiting to have their plans finalised, no doubt due to staff shortages caused by the staffing cap imposed by the federal Liberal government, which the state Liberal government is completely silent on.

We met Jessica and her five-year-old daughter Ava, who has severe disabilities and is confined to a wheelchair. She has not been able to get new equipment, particularly a replacement for her wheelchair, for two years. She is a growing child, so after two years her wheelchair is far too small. She is in constant pain and she gets pressure sores if she sits in it for more than an hour. The NDIS planner, who is helping Jessica, works only two days a week and she said she will get to it when she can. Well, that is just not good enough. We are now reversing that decision and getting some improvements for her.

People are suffering. There was so much pain and anger in that room. Families feel like they are fighting a war with the NDIS and the federal and the state governments in order to access services and get the care they need for themselves. While this government can say it is us beating up a fuss, this is actually taking away from the great advocacy by the people with disabilities who are crying out for help. What are the ministers for human services and transport going to say to these families? What are they going to do to help them get the outcomes they need?

MENTAL WELLBEING IN SPORT

Mr DULUK (Waite) (15:44): I would like to talk about attacking mental health in our community and how that interrelates with sport. We all know that sport comes with injuries—it is a fact of life—whether it is a rolled ankle, a fractured leg or a bad back, as the member for Hammond had—

Mr Pederick: An ACL.

Mr DULUK: —or an ACL from too many footy injuries, a strained hamstring or a broken nose. Playing sport can be and is tough on the body. But what happens when it is not a physical condition but a psychological one?

Last week was Mental Health Week, a week that aims to improve community awareness and interest in mental health and wellbeing. It encourages people to consider their own mental health as they would their physical health. A couple of months ago, I had the privilege of representing the Minister for Health and Wellbeing, the Hon. Stephen Wade in the other place, at the launch of Mental Wellbeing in Sport—a panel conversation hosted by the ABC's Ali Clarke, where tips and information were discussed about what to do if someone at a local sporting club is struggling with their mental health.

The SA Mental Health Commission and Sport SA were instrumental in making this forum occur. It is a great strength of the SA Mental Health Commission that it reaches out to the community and really listens to their concerns as they implement the SA Mental Health Strategic Plan. For me, it was an honour to open the forum. At the forum, there were some 200 people in attendance from 125 sporting organisations, representing 43 different sports, recreation and physical activities, from athletics, volleyball and gymnastics to rugby union, soccer, surf lifesaving, football and cricket. It was

not just the big sports and the big clubs—SANFL and AFL—that were represented, but community-based sporting clubs and sporting codes were represented as well.

Those in attendance comprised players, parents, coaches, trainers and volunteers—who are seen so much in community clubs—umpires, sporting health professionals and administrative officers who ensure the success of these organisations every single time that they put players out onto the field. There is a huge contingent of sporting clubs in South Australia, with over 4,000 sporting clubs and 58 per cent of South Australia's population participating on a regular basis, supported by over 260,000 volunteers.

There are many benefits in sport. There are fantastic physical, social and psychological benefits of being involved in a sporting club. Playing sport can help you reach your fitness goals and maintain a healthy weight, allow for efficient functioning of the heart, reduce the rate of diabetes and encourage healthy decision-making, while also teaching us time-management skills and, importantly, building relationships and teamwork.

However, despite all these benefits, why are our sporting clubs and communities identifying anxiety, depression, suicide and of course managing depression and performance among their top mental health concerns? Mental health is characterised by emotional wellbeing and resilience to stress. The fact is that 45 per cent of Australians will experience a diagnosable mental health illness in their lifetime. Unfortunately, many people do not talk about mental health and to some it can be perceived as a weakness.

Sporting clubs will not be immune from the impacts of mental health issues. Often, they have their own unique issues, such as how to cope when a sporting career ends or an injury sidelines a player for months or even longer. We see that in professional athletes, especially, when they break down and experience the mental stress that goes with a physical breakdown for elite sportspeople. We want to increase the ability of players, parents and coaches to recognise the signs of mental illness among people in their club and to be able to initiate a conversation and point to resources that might help.

Mental health has historically languished unaddressed in the Australian sporting landscape, but several high-profile athletes have recently opened up about their battles with depression and anxiety, and sports administrators are looking for ways to act. Some of the well-known sporting people who have spoken recently about mental health issues include champion swimmers Ian Thorpe, Libby Trickett and Leisel Jones; rugby league players Darius Boyd and Dan Hunt; and AFL star Lance (Buddy) Franklin. They have all spoken about their struggles with mental health.

Through household names standing up and speaking out, I am hopeful that more people will be encouraged to ask for help when they are struggling with life's challenges. We know that community sport clubs across the country are leading the charge when it comes to promoting physical fitness, but a local sporting club can also support those who are experiencing mental health issues. One in five Australians experience mental ill health every year, and sport clubs can and do play a pivotal role in enhancing and supporting the positive mental health of its members, players and their families.

Bills

LAND ACQUISITION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms STINSON (Badcoe) (15:49): I seek to continue my remarks, which I began before the lunch break. I was letting the house know about the relevance of this piece of legislation to the constituents of Badcoe. This piece of legislation directly relates to the planned expansion of South Road and, of course, we are well aware that tunnels have been forecast for that project. We do not yet know the alignment of the project or, indeed, where exactly the tunnels will go, but that only adds to the interest from constituents in the seat of Badcoe and in the seat of West Torrens, as well.

My constituents certainly would like to see a tunnel through the whole electorate if they possibly could. We have an excellent area with wonderful suburbs, wonderful public transport and

schools and other community facilities, as well as heritage buildings, including the Maid of Auckland Hotel among others. There is a fair degree of concern in my community about any and all of those being disrupted due to the expansion of South Road.

However, residents and business owners in Badcoe are also equally concerned about making sure that we have high-quality public transport, and that includes our road network. Congestion along South Road has certainly been a big topic for many years and there is certainly support in my electorate for the improvement of South Road in whatever way that might be able to be done.

I particularly want to mention the fact that this legislation does raise a lot of questions. I look forward to receiving some answers from the government and advisers in the committee stage, which we will be heading into next. In advance, I thank them for their time. The information they provide is of huge relevance to my constituents and I am sure they will be looking in some detail at what the plans are for South Road and what this particular bill, the Land Acquisition (Miscellaneous) Amendment Bill, actually means to them.

I will just touch on a few issues and key questions that arise from this bill. One issue is the depth to which tunnels will be built and the depth from which underground land will be compulsorily acquired by the government. The bill does not actually outline or specify a minimum depth from which land can be acquired. I think that would and does raise some concerns for residents about the state's possible powers in acquiring land that they might otherwise want to use. For example, people do use the land immediately under their homes for things like cellars, storage spaces, for bore water and may seek to use it for other purposes from time to time.

I am reliably informed that any tunnels that would be built would be, at most, 18 metres below the surface. While I take that on board, it does pose the question of why there is not some sort of limit or some sort of guide on the depth from which the government can compulsorily acquire land under a person's home. A lot of landowners, when they buy their homes, their properties, buy not only the surface of the land but basically also all the way to the core of the earth.

While most residents would not seek to utilise the land 18 metres under their property, they do actually, at this point in time, legally have a right to that land. I think it is worthwhile for them to know what exactly they are giving up and, indeed, for the parliament to know what power we are giving governments to compulsorily acquire land, even if that is underground at some depth.

I mentioned bore water as well. There are certainly a large number of people in the electorate of Badcoe who have access to bore water or, indeed, have had access in the past but maybe do not use that bore water at the moment. There are also a large number of industrial and business landholdings across Badcoe that may also from time to time seek to use bore water. I think that a valid question arises from part 4A of this bill about what would happen in the event that bore water facilities intersect with the space that the government may seek to compulsorily acquire.

I note that in this bill there is no suggestion that compensation will be paid for land underground that is compulsorily acquired, but that raises the question, if there are circumstances in which a person's use of their land is interfered with—for example, utilising bore water—whether compensation might be paid in those circumstances and the process by which that might be established. Would a person simply have to make use of the civil system to recover compensation for that lost right or facility, or is some other mechanism proposed to be able to interact with a landowner to ensure that they are not left worse off than they otherwise may have been before the compulsory acquisition of their underground land?

There is also the question—and I think this will probably be the biggest one that residents and business owners will raise with me—of the effect of underground work, either while that construction work or drilling through the earth is occurring or indeed after a structure has been put there. What effect will that have on their enjoyment of their land? I think it is quite reasonable to ask whether any noise will be heard and whether any vibration will be sensed. Of course, one of the key questions will be the likelihood of any damage being caused by underground construction and what mechanisms will be in place to monitor whether damage is being caused and what compensation might be available to a landowner if damage was caused to their property.

There are a number of businesses in Badcoe that are industrial in nature—manufacturing businesses—that require some precision work. I have no idea at this stage at what depth construction will be conducted and therefore what sort of effect it might have on the work of manufacturers or indeed others who are doing precision work and whether any sort of vibrations might affect them being able to go about their business. Equally, residents may hold the same concerns. I think those are things that I would be seeking to get some information about and also people being advised of what their rights are.

I understand that notification will be given to a landowner that compulsory acquisition will be carried out on the property beneath their land. I think it is only fair that people are advised of what their rights are, and indeed what their obligations are, in terms of monitoring the state of their premises or their land at the time that notification is issued so that if they want to be able to keep a check on whether there has been any adverse effect on their land they can and that they are in a position to take action at some later stage if they contend that damage has been done to their property or their land. I think that raises the question of what the government will do in terms of monitoring or putting in place some sort of facility for baseline data to be collected so there are not problems later on.

This has been an issue in my electorate, in terms of damage caused to residential properties due to work that has been going on nearby. For example, in South Plympton, a number of residents have raised with me, and I in turn have raised with the Minister for Human Services and the Minister for Planning, Housing Trust properties that have been built in the area, which is of course a great investment and one that actually began under the previous Labor government. The construction and work that has been done on the site and is ongoing on that site has caused some residents to believe that their properties have been adversely affected, with cracks appearing in their properties.

These are very difficult to monitor and prove, and that process is ongoing. I think those residents do have a right, in the circumstance where land underneath their homes is compulsorily acquired, to avail themselves of some support from the government—from the Department of Planning, Transport and Infrastructure I imagine—so that they can preserve their legal rights should an adverse outcome occur, which I am sure no-one wants to see.

Those are some of the questions that I hope to receive information about so that I might be able to convey the answers to those issues back to people in Badcoe, whether they are home owners or business owners or otherwise operating in the area. I think they have a right to know what these changes are and what the effect of this bill means for them so that they can make decisions about their own landholdings. And, of course, the parliament has a right to know so that we can decide on support for this bill.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:00): I wish to place on the record my appreciation to all members for their contributions. I note that the opposition has indicated that they will reserve their position for now but will indicate further once the shadow cabinet and caucus have been consulted. To the best of my knowledge, briefings have been made available to those who have requested them.

I understand that the member for Badcoe has raised some matters today, which are not peculiar to issues that may prevail in just her electorate, such as the interruption of an underground area that might traverse a lawful entitlement to access to water via a bore. There are a number of rules that relate to access to water, and I think the Hon. Gail Gago, in her time as minister, undertook regulatory reform to make it more difficult for people to access bores.

This was largely as a result (and this is no reflection on her) of the 10-year drought that South Australia was undergoing at the time, so the opportunity for people to access water via bores has been more limited by virtue of other rules. Nevertheless, they are matters on which advice is still being obtained and, as with any other matters raised, we will ensure that that information is made available between the houses.

I wish to acknowledge the other members who have made a contribution: the member for West Torrens, and I will come back to him in a moment; the member for Kaurna; and also the member for Badcoe, in addition to the usually entertaining contribution by the member for Coomandook—

Mr Pederick: Hammond.

The Hon. V.A. CHAPMAN: Hammond. Obviously, his ancestors made an enormous contribution to the defence of the country in wartime requirements and, in more recent decades, to having the Dukes Highway traverse their former property in that area.

Mr Pederick: Current.

The Hon. V.A. CHAPMAN: Current, sorry. Contributions have been made by members and members of their constituency in the examples that have been given. In relation to the general proposals, one matter was raised as to the litigation in these matters. Members may be aware that there is jurisdiction within the Supreme Court to challenge aspects in relation to the Land Acquisition Act. I am advised that there are usually between 10 and 15 cases a year in which applications are made. Many of those settle and there is an agreement reached between the parties, which are frequently the transport department and a relevant party relating to major transport infrastructure.

Sometimes, when judgements are required, they are in favour of the Commissioner of Highways. I am just looking at last year's results. I think there were six judgements, one of which is under appeal, in favour of the Commissioner of Highways and one judgement against the Commissioner of Highways. So litigation is accessible as an available arbiter in relation to these disputes, and it seems as though they are being carried out as we would expect and finalised, unless by agreement, by judgement. They are not all entirely one way.

That is encouraging, and I urge members—particularly the member for West Torrens, who I think features in it—to review the report of the Select Committee on Compulsory Acquisition of Properties for North-South Corridor Upgrade, tabled in the Legislative Council of this parliament on 20 June 2017. What is important is that this was an inquiry conducted between 2015 and 2017, chaired by the Hon. Mr Darley, with other members of the Legislative Council: Messrs Brokenshire, Kandelaars, Ridgway, Stephens and minister Gago, although she may not have been minister at that time; probably not if she was on the committee.

In any event, they made a comprehensive assessment of many of the concerns that were raised largely in relation to the issue surrounding the development of the Main South Road corridor, concerns raised by numerous residents that they had been inadequately advised, if at all, that there was clearly disrespect, in their view, in the discussions and negotiations that were undertaken and that there was a failure to give adequate compensation, in their view, bearing in mind that some of them took the view that their residence particularly was one which they ought not to have to lose at all. There were obviously some who were very emotional about that.

Mr Michael Deegan was the chief executive of DPTI at the time, and the former member for Croydon, the former attorney-general in this place, put submissions on behalf of his constituency by way of correspondence. Numerous concerns were raised, and there was a litany of examples where complainants generally felt that there had been a failure to deal with them respectfully and that there had been a level of failure by DPTI to provide information.

Mr Deegan acknowledged that there was some delay in relation to the timeliness of some of the requests that were made, but frankly, otherwise—if one reads this report—he continued to defend what was the indefensible in relation to the treatment of a number of people in that space at that time. Unsurprisingly, this committee reported comprehensively on those concerns. Remember, this is covering an area of Main South Road in respect of proposed developments at that time, including the intersection of Port Road and South Road, way before we had started the Darlington project.

It covered a number of areas that were going to be interfered with either in construction or in the end by the infrastructure that was proposed. It is trite to say but, of course, had the administration under Mr Bannon sold off all this land that had previously been compulsorily acquired under the MATS scheme, then of course we would not have had to go through any of this trauma. That corridor would have been built and it would have been operational. Nevertheless, we are stuck with that and that progressed.

I urge the member for West Torrens to look at this report because it outlines in considerable detail why we are here. I am a bit surprised that he has not read it. If I look at page 39, it refers to a

complaint by Rita Papillo, for example. She raised her complaints. She also said, and it is reported here:

> She had also been assured at a public meeting on 15 June 2013 by the then Minister that her solar panels would be relocated and her current rebate that expired on 2028 would be retained. Despite promises of assistance and repeated assurances from many DPTI staff and the Minister himself, DPTI finally advised that she was responsible for the relocation of her personal fixed items. It fell to her to organise builders and contractors and, although she forwarded quotes as instructed, none of the costs of relocating these items were compensated.

Guess who was the minister at the time? The member for West Torrens. Can you believe that? He was the minister responsible for this department, as dysfunctional as it is reported here to have been, from January 2013, I think, until after the 2014 election. I urge him to refresh his memory about why we are here, because the reality is that, as a new government, we have picked up these six recommendations for legislative reform. We have adopted them all and they are in this bill.

We have considered other matters that have been raised by the departments, as identified, and we are proposing an area of reform to make sure that we can finish this project through the Main South Road redevelopment. It is going to ultimately save something like 80-plus stoplights and will provide a clear avenue for traffic and the opportunity for traffic to join in from the Adelaide Hills at a lower, more southerly point to access Port Adelaide.

All these things are good things, but we need to be clear about how badly it has been done before and listen to what is in this report and accept these recommendations. That is exactly what we are doing and that is why we are here. In the course of that, we have had brought to our attention that tunnelling, if that is to be an option, may raise some risk as to the capacity to acquire and therefore has raised what we need to do to amend the legislation to deal with that.

Members might be aware that the previous government had put a tunnel through the East Parklands, but that did not really require compulsory acquisition because it was under a roadway already managed by the Crown and under the Parklands. Although they had some principled duties in respect of Parklands law—which they promptly seemed to ignore—they nevertheless were not required to compulsorily acquire someone else's property for the purposes of that tunnel exercise.

Going back a bit further, the Heysen Tunnels—some of the members of the house would remember when they were built—were also developed in a location where almost all the total tunnel area was on Crown land and there were no surrounding houses or private properties necessary to acquire for the purposes of that exercise. So tunnelling is not new to Adelaide. It is not common, and I think the Minister for Transport outlined some of the physical features of the Adelaide Plains that over the years have made it more difficult to actually have tunnelling.

Perhaps that is one of the reasons we do not have underground trains and other services that are common in other cities. Our soil profile and our underground water channels, etc., caused some challenges for previous people, from the colony through statehood, so we do not have that level of underground construction and/or access. Some members might be aware that we have a few tunnels running between public houses in this state and that they existed for general security and access in the past. Some of them still exist. I think that if anyone wants to hear about them they can contact the historical societies or the National Trust to be apprised of that.

This is relatively underutilised as a medium by which a transport corridor is provided, and we need to do this if we are going to give effect to exactly what other members have asked; that is, what do we do when a building or a structure or a precinct is of such precious value that we need to ensure that it be protected? I do not think there was anybody at the time who came to us or to the previous government to say that we needed to save the power box that sat on the corner of South Road and Port Road. It was not of such important historical benefit to the state, but it provided a utility and it was going to be very expensive to move, so there was a redesign of that intersection to go around that particular feature.

Sometimes it is not just for historical reasons; it is because the cost of relocation or disruption to a particular service would be massive. They are the things that have to be weighed up, and they are things that, understandably, the Minister for Transport will need to consider when he seeks approval to progress some of these major projects.

Underground tunnelling is an option if we are going to save Thebarton Theatre. I think the member for West Torrens also raised one of the churches that had been of importance to him, the Queen of Angels Church on South Road. It is a beautiful site. In fact, one of my aunts was buried there. She probably lived in the member for West Torrens' electorate. She lived at 10A Bennett Street, Thebarton, before she died, and we had her service at that church. It is a magnificent church.

I think there will be landmarks along the corridor for which the public have an affection and a desire to preserve and protect. We have already heard publicly of those who are keen to ensure that Thebarton Theatre is not affected. We have heard from the member for Badcoe of areas in her electorate that are seeking to have some security or some relief in whatever designs are ultimately finalised for the completion of the north-south corridor.

We will certainly as a government be looking to ensure that we have the most effective, as soon as practicable, completion of the north-south corridor. It is an expensive exercise. It will continue to be an expensive exercise. Where tunnelling is ultimately determined as being an option, that will be a matter the passage of this bill will make provision for and ensure, along with all of the other initiatives in the bill, that there is an increased protection for the person who is having their property compulsorily acquired.

I turn briefly now to the member for West Torrens' questions in relation to a number of clauses. I am hoping this will comprehensively cover his inquiry but, if not, I am sure in the committee he will ask me further. I am just going to outline them as follows. Clause 6, amending section 10 of the act, relates to notice of intention to acquire. The amendments provide that an amended NOI need not be given in the same way as the first notice. Proposed section 10(4) specifically provides that an amended NOI can be given if the authority intends to change the boundaries of the land it intends to acquire.

The government's amendment allows the second NOI to be given in a different way. Typically, this may occur because a person has engaged legal representation, and the correspondence should be directed to the representative, or perhaps the landowner prefers a different method of communication. The second part of that amendment means that the process does not start again in terms of timeliness, so the clock keeps running on the matter, and the second, corrected NOI does not start the whole process again.

In relation to clause 8 and the review by SACAT, we were advised by both SACAT and the Crown Solicitor's Office that the 14-day time frame in this section is too short and that both those parties had concerns about being able to meet such a short time frame, and so the section has been amended to extend the time frame to 21 days.

As to clause 9, again, this is an amendment very similar to that in clause 6 and allows the NOA to be given in a different way to the initial NOI. Once again, typically this will happen where a party has engaged legal representation since the NOI was issued.

In relation to clause 10, the notice referred to is the NOA. This amendment allows an NOA to be issued not less than three months after the first occasion on which an NOI was issued for that interest. To explain by way of example, if there is a landlord with three tenants the authority knows about and one tenant who is for some reason unknown to the authority, the authority issues NOIs to the landlord and the three known tenants. Three months pass and the authority discovers the fourth tenant and issues their NOI. The authority wants to issue the NOAs as three months have passed since the first NOIs were issued but it cannot because it has to wait until three months has passed since the last NOI was given to that fourth tenant.

The amendment means that the landlord and the first three tenants can be issued with their NOAs without waiting for the three-month period from the last NOI. The fourth tenant will get the three-month notice period to be issued with their NOA, and it means that the authority can move forward on acquiring the other interests.

Clause 12 has also been raised by the member for West Torrens. This clause proposes to amend section 22B of the act to clarify that an interest in land must be able to be alienated and vested in the authority to be able to be acquired and compensated. Native title rights cannot be vested in an authority. They are not alienable and so are an exception to that definition. Native title rights are still compensable rights if acquired under the act.

In respect of clause 13, the definition of negotiation is the ordinary meaning: it is the process of settling the offer of compensation a person is entitled to under the act. Also to clarify, the member for West Torrens mentioned that he did not think it appropriate to require a party to negotiate in good faith where the government is paying no compensation for an underground acquisition.

However, there is no negotiation in an underground acquisition because there is no compensation payable, and so the good faith requirement does not apply. Part 4A specifically disapplies that division of the act to underground acquisitions. Again, I remind the member for West Torrens that a specific recommendation of the select committee was that the duty to act in good faith be put in legislative form, and that is precisely what we are doing.

In relation to clause 14, amending section 23A, the authority will typically not be able to determine an offer of compensation in the required time frame in the case of the acquisition of a business, because determining the market value of a business is a complex undertaking requiring the complainant to provide extensive business records and other materials. This means that quantifying the value of the business does take a longer period of time.

It is not uncommon for an offer of compensation to be increased by the authority, perhaps because an additional valuation is undertaken or new information is provided. The amendments allow the additional money to be paid either to the court or directly to the claimant if they have already taken the money out of court. It is less common for offers to be varied downwards, and this would generally occur if the landlord has concealed or not provided significant information that greatly affects the value of a property. As a safeguard for claimants, the authority will be required to seek a court order to do so. The authority will still be covering the legal fees for the complainant in that matter as it is all part of the same acquisition proceedings.

In section 23AB, the six-month period that a claimant has to respond to an offer of compensation is a time frame that is intended to allow a claimant to seek legal advice, but is not so long as to hold up the matter for an extended period. The settlement conference process is outlined in the section. The authority appoints the conference coordinator and pays the cost of the conference. The qualifications of the coordinator will be prescribed in the regulations, but I can confirm that they will be required to have professional accreditation. The conference has been made compulsory to try to resolve as many disputes as possible without the stress of Supreme Court proceedings.

I will interrupt myself here to say that obviously new rules are also being prepared for the Supreme Court. The concept of having mandatory conferencing is not unique to courts, but we are ahead of the game in this regard. Again, this is an area where there is a relationship between the acquirer, which is largely the government, and individuals and/or companies or entities that own individual pieces of property. The power imbalance is obvious. The entitlement to acquire is quite extensive; it always has been.

I have looked back at legislation since 1925 in relation to compulsory acquisition of land. This is not a new phenomenon. It is something that is there for the general good of the public, to provide them with infrastructure investment and services. It is nothing new, but I make the point. We need to recognise that it was identified in the report as a factor that needed to be considered, and that is exactly what we are doing.

The conference has been made compulsory to try to resolve as many disputes as possible without the stress of Supreme Court proceedings. It is generally better for all parties not to have to go through a formal court process in terms of time, cost and the emotional toll it can take on parties. I hope members are comforted to some degree by the fact that even under our current court system there are a significant number of cases that, even once they have issued proceedings, do resolve by agreement.

The solatium payment is a lump sum based on market value, as determined during the evaluation process. The authority cannot arbitrarily reduce it. It will be either 10 per cent of the market value or $50,000, whichever is the lesser. In section 26A, regarding the payments made directly to the claimants, the prescribed amount will be $10,000. This will be mainly to allow payments to be made to tenants, who receive small amounts of compensation, as fast as possible to allow them to find a new place to live.

In relation to part 4A, I flag that there is a government amendment to be dealt with in the committee stage. Consultation submissions from the Australian Property Institute did not indicate any particular issues with the proposed amendments aside from inquiring if they were consistent with interstate acts. I am advised that no response was received from the Real Estate Institute of South Australia.

I am also advised that we will be able to provide further information about any impact on property values, since interstate, between the houses as well as any other information that was asked for. As the member for Badcoe is listening with interest to this debate, there were some issues she raised and, as I have indicated, we are following those up along with some other matters that have been raised.

I hope that covers the matters that were sought by the member for West Torrens. If there are other matters, doubtless he will put them to me in committee.

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

A quorum having been formed:

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

The Hon. A. KOUTSANTONIS: The Deputy Premier has a unique ability to irritate people, which I think is probably unique to her special charm that she brings to the parliament. The opposition was quite prepared to allow a speedy passage of this legislation. We thought it would be cooperative to do so because I think everyone understands the benefits of what this bill has to offer.

But, in the Attorney's charming, unique manner, she decided to get up and insult the opposition and attack members of parliament for daring to ask questions on the bill. She accused us of not having read select committee reports and engaged in quite partisan and appalling behaviour, given that none of the comments were made by me, the member for Kaurna—who she could not recall because she does not take an interest in who the members of parliament are—or the member for Badcoe, and then began to insult us all.

It began as a very cooperative process, despite the fact that yesterday in a briefing the government promised to give me information they have not provided to me at all. I asked them for publicly available notes that they had on the explanation of clauses. They said that they would be delivered. They offered me a marked-up amendment bill. They said that would be given. That has not been given. Of course, the opposition was briefed on this yesterday and we are debating today.

I was prepared to accept all that, but the Deputy Premier simply cannot help herself because everything is partisan. There is nothing that we do in this parliament that is not Labor versus Liberal, according to the Deputy Premier, and once again her charm shines through. I see members agreeing. So let's all just settle in for a nice long evening here, talking about something that should be cooperative, but the Deputy Premier could not help herself.

If tunnelling is imminent, why not put in a commencement date? Why not tell us that this act will take effect as of 1 July or 1 December or 1 January 2020? Instead, I think my worst fears have been realised. This is a con. There is no tunnel. There is no money. There is no project to go from the river Torrens on to the Darlington project. They have not even started working on the Regency to Pym section of South Road. Of course, through the genius of the Deputy Premier, by her getting stuck into the opposition completely unnecessarily, what could have been a very, very simple passage of legislation will now be very, very difficult.

I look forward to this going to the upper house because I thought this made a lot of sense. But, given the attitude of the Deputy Premier, obviously there is some ulterior motive here. Obviously, there need to be amendments. Obviously, this bill needs to be changed. It could not have been as

simple as the opposition and the government agreeing on something as important as tunnels. No, we could not have that. We had to have the Deputy Premier with her hyperpartisan attitude on everything, yet it is not backed up with actions, is it? It is not backed up with briefings. It is not backed up with the information we have asked for.

So, if the government is serious about passing this bill, the Deputy Premier perhaps should check her language, the Deputy Premier perhaps should offer the opposition the information her staff promised they would give us yesterday, and then perhaps the people's work can continue. It is not as if parliament is sitting a lot. It is not as if this government has a massive legislative agenda. My question to the Attorney-General is: why is there no commencement date in the bill?

The Hon. V.A. CHAPMAN: The member would be well aware, if he remembers any time that he was in government, that where regulations need to be prepared it is not unusual that there is not a commencement date on the bill. The parliament expresses its will in relation to the legislation and regulations are then prepared and circulated for comment and implementation in due course if and when the bill has passed. That is a very common practice.

Under the previous government, I recall specifically—for example, on the natural resources management boards—that before the bill had even passed the previous government had gazetted the members of the boards. That is how arrogant the previous government was. We are not. We are doing this by a proper process. We will listen to what the will of the parliament is. We will then authorise the preparation and approval of regulations to go with it and it will have a commencement date. To the best of my knowledge, there is nothing so pressing that requires the urgent approval of this bill; otherwise, it would have been brought to the attention of the parliament and suggested that we should subvert that usual practice.

Secondly, in relation to the provision of material, I am further advised that the information sought, which was a marked-up act of the current legislation that we are amending overlaid with material as to what is proposed to be changed, has been emailed to the member for West Torrens, and again just recently, in the last minutes. In case he had not read the previous email, it is there again. I would ask him to check his emails.

The Hon. A. KOUTSANTONIS: Who has the Deputy Premier consulted with on this bill?

The Hon. V.A. CHAPMAN: Well—

The Hon. A. KOUTSANTONIS: I have not finished.

The CHAIR: The member for West Torrens has more to add to his question.

The Hon. A. KOUTSANTONIS: Lots more—15 minutes' worth, sir. Who has the Attorney-General consulted with on this legislation? I imagine that there are many people who are eager to have—

Ms Stinson: Not my constituents.

The Hon. A. KOUTSANTONIS: No, my constituents have not been consulted on this bill either. Given the nature of this legislation and the impact it will have on a number of interested parties—including tenants, people who own and operate businesses in the corridor, people who own properties in the corridor, investors who live in the corridor, freight companies who use the corridor, and potential consortia that are going to be bidding to build tunnels—has the government considered speaking to any tunnelling experts on this matter? Has it consulted with them about scope, how the acquisitions should take place and how far in advance they take place?

Has the government consulted with the Property Council, Business SA or REISA? Has it consulted with the local councils impacted by the bill? Has the government consulted with the Freight Council on this bill? Has it consulted with the RAA on this bill? Has it consulted with the residential tenants' association on this bill?

Let me give the Deputy Premier a good 13-minute education on consultation, given how impressive she was in her closing remarks to the parliament. Consultation is one of the most important aspects of consideration in the commencement of any piece of legislation. Commencement of any act means that obviously the parliament has listened to the concerns of all the people who

have been impacted by the bill. Sometimes, people who are not readily considered to be impacted by the legislation come out of the woodwork between the houses.

It is important in getting good legislation and good governance that we do not just rely on the Deputy Premier shouting at the opposition, demanding to know whether or not we have read a select committee report tabled in another place that is apparently the basis for every single amendment before the parliament, which is what the Deputy Premier told the parliament. There was no ambiguity whatsoever in that statement.

The Deputy Premier told us that the entirety of the findings of the select committee are the basis for the amendment bill, so between the houses I will be doing a very quick check to make sure that every single recommendation of the select committee is in these amendments and every amendment is referenced in the select committee report, because that is what the Deputy Premier just told the house. There was no ambiguity there. Indeed, she was mocking the opposition for not having read the select committee report. Wasn't that genius?

Of course, the Deputy Premier in her wisdom knows better than all of us, including you Mr Chairman, me and the member for Badcoe. She is smarter than all of us, so it will be interesting to see when we compare the amendments to that report to make sure that this committee has not been given any information that is not correct because, of course, if it has that could cause resignation or humiliation.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: Laugh. The comments were there. To paraphrase, I think the comments were that, if I had taken the time or bothered to read the select committee report, it is the basis of these amendments, so I am sure that every single amendment in the Land Acquisition (Miscellaneous) Amendment Bill is referenced in the select committee report, and I am sure that there is nothing in the select committee report that is at odds with this amendment bill.

I am sure it is identical, like holding a mirror to it, because anything else would have been misleading the parliament. Anything else would have been giving this parliament incorrect information about a bill that we are considering to try to influence us to pass the bill speedily. Of course, there is no greater crime any parliamentarian can commit than misleading the parliament, so we will check.

In terms of commencement, given that there is no commencement date and the Attorney-General told us that there is no rush, there is no urgency with this bill. She said so herself with her own words. There is no urgency whatsoever to pass this because there are no imminent works. We had the Minister for Transport and Infrastructure say something very different. He said that an announcement is imminent about whether or not the government's comparison between overpasses and underpasses and the 2015 scope of work for the north-south corridor will be done in comparison to a tunnelling project, given tunnelling costs have decreased. That is at odds with what the Deputy Premier has just told us, because there is no urgency apparently.

It is not urgent that we pass this. We can talk about this for weeks or months, using the words of the Attorney-General in her wisdom. Who has been consulted? How were they consulted? Have any of the people who were consulted not supported the amendments put before the house? Have any of them raised concerns that have not been contemplated in the amendment bill? Have any of the organisations that were consulted offered any alternatives? Do any oppose the amendment bill? What does the Law Society say? Were they consulted? What is their view about compulsory acquisition without there being any form of compensation? All these matters are very important to commencement. If only we had the select committee report right here in front of us, then we would be as smart as the Deputy Premier. If only we were that clever.

I would be interested to hear in my second question on the first clause of this process, which the Attorney-General has guaranteed will take hours, who has been consulted? How were they consulted? What has been the outcome of that consultation? How many times did she meet with the Property Council, the Law Society and the Bar Association? What is the Bar Association's view on compulsory acquisition without compensation? I am sure they have a view on all of this. What is the view of all the tenancy associations?

Ms Stinson: Southern Business Connections.

The Hon. A. KOUTSANTONIS: Southern Business Connections and, again, the local council. They will be very interested to know about the Attorney-General's discussions with the West Torrens council regarding compulsory acquisition and tunnelling, and whether the Attorney has had any discussions with Charles Sturt council just because they adjoin West Torrens council.

Ms Stinson: Unley.

The Hon. A. KOUTSANTONIS: Has Unley council been consulted? There is a whole gamut of people and questions that we can raise. Just looking at the amendment provisions and going through all of these, the interpretation raises a good 45 minutes' worth of questions and discussions that we could have on how interpretations come about. I am giving the committee forewarning given how stupid we all are on this side of the house. If only we had the intelligence of the Deputy Premier.

Before I ask my next question, can the Deputy Premier detail to the house with whom she consulted, how she chose to consult with them, the manner in which they were consulted—was it a letter, was it a meeting—and whether they object to or support the amendments? Does she have letters of support from every organisation that she consulted with? Given that in her own words, 'This is not urgent,' if they do not agree, will the minister then adjourn this debate and come back to the house and the committee with the views of the organisations that she has not consulted with that should be consulted with?

I think it is important that we get the full gamut here because we are fundamentally changing the way in which we can do road construction with tunnels. It is very important that we understand in detail the impact this will have. I would also be interested to know what the Real Institute of South Australia thinks about this matter because we had the Deputy Premier who did not, I think, address property values, but the Minister for Transport and Infrastructure did.

Given that the commencement is unknown, will that have an impact this summer and spring for real estate prices, or will it have an impact next season? Should there be more consultation with the Real Estate Institute? What does that currently mean for people who have their houses on the market? But I am sure the Deputy Premier has done all those consultations, given how much cleverer she is than all of us.

The Hon. V.A. CHAPMAN: As I was saying, the Crown Solicitor, the Treasurer, the Chief Justice of the Supreme Court, the South Australian Civil and Administrative Tribunal, the Law Society of South Australia, the South Australian Bar Association, the Australian Property Institute, the Real Estate Institute of South Australia, the Tenants' Information and Advisory Service, SA Water and the Local Government Association were all consulted regarding the bill with a letter in writing that was sent out in early August. Not all of those responded.

In light of the specific question raised as to the West Torrens council and the Unley council having a particular interest, the indication from the Local Government Association was that they would consult with their relevant councils and get back to us if there was anything further to add. That was on 9 August and we have not had anything further from them. The member himself indicated that he wants to consult with his local constituent councils. I do not know whether he did that back in 2017 when the report was completed; nevertheless, obviously he would like to consult specifically and perhaps does not rely on the LGA following that up or is concerned that they have not been consulted. Of course, he will have the opportunity to do that.

The urgency in relation to the matter, I repeat, is one where there is such urgency that we would need to circumvent the usual process, namely, having introduced the bill a couple of weeks' ago, to come to the parliament and say, 'We need to pass this immediately,' as happened from time to time with the previous government. Usually there was very good reason if there needed to be urgent consideration, and we would need to abridge the usual time that would be allowed. The listing of this matter today is consistent with the usual practice of ensuring that the bill is laid on the table to enable exactly what the member for West Torrens complains of, and that is his opportunity to consult. I note that he wants to do some further consultation. That is entirely his prerogative.

I indicate that in general the response in relation to the legislation has been positive; it supports and includes the six legislative proposals in the select committee report. As has been

previously indicated in the second reading, in comment made and, indeed, by the Minister for Transport, there are a number of other practices by DPTI that are already operating and/or have been implemented covering the recommendations in the select committee report, which, as I said, and I repeat for the purpose of this question, has been a useful document.

It was a comprehensive inquiry. Everyone could come and make a submission. Many did, such as the people directly affected by this, some of whom I do not doubt live in the member for West Torrens' electorate, may live in the member for Badcoe's electorate, but certainly lived in the member for Croydon's electorate because of the concerns that were raised at that time.

I do not know what other consultation he would like to do. We believe that we have comprehensively considered this. We think it should have been acted on. We are acting on it. We have conferred again with the usual parties who have a direct interest in this matter, and I am satisfied that they are supportive of the bill.

The Hon. A. KOUTSANTONIS: It seems to me that there was one group that was not consulted and that was the Property Council, which is interesting. I just wonder whether it is because the government and the Property Council are not on talking terms anymore, given the language of the Treasurer, who talked about the Property Council being 'our former friends'. I would have thought that the Property Council would be the first port of call when talking about compulsory acquisition, given they are the peak body for land ownership in South Australia.

However, the Deputy Premier, who knows more than all of us combined and who is smarter than all of us combined, chose not to consult with the Property Council, which I think speaks about the breakdown of the government's relationship with business in this state. Correct me if I am wrong, but I also did not hear that Business SA had been consulted, the oldest chamber of commerce in Australia, I think, lest I be corrected. They also were not consulted.

Martin Haese, the CEO of Business SA, and Mr Gannon, the CEO of the Property Council, are known to all of us. Their details are available. It is not as if it is a stretch for the vice-regal office of the Deputy Premier to contact the Property Council or Business SA and ask them their views about property acquisition and the way it is being changed, especially in dealing with their members, because property acquisition also relates to businesses.

My understanding is that Business SA and the Property Council have not been consulted. The first question, two minutes into my 15-minute question, is why? Why would you not talk to the Property Council? Why would you not talk to Business SA? I would have thought that the orthodox thing to do would be to contact the peak bodies of people who own property and people who are in business to discuss property acquisition policy and legislative change.

It is fascinating to hear that the Deputy Premier has chosen not to, perhaps because her intelligence is so overwhelming that she would know their responses in advance and therefore does not need to consult with them, because she is really smart, or it is because she has not done her job and is not interested in what people think. She has a majority and she is going to pass it, so who cares what the Property Council or Business SA think?

My theory—and it is just a theory I propose; I do not have any evidence to support this—is that relationships between the Property Council and the government have so broken down that they cannot even consult on routine measures. I also did not hear the Freight Council in that list of organisations consulted. So the Freight Council, who are north-south corridor advocates and big users of the north-south corridor, were not consulted. I did not hear about the RAA being consulted, and they are big users of the north-south corridor. They were not consulted. The Property Council, which is the peak body for people who are directly impacted through their property, were not consulted. Business SA, representing people who work in the buildings that are being acquired, were not spoken to.

It takes a special kind of genius—a rare talent and a rare type of intellect—to consult on that level. I am not that smart; I cannot possibly know what they are all thinking, but the Deputy Premier can. Perhaps that is why she has been promoted above all of you opposite: because of that intellect in taking a routine bill and turning it into this. That is special. That is really special. I would like to ask the Deputy Premier, 4½ minutes into my 15-minute question, why it is that that the Property Council were not consulted. Why would you not consult, or is it because of a breakdown in consultation? I

make the point, sir, that the Deputy Premier is on her mobile phone, which is deeply out of order in this parliament, and perhaps you should not allow it.

Another thing is that Business SA have every right to be consulted on these matters, especially given the nature of the acting in good faith regime change, because no doubt they are the ones who employed the lawyers who are being requited. I have no doubt that the Law Society would have their views. I wish the Law Society's views were on the introduction of a good-faith obligation on their members. I am sure most good lawyers would support it. Again, I have no problem with both parties acting in good faith. I think it was a sensible move by the government. The question then becomes, and let us get to the principle of the matter here: what were their views and what did they say to the government? Were they opposed to it?

The minister read out a long list of government organisations that have been consulted. I am glad that the Chief Justice was consulted. I am glad that the Treasurer was consulted on a bill that he agreed to in cabinet. I am glad that other government agencies were consulted. That is 'fantastic', but what about the people who were actually impacted?

The LGA was consulted—they were told in August via a letter—but we were not told who sent them the letter. Who informed them? Was it the Attorney-General, was it the minister, was it the head of your department or was it the Crown Solicitor? Who was it? Was it parliamentary counsel? Who wrote this letter, and was there a time frame on submissions coming back?

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: I think I heard the Deputy Premier say that she signed the letters. That is good: the Deputy Premier signed the letters. Given that the Deputy Premier conducted the consultation, and given that we are talking about part 1 to commencement, the question then becomes: why had the organisations that I mentioned not been consulted? While the Deputy Premier was signing all these letters to the Treasurer, the Chief Justice, Crown law and some other government organisations—that is, the government speaking to itself—why did she not consult with the Property Council and Business SA?

Given that the councils and the LGA have not responded, did the Deputy Premier think that perhaps she should pick up the phone, call the LGA and say, 'Do you have any views on this, because we are introducing this into the parliament?' I know that is a bit much for the vice-regal office to actually go out and speak to people. After all, she did put her signature on a piece of paper. Perhaps we could find that out.

I wonder what the Property Council thinks about the principle of land acquisition without compensation? Maybe it is okay with it. I am not sure if I heard the Real Estate Institute mentioned in that long list. I do not think I did, but I stand to be corrected. Is the Deputy Premier nodding that it was?

The Hon. V.A. Chapman: Yes.

The Hon. A. KOUTSANTONIS: It was? They were consulted? The Deputy Premier is nodding that the Real Estate Institute of South Australia were consulted. I would love to know whether they support these amendments and whether or not they feel that the amendment bill is something they can actually back. Again, given that commencement is entirely in the hands of the minister making a recommendation to the Governor in Executive Council, no-one knows when this bill will start. Uncertainty is causing a lot of problems in the South Australian economy.

Given that we have the highest unemployment rate now in the nation, at 7.3 per cent, and that the government's land tax measures are causing such uncertainty, is another measure on land, with the uncertainty of a commencement date that is known only in the greatest mind of all, the Deputy Premier's, somehow going to impact property values and property prices?

I think these are all questions that deserve to be answered—perhaps if only I had read the select committee report and if only I had listened to the Deputy Premier. I will be looking forward to the Deputy Premier giving me a detailed answer on whether or not the Real Estate Institute support the measures in the amendment bill and what their submission response said, or if they did reply.

Why did the Deputy Premier not write to the Property Council and Business SA and ask their views on whether or not they supported this amendment bill and the measures within this bill?

The Hon. V.A. CHAPMAN: In relation to the bill itself, remembering that it is a bill essentially to expand and protect the interests of the party who is having their property acquired, we think that the list that has been provided to the committee is a good and comprehensive list. A number of the parties, including the Real Estate Institute, did not respond at all. As I indicated, the Local Government Association did respond in early August to say that they would consult with local councils and, if there was anything further, they would get in touch with us.

I am satisfied that, having issued that and having received a significant number of responses supporting the thrust of this bill, that has been very significant. The two-year consultation via the select committee has been both an impressive report and long period of consultation, which has helped advise the government in relation to this matter. Should the member take the view that other entities or associations or persons need to be consulted, he can do so and help inform himself in relation to this bill; otherwise, I will treat his contribution as comment.

Ms STINSON: My question is around when this act will actually come into effect. The reason why I ask that is that for the time that I have been the candidate and now the member for Badcoe, I have had local people asking me when the South Road upgrade will be going ahead. It is not just a matter of mere curiosity for people, though of course lots of people in the area may not be directly affected by it and do have an interest in the project.

For example, there are vacant businesses along South Road. Landowners who have approached me are desperately in need of some sort of guidance from the government on when an alignment will be released and when construction will start because at the moment they are unable to lease their business properties to new tenants because no-one wants to move into a property that may then be the subject of the alignment and then that business compulsorily acquired and they have to set up business all over again.

The vet at Black Forest is one example of a property that has remained empty for quite some time now. I know that that is causing some financial hardship to those involved with that property. It is also obviously a disappointment to my community that we have vacant businesses and that we are not able to avail ourselves of new businesses in those properties—for example, a vet—in the Black Forest area.

I understand that the Attorney was already asked about why there was not a commencement date in here. My question is: can the Attorney can provide any sort of guidance to people in Badcoe, and indeed West Torrens, Elder and other electorates, about when this bill will become an act and come into force and any information that she might be able to provide on when we might see an alignment announced and land acquisitions commenced as part of the South Road upgrade?

The Hon. V.A. CHAPMAN: Can I just indicate that, as the member I think is well aware, the upgrade is progressing and it is taking place in chunks, if I can put it as crudely as that. As she will be aware, south of her electorate, in the Darlington area, a major piece of work is currently underway, and my understanding is that it is progressing well.

Within her electorate as I am aware, and I cannot attest to exactly where the boundary of Badcoe is, I know that the intersection between the Anzac Highway and South Road was a major piece of work under minister Conlon. The work that was done to fix up the failure to provide an overpass for the tram—which I think is in the seat of Badcoe—was also done under minister Conlon, with rapid attention to just south of the intersection I have referred to, north of the Black Forest Primary School, if that is still in the member for Badcoe's area. It is not in your electorate?

Ms Stinson: That is definitely in my electorate.

The Hon. V.A. CHAPMAN: Okay. Those parts have been done on a piecemeal basis. There are other areas, such as the suburb of Croydon, for example, which is south of another major area of work that is being done on the South Road-Port Road intersection, and there is also quite a tranche of residential and commercial leading down to Darlington. Where that finishes in the member for Badcoe's electorate and starts in the member for Elder's electorate or other electorates I cannot be certain.

However, I think that she is well aware that the whole project, the whole 80-plus intersections, which are going to be saved to have lights here, are being dealt with in pieces. In fact, I can remember the member for Badcoe prior to her being in the parliament meeting me out at the superway—another large piece of this whole project, which is the elevated section north of her electorate and which required an enormous amount of compulsory acquisition.

In fact, I can remember quite a lot of Supreme Court litigation arising out of that as a result of the then government demanding to acquire certain property of which, as I was advised at the time, the owners were quite prepared to have a long-term lease but, no, the government wanted to go into property ownership itself and it wanted to have the property. It took it to the Supreme Court.

I recall the member for Badcoe being up there on several occasions when I was the shadow minister for transport asking questions about the issues surrounding that project. So she is familiar, I think, with the fact that there has been a piecemeal development of certain portions of this. There is the one leading up to the select committee involving the constituency of the member for Croydon, who was very aggrieved at a number of aspects of the rollout of that part of the project, culminating in the select committee, which has not yet been completed.

I would suggest to the member for Badcoe that, if she wants to have specific indication to advise her constituency, she specifically puts those issues to the Minister for Transport and seeks a briefing on which particular projects. I cannot read the member for Badcoe's mind as to anyone in her electorate who may have raised concerns and which bits have been raised. I just simply indicate that there may be different reasons that people in her constituency have contacted her about not having notice or wanting to know whether this portion is part of the project that is going to be developed, etc. In that regard, I urge her to meet with the Minister for Transport's nominees to have a briefing in relation to any of those particular aspects; otherwise, I do not think I can assist her.

Ms STINSON: That is disappointing. I will say I have had some contact with the Minister for Transport over the last 18 months and, unfortunately, have not been able to get a briefing on what the plans for South Road are, so I welcome her comments and I certainly will be raising the matter with the Minister for Transport again. Hopefully—

The Hon. A. Koutsantonis: Drop her name.

Ms STINSON: I will; I will be dropping her name. I appreciate it, actually; it is very helpful. I will go back to him and see if a briefing is now available on the plans for South Road so that I can inform my constituents and put their minds at ease and enable them to make the decisions they need to make for their families and their business interests.

My second question was about whether the Attorney had consulted with any local business groups, particularly Southern Business Connections, which represents a large number of businesses in the wider southern suburbs, including businesses along South Road, whether any of the main street organisations in the area had been consulted and whether the Castle Plaza Shopping Centre had been consulted.

I would also like to know if the Attorney is aware of communications between the new Bunnings at Edwardstown and the Attorney or the Minister for Transport. Obviously, that is a fairly recent development. I have been led to believe that there were some assurances given that the Bunnings would not need to relocate and would be fine to stay in its current location. However, lately there have been some questions raised about whether that advice was provided and the nature of that advice.

The Hon. V.A. CHAPMAN: In relation to the Bunnings property, I am aware that it is situated on South Road. I do not have any information in relation to what correspondence it or its legal representatives, or any other representative—perhaps you, member for Badcoe—may have presented to the Minister for Transport or departmental officials, so I cannot assist you specifically in relation to that.

Can I perhaps put in some perspective here that this is not a bill to amend legislation to just provide a potential tunnel under one of the intersections on South Road. It is clearly a major project for which a tunnel option is being considered for all the reasons given, and I think everyone agrees

it is important that we at least consider them as a government. This is a piece of legislation which deals with all property acquisitions.

From our perspective, we do not undertake a consultation with the people of South Australia, have a YourSAy website, on amendment to the Land Acquisition Act, but it is important that we go to the people who have historically represented the major interests, and they include, obviously, legal associations, the Property Institute, the Real Estate Institute, the Tenants' Information and Advisory Service and SA Water. These are all organisations which one way or another are very much involved in the acquisition of land or have an interest, like SA Water, in their potential amenity being interfered with if there is proposed development for which land acquisition is proposed.

No, we have not consulted with individuals along a particular piece of infrastructure that is proposed, but we all know in this house that the Minister for Transport has made very clear that he is considering how he might address some of the issues that have been raised, usually surrounding the protection of certain interests, property, precinct or buildings, and tunnelling is something that he would like his advisers to give advice on as to an option in relation to infrastructure proposed.

Clause passed.

Clause 3 passed.

Clause 4.

The Hon. A. KOUTSANTONIS: The first of my three 45-minute questions will be on interpretations.

The Hon. V.A. CHAPMAN: Point of order: I think they are 15 minutes each.

The Hon. A. KOUTSANTONIS: Three: 15 plus 15 plus 15. With a brain your size, surely you can work out that it is 45 minutes.

The CHAIR: Order! You are both correct.

The Hon. A. KOUTSANTONIS: No, sir, only the Deputy Premier is correct. No-one else in her vision can be correct.

The CHAIR: Member for West Torrens, you do quite rightly have the opportunity to speak for 15 minutes.

The Hon. A. KOUTSANTONIS: Yes, I know I am right, sir, unless the Deputy Premier says otherwise. The interpretation seems to change the definition of compensation, which I think is an interesting concept. The clause amends the definition of compensation to provide that payments made under part 4, division 4 (other payments inserted by this bill) do not constitute compensation for the purposes of this act.

If I turn to the very generous explanation that the Attorney-General gave us on this matter, she claims that the definition of compensation is different from another definition of compensation within this bill. I would like her to go into detail and explain this to me and indicate if she has received any advice of any unintended consequence which would allow—and I do not think this is the case, but I will just check—the state to compulsorily acquire land that is underground but being used and utilised, such as an underground car park, a bore or a well, and not compensate the landowner because it is below surface level. Has she received any advice that that is the case? I do not think that is the case. I hope it is not the case because that would mean that the briefings I have received are inaccurate.

The way I read this, and I could be wrong, is that there will be two definitions of compensation in the bill: one for land as we know it—properties that you can see and touch on the surface—and then compensation for land taken beneath, for which compensation is not payable. Could the Attorney-General give us an explanation of what exactly that interpretation does? I would be interested to know why parliamentary counsel use that terminology, and has she been advised of any unintended consequences?

The Hon. V.A. CHAPMAN: Firstly, I am not aware of any unintended consequences. Secondly, it seems that the member for West Torrens has misunderstood what is being referred to here. This is a provision which clearly attempts to secure the protection of the obligation to meet

up-front payments for professional costs not forming part of the compensation. In other words, the person gets their compensation plus the up-front professional costs. This specifically provides, 'does not include a payment under Part 4 Division 4', which relates to the entitlement in that way. I hope that covers the matter.

The Hon. A. KOUTSANTONIS: I understand that the initial payment of compensation is for $10,000 that is paid directly. That is a separate matter. I am trying to understand this. From the briefing I received, you are given an up-front payment for legal fees up to $10,000. I could be wrong, but that is what I thought it was, and at the end of the process the rest are reimbursed, and that is separate from the compensation for land.

The Hon. V.A. CHAPMAN: Correct.

The Hon. A. KOUTSANTONIS: Given the definition is changing, has there been any question in the past that a reimbursement of legal fees has constituted compensation? I am trying to understand the necessity of this amendment. The question is: have people's reimbursements for professional services been deducted from compensation previously and, if they have not, why is this clause necessary?

The Hon. V.A. CHAPMAN: At present, we have a process where compensation is negotiated and/or determined by the court. That can be in addition to legal fees that are either negotiated or determined by a court at the end. What is being introduced in this bill is the opportunity for the person whose property is going to be acquired to have money up-front to undertake professional work: valuers, assessors, legal practitioners, etc. The purpose of this legislation is to ensure that they get access to that, are able to get that advice and that it be independent of the $10,000 solatium and independent of the total compensation that is either negotiated or determined.

The Hon. A. KOUTSANTONIS: Yes—

The Hon. V.A. CHAPMAN: Sorry, the solatium is $50,000 or 10 per cent, whichever is the lesser.

The Hon. A. KOUTSANTONIS: We have just witnessed a historic act: an error by the Deputy Premier. It is remarkable. I can tell my children I was there when it happened. Given the court can still decide compensation under this act after the commencement of arbitration that the act imposes—not arbitration in a literal sense, but some sort of conciliation or settlement conference—I would imagine that in the past the court has treated compensation separately from professional legal services incurred by the proponent or the landowner who is attempting to negotiate through the Supreme Court.

I still have not got my head around the necessity of the government codifying this. I understand the up-front payment, but any compensation that the court would award would be separate from a reimbursement of professional services and fees that the person may have paid. I imagine that in the past someone would have retained a lawyer, valuations were paid for by the department anyway—that is my understanding—and you would go to court, the court would decide the level of compensation and your fees would be taken care of.

I am not sure what the difference is between that process and this, other than the up-front payment of the $10,000. I do not know of a situation where a proponent to the court has had a smaller level of compensation because of the amount of professional services or fees that they may have accumulated getting to that process. I accept that what the government is attempting to do is a good thing. They are trying to give people money up-front to be able to get these services.

I am sure that in the long term the government somehow saves out of this, otherwise Treasury would not have agreed to the up-front payment. I am assuming that, somewhere along the line, there is a saving for government because of the up-front payment. I am interested to know the necessity of this amendment, given that I cannot think of a case where professional services and fees were deducted from compensation or a court ordered, 'The compensation is only X because you have to pay this level of fees.' I would be interested in the Attorney's answer.

The Hon. V.A. CHAPMAN: I repeat what I said earlier; that is, if arbitrated by a court, a compensation payment, if successful, would be awarded together with any application that they are

successful on for costs and disbursements, including valuation fees and the like. That is what happens now. This bill gives an opportunity for the applicant, the party seeking to have fair compensation for their property under this law, to have up-front access to money by the department, who has to provide it, so they can go and get their professional advice and valuations, etc.

It may not be clear to the member for West Torrens, but I am sure other members on his side would understand that not everyone has access to the resources of meeting legal proceedings. They are expensive. Sometimes lawyers want money up-front. There are disbursements that they expect to be paid. They do not have the money and/or access to finance to support that and that is quite a difficulty for those who think they have a fair case but their access to legal representation is limited.

The whole purpose of this—and again I think that if you read the select committee's report, it is very important that we listen to what they say—is to ensure that people who have a fair claim get access to professional services and they are not restricted in their capacity to sit down and negotiate. In fact, they are obliged to negotiate and hopefully that will save everyone the stress and costs of further litigation. So there are two aspects of this that are important for the litigants: firstly, the up-front payment of moneys, and usually DPTI is the payer in this case, and, secondly, the obligation for mandatory conferencing.

Clause passed.

Clause 5.

The Hon. A. KOUTSANTONIS: The government claims that they need an amendment to put beyond doubt that the act authorises a compulsory acquisition on land to be taken to authorise acquisition of underground land. Section 7 of the 1969 act, which is currently in operation, empowers the government to do just that already. It provides:

> (1) This Act applies to and in relation to every acquisition of land authorised by a special Act.
>
> (1a) A special Act that authorises the compulsory acquisition of land will be taken to authorise the acquisition of land as defined by this Act.

If we go to definitions within this act, I think land is defined. I do not have the definitions in front of me, but I struggle to see the need for this, other than an abundance of caution. I note that there is another amendment before us as well that amends, I think, application. It was a government amendment that was tabled recently on native title. I do not have it here in front of me.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: I will get one. Section 7—Application, subsection (3), provides:

> (3) In its application to the acquisition of native title, this Act operates subject to the provisions of any relevant registered indigenous land use agreement under the Native Title Act…

That is in terms of reference to commonwealth legislation that has any native title considerations. My point is that, given the bill is inserting a clause to put this beyond doubt, why is it necessary, because I imagine that there is nothing in here that requires permission to acquire air space, yet bridges are built and overpasses are built? I am not quite sure what the legal distinction is. Has the Attorney-General received any advice that the government does not currently hold the right to acquire land beneath the ground?

The Hon. V.A. CHAPMAN: In short, the act is silent on this issue and that is why it is very specifically identified to avoid doubt that we are identifying underground land.

The Hon. A. KOUTSANTONIS: If the act is silent on underground land, does that therefore mean the government has no right to build above land because it is not specifically mentioned in the act, as you are building bridges, as you are building buildings that might infringe on someone's airspace? I suppose the classic example of that is the South Road Superway.

There is nothing in here that says the government can compulsorily acquire an air right, given that the briefing the minister's department gave me that said that people have rights beneath them and above them. Given that the superway does go over freehold land and given that there is nothing

in here that says the government has a right to acquire that, does this amendment therefore mean that the government needs a further amendment in terms of air rights?

The Hon. V.A. CHAPMAN: In short, no. The reason for that is that the approval of a bridge or a building that intrudes into the airspace and that you describe requires a different set of approvals. People do not own the aviation space above them and we are yet to write all the laws about space outside of oxygen. In any event, in relation to the direct space above land, there are other laws that relate to the intrusion into the airspace that could occur as a result of a structure being built—planning laws, building codes etc. The answer to the question is no but, because the act is silent in relation to underground, that is why it is in here.

The Hon. A. KOUTSANTONIS: To be clear about this, the minister is saying that the government can build a bridge over someone's land using the Development Act or the Planning Act not the Land Acquisition Act. That is point 1 that the Attorney just told the house. Point 2 is that the Attorney also told the house that people do not own the airspace above them, which is not what I was told by the lawyer the Attorney sent to give me a briefing.

I understand that where there is commonwealth legislation in place giving precedent to air traffic, that is different, but I am talking about areas where there is no commonwealth legislation. The Attorney-General has just told the house, 'No, with airspace, there is no such thing in terms of land acquisition for bridges or overpasses or exit ramps or anything else of the sort,' which I think is reassuring. I know that there are buildings underneath the South Road Superway, and those rights have not been acquired by the state.

In reading this act and in reading the amendment, I was trying to work out what is the problem the government is trying to solve here, other than removing any doubt because the government has the right to compulsorily acquire land. Whether the land is on the surface or beneath the surface, what is the difference? It is land. I am not quite sure what the distinction is, but the advice I received from the agency in my briefing was, 'Well, actually, people have rights beneath the ground and they have rights above them.' Obviously that information given to me was incorrect. Obviously—

The Hon. V.A. Chapman: We are at cross-purposes.

The Hon. A. KOUTSANTONIS: We are at cross-purposes, are we? Well, we have plenty of time to sort this out; it is not urgent. I would like the Attorney to give me an explanation as to if we have to codify that we need underground land, despite the act being quite clear that it gives you the authorisation to acquire land, how do you define underground land?

What is the definition of underground land? With Torrens to Torrens, we acquired the property but we have not gone under anyone's house. I do not think any of our exit ramps go near any other property rights along Torrens to Torrens. My assumption would be that the state already has this right and that this amendment is redundant. The question then becomes: if we do not have the right and the amendment is necessary, why do we not need one for above?

The Hon. V.A. CHAPMAN: I hope this clarifies this. The question really emanated from: if we need to deal with underground by a clarification to be beyond doubt, then why do we not do it above the space? Let's use the superway, as that example has been used. The government have built the structure—cars, trucks and things traverse it—and it sits there and there is a right for that structure to be there, having gone through certain approvals.

It is the obligation of the government, the owner of it, to make sure that it does not breach other laws, such as getting in the way of helicopters or aviation or, for example, the right to light of other buildings around it. These are the sorts of things that have to be sorted out. Once it has approval to do that, it has a capacity to occupy that space. It is right: there can still be other development that sits underneath it, including houses and other roads, but that does not mean that we need to have in our land acquisition law a provision for compensation for that airspace. I hope that is clear.

Clause passed.

Clause 6.

The Hon. A. KOUTSANTONIS: This amendment removes 'if' and substitutes 'Subject to this Act, if'. What is the necessity of this amendment?

The Hon. V.A. CHAPMAN: Under the act, if the bill passes, there will be new obligations and therefore they will be obligations that will say that this relates to the notice of intention being issued and that the requirements in relation to it will then apply. It is simply to accommodate the fact that we are adding into it a regime in relation to the notice of intention.

The Hon. A. KOUTSANTONIS: The next amendment in clause 6 is to section 10(4), deleting 'and in the same way'. The subsection now reads:

> If the Authority changes the boundaries of the land it proposes to acquire in any respect, the Authority must immediately serve a notice of amendment to the notice of intention to acquire the land on the same persons and in the same way…

The government wants to delete 'and in the same way' in relation to the notice of intention to acquire. Can I ask the government why?

The Hon. V.A. CHAPMAN: I think I used this example in the contribution I made in response. If the notice is given initially directly to the person by registered post and then they nominate a lawyer, at present the notice still has to go to the person, not the lawyer. So, notwithstanding that a person has nominated a particular legal practitioner to receive further notices on their behalf, unless we change the law they would not be able to do that. There would still be the obligation to serve directly on the person.

Obviously, in other proceedings, if someone nominates an agent, such as a legal practitioner, because they do not understand what they have, or they want to get advice, or they want to be protected, the lawyer gets the notices second. That is the example I gave. To enable that to happen, the notice can be issued differently to that practitioner. As the member may know, practitioners might be served by email, by fax, by DX exchange boxes, if they still have them, etc. So that process is different from the original process, which requires that it be given to the applicant, that is, the applicant for compensation.

The Hon. A. KOUTSANTONIS: Let me get this straight: the current act says 'on the same persons and in the same way'. So if the person has a lawyer—

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: That is obviously ridiculous.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: That is obviously ridiculous. My concern here is that legal practitioners should be getting the notice at the same time and in the same way as the person they represent—they have a right to that. The state is now saying, 'We are not going to tell your lawyer; we are just going to tell you,' but people are entitled to nominate their lawyer as their representative and to receive information.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: It does not seem that you are. It seems that the government is saying, 'If we sent it by email the first time, we have to send it by email the second time, otherwise it's redundant.' That sounds silly. I have no opposition to you removing this, but I am stunned that we are even talking about this because the words 'on the same persons and in the same way' were probably initially drafted to make sure that the government cannot inform people in a different way so that they are not aware that things have changed. I am assuming that the intent of the original clause was to make sure that the procedure followed initially is the same as the procedure followed the next time, so that everyone knows what the rules are.

The government is deleting that, so it could be, 'Well, we put it in the *Gazette*. Didn't you see it in the *Gazette*? We informed you in the *Gazette*.' I am a bit worried about this, not because I think the government's intent is to try to hoodwink people but because, if you are changing the manner in which you do it from one time to another, there is nothing in the act that requires you to inform the same person in the same way you informed them the first time.

The Hon. V.A. CHAPMAN: There is notice that still has to be given, on both occasions, to the person. The only thing that is changing is how they are notified and where that address might be.

Say, for example, the member for West Torrens, Tom Koutsantonis, was going to seek to have compensation for a property and he decides that he is going to instruct Vickie Chapman as his lawyer.

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: He has a notice and he thinks, 'What the hell does this mean?'

The CHAIR: It is just an example, of course.

The Hon. V.A. CHAPMAN: He decides, 'I have this notice, so I am going to contact these people at DPTI and tell them that I am instructing Vickie Chapman to act for me, and this is her address.' So the next notice to Tom Koutsantonis has to go to Tom Koutsantonis via Vickie Chapman's professional address because Tom Koutsantonis has said, 'I want to nominate these people to represent me.' So, yes, a second notice has to be sent, but not in the same way because that would ignore his instruction that he has made a decision to have a representative. That is what it is to accommodate: not that he does not get notice the second time but that his preferred party to receive it is respected. That is what we are trying to do here.

The Hon. A. KOUTSANTONIS: We really—

The CHAIR: We are going to squeeze another question in?

The Hon. A. KOUTSANTONIS: I understand the government's intent—

The CHAIR: It is a point of clarification, isn't it, member for West Torrens? Is it a point of clarification on clause 6?

The Hon. A. KOUTSANTONIS: Yes, sir. Have we really reached the point of madness where courts are saying that because it was not sent on the same fax number to the same person the government is in breach of section 4, part 2 of the act? It is ridiculous.

I accept the government's argument that they do want people to be aware, but they just do not want it codified to the point of the ridiculous, but I am also concerned that the government can say, 'We've notified you because we published it in the public notices.' In the same way, to me, it says, 'We wrote you a letter the first time. We are writing you a letter the second time.'

I accept what the Attorney-General said, but I also think the people who designed the act to start with were also trying to protect people to make sure that they knew the government was changing what they wanted. We will keep a close eye on this, and perhaps the government between the houses can think of a better wording to make sure that the people who are being informed are informed in the same manner—that is, if it is a notice or a letter or an email or whatever the process of contacting people is, whether it is through their lawyer or otherwise—so that it does not descend into, 'We put an ad in *The Murray Pioneer*; you should have known.'

The Hon. V.A. CHAPMAN: Let's be clear: notice requires a notice directed to the person, not an advertisement on social media, Facebook, *The Advertiser*, *The Courier-Mail* or anything else. It is a notice and there are prescriptive arrangements around that. This is simply to accommodate where it is go to and the format in which it is to go. The same information, the same obligation to give notice—to use the example, to Mr Tom Koutsantonis, and the example that I have referred to—is still required.

Ms STINSON: I was looking for some clarification. It is possible I have misread here, but I wondered if the Attorney or her advisers might assist me. As far as the question of method of service goes, when I go back to the Land Acquisition Act, it provides, 'For method of service see Part 5 Native Title (South Australia) Act,' which I have seen, and it seems very, very specific to native title matters and not really much to do with the circumstances that we find ourselves with in this bill. I just wondered if I have understood correctly in that the method of service is the one that is in the Native Title (South Australia) Act.

The Hon. V.A. CHAPMAN: Which section are referring to?

Ms STINSON: Part 5 of the Native Title (South Australia) Act. In the Land Acquisition Act it is part 2, section 10.

The Hon. V.A. CHAPMAN: Yes, 'A notice of intention to acquire land'.

Ms STINSON: There is a note just above section 11 in the Land Acquisition Act.

The Hon. V.A. CHAPMAN: Yes, I am looking at it.

Ms STINSON: There is a note that says, 'For method of service see Part 5 Native Title (South Australia) Act 1994,' but then when I go to that section it seems very specific to native title holders and talks about their registered representatives and relevant representative Aboriginal bodies. Is this in fact the method of service that a person would follow?

The Hon. V.A. CHAPMAN: Can we be clear here that the parties are the person who is seeking to have compensation for their land that is acquired, and the agency—in this case, DPTI—which has an obligation, wanting to acquire the land. There is a third group and that is those who are the beneficiaries of native title. That is frequently neither of these other two parties; in fact, most likely not. So what is important to the Native Title Act is the process that is to occur in relation to service on a party who may have an interest in native title.

Ms STINSON: I might just clarify what I am talking about. Maybe I have not been quite clear enough. What I was seeking to find out was what the method of service was for both land acquisitions and underground acquisitions. From my reading of the Land Acquisition Act 1969, I was referred to Part 5—Service on native title holders. What I am trying to clarify is whether that is the process for method of service that I should be looking at for all parties, or have I misunderstood that in some way and that is simply the process specifically for native title holders?

The Hon. V.A. CHAPMAN: We will get that for you; I will get the act. The general provisions for service are in the miscellaneous section of the current Land Acquisition Act 1969. The provision for native title is in—and that only relates to the native title parties.

Ms STINSON: Would you mind finishing the sentence? I think you are saying 'the provision for native title is in the'. Which section of the Land Acquisition Act is it in?

The Hon. V.A. CHAPMAN: Section 5; you just referred to it—part 5. The normal method of service is outlined, I think, in the miscellaneous section of the act—section 31. I will just find it and read it out to you, if you like.

Ms STINSON: No, I have it.

The CHAIR: So everyone is clear on that. One more question, member for Badcoe.

Ms STINSON: My question is whether the method of service is the same for underground, which is of course a new provision in the bill, and whether it is the same as the process that is adopted for existing at grade, if you like, land acquisitions. Can you detail any differences?

The Hon. V.A. CHAPMAN: The short answer is, no, because it is truncated. All the provisions in part 2, which is in part 4A, do not apply. Part 2, part 3, part 4, division 2 do not apply.

The CHAIR: A final question—this is a point of clarification, is it not, member for Badcoe?

Ms STINSON: Sure. Can the Attorney describe what the method or way of service is in relation to underground land acquisition? How is it notified? How are people notified of their rights or obligations as distinct from what happens in the rest of the act?

The Hon. V.A. CHAPMAN: Later on in the bill, the introduction of the provision for new 26F will set out acquisition of underground land. Firstly, it provides:

(1) The Authority may, at any time, publish a notice of acquisition of underground land in the Gazette.

That is the first notice. On publication of the notice, it is required to do certain things. That sets out step by step what is required to be done.

Ms STINSON: Is that the sum total of it?

The Hon. V.A. CHAPMAN: Correct.

Clause passed.

Clause 7.

The Hon. A. KOUTSANTONIS: Clause 7 inserts a new obligation to notify the authority of other interests in land. New section 10A—Obligation to notify authority, provides:

> (1) An owner of land to whom a notice of intention to acquire the land is given must, no later than 14 days—

this is another requirement the government is placing on the landowner—

> after receiving the notice, notify the Authority of—
>
> (a) any other person who, to the person's knowledge, has an interest in the land; and
>
> (b) the nature of that person's interest.

Other than the registered—

The Hon. V.A. Chapman interjecting:

The CHAIR: Attorney, I do not think the member for West Torrens has finished his question yet.

The Hon. A. KOUTSANTONIS: Other than the registered owner of the land, why is the government placing another burden on landowners to inform the government of further information, and how does the government define 'interests in land' in this bill?

The Hon. V.A. CHAPMAN: It is presumed here that the owner of the land is the person most likely to know of people who have an interest, either because they have signed them up as a tenant, for example, and have a residential tenancies agreement, or a commercial tenant. They have it registered on the title if it is a commercial tenant. They also may know that they have offered a facility on a regular basis for somebody to access the property and utilise it with or without rent. So there may be some more informal occupancy, which is not registered on a lease or is not part of a residential tenancies agreement but which has occurred over a period of time.

For that purpose, it is important, as was evident in the select committee inquiry, that these people also be able to have notice because they may, as a tenant of some kind, have a right of entitlement to solatium or some other benefit. Only the landlord, the owner of the property, really has any information about that. So if DPTI are going to have a responsibility, for example, in the logical circumstance of making sure that anyone who might have a lawful claim gets to know that they may lodge a claim, then they need to know who they are. That is why it is there: to make sure that people who might have a claim at least have notice and they can get advice about whether they are going to pursue anything themselves.

The Hon. A. KOUTSANTONIS: In terms of the compensation or solatium that the government has talked about, is the same amount available per property or per interest in the land? For example, given the 10 per cent or $50,000 figure, is that available per property or per interest in a property?

The Hon. V.A. CHAPMAN: That applies to an owner-occupier, and it is their principal place of residence. It may be 10 people or it may be one, but each gets the right to that claim.

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: My understanding is that it is up to a maximum for that to be each, but remember that they have to be the lawful tenant. The people who get notice are in the definition of the act, which provides:

> interest in land means—
>
> (a) a legal or equitable estate or interest in the land; or
>
> (b) an easement, right, power, or privilege in, under, over, affecting, or in connection with, the land; or
>
> (c) native title in the land;

Sitting extended beyond 18:00 on motion of Hon. V.A. Chapman.

The Hon. V.A. CHAPMAN: The minister asked this question about a mum and dad who are the owner-occupiers. They share the $50,000. They have six kids, but they are not the

owner-occupiers. They live in the property, but they do not get to share it individually; the owner-occupiers share it. If there is another tenant in the property at the same time, then they have a different entitlement, potentially, but that is a different matter altogether and they do not get the same benefit as an owner-occupier.

The Hon. A. KOUTSANTONIS: What if the principal place of residence is also a business, where one of the partners has a hairdressing salon in the garage that is approved by council and perfectly legal? They own the property and they are paid the solatium. Is the registered owner, who is also the same person as the legal owner of the land on the title, entitled to a separate payment or is there only one payment?

The Hon. V.A. CHAPMAN: So that I have this clear, we have the same scenario of a couple who are occupying a property. They operate a business from it and also live in it. Is that the scenario you are putting to me? Do they have a right to share, as owner-occupiers, a compensation payment plus their solatium; is that the question?

The Hon. A. KOUTSANTONIS: Just to be clear, let's say, for example, partner A is on the title as the owner and is married. Partner B has a licensed business on the property and a lease with a partner. Are there two separate payments, or do they share the one?

The Hon. V.A. CHAPMAN: Hence, we go back to that scenario. If they occupy the property as their principal place of residence and they are going to be moved on, they can make an application for the solatium payment. If there is a business that is being interrupted as part of a compensation claim, then that would be part of their claim; is that what you are saying?

The Hon. A. KOUTSANTONIS: Yes. So do they both get two payments?

The Hon. V.A. CHAPMAN: No, they still share the one payment. If only the husband operates the business but they are owner-occupiers and reside in the property together, that is where I think the complication is coming in. Is that what you are suggesting?

The Hon. A. KOUTSANTONIS: Yes.

The Hon. V.A. CHAPMAN: In that instance, as a couple, they are the owner-occupiers in relation to the solatium. In relation to the business, which only he owns but operates from there, he gets the compensation payment as the business loss because he is the only owner of it.

The ACTING CHAIR (Mr Duluk): Member for West Torrens, your fourth question on clause 7?

The Hon. A. KOUTSANTONIS: I do not mean to be difficult on this—

The ACTING CHAIR (Mr Duluk): I am sorry, member for West Torrens, you have had three questions on clause 7—

The Hon. A. KOUTSANTONIS: You are not letting me ask another question?

The ACTING CHAIR (Mr Duluk): I am saying it is your fourth question on clause 7.

The Hon. A. KOUTSANTONIS: Congratulations.

The ACTING CHAIR (Mr Duluk): On clause 7, member for Badcoe—

The Hon. A. KOUTSANTONIS: We are going to be here all night.

The ACTING CHAIR (Mr Duluk): That is great.

The Hon. A. KOUTSANTONIS: You are here five minutes and look how you are behaving.

The ACTING CHAIR (Mr Duluk): I was being polite and I was—

The Hon. A. KOUTSANTONIS: No, you were not being polite; you were being a smart arse.

The ACTING CHAIR (Mr Duluk): Member for West Torrens! Member for Badcoe, do you have a question?

Ms STINSON: I do, sir. My question goes to an issue that I raised in my second reading contribution, which is around bores. I realise that the Attorney is seeking some advice about this, but

I just want to get it on the record so that a response does come back. This section obviously deals with an obligation to notify an authority of other interests in the land. For a resident who has a bore, would that include notifying about the bore?

I understand that SA Water would actually be the owner of the bore. Would it be up to the government to do its own record check and determine any SA Water or government-related interests on a piece of land? I ask that because a resident may well be aware of a bore, but there is obviously a penalty connected with this, which is $5,000. A person may find themselves liable if, for example, they make the assumption that the government would already be aware of such an interest as a bore and they neglected to pay that.

The Hon. V.A. CHAPMAN: As I indicated—and all of this is on the record, so I do not need to repeat it, but I will for the sake of the member for Badcoe—the question of interruption to a bore, which is access to water essentially by the landowner, is a matter we are getting further advice on, and she will be advised as soon as we have that information.

I think it is fair to say that what is important here is that, if there is a structure underground like a bore and there is equipment there—remembering here that the equipment there is being stored at the cost of the landowner usually or the property has been acquired with that particular amenity on it, and assuming that the owner knows that it is there, because otherwise there has to be some reasonable excuse if they do not know—they are obliged under this proposal to give notice to the authority that it exists.

Ms STINSON: Even if it is a government asset?

The Hon. V.A. CHAPMAN: The member says, 'Even if it is a government asset?' but it is another person's interest.

Ms STINSON: Is a person the government or SA Water?

The Hon. V.A. CHAPMAN: I think you will see that it states 'any other person who, to the person's knowledge, has an interest in the land'. I am assuming that would be the minister, whether it is via SA Water, the Department for Environment or some other agency, and that is why we need to be clear about that obligation. Bear in mind that if the owner of the land did not even know that it existed, did not ever use it or did not know that it was even in the back of the garden, they would have a reasonable excuse not to pursue it, which is made provision for in this.

It will depend a bit on ultimately if a tunnel is dug and where it will be, whether it traverses the infrastructure that is part of the bore or whether it interrupts the flow of the water to be able to access the bore. In other words, the bore is still sitting there but the tunnel is over there and once it is there it interferes with the flow for the access to the bore and the bore needs to be either higher or lower to get access to water, for example. These are all the sorts of things we will have to have a look at in relation to what amenity that represents—who owns it, who has an interest in it and what compensation, if any, should be paid for it. They are the things we obviously need to have a look at.

It may be that ultimately the water flow is not interrupted and that the bore can be accessed from another point—that is, the water can be accessed from another point—and that may need to be done to access the same entitlement to water, in which case there would be an infrastructure cost, a redrilling cost, etc. So it depends on what the interruption is going to be to affect that underground access, for want of a better word, to the water supply they are purporting to be able to continue to be entitled to.

Ms STINSON: From that, I take it that the Attorney is saying that, if a person had a SA Water bore on their land, that would be taken under this section to be another person, possibly being the minister who is responsible for SA Water. The concern I have is that there is a penalty of $5,000 attached to this. I do not necessarily think that all or indeed many of my constituents would necessarily realise that under this clause they needed to inform the government of a government asset that is on their land. Therefore, my concern is that they may fall foul of this in failing to notify in the circumstance where they are aware that there is a bore on their land.

I wonder if the Attorney can inform the house whether the concern that I have is a real one and, if so, how she proposes to address a circumstance where someone, maybe in all good faith,

does not realise that under this they are obligated to inform the government of a government asset, such as a SA Water bore?

The Hon. V.A. CHAPMAN: A penalty of $5,000 applies to a person who is found to have without reasonable excuse refused or failed to comply—that is, to notify—and I think it is important to identify 'without reasonable excuse'. I am advised that under this process the notice that is given and the information that is provided to that person will include the obligation to notify of any other party's interest on the land, so that will be quite prescriptive.

The inadvertence in perhaps having read that notice may be sufficient to allow the reasonable excuse to be applied, and that is why it is there. Obviously a strict liability would not be fair. It is important that notice be given, but it is also important that we accommodate a circumstance where even when notice has been given and they have not acted, if it is without reasonable excuse, that they be in a way relieved of the offence and/or the penalty.

One thing that is important here is that the landowner and/or occupier—because sometimes they may or may not occupy that land that they own—is really the only person again who is familiar with what is actually on their property, and this is why, again, it is up to the landowner to let the authority know what is there on their property that needs to be taken into account. It is a bit late once the bore is there and the tunnelling starts burrowing through it, and they smash the bore to pieces, to say, 'Well, I didn't know it was there.' If they knew it was there, and it had been brought to their attention that they needed to report that, and they do not, and they do not have a reasonable excuse, then they are going to be liable to prosecution which could result in a fine of up to $5,000.

Ms STINSON: I make the point that the type of circumstance that I am concerned about is that there are quite a number of bores across the electorate of Badcoe—

The Hon. V.A. Chapman interjecting:

Ms STINSON: Yes, I am sure they are all over the place. Indeed, the Attorney makes a good point. I suppose our community is particularly aware of where they are because there have been EPA notifications to people about bores, which I know is a circumstance that has occurred in the western suburbs and other places as well. Having visited many of those people and door-knocked them, I am aware that many of those people with those bores are migrants mainly from Greece and Italy, older people who would not necessarily have the wherewithal to understand the legislation or may not be able to get across notices that are given.

I am encouraged by the Attorney saying that some sort of written notice would be given to people to alert them to this, and from what you are saying, it sounds like some inadvertent failure to advise would not necessarily automatically trigger a fine or a conviction under this section, so I am pleased to hear that if I have understood that correctly.

My final question is around payment, for example, for an interruption to a bore facility. The Attorney touched on that previously in terms of how access may be restricted to the bore or indeed it may be the subject of destruction by any tunnelling that goes on. Is there any light that the Attorney can shed on who would pay for any costs incurred or how compensation would occur with a landholder, considering that there is no compensation under the new section for underground land acquisition?

The Hon. V.A. CHAPMAN: Again, this is why it is important that we get the correct advice on how compensation applies, if it applies at all in these circumstances. On the face of it, the structure underground is not compensatable if it is interrupted. As I was saying, it may damage the stalk of the bore, it may damage pumping lines or it may damage or interfere with the water flow that gives access to the bore.

At the moment, on reading the bill, that would not be compensatable. Whether in fact there is an entitlement that flows from the fact that there is an above-ground facility as part of this bore, which may be infrastructure as part of a bore—pumps and things that go with it—which does attract it, I do not know. That is why we are getting some advice on that aspect and whether it might interrupt it.

I suppose to some degree, it would be a bit like having a driveway, which goes onto a road, and there is a development of some kind, a road, a bridge or whatever that does not allow you entry

onto that road, so you cannot get off your property. That is the sort of situation where we may need to look at how we are going to make provision for infrastructure or amenity on a property that is going to be interrupted from its usual use. Does that make it clear? That is what I am looking for and I am assuming that is what you are looking for on behalf of your constituents.

As to those who are receiving a notice via registered mail, which looks like an official document and says to them, 'We are giving you notice that we are going to take your house,' and nicely lists out all the things they are supposed to do, obviously, I do not doubt that would be confronting to most people. Read the select committee report. They are pretty clear about that. I think that would be a bit concerning and confronting for someone with limited language skills, who might not be sure about even the reading of it in English, and I am sure that would not be confined just to those from Italian and Greek backgrounds but anyone who may have some difficulty with understanding that.

I think it is a process that we need to take into account and that is why it is really important that we have in the bill provision for that person to be able to get up-front advice and be able to look at data that is available to DPTI—valuations and the like—be able to access their own professional advice for valuation or assessment, and be able to have that up-front so that they can be properly informed and advised as to what their entitlements are. That is why the bill and that portion of the bill is terribly important. It is hard enough for people with English as their first language, who can read and who are quite literate.

I think the member for Badcoe would understand that when she has constituents come to her and say, 'I have tried to deal with a government agency. I can't get through on the phone. I don't understand what they have sent me.' It is frustrating enough for the average person. For someone with a language impediment, I imagine it would be extremely confronting, especially if their whole life is invested in a property that they currently occupy as their home.

I think we need to make sure that we have it as clear as possible what the impost is going to be on this person—namely, the threat of their home being acquired—and avail them of every possible resource to make sure that they clearly understand, with professional help and advice, what their obligations are and what their entitlements are. That is the object of the bill.

Ms STINSON: Especially if they might face a fine.

The Hon. V.A. CHAPMAN: In relation to other amenities or interests of another party on their property, it is not just water bores. There may be someone else who has built a shed on the property, which they are entitled to come and pick up. Do you see what I mean? There could be other property that is movable—vehicles and the like—on the property. These are the sorts of things that I think we need to be clear about, with them disclosing to the relevant authority what is there, what they think is there and what they reasonably expect to know is there.

Clause passed.

Clause 8.

The Hon. A. KOUTSANTONIS: Regarding the right to object, the government is giving SACAT an extra seven days to make their deliberations on an appeal but giving no extra time to people who have an interest in the subject land to contact SACAT. I find it an interesting distinction that the government are giving SACAT a longer period of time to consider these matters but not giving interested parties a longer period of time to contact SACAT to register an appeal or a grievance. I would have thought that the government are interested in the rights of landowners and people who are interested parties. I assume or hope they are. Section 12 of the current act provides:

(1) A person who has an interest in the subject land may within 30 days after notice of intention to acquire the land is given or, if an explanation of the reasons for the acquisition is required, within 30 days after the explanation was provided, by written notice—

(a) request the Authority not to proceed with the acquisition of the subject land; or

(b) request an alteration in the boundaries of the subject land; or

(c) request that a particular part of the subject land be not acquired, or that further land be acquired.

That is, they take the whole thing, rather than just parts of it and make it unproductive. This act then goes on to the right of review, and then we get to the section that refers to SACAT. The part that is being amended refers to section 12A(3): 'The Tribunal must complete its proceedings on a review within 14 days,' yet the government is giving it an extra seven days. I would have thought that the appropriate thing to do here would be to give people more time to prepare an objection to SACAT.

I am sure that 30 days has worked. To be fair, I have not checked the select committee to see whether or not there is a recommendation for it to be longer than 30 days. However, given that the Attorney has assured the house that the amendment bill and the select committee are identical, I wonder whether 30 days is enough time to brief, get briefed, understand what your rights are, understand what your objections are, talk to your business partners, talk to interested parties and then go to SACAT with your objections.

Obviously, there are a number of hypothetical scenarios that could be envisaged by the right to object. The government could be acquiring one piece of land and somebody could be taking up the option. The government whip, the member for Hammond, talked about a proposed acquisition between shearing sheds and yards, and obviously that would have made that entire land redundant. So you would give an opportunity for the landowner to say, 'Take the whole thing because you are making my land unworkable.' The government is saying, 'Your right to review that is within 30 days from the date of notice of acquisition.'

Ms Stinson: It is 21.

The Hon. A. KOUTSANTONIS: Is it 20 or 30?

Ms Stinson: It is 21 that they are proposing.

The Hon. A. KOUTSANTONIS: No, they are proposing a 21-day period for SACAT to consider the review, but the time to notify SACAT is 30 days. Given we are giving SACAT extra time, I would have thought that the government would turn its mind to giving those people subject to acquisition more time to prepare their case for SACAT. I would imagine that 30 days means 30 business days, so that is a bit longer, but it might not be. I hope the Attorney can answer that for me. The first point of my question is: does 30 days mean 30 business days, or is it 30 physical days, including weekends?

Secondly, did the government consider increasing the time to, say, 45 days or 35 days, or making it 30 business days, if necessary? Was the decision on the requirement for SACAT to make its final review within 21 days made on the basis of a request from SACAT, or was it something that came out of the review?

I am interested to know whether or not the Deputy Premier consulted with SACAT on this very provision, whether the tribunal got back to the Attorney-General with a point of view and whether any additional resources had been allocated to SACAT for this additional referral.

The Hon. V.A. CHAPMAN: The member for West Torrens previously indicated that he had made a request for a marked-up copy of a bill, which had not been provided. I want to advise the house that at 12.16pm yesterday, on 14 October, an email was sent to the member for West Torrens incorporating not just the marked up act with the inclusion of the bill but also a proposed amendment, talking points and the parliamentary committee report, which is referred to as the select committee report, for his consideration.

There was an explanation in the email that the proposed amendment was to accommodate a clarification that native title cannot be extinguished without compensation. I just place that on the record as to the four items, together with an explanation of clauses, which makes it five, that were emailed to him yesterday.

In relation to section 12, the various time frames have been raised, including the 30-day obligation, on the right to object. There has been no complaint about that, and so there has not been any amendment to that. That remains. This amendment deals with the 14 days moving to 21 days. As I have previously stated, that was specifically at the request of SACAT, who were on the consultation list. They did indicate that they would need some extra time. My recollection is that the Crown Solicitor's Office also indicated that there needed to be extra time.

My understanding is that there was a request that it be along the lines of 'as soon as practicable', as distinct from 14 days, but for certainty for the claimant it was important that there be a time frame on it. The time has been extended to accommodate a request of SACAT, bearing in mind that the former Attorney-General removed the review process of a minister and transferred that, via a bill in this parliament, to SACAT. At the time, he just left the 14 days. SACAT now have responsibility. They have not yet, as I understand it, received an application or dealt with one of these issues, but they are alerting to us, via the consultation process, that they need more time, and that is exactly what this amendment does.

The Hon. A. KOUTSANTONIS: I thank the Attorney-General for clarifying that her staff did send that to me. I apologise to her staff, if they are listening, for my error, but I had not seen it. I take the word of the Attorney-General that it was sent at 12.16. I accept that, but I have not yet seen it. If the Attorney-General says that her staff did that, I believe her, but I will check when I get back to my office.

I do find it interesting, given the Attorney's explanation, that there was no complaint about the 30-day period to lodge a right of appeal. I find it interesting that no-one has complained.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: I know; you said that. You have told the parliament quite emphatically that there has been no complaint whatsoever about a 30-day right of appeal. Given we are considering the time it takes to lodge an appeal, I would have thought that perhaps 30 days might not be sufficient, but I accept what the Attorney is saying. However, this is probably a matter that we will consider between the houses and may even consider amendments in the upper house to give people a longer period of time to lodge an appeal in SACAT.

I know this bill is not just about the north-south corridor but, given the demographics of the people along the north-south corridor, I would have thought it might be prudent perhaps to give them a longer period of time, but I accept that the Attorney says she has received not one single complaint about the 30-day time frame. I think it might be prudent to extend that by a few days, just to make sure that people have the opportunity to brief someone and get some advice before you attend SACAT and make your objections. SACAT making their determination within 21 days or 14 days I assume is about limiting the time SACAT have to consider this. It is all about—

The Hon. V.A. CHAPMAN: They have to give an answer.

The Hon. A. KOUTSANTONIS: That they have to give an answer, yes; it just cannot be indefinite. We want to get on with the project, give people certainty and, hopefully, let them move on. If SACAT made representations to the Attorney-General, I would assume that they may have asked for more than 21 days, if I know how these bodies work.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: No?

The Hon. V.A. CHAPMAN: To be clear about that, I just said that what they said was we would seek that it would be words to the effect that it be provided as soon as practicable; however, to look at the certainty for the claimant on the advice also from the Crown Solicitor's Office to marry this up, we needed, yes, some extra time, but look at that being 21 days.

We have had no indication from SACAT having set that time as something that is a fair balance. In other words, you are there to make decisions on administrative decisions. It has moved from a minister and it has come across to SACAT. Justice Hughes, of course, would put back to us, 'We've got no chance of accommodating that,' but that has not been the case, so we are satisfied that she understands what her obligation is—to get her tribunal to provide that—and in my experience it is a tribunal doing exactly what it was supposed to do: prompt, accessible determinations of civilian or administrative decisions that need to be addressed expeditiously and they do it.

The Hon. A. KOUTSANTONIS: I had not finished asking my question when the Attorney stood up.

The ACTING CHAIR (Mr Duluk): That is fine, member for West Torrens.

The Hon. A. KOUTSANTONIS: As I suspected, the 21-day solution is not SACAT's recommendation: it is an invention of the Attorney, which is fine, nothing wrong with that, but to claim that SACAT wanted 21 days is not accurate.

The Hon. V.A. CHAPMAN: I did not say that—

The Hon. A. KOUTSANTONIS: I did not say you did. It is alright, calm down.

The ACTING CHAIR (Mr Duluk): Is there a question here, member for West Torrens?

The Hon. A. KOUTSANTONIS: There is a 15-minute explanation of my question, yes, sir. SACAT have asked for as reasonable as practicable and the government has decided that means an extension of seven days. Again, between the houses, the opposition gives notice that perhaps the 21 days is not sufficient, and we will consult with SACAT.

SACAT might decide it is inappropriate to consult with the opposition about this matter but, given the answer the Attorney has given us, I suspect that what they are looking for is an answer to be able to report—given that, yes, they are not a judicial body but a tribunal—to give them a bit more judicial independence, perhaps maybe as soon as practicable could be a very good compromise and perhaps we could put in a time no longer than six months, or no longer than four months, or three months, or two months, or whatever it might be.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: Yes, I am on the side of the judges. I am always on the side of the judges and the lawyers.

The ACTING CHAIR (Mr Duluk): On the side of the angels, member for West Torrens. If there is a question here, I would love to hear it.

The Hon. A. KOUTSANTONIS: And you will.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: We are all imperfect sinners. I know that I am not as perfect as you or as smart as you or as learned as you.

The ACTING CHAIR (Mr Duluk): I think the Attorney meant a judge not a saint.

The Hon. A. KOUTSANTONIS: A judge not a saint, yes. I think, given the Attorney's answer, the question I will be getting to in a moment is about how the Attorney came to the 21 days, given the answer she received from the consultation with SACAT, which was, from what I have been able to gather from the remarks of the Attorney to the parliament, that SACAT asked for as much time as they needed but they would make sure that it would be reasonable. That seems reasonable to me.

SACAT is a very efficient tribunal. I think they do their work expeditiously. I am not sure that I have seen any evidence of SACAT taking an unduly long time. Obviously we want an end to this and we want an end point but, given that their submission was not 21 days but a longer time frame, I would be interested to know how the Attorney came to 21 days. Why was it 21 days, not 28 days, or not the same 30 days that proponents are given to register their complaint or go to SACAT?

I think what we do not want to have happen here is a cookie cutter approach to land acquisition, because every case is different. Given that every case is different, especially with the diversity of land acquisitions that the government is involved in, especially when it comes to businesses, farms or whatever it might be, perhaps SACAT cannot develop a cookie cutter approach to appeals and may need a longer time to investigate and deliberate on these matters as a tribunal.

Perhaps this is an interesting insight into how consultation works with the government. SACAT writes back to the government saying, 'We want more time.' How much time? 'Well, as much as is reasonably practicable for us to determine this.' The government says, 'Okay, we decide that's 21 days.' That is not consultation. That is deciding, 'I am giving you an extra seven days and that's as good as it is going to get.'

If that is the consultation that has occurred with SACAT, I now understand why the government has not consulted the Property Council and Business SA on these matters: (1) it would

have been redundant and they would not have listened, and (2) the government was not really interested in dealing with their needs. I have to say that I am not quite sure that forcing SACAT to make these decisions quickly is in anyone's interests, other than those of the proponents of the road project, which is the government.

Given that we are deliberating on an amendment bill, the aims and objectives of which, we are told, are to improve the lot of people whose land is being acquired, this seems in stark contrast to those objectives. It seems that it is in contrast to the objectives of the parent act, which states that we do everything here on just terms. So, 21 days is an improvement on 14 days, no doubt, but I do not think it represents the outcome of the consultation that the Deputy Premier did but, to give her credit, I understand what her thinking is here.

My second question to the Attorney-General on this clause is: how did you come to 21 days? Has SACAT responded in any way to the 21 days to advise the government that that is sufficient? If they have not written back objecting, is that taken as implicit consent for 21 days, or has the relationship so deteriorated between the Deputy Premier and SACAT that we cannot even get them talking to each other about amendments to the bill? Not that I can imagine the Deputy Premier in any way putting anyone off in her conversations with them, because I am such an amenable person.

The Hon. V.A. CHAPMAN: Firstly, in relation to the review process, I just confirm that the 14 days to 21 days specifically relate to the obligation of SACAT to provide an answer, their determination. There are a whole lot of other times before it which were quite prescriptive: seven days, 14 days, etc. Remember here, as we have—and we hope the opposition will consider this when they look at whether they just open up this to six months, whenever it is timely, some other longer period, or open-ended proposal—that the claimant is waiting to have their case dealt with.

What has happened so far in this scenario is that DPTI have served notice of their intent. There has been an objection lodged maybe because they say that this is exempt land, the boundaries need to be different, or there is different property that needs to be taken into account, and therefore that issue needs to be determined. DPTI say, 'No, we are pressing ahead.' They want this reviewed. A minister used to do this. The former attorney-general, the member for Croydon, now a—

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: Thank goodness it was a long time ago. He decided that he would ask SACAT to do this job. He came to the parliament, and the parliament supported it and left it at 14 days. SACAT have been consulted. Justice Hughes in particular, who is the head of SACAT, whom I meet with regularly and have discussions with about her role and take her advice on a number of matters, has sought some flexibility in this regard.

As I have said I think several times, and I hope this is really clear now, having considered that request and taken into account the Crown Solicitor's Office to seek to have some finality with this, and the interest of the claimant, who frankly does not want to be sitting around on this for six months, they want to be able to have the determination, this decision of DPTI, overturned. They want that decision and they do not want to be hanging around for it.

We respect that. We think that is important. Therefore, when the opposition listen to the advice of the member for West Torrens on whatever amendments he wants to put up on this, I just ask them to please consider that we are trying to reach a balance here that does not ride roughshod over the claimant, the person who is sitting there in the house, who has received a notice and wants to take reasonable objection and wants this proper process. Please, do not interfere with that.

The Hon. A. KOUTSANTONIS: I will not raise a matter of contempt—telling members of parliament they cannot raise amendments, because we can and I will.

The ACTING CHAIR (Mr Duluk): I do not think the Attorney said that. Please, your next question, member for West Torrens.

The Hon. A. KOUTSANTONIS: Yes, my next question will need a certain level of preamble.

The ACTING CHAIR (Mr Duluk): I appreciate that, and it is allowed under standing orders.

The Hon. A. KOUTSANTONIS: Yes, it is—God bless them. Given the Attorney's recent answer about the poor old landowner who is having their land acquired by DPTI wanting closure very, very quickly, I also think that the poor old landowner would want to know that the body that is deciding the fate of their objection has considerable time in which to hear all the arguments.

The state has the power of this parliament and this act to turn up and say, 'We are building a road through your land and were taking your land. We've got funding for it from the government. We are proceeding. This is the route we want. These are the engineers' reports to say this is the route we want. This is why we want this route, and you have 30 days to convince SACAT to make a decision in 21 days that the government is wrong.' I think this is not about putting anyone out of their misery: it is about making sure that justice or fairness is accorded to everyone, given that the state is acquiring land that is not for sale. That is the difference: not for sale.

A small history lesson: the Labor Party nearly split on land ownership in the 1920s because there was a cohort of people in the Labor Party who did not believe in the right to own private property. One of the reasons we have conservatives and progressives is over private property ownership. There is nothing more fundamental in democracies in terms of wealth creation and—

The Hon. V.A. CHAPMAN: Point of order, Chair: I think the history of the 1920s and the Labor Party's position and what their decisions were on how they might affiliate is really stretching the relevance to this bill.

The ACTING CHAIR (Mr Duluk): Thank you, Attorney. Whilst I am a great studier of politics, and I was waiting for the 1955 revisitation of the DLP split, I think the Attorney has a very valid point of order. If the member for West Torrens could continue his preamble relevant to the bill in front of us—

The Hon. A. KOUTSANTONIS: Fair to say that in the 1955 split the wrong side one.

The ACTING CHAIR (Mr Duluk): —we can continue.

The Hon. A. KOUTSANTONIS: I just flag now to the government, given the Attorney-General's pleas, that I will be consulting on amendments to increase the time for SACAT to consider these matters. I also want closure. I also want it to be done in a timely way. I also think that there should be a conclusion to this process. I can flag to the committee that potential amendments that we will consider between the houses will be extending the time period that someone has to make an application for an objection to SACAT and the amount of time SACAT have to consider that.

I am not going to be saying I want extraordinary amounts of time, but I think a reasonable consultation period and a reasonable amount of consideration between the houses could probably see the crossbench and the opposition come up with an amendment that I hope the government sees favourably to pass on its return to the House of Assembly.

The question then becomes: when Crown law advised the Attorney-General on 21 days, what did they have in consideration as precedent from other dispute resolution mechanisms that are standard throughout South Australia? Are there other forms of dispute resolution that have a standard protocol of 21 days from complaint to outcome? The ICAC has no such requirement. The OPI has no such requirement. The courts, the OPI, and the ICAC are tribunals. The OPI, on considering a complaint, does not have a time frame of 14 or 21 days to make a decision.

Are there any other tribunals, other than SACAT in their considering of land acquisition, where 21 days is the standard? That is the test that the government needs to pass on this clause, I think—not because their aims of having a conclusion are not right. The question becomes: are 21 days enough? I would like to hear from SACAT. I would like to know what SACAT's views are on whether or not 21 days are enough.

I am sure that in some matters that SACAT considers on this, 21 days are sufficient. I am sure 14 days would have been sufficient, but I imagine there would be more complex arguments for SACAT to consider where there are multiple interested parties, where there are some parties that wish to sell and others that do not and where there are multiple layers of an argument that is put to SACAT that might take more than 21 days to sort out. Yet SACAT is being limited by legislation in terms of making its decision.

If I made a complaint about the Attorney-General to the OPI, the OPI does not have a time frame of 21 days to get back to me to let me know, 'Yes, we think there's something here,' or 'No, there isn't.' They will work in their own time frames. So, in terms of tribunals, 21 days seems like a number plucked out of the air. Twenty-one days does not seem to be some sort of standard procedure that the government thinks is appropriate, and I do not think there is any formula to it either.

So I think a bit of discretion by SACAT could be useful. Perhaps an alternative may be 21 days unless there is some overwhelming matter of importance that SACAT needs to consider, and they could seek ministerial permission to continue their deliberations longer if the head of SACAT thinks this is a complex case that needs more than 21 days to consider. But I think taking away that discretion is a problem. So I would ask the Attorney-General, in the 10 minutes that we have remaining—because I know that the member for Badcoe has some questions on this clause as well—

The Hon. V.A. CHAPMAN: Oh, good.

The Hon. A. KOUTSANTONIS: Yes, absolutely.

The Hon. V.A. CHAPMAN: Hers will be much more sensible.

The Hon. A. KOUTSANTONIS: There it is. There is that charm offensive again.

The ACTING CHAIR (Mr Duluk): Attorney, we are doing so well with nine minutes left. We have to read a message from the upper house.

The Hon. A. KOUTSANTONIS: That is no problem for the committee: it is a problem for the house. If the committee does not want to read the notice, it does not have to.

The ACTING CHAIR (Mr Duluk): The house will want to read the notice.

The Hon. A. KOUTSANTONIS: If the committee wants to read the notice it can move so. The committee is debating clause 7, and clause 7 is about—

The ACTING CHAIR (Mr Duluk): Clause 8, member for West Torrens.

The Hon. A. KOUTSANTONIS: Clause 8, is it? I forgot to cross out clause 7. Thank you very much. It is all on the 21 days, so I would ask: where did the 21 days come from in Crown law? Did the Attorney-General question the benefit of 21 days as opposed to a discretion, which is obviously what SACAT wanted? What is the problem with the discretion? Given the head of SACAT is a very well-respected jurist, surely a discretion could be trusted with SACAT to make these decisions, and surely the Attorney believes that the head of SACAT would have the ability to determine these matters and expedite them as needed?

The Hon. V.A. CHAPMAN: I think there is some confusion at this point about the length of the investigation, inquiry and adjudication that is to be made. All we are talking about at this stage of the notice, objection, determination of an administrative decision to reject that, is very much confined to what is in the act—not the valuation and not the disputed hearing that might end up in the Supreme Court about what compensation is to be made, etc., and to whom and what parties get a share and so on.

This is a discrete area, which is transferred from a minister who had an obligation to provide that within 14 days to the previous government suggesting that transfer to SACAT and leaving it at 14 days. Now, when we are opening the bill, a request coming from SACAT, advice from CSO given as well, consideration of the claimant's desire obviously to have his or her objection heard expeditiously are all matters that have culminated in advice back to me via this bill as a compromise at 21 days.

I do not know why there had not been objection by previous SACATs, if this occurred before Justice Hughes' time, or whether there had been an expectation that, if a minister could do it in 14 days, then there is no reason why somebody in SACAT should not be able to do it in 14 days, but if you need extra time, 21 days. I have not had any indication that this is such a major problem, but I hope that makes it clearer. We are attempting to take into account the request, the advice received and the consideration of the claimant as a worthy compromise to be accepted.

Progress reported; committee to sit again.

The Hon. A. KOUTSANTONIS: Sir, I draw your attention to the state of the house.

A quorum having been formed:

LANDSCAPE SOUTH AUSTRALIA BILL

Conference

The Legislative Council requested that a conference be granted to it in respect of certain amendments and suggested amendments to the bill. In the event of a conference being agreed to, the Legislative Council will be represented by five managers.

At 18:56 the house adjourned until Wednesday 16 October 2019 at 10:30.

Answers to Questions

EMERGENCY CODES

1053 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the RAH for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	257
August 2018	257
September 2018	317
October 2018	251
November 2018	369
December 2018	346
January 2019	329
February 2019	259
March 2019	419
April 2019	239
May 2019	308
June 2019	360'

EMERGENCY CODES

1054 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the Flinders Medical Centre for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	186
August 2018	203
September 2018	205
October 2018	219
November 2018	174
December 2018	194
January 2019	181
February 2019	198
March 2019	179
April 2019	169
May 2019	279
June 2019	230'

EMERGENCY CODES

1055 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the Lyell McEwin Hospital for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	161
August 2018	152
September 2018	164
October 2018	171
November 2018	161
December 2018	195
January 2019	227
February 2019	196
March 2019	164
April 2019	132
May 2019	150
June 2019	118'

EMERGENCY CODES

1056 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the Modbury Hospital for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	39
August 2018	43
September 2018	26
October 2018	45
November 2018	26
December 2018	25
January 2019	38
February 2019	24
March 2019	27
April 2019	36
May 2019	27
June 2019	53'

EMERGENCY CODES

1057 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the Noarlunga Hospital for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	31
August 2018	41
September 2018	26
October 2018	42
November 2018	39
December 2018	74
January 2019	38
February 2019	45
March 2019	41
April 2019	40
May 2019	57
June 2019	71'

EMERGENCY CODES

1058 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at The Queen Elizabeth Hospital for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	245
August 2018	186
September 2018	64
October 2018	47
November 2018	57
December 2018	61
January 2019	59
February 2019	47
March 2019	42
April 2019	45
May 2019	53
June 2019	54'

EMERGENCY CODES

1059 Mr PICTON (Kaurna) (23 July 2019). Given that no such information is published, how many Code Black (security incidents) events were called at the Women's and Children's Hospital for each of the following months:

(a) July 2018?

(b) August 2018?

(c) September 2018?

(d) October 2018?

(e) November 2018?

(f) December 2018?

(g) January 2019?

(h) February 2019?

(i) March 2019?

(j) April 2019?

(k) May 2019?

(l) June 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

Month	Code Black Events
July 2018	24

Month	Code Black Events
August 2018	28
September 2018	33
October 2018	25
November 2018	43
December 2018	36
January 2019	36
February 2019	41
March 2019	84
April 2019	49
May 2019	51
June 2019	142

SMALL BUSINESS

1366 The Hon. Z.L. BETTISON (Ramsay) (11 September 2019). How many small businesses have accessed the export partnership grants over the last 12 months?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills): The Minister for Trade, Tourism and Investment has advised the following: Based on the Australian Bureau of Statistics definition of small business, and on assessment of the information provided by applicants to the SA Export Accelerator (SAEA) program, across the three completed funding rounds of the SAEA, 27 small business exporters have been grant recipients.

VETERANS ORGANISATIONS

1377 The Hon. A. PICCOLO (Light) (24 September 2019). What consultation was carried out with representatives of South Australian ex-service organisations to gauge their views and level of support for the transfer of Veterans SA into Defence SA?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

There are natural synergies between the veteran and defence communities, and therefore a decision was made to relocate Veterans SA to Defence SA, where it continues to fulfil its vital role in serving the South Australian veterans' community and organisation.

The relocation provides Veterans SA with a better opportunity to advocate and liaise with Defence SA in delivering stronger and better outcomes for South Australia's ex-serving personnel and organisations.

VETERANS SERVICES

1378 The Hon. A. PICCOLO (Light) (24 September 2019). Can you provide specific examples of veteran-specific services or concessions which are provided by the Department of Planning, Transport and Infrastructure, the Department of Human Services and any other State Government Department or Agency for veterans or ex-service personnel with a disability or who are otherwise mobility impaired?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Eligible veterans who hold a Department of Veterans Affairs (DVA) Gold Card or a Pensioner Concession Card may be eligible for the following state concessions:

- Registration and Drivers Licence fees;
- Cost of Living;
- Emergency Services Levy;
- Energy Bills;
- Medical Heating and Cooling;
- Public Transport;
- Residential Park fees;
- Water and Sewerage Rates; and
- Personal Alert Systems.

States and Territories offer concessions to holders of veterans' cards. Concessions vary from state to state as does the eligibility criteria. Inconsistent concessions are frequently raised by veterans. However, concessions offered in South Australia are generally consistent with those offered in other jurisdictions. South Australia's Veterans' Advisory Council monitors the available concessions and makes periodic recommendations to the state government as issues arise.

A consolidated list of national concessions for eligible veterans can be found on the DVA website.

VETERANS, GOLD CARD HOLDERS

1379 The Hon. A. PICCOLO (Light) (24 September 2019). Will the new tender for bus and tram services affect the concessions available to DVA Gold Card holders and other incapacitated ex-service personnel?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

No. Concessions are listed in the current tender documents and are unaltered from current practice.

VETERANS SA

1381 The Hon. A. PICCOLO (Light) (24 September 2019). What specific initiatives have been taken by Veterans SA to encourage cooperation amongst South Australian ex-service organisations to improve efficiencies of time, resources and advocacy effort?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

There are 316 ex-service organisations in South Australia, including 133 RSL sub-branches.

One of the motivating factors behind the establishment of the Veterans' Advisory Council (VAC) was to improve cooperation amongst South Australian ex-service organisations. The objectives of the VAC include promoting cooperation across all veterans' organisations in South Australia and providing veterans with an avenue to communicate directly to the highest levels of state government.

Veterans SA engages regularly with South Australian ex-service organisations and associations both digitally—through communications activities on social media, e-marketing and its website—as well as through outreach activities including individual and group consultations. This outreach promotes ex-service organisations and their activities as well as allowing for the identification of opportunities for collaboration between organisations that benefit the veteran community.

Mr Rob Manton, Director, Veterans SA, convened an advocacy working group with a group of ex-service organisation representatives on 17 October 2018, 6 February 2019 and 9 May 2019 to discuss matters pertaining to veteran advocates across ex-service organisations and to highlight issues that need to be addressed at a federal level through the Department of Veterans' Affairs.

The Partnerships Hub at the Jamie Larcombe Centre was developed in response to recurring requests from the veteran community for a 'one stop shop' to be included in the model of care and facility design of the Jamie Larcombe Centre. The purpose of the hub is to provide access to vital services offered by ex-service organisations such as advocacy support, employment assistance and family support, while enabling ex-service organisations to collaborate and share expertise and resources to further meet the needs of veterans.

The hub has invested a significant amount of time and effort connecting and collaborating with ex-service and veterans support organisations over the past 18 months. Advocates and social welfare officers have utilised the Hub facilities to engage with veterans, in particular clients of the Jamie Larcombe Centre. This has resulted in a reduction in confusion and travel time for veterans when identifying suitable locations for services. Employment and rehabilitation services forums have also been initiated by Veterans SA and the hub in order to bring together the key stakeholders and client groups in a cooperative setting for the benefit of the veteran community.

On 26 November 2018, Veterans SA invited members of the veteran community to attend a town hall meeting in the Drill Hall, Torrens Training Depot where I attended and answered questions from those present on matters of concern to veterans. This was the first such meeting since the establishment of Veterans SA and the VAC.

On 1 November 2019, Veterans SA will host a Veterans' Information Day that will include the 2019 Premiers town hall meeting for veterans. The day will include a veteran's employment in defence industry forum, including a briefing from Prince's Trust Australia on entrepreneurial opportunities for veterans, an update from the Centenary of Anzac Centre of Excellence on research into veteran's mental health issues, a briefing from the Commonwealth Superannuation Corporation and a feedback session on the Partnerships Hub.

Veterans SA coordinates the attendance of South Australian organisations at Australian Defence Force transition seminars held in Adelaide. The next seminar is being held on 31 October 2019 and Veterans SA has had Australian government approval to establish a South Australian area that will include representatives of local ex-service organisations, the Defence Teaming Centre and the Office of the Public Sector to provide advice on the opportunities in South Australia for transitioning service personnel.

These are examples of the many initiatives undertaken by Veterans SA to generate outcomes for those who have served in Australia's military. Veterans SA continues to provide a link for the serving and ex-serving community to the government.

VETERANS SERVICES

1382 The Hon. A. PICCOLO (Light) (24 September 2019). I refer to the target for 2019-20 listed in the 2019-20 Budget (Paper No. 4, Vol. 1, p. 149): Continue to work with commonwealth and state government departments, agencies and ex-service organisations to deliver better outcomes for veterans and the veteran community in the areas of health, mental health, transition from military service and employment.

1. Which commonwealth and state government departments, agencies and ex-service organisations are likely to be engaged to improve the welfare of veterans?

2. What coordinating role will Veterans SA perform?

3. What type of programs is the state government likely to initiate?

4. When are these programs likely to be implemented or established?

5. What specific statistical measures and/or targets are likely to be established to measure the progress in delivering better welfare for South Australian veterans and ex-service personnel?

6. Where will these statistical measures be published and what process will be established to ensure that the veteran community can have confidence that the program or project is delivering tangible outcomes for veterans?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

1. Veterans' Affairs is an area that I have taken personal responsibility for to ensure a whole of government approach to addressing matters that affect this community. Matters of concern to the veterans cross multiple portfolios including Health and Wellbeing, Veterans' Affairs, industry and employment, SA Housing, defence, Corrections, defence industries and defence personnel.

2. At a federal level, Mr Rob Manton, Director, Veterans SA, represents South Australia at the commonwealth, state and territory committee chaired by the Secretary of the Department of Veterans' Affairs.

I attend the Commonwealth Veterans Ministerial Council. The council's purpose is to consider national and cross-jurisdictional issues affecting veterans, their families and the broader veteran community and take joint action in the resolution of issues where appropriate.

The council also provides a forum and process for national, state and territory and local community engagement on veterans' issues. The council is informed by the commonwealth, state and territory committee and the Department of Veterans' Affairs National Consultation Framework that includes the ex-service organisation round table, the Young Veterans' Forum and the Prime Minister's Advisory Council on Mental Health. Veterans SA prepares the state's position papers on behalf of the South Australian government.

Veterans SA also operates the Partnerships Hub at The Jamie Larcombe Centre. Veterans SA is the conduit between the veteran community and will continue its role of coordinating across the many issues that affect the community.

3. This year a Veterans Information Day, that includes the Premier's town hall meeting, has been initiated by Veterans SA and will be held at the Torrens Training Depot on 1 November 2019. The day will include a veterans' employment in defence industry forum including a briefing from Prince's Trust on entrepreneurial opportunities for veterans, an update from the Centenary of Anzac Centre of Excellence on research into veterans' mental health issues, a briefing from the Commonwealth Superannuation Corporation, and a feedback session on the Partnerships Hub at The Jamie Larcombe Centre.

The federally funded wellbeing centre at the former Repat hospital will offer advocacy and support services for veterans.

The South Australian government is also examining the feasibility of developing a veterans' centre at the Torrens Parade Ground, the cultural home of serving and ex-serving personnel in South Australia, to better coordinate activities involving ex-service organisations and government and non-government organisations.

4. Some of these initiatives will be implemented within the current financial year. Others will be ongoing and will be informed by scoping work being undertaken in the current financial year.

5. KPI's and targets will be developed in consultation with key stakeholders including veterans, their families and carers, ex-service organisations, veterans' support organisations, government departments and agencies and non-government organisations in accordance with South Australia's Charter for Veterans.

6. These KPIs and targets will be published in the normal manner through budgetary papers, annual reports and in regular updates to the veteran community. As has been the practice, the Veterans' Advisory Council (VAC) and Veterans' Health Advisory Council monitor matters of importance to the veteran community and, when appropriate, raise issues with the relevant minister. Equally, a summary of the VAC's deliberations are published on the Veterans' SA website as part of the monthly Veterans' E-News messaging.

VETERANS, GOLD CARD HOLDERS

1383 The Hon. A. PICCOLO (Light) (24 September 2019). Are you aware of the many incidences which occur whereby South Australian veteran DVA Gold Card holders are not treated by medical professionals because of the low fees received for their treatment, and are you also aware that many DVA Gold Card holders are charged a pseudo gap payment by medical professionals for services not included in the medical benefits schedule?

1. What action has the state government undertaken to tackle this issue faced by South Australian DVA Gold Card holders, through COAG and other forums, so that they can receive the medical treatments they need, without recourse to additional charges?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

SA Health is aware of anecdotal accounts that DVA Gold Care Holders have been charged gap payments for services. This was raised at the 26 August 2019 Veteran's Health Advisory Council (VHAC) meeting, which a representative of SA Health attended.

VHAC members were informed that Mr Rob Manton, Director, Veterans SA had raised the issue of gap payments at a Department of Veterans' Affairs commonwealth, state and territories meeting on 31 July 2019. Mr Manton advised that DVA is willing to investigate examples of inappropriate billing but specific detail will need to be provided.

DVA confirmed that all eligible clients are entitled to attend a registered health care provider for treatment. Under Medicare or private health insurance arrangements health providers are able to, and often do, charge co-payments to patients. Under DVA arrangements, health providers are not permitted to charge co-payments to DVA clients as they receive a higher rebate than under the Medicare schedule.

It is at the provider's discretion if they choose to accept DVA clients and in doing so they must comply fully with the DVA treatment principles, which details that no co-payment is to be charged.

DVA is aware that there are cases where out of pocket fees are charged to DVA clients. In these circumstances, clients are offered a reimbursement assessment. When DVA does reimburse a client, a compliance education letter is sent to the provider and an education letter to the client, with both letters outlining that DVA card arrangements and treatment principles must be followed.

If a DVA client is experiencing difficulty in locating a health care provider who will accept DVA health cards, DVA can assist to identify alternative arrangements. This could include providing transport to alternative health providers or, where there is a specific clinical need, funding services above the DVA scheduled rate.

Veterans SA is available to forward specific examples of potential inappropriate billing to the Department of Veterans' Affairs for investigation.

VETERANS EMPLOYMENT PROGRAM

1384 The Hon. A. PICCOLO (Light) (24 September 2019). With regard to the transition from military service to civilian employment, what programs beyond the Defence Industry Employment Program for ex-service personnel has the state government established or is the state government engaged in developing?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

The South Australian Veterans' Advisory Council (VAC) recommended transition as a national priority at the 2017 Veterans Ministers' Round Table. This issue has now become an overarching theme of Veterans Ministerial Council meetings convened by the Australian Government and attended by state and territory Ministers for Veterans' Affairs.

The South Australian public sector has a veteran specific page on its 'I work for SA' website that promotes opportunities and advice for veterans seeking employment within South Australia's public sector, developed by Veterans SA and the Office of the Public Sector at https://iworkfor.sa.gov.au/iworkforsa/paths.php?path=veterans

The Veterans SA website highlights transition tips for veterans on its website at https://veteranssa.sa.gov.au/helpful-resources/transition-tips/

The government has made an election commitment to gather data relating to our servicemen and women who reside in South Australia. In June 2018, I wrote to the Australian Statistician seeking the inclusion of a question in the 2021 census relating to military service.

I am pleased to say that that question is currently under detailed consideration for inclusion in the next census. This will provide all levels of government with a clearer understanding of the number of veterans in our population and where they are. This will enable governments to develop programs tailored to veterans in specific areas where appropriate.

Veterans SA has proposed a South Australian veteran community specific area at Australian Defence Force (ADF) transition seminars held in Adelaide. This will be piloted at the upcoming ADF transition seminar to be held on 31 October 2019 in Adelaide and has the potential to be adopted at all future transition seminars nationally.

The Partnerships Hub at the Jamie Larcombe Centre provides support and advice to transitioning veterans and their families hosting organisations such as OnMe Careers (a veteran specific employment organisation) and StoryRight (to assist veterans to prepare for interviews and to develop their CVs).

This year a Veterans Information Day, that includes the Premier's Veterans Town Hall meeting, has been initiated by Veterans SA and will be held at the Torrens Training Depot on 1 November 2019. The day will include a veterans employment in defence industry forum including a briefing from Prince's Trust Australia on entrepreneurial opportunities for veterans, an update from the Centenary of Anzac Centre of Excellence on research into veterans mental health issues, a briefing from the Commonwealth Superannuation Corporation, a feedback session on the Partnerships Hub at the Jamie Larcombe Centre.

Mr Rob Manton, Director, Veterans SA has engaged with the Department of Veterans' Affairs regarding the federal government election commitment of $16.2 million over four years for the development of veteran employment programs by state branches of the Returned and Services League, Soldier On and Team Rubicon. These discussions are ongoing to ensure South Australia receives its appropriate share of available funding for employment programs for veterans living in South Australia.

VETERANS EMPLOYMENT PROGRAM

1385 The Hon. A. PICCOLO (Light) (24 September 2019). In the Liberal Party's 2018 election policy document, Supporting Our Veterans, suggested ex-service personnel employment supports included: assistance with job applications and resumes; preferential treatment in state public service recruitment; and greater state public service recognition of the skills and attributes of ex-service personnel. Will these employment supports be implemented and when?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Our veterans and ex-service personnel play a vital role in South Australia's community. The South Australian government recognises their service to our nation, and we are committed to providing strong support to current and former Australian Defence Force personnel, their families and carers.

Former defence personnel and veterans can now take full advantage of the career opportunities in the state's naval shipbuilding and defence sectors with the launch of the Veterans Employment Program, a new online jobs portal. https://savep.com.au/

The program delivers on the government's election commitment to establish a Defence Industry Employment Program for ex-service personnel to maximise job outcomes for veterans in the defence sector.

The program also connects veterans to key services in resume development and preparing for job applications. Furthermore, the program will ensure that recruitment and human resource officers involved in the defence industry sector are well informed about the skills and attributes of ex-service personnel.

RENEWAL SA

1397 The Hon. A. PICCOLO (Light) (24 September 2019). With regard to Renewal SA's redevelopment of Lot Fourteen, including the demolition and remediation of the site, has there been any delays in these works to date?

1. In carrying out these works, have those involved encountered asbestos?

2. If asbestos has been encountered in demolition and remediation works, can you guarantee that all appropriate safety precautions have been followed and that all renovated buildings do not present a public health risk?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised the following by Renewal SA—

All asbestos removal is undertaken by licensed contractors and in accordance with all statutory requirements.

In refurbishing the heritage buildings and completing all demolition activities across the precinct, Renewal SA and its contractors comply with all regulations and guidelines to ensure buildings are fit for occupancy. Renewal SA is working closely with the current demolition contractors, McMahon Services Australia and Royal Park Salvage, and licenced asbestos assessor, Greencap, to ensure that all known asbestos is removed from the heritage buildings. Clearance certificates and air monitoring reports are provided by Greencap. Greencap will continue to maintain a hazardous materials register throughout the construction and demolition works and have also provided guidance regarding safe future construction and demolition activities. There is no exposure to asbestos to everyday occupants.

The demolition activities across the site are proceeding in accordance with the forecast program.

RENEWAL SA

1398 The Hon. A. PICCOLO (Light) (24 September 2019). Can you describe some of the non-commercial activities which have been financed by the community service obligation payments received by Renewal SA and their benefit to the community?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised the following by Renewal SA—

Community service obligations (CSO) payments are provided to Renewal SA to fund public benefit initiatives and any non-commercial activities required to be undertaken by Renewal SA. Community service obligations payments have been provided for:

- Tonsley – The CSOs fund various infrastructure and civil works associated with the development such as water sensitive urban design initiatives, public realm works, demonstration pods and project administration. The CSO funding for these activities was established by the former government because not all of the costs required to undertake the project can be funded by the resulting sales and property income.

- Bowden – CSOs have been provided to fund the various infrastructure, remediation and civil works required to develop the site, parkland upgrades, public realm works and the cost of achieving a sustainable development with a 6 star green star communities rating. The CSO funding for these activities was established by the former government because not all of the costs required to undertake the project can be funded by the resulting sales and property income.
- Port Adelaide –CSOs have been provided to fund activities aimed at attracting private sector investment in the Port Adelaide Precinct such as infrastructure and public amenity projects and activation events such as the Wonderwalls street art festival.
- Adelaide HUB – CSOs fund grants payable to the Adelaide HUB for the purposes of providing grants to young entrepreneurs to participate in the HUB Spark Entrepreneurship program.
- Vibrant City – CSOs provided to fund the undertaking of vibrant city activities to stimulate investment, activity and renewal in the CBD. For example, revitalising and activating disused spaces into unique and attractive places, various community events such as city squares and the Riverbank Promenade, public lighting at Bank Street and Leigh Street and laneway rejuvenation.
- Lot Fourteen – CSO's are provided to fund various works on the site such as demolition, remediation, building refurbishments, the establishment of site infrastructure and activation costs. The CSO funding for these activities was established by the former government because not all of the costs required to undertake the project can be funded by the resulting sales and property income.

RENEWAL SA

1399 The Hon. A. PICCOLO (Light) (24 September 2019). Can you explain how the community service obligation payments received by Renewal SA can be cut from a 2018-19 budgeted figure of $37.3 million to $7.6 million this financial year, and even less over the forward estimates, without adverse effects upon valuable community activities and programs?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised the following by Renewal SA—

From 2019-20 onwards, Renewal SA will receive cash equity contributions to fund capital expenditure for various projects whereas in past years this was funded by community service obligations (CSO). Funding for non-capital expenditures continues to be provided by way of CSO payments. There are no adverse impacts to the projects impacted given the required level of funding provided by government to Renewal SA remains unchanged.

RENEWAL SA

1400 The Hon. A. PICCOLO (Light) (24 September 2019). The revised funding arrangements for Renewal SA's Lot Fourteen, Bowden and Tonsley projects. 2019-20 Budget Paper No. 3, p. 82 explains that: 'Payments made to Renewal SA for capital works on these projects will be delivered via an equity contribution rather than an operating payment.' Can you confirm that as a result of this change in accounting, community service obligation payments used to fund non-commercial activities will be significantly cut on these projects?

1. Can you provide detail of all the projects, activities and programs which will be cut or adversely affected because of the significant reduction to community service obligation payments for the Lot Fourteen, Bowden and Tonsley projects?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised the following by Renewal SA—

The reduction in community service obligation payments is driven by a change in the mechanism used by government to provide funding to Renewal SA and this does not mean a reduction to the total level of funding.

There are no adverse impacts on these projects given that the overall level of funding provided to Renewal SA to undertake the Lot Fourteen, Bowden and Tonsley projects has not been cut.

RENEWAL SA

1401 The Hon. A. PICCOLO (Light) (24 September 2019). In the larger residential developments, for which Renewal SA has responsibility, provision is often made for public transport infrastructure, but not necessarily the integration with public transport services. Does Renewal SA has sufficient authority to coordinate inter-agency cooperation in the design of large scale urban residential developments and the integration with other government services?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised by Renewal SA:

Renewal SA works closely with other agencies during the master planning of larger land parcels identified for residential development. During this time, criteria is provided by those agencies and authorities to ensure there is appropriate consideration to the land necessary to service a future community in that locality.

For example, identification of road hierarchy to cater for future traffic volumes, possible future public transport routes, quantum and distribution of open space, stormwater management, augmentation/headworks necessary for

power, water, sewer, telco infrastructure and well as size, location and distribution of retail centres, schools and recreational spaces.

Through this process, Renewal SA ensures there is appropriate provision of land as part of a master planned development. Under the current framework, the delivery of infrastructure is directed using the Development Act and Regulations starting with the application for land division usually lodged by the developer. The provision of services (e.g. public transport services) is generally demand driven and implemented by the agency directly responsible for that service.

WOMEN'S MEMORIAL PLAYING FIELDS

1443 The Hon. A. PICCOLO (Light) (24 September 2019). What consultation process took place with the sporting clubs and organisations which use the facilities at the Women's Memorial Playing Fields (St Marys), regarding the designs and costings for the sporting facilities upgrade project?

1. 2019-20 Budget Paper No. 4, Vol. 4, p. 17, contains a table which lists the project's total cost at $8 million. What facility upgrades are included in this project?

2. Can you guarantee that $8 million in project funding will be sufficient to cover all project costs?

3. What arrangements have been made for the ongoing management and maintenance of the upgraded sporting facilities at the Women's Memorial Playing Fields, and which authority or organisation(s) will finance the ongoing maintenance activities?

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

1. Consultation meetings were undertaken individually with the following sporting clubs and organisations: Cumberland United Women's Football Club, Sturt Lacrosse Club, Women's Memorial Playing Fields Trust and Forestville Hockey Club. Consultation meetings were undertaken with each group in June 2019. Concept plans were reviewed in July and September 2019.

2. The 2018-19 state budget allocated $8 million to upgrade the Women's Memorial Playing Fields at St Marys. This is intended to upgrade the memorial, clubrooms, change rooms, and hockey and lacrosse, soccer and training fields. The Premier announced at the 2019 Bangka Day Memorial service that $500,000 of this funding would be used to upgrade the memorial infrastructure itself.

The $8 million allocated in the 2018-19 state budget is in addition to the previous grant of $995,000 to Forestville Hockey Club towards a new synthetic pitch and $487,790 to Cumberland United Women's Football Club towards female friendly change rooms. The federal government has committed an additional $500,000 to the Memorial upgrade. The total project budget is $9,982,790.

3. Final project scope and budget requirements are expected by the end of the year.

4. A tender process for the operations and management of the Women's Memorial Playing Fields will be undertaken in the coming months.

GREEN INDUSTRY FUND

1444 The Hon. S.C. MULLIGHAN (Lee) (24 September 2019). Please list all projects, programs and initiatives that have been funded from the green industry fund since 19 March 2018, including:

(a) the date funded?

(b) the amount of funding provided?

(c) to whom the funding was provided?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

The publicly available Green Industries SA annual business plan contains a breakdown of expenditure against its programs. Additionally, Green Industries SA annual reports and website outlines Green Industry Fund expenditure.

HOUSING SA, EVICTION APPLICATION NOTICES

1445 Ms COOK (Hurtle Vale) (24 September 2019). How many eviction application notices have been lodged with SACAT by Housing SA in the following financial years:

(a) 2016-17?

(b) 2017-18?

(c) 2018-19?

(d) year to date?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

The number of eviction applications lodged with the South Australian Civil and Administrative Tribunal by the SA Housing Authority is as follows:

(a) 284 during 2016-17

(b) 490 during 2017-18

(c) 645 during 2018-19

(d) 137 during 2019-20 as at 31 August 2019.

HOUSING SA, EVICTION APPLICATION NOTICES

1446 Ms COOK (Hurtle Vale) (24 September 2019). How many eviction application notices lodged with SACAT by Housing SA in the following years were upheld by SACAT:

(a) 2016-17?

(b) 2017-18?

(c) 2018-19?

(d) year to date?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

Eviction applications are lodged by the SA Housing Authority with the South Australian Civil and Administrative Tribunal (SACAT).

HOUSING SA, EVICTION APPLICATION NOTICES

1447 Ms COOK (Hurtle Vale) (24 September 2019). How many eviction application notices lodged with SACAR by Housing SA in the following years were overturned by SACAT:

(a) 2016-17?

(b) 2017-18?

(c) 2018-19?

(d) year to date?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

Eviction applications are lodged by the SA Housing Authority with the South Australian Civil and Administrative Tribunal (SACAT).

HOUSING SA, EVICTION APPLICATION NOTICES

1448 Ms COOK (Hurtle Vale) (24 September 2019). What options do evicted Housing SA tenants have to prevent themselves becoming homeless after a successful eviction application is upheld to SACAT?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

Ex-South Australian Housing Authority tenants can be referred to community housing, the private rental sector, the affordable homes program, government and non-government support agencies, residential aged-care facilities, supported residential facilities and the specialist homelessness sector.

HOUSING SA, EVICTION PROCEEDINGS

1449 Ms COOK (Hurtle Vale) (24 September 2019). During the following years what were the most common grounds for eviction proceedings undertaken by Housing SA:

(a) 2016-17?

(b) 2017-18?

(c) 2018-19?

(d) year to date?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

The most common grounds for eviction proceedings undertaken by the SA Housing Authority for all aforementioned financial years up to and including the 31 August 2019 was debt.

HOUSING SA

1450 Ms COOK (Hurtle Vale) (24 September 2019). For the property located at 284 Waymouth Street, Adelaide SA 5000 (CT 5524/930)

(a) What date did Housing SA take vacant possession of the property?

(b) What date were the $62,000 of maintenance and upgrade works started?

(c) What date were these works completed?

(d) What date was the minister informed of the completion of these works?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

For the property located at 284 Waymouth Street, Adelaide SA 5000 (CT 5524/930)

(a) The SA Housing Authority (SAHA) took possession on 7 November 2018. Since this time, SAHA has coordinated a select tender process to provide onsite support services. SAHA undertook an extensive review process, which involved implementing a different type of service model and the involvement of additional partners who will be providing integrated and innovative support services.

(b) Upgrade work orders for the property were raised on 24 January 2019.

(c) SAHA was notified on 8 April 2019 that capital works were completed, while coordination of support services continued.

(d) As the property upgrade was managed in the same process as a normal vacant property, myself or my office was not required to be informed.

MINISTERIAL BUSINESS E-MAILS

1451 Ms COOK (Hurtle Vale) (24 September 2019). Does the minister conduct all ministerial business through her @sa.gov.au email address or does she use her non-FOIable @parliament.sa.gov.au address?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

The minister complies with her freedom of information responsibilities.

HOUSING SA, VACANT PROPERTIES

1452 Ms COOK (Hurtle Vale) (24 September 2019). What are the current number of habitable Housing SA properties that are vacant; and what are the addresses for these properties?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

As at 31 August 2019, there were 374 vacant SA Housing Authority properties that were available for tenanting. These properties were going through an offer process.

The authority considers that releasing the addresses of vacant properties would increase the likelihood of these properties being targeted and open to vandalism, squatting, theft, damage and other illegal activity. This heightens risk to the welfare and safety of its tenanted properties.

HOUSING SA, VACANT PROPERTIES

1453 Ms COOK (Hurtle Vale) (24 September 2019). What are the current number of inhabitable Housing SA properties that are vacant; and what are the addresses for these properties?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General): The Minister for Human Services has provided the following advice:

Please refer to my answer provided for question on notice No. 1452.

LOCAL HEALTH NETWORK GOVERNING BOARDS

1454 Mr PICTON (Kaurna) (24 September 2019). For each local health network, what are names of each subcommittee established under LHN boards?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

In response to questions on notice 1454, 1455 and 1456 I can advise:

LHN	Board Subcommittees	Membership	Remuneration
Barossa Hills Fleurieu Local Health Network	Audit and Risk Committee	Juliet Brown	Nil
		Joe Ullianich	Nil
		Carol Gaston	Nil
Central Adelaide Local Health Network	Audit and Risk Committee	Alex Cockram	Nil
		Naomi James	Nil
		Mick Reid	Nil
	Finance Committee	Mick Reid	Nil
		Alex Cockram	Nil
		Naomi James	Nil
		Judith Dwyer	Nil
		Justin Beilby	Nil
		Kim Morey	Nil
		Raymond Spencer	Nil
	Clinical Governance Committee	Justin Beilby	Nil
		Alex Cockram	Nil
		Judith Dwyer	Nil
	Nomination and Remuneration Committee	Mick Reid	Nil
		Alex Cockram	Nil
		Naomi James	Nil
		Judith Dwyer	Nil
		Justin Beilby	Nil
		Kim Morey	Nil
		Raymond Spencer	Nil
	Consumer and Community Engagement Committee	Judith Dwyer	Nil
		Kim Morey	Nil
		Justin Beilby	Nil
Eyre and Far North Local Health Network	Clinical Governance Committee	David Mills (Chair)	Nil
		Tina Miller	Nil
		Jamie Siviour	Nil
		Verity Paterson	Nil
		Dr Susan Merrett	Nil
		Anthony Ryan	Nil
		Holly Campbell	Nil
		Martin Breuker	Nil
		Jenny Fyfe	Nil
	Finance and Performance Committee	Michele Smith (Chair)	Nil
		Chris Sweet	Nil
		Leanne Dunchue	Nil
		Verity Paterson	Nil
		Shane Porter	Nil
		Malinda Watson	Nil
		Joanne Eaton	Nil
		Jane Robinson	Nil
		Consumer Rep (Dr Gerard Quigley – not yet appointed)	Nil
	Audit and Risk Committee	Onno van der Wel (Independent Chair – not yet formally appointed)	Nil

LHN	Board Subcommittees	Membership	Remuneration
		Chris Sweet	Nil
		Bruce Green	Nil
		Verity Paterson	Nil
		Anthony Ryan	Nil
		Shane Porter	Nil
		Malinda Watson	Nil
		Joanne Eaton	Nil
		Jane Robinson	Nil
		Consumer Rep (not yet appointed)	Nil
	Community, Consumer and Clinical Engagement Committee	Bruce Green (joint Chair)	Nil
		Jamie Siviour (joint Chair)	Nil
		Tina Miller	Nil
	Presiding HAC Members	Yvonne Kloeden	Nil
		Lyndon Crosby	Nil
		Matthew Keys	Nil
		Elizabeth Mickan	Nil
		Kym Callaghan	Nil
		Harry Miller	Nil
		Verity Paterson	Nil
		Anthony Ryan	Nil
		Holly Campbell	Nil
		Sharon Bilney	Nil
		Martin Breuker	Nil
		Jane Robinson	Nil
Flinders and Upper North Local Health Network	Consumer and Community Engagement Committee	Karyn Reid (Chair)	Nil
		Garnett Brady	Nil
		Ros McRae	Nil
		Cheryl Russ	Nil
		Glenise Coulthard	Nil
		Ann Screen	Nil
		Sandra Plew	Nil
		John Shute	Nil
		Craig Packard	Nil
	Audit and Risk Committee	Onno Van der Wel (Independent Chair)	$464 per meeting
		Suzy Graham	Nil
		Mark Whitfield	Nil
		Geri Malone	Nil
	Clinical Governance Committee	Geri Malone (Chair)	Nil
		Karyn Reid	Nil
		Angela McLachlan	Nil
		Dr Nes Lian-Lloyd	Nil
		Ashley Parkinson	Nil
		Lyndell Eckert	Nil
	Finance and Performance Committee	John Lynch (Chair)	Nil
		Bevan Francis	Nil
		Ros McRae	Nil
		Shamus Cogan	Nil
		Glenn Brown (Chair)	Nil

LHN	Board Subcommittees	Membership	Remuneration
Limestone Coast Local Health Network	Risk Management and Audit Committee	John Irving	Nil
		Dr Andrew Saies	Nil
		Ngaire Buchanan	Nil
		Hannah Morrison	Nil
		A/Prof Robert Pegram	Nil
		Paul Bullen	Nil
		Umar Ali	Nil
		Rhett Flavel	Nil
		Coenraad Robberts	Nil
		Stephen Jared	Nil
	Clinical Governance Committee	Dr Andrew Saies (Chair)	Nil
		Dr Anne Johnson	Nil
		Glenn Brown	Nil
		Kerri Reilly	Nil
		Ngaire Buchanan	Nil
		Paul Bullen	Nil
		A/Prof Robert Pegram	Nil
	Finance and Performance Committee	John Irving (Chair)	Nil
		Grant King	Nil
		Lindy Cook	Nil
		Ngaire Buchanan	Nil
		Kristen Capewell	Nil
Northern Adelaide Local Health Network	Audit and Risk Committee	Greg Conner (Independent Chair)	$885.00 per meeting
		Michael Forwood	Nil
		Mary Patetsos	Nil
		Robin Moore	Nil
	Finance and Performance Committee	Linda South (Chair)	Nil
		Ray Blight	Nil
		Robin Moore	Nil
	Clinical Governance Committee	Anne Burgess	Nil
		Carolyn Roesler	Nil
		(Acting) Andrew McGill	Nil
		Michael Cusack	Nil
		Sandra Parr	Nil
	Remuneration Committee	Ray Blight	Nil
		Michael Forwood	Nil
		Anne Burgess	Nil
		Francis Lampard	Nil
		Robin Moore	Nil
		Mary Patetsos	Nil
		Carolyn Roesler	Nil
		Linda South	Nil
Riverland Mallee Coorong Local Health Network	Finance Committee	Dr Peter Joyner (Chair)	Nil
		Fred Toogood	Nil
		Claudia Goldsmith	Nil
		Wayne Champion	Nil
		Craig Lukeman	Nil
	Clinical Governance Committee	Dr Peter Joyner (Chair)	Nil
		Elaine Ashworth	Nil

LHN	Board Subcommittees	Membership	Remuneration
		Mel Ottaway	Nil
		Shane Mohor	Nil
		Wayne Champion	Nil
		Dr David Rosenthal	Nil
		Karen Hollitt	Nil
		Brett Webster	Nil
		Anne McKinlay	Nil
		Ruth Adamson	Nil
Southern Adelaide Local Health Network	Risk and Audit Sub-committee	Virginia Hickey (Chair)	Nil
		Jill Noble	Nil
	Clinical Governance Sub-committee	Jenny Richter (Chair)	Nil
		Tamara McKean	Nil
		Chris Baggoley	Nil
	Consumer Engagement Sub-committee	Julie Mitchell (Chair)	Nil
		Mark Butcher	Nil
		Tamara Mackean	Nil
	Capital Projects Sub-committee	Mark Butcher (Chair)	Nil
		Julie Mitchell	Nil
		Jenny Richter	Nil
Women's and Children's Health Network	Finance and Performance Committee	John Bastian AM (Chair)	Nil
		Jim Birch AM	Nil
		Brenda Wilson AM	Nil
		Ross Haslam	Nil
		Lindsey Gough	Nil
		Paul Monaghan	Nil
		Sarah McRae	Nil
		Phil Robinson	Nil
		Patrick Smith	Nil
	Clinical Governance Committee	Susy Daw (Chair)	Nil
		Karen Glover	Nil
		Stephen Christley	Nil
		Lindsey Gough	Nil
		James Rice	Nil
		Sarah McRae	Nil
		Natalie Hood	Nil
		Cindy Molloy	Nil
		Jenny Fereday	Nil
		Tracy Carroll	Nil
		Gavin Wheaton	Nil
		Mohammed Usman	Nil
		Lily Griffin	Nil
		Melissa Cadzow	Nil
	Consumer and Community Engagement Committee	Jim Birch AM (Chair)	Nil
		Sandy Miller	Nil
		Lindsey Gough	Nil
		Phil Robinson	Nil
		Sarah McRae	Nil
		Jane Haley	Nil
		Lily Griffin	Nil
		Sharon Sands	Nil

LHN	Board Subcommittees	Membership	Remuneration
		Reanna Gray	Nil
	Audit and Risk Committee	Greg Connor (Independent Chair)	$225 per hour
		Susy Daw	Nil
		Ross Haslam	Nil
York and Northern Local Health Network	Audit and Risk Committee	John Voumard (Chair)	Nil
		Vincent Bellifemini	Nil
		Roger Kirchner	Nil
		Paul Fahey	Nil
		Michael Eades	Nil
		Yvonne Warncken	Nil
		Jenny Roach	Nil
		Rhett Flavel	Nil
		Coenraad Roberts	Nil
	Finance and Performance Committee	Yvonne Warncken (Chair)	Nil
		Vanessa Boully	Nil
		Roger Kirchner	Nil
		Vincent Bellifemini	Nil
		Michael Eades	Nil
		Melissa Koch	Nil
		Michael Davis	Nil
		Anil Gopal	Nil
		Paul Fahey	Nil
	Clinical Governance Committee	Julianne Badenoch (Chair)	Nil
		Roger Kirchner	Nil
		Michael Eades	Nil
		Melissa Koch	Nil
		Lucas Milne	Nil
		Jenny Roach	Nil
		Michael Davis	Nil
	Aged Care Services Committee	Liz Malcolm (Chair)	Nil
		Roger Kirchner	Nil
		Michael Eades	Nil
		Melissa Koch	Nil

LOCAL HEALTH NETWORK GOVERNING BOARDS

1455 Mr PICTON (Kaurna) (24 September 2019). What are the names of the members of each subcommittee established under LHN boards?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member for Kaurna to question on notice 1454.

LOCAL HEALTH NETWORK GOVERNING BOARDS

1456 Mr PICTON (Kaurna) (24 September 2019). For each independent member of an LHN subcommittee, what is the remuneration received by each member?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member for Kaurna to question on notice 1454.

FLINDERS MEDICAL CENTRE BIRTHS

1457 Mr PICTON (Kaurna) (24 September 2019). How many babies were born at Flinders Medical Centre for each of the following months:

(a) January 2018?

(b) February 2018?

(c) March 2018?

(d) April 2018?

(e) May 2018?

(f) June 2018?

(g) July 2018?

(h) August 2018?

(i) September 2018?

(j) October 2018?

(k) November 2018?

(l) December 2018?

(m) January 2019?

(n) February 2019?

(o) March 2019?

(p) April 2019?

(q) May 2019?

(r) June 2019?

(s) July 2019?

(t) August 2019?

(u) September 2019?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

(a) 308

(b) 274

(c) 301

(d) 299

(e) 313

(f) 310

(g) 267

(h) 295

(i) 278

(j) 323

(k) 293

(l) 294

(m) 304

(n) 265

(o) 337

(p) 286

(q) 280

(r) 267

(s) 296

(t) 290

(u) 129 (as of 13 September 2019).

INCIDENT MANAGEMENT DIRECTORATE

1458 Mr BOYER (Wright) (13 September 2019). How many referrals were made to the Incident Management Directorate (IMD) in the following financial years:

(a) 2016-17?

(b) 2017-18?

(c) 2018-19?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): I have been advised of the following:

The number of reports received through the Incident Management Directorate's Intake and Assessment Officer are as follows:

(a) 2016-17=498

(b) 2017-18=387

(c) 2018-19=299

EMERGENCY DEPARTMENTS

In reply to **Ms BEDFORD (Florey)** (4 April 2019).

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has been advised:

Recent data indicates that there were more presentations at South Australian metropolitan hospitals in the first three months of this year than in the entire winter period of 2018. What used to be seasonal demand is now all year round. The government has developed a Hospital Demand Management Plan to respond to this change.

The plan includes a range of strategies:

- As of 5 September, alternative accommodation and support services have been secured to facilitate the discharge for 84 long stay patients waiting for National Disability Insurance Scheme who had had a combined length of stay of 10,434 days in hospital beyond the point when they were medically ready for discharge—around 5½ months per patient.
- In all three of the metropolitan LHNs program have commenced to link patients with care in the community, with 300 patients benefiting as at 5 September.
- In CALHN an out-of-hospital mental health program has commenced, and the Marshall Liberal government opened the 10 bed psychiatric intensive care unit at the RAH.
- Ten forensic mental health beds have opened at Glenside.
- The government has opened four new priority care centres to provide patients presenting with low acuity conditions an alternative to visiting an emergency department.
- The government as at 5 September has also opened or kept open 50 new beds at the Repat since winter 2018.

The full plan can be found at: www.sahealth.sa.gov.au/HospitalDemandPlan.

NORTHERN ADELAIDE LOCAL HEALTH NETWORK

In reply to **Ms BEDFORD (Florey)** (6 June 2019).

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has been advised:

1. Patients are not removed from the public hospital's elective surgery waiting list until they have undergone their procedure by a private provider. A patient's referring practitioner is notified once the procedure has been undertaken.

2. Activity being undertaken by private providers is being delivered using election commitment funding confirmed in the state budget released 5 September 2018.

AMBULANCE RAMPING

In reply to **Ms BEDFORD (Florey)** (18 June 2019).

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has been advised:

1. On rare occasions patients have been ramped at the Whyalla and Port Augusta Hospital emergency department (EDs).

I am advised that this has occurred on less than five occasions at Port Augusta in the past 12 months and only once at Whyalla.

2. Port Augusta and Whyalla ambulance stations each has:

- four single stretcher ambulances, one of which is a four-wheel-drive, and
- one light fleet for single response.

WOODLEIGH HOUSE

In reply to **Ms BEDFORD (Florey)** (18 June 2019).

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has been advised:

In accordance with section 96 of the Mental Health Act 2009, the Chief Psychiatrist determined from 7 January 2019 Woodleigh House was subject to temporary conditions as a result of Chief Psychiatrist inspections of the physical condition and capacity of the Woodleigh House mental health unit.

The Northern Adelaide Local Health Network is currently working on the refurbishment of high-risk areas within Woodleigh House to address the recommendations of the Chief Psychiatrist and ensure the temporary conditions are removed.

There are no plans to demolish Woodleigh House.

SURGICAL FEES

In reply to **Ms BEDFORD (Florey)** (1 August 2019).

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has been advised:

The establishment of SA Health's Patient Services Panel does not impact on the funding arrangements between the commonwealth and state government. No separate charge is raised to or by surgeons or anaesthetists.

Estimates Replies

CONVEYANCE DUTY REVENUE

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 the following:

Family farm transfers to or from companies, in addition to individuals and trusts, are exempt from stamp duty where all other existing criteria are met. This results in equal treatment of family farm transfers for the purposes of stamp duty, regardless of how a property is held. It also provides greater flexibility for owners of family farms.

The total estimated revenue forgone from the family farm exemption in 2018-19 was around $29.5 million from approximately 430 transactions. It is estimated that company related family farm transfers represented around 25 per cent of these amounts in 2018-19.

REVENUESA

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 the following:

No. RevenueSA is utilising existing data access arrangements it has in place with the commonwealth and state government agencies. Examples include ASIC company data and TRUMPS driver licence information.

GRANTS SA

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (24 July 2019). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): In response to questions 13 and 14 I have been advised the following:

Department of Treasury and Finance

The following table provides the allocation of grant program/funds for 2018-19 and across the forward estimates for the Department of Treasury and Finance—Controlled:

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
Asbestos Awareness Funding	Inform students of the dangers of asbestos through school workshops and to promote awareness of asbestos in the community, in particular during home renovations.	50	50	50	50
Augusta Zadow Award	Meets the costs of a work health and safety initiative that benefits working women, which may involve research or further education.	45	20	20	20
Health and Safety Representative (HSR) Training Subsidies	Provides assistance to employers to enable the provision of access to training for Health and Safety Representatives.	100	20	20	20
SA Unions – Young Workers Legal Service	Assist young workers (under the age of 30) with employment relations issues.	137	140	0	0
Safe Work Australia	South Australia's contribution to the administration of Safe Work Australia.	718	730	748	767

The following table provides the allocation of grant program/funds for 2018-19 and across the forward estimates for the Department of Treasury and Finance—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
Community Support Grants and Donations	Provides additional grants and donations to various South Australian communities.	329	150	150	150
Economic and Business Growth Fund	Provides targeted industry financial assistance to South Australian businesses.	495	14,892	8,270	14,279
First Home Owner Grants	Provides grants to eligible first home owners to offset the effect of the GST on home ownership.	41,000	36,738	37,084	37,432
Future Jobs Fund[(a)(b)]	Supports the development of globally competitive industries and industrial capabilities that will create jobs of the future.	28,059	5,380	0	0
Industry Financial Assistance Fund	Provides targeted industry financial assistance to South Australian businesses.	9,839	10,000	700	350
Job Accelerator Grant	Provide support to employers for employing additional employees in South Australia.	26,400	23,300	5,800	0
Pre-Construction Grant	Provides grants to eligible off-the-plan apartment purchases.	1,050	700	700	0
Small Business Payroll Tax Rebate	Rebate provided to eligible employers with taxable Australian payrolls under $1.2 million.	19,800	0	0	0
Discretionary Grants	Grants to assist various organisations in South Australia.	17,500	17,900	18,400	18,800

(a) The line titled Future Jobs Fund in the Department of Treasury and Finance's (DTF) Administered Items (DTF-AI) Account reflects the drawdowns provided to the DTF Loans Admin Account. This is a DTF account managed by the South Australian Government Financing Authority (SAFA). SAFA draw down amounts from AI-DTF once performance milestone has been completed.

(b) The fund was closed to new applicants in 2017-18. The drawing of grants from the fund is contingent upon applicants meeting their obligations and performance milestones

There were no new grants committed in 2018-19 for the Department of Treasury and Finance—Controlled

The following table details the new commitment of grants in 2018-19 for the Department of Treasury and Finance – Administered:

Grant program/fund name	Beneficiary/Recipient	Purpose	Value $
Economic and Business Growth Fund	Mitsubishi Motors Australia Limited	Milestone Payments as per deed	2,000,000
Economic and Business Growth Fund	Southern Launch Pty Ltd	Milestone Payments as per deed	650,000
Economic and Business Growth Fund	Sony Interactive Entertainment Pty Ltd	Milestone Payments as per deed	480,000

The following table details the carryover of grants from 2017-18 into 2018-19 for the Department of Treasury and Finance:

Grant/Program Name	2017-18 $000	2018-19 $000
Industry Financial Assistance Fund	-2,907	2,907

The following table details the 2018-19 Actual Payments made from the Department of Treasury and Finance's Grant Programs – Controlled:

Grant program/fund name	Recipient	2018-19 Actual Payments $
Asbestos Awareness Funding	Asbestos Diseases Society of South Australia Inc	25,000
Asbestos Awareness Funding	Asbestos Victims Association (SA) Inc	25,000
Augusta Zadow Award	Alexandra Thomas	20,000
Augusta Zadow Award	Flinders University	15,000
Augusta Zadow Award	Working Women's Centre SA	10,000
Health and Safety Representative (HSR) Training Subsidies	Access Training Centre Pty Ltd	19,682
Health and Safety Representative (HSR) Training Subsidies	Adelaide Training and Employment Centre	16,400
Health and Safety Representative (HSR) Training Subsidies	Amalgamated AWU SA St Union	8,226
Health and Safety Representative (HSR) Training Subsidies	ASC Training and Development Pty Ltd	300
Health and Safety Representative (HSR) Training Subsidies	ASKOHS Pty Ltd	1,500
Health and Safety Representative (HSR) Training Subsidies	Business SA	73,299
Health and Safety Representative (HSR) Training Subsidies	Construction Industry Training Centre	750
Health and Safety Representative (HSR) Training Subsidies	Gramac Training Solutions	5,350
Health and Safety Representative (HSR) Training Subsidies	Paragon Work Health and Safety Pty Ltd	100
Health and Safety Representative (HSR) Training Subsidies	SA Unions	600
Health and Safety Representative (HSR) Training Subsidies	TAFE SA	11,825
SA Unions – Young Workers Legal Service	SA Unions	136,515
Safe Work Australia	Safe Work Australia	717,872

The following table details the 2018-19 actual payments made from the Department of Treasury and Finance's Grant Programs – Administered:

Grant program/fund name	Recipient	2018-19 Actual Payments(a) $
Community Support Grants and Donations	Thoroughbred Racing SA	90,909
Community Support Grants and Donations	The University of Adelaide	257,240
Community Support Grants and Donations	Asbestos Victims Association	2,734
Community Support Grants and Donations	Voice of Industrial Death	10,000
First Home Owner Grants	Details not normally provided	41,753,668
Future Jobs Fund(b)	Aquasun Produce Pty Ltd	120,000
Future Jobs Fund(b)	Aardure Concrete Coatings Pty Ltd	146,750
Future Jobs Fund(b)	The Dynamic Engineering Solution Pty Ltd	1,500,000
Future Jobs Fund(b)	Fleet Space Technologies Pty Ltd	500,000
Future Jobs Fund(b)	Aerobond Pty Ltd	160,000
Future Jobs Fund(b)	Beer Garden Brewing	173,847
Future Jobs Fund(b)	Myriota Pty Ltd	1,360,000
Future Jobs Fund(b)	Blue Crystal Solutions Pty Ltd	500,000
Future Jobs Fund(b)	Canfield Bay Pty Ltd	400,000
Future Jobs Fund(b)	Uniti Wireless Ltd	2,000,000
Future Jobs Fund(b)	Ochre Nation Pty Ltd	750,000
Future Jobs Fund(b)	Smart Fabrication Pty Ltd	200,000
Future Jobs Fund(b)	Minda Incorporated	250,000
Future Jobs Fund(b)	Knoll Consultants & Investments Pty Ltd	200,000
Future Jobs Fund(b)	elmTEK Pty Ltd	620,122
Future Jobs Fund(b)	Oilpath Pty Ltd	664,015
Future Jobs Fund(b)	Aroona Farms SA Pty Ltd	300,000
Future Jobs Fund(b)	SAC (SA) Pty Ltd	450,000
Future Jobs Fund(b)	Williams Metal Fabrications Pty Ltd	100,000
Future Jobs Fund(b)	Monkeystack	270,000
Future Jobs Fund(b)	Brabham Automotive Holdings Pty Ltd	1,350,000
Future Jobs Fund(b)	ATI Implants	100,000
Future Jobs Fund(b)	Mt Lofty Operations	1,500,000
Future Jobs Fund(b)	MACCOBBERS Pty Ltd	100,000
Future Jobs Fund(b)	Australian Clutch Services Pty Ltd	802,000
Future Jobs Fund(b)	CUSP Services Pty Ltd	200,000
Future Jobs Fund(b)	Australian Wildflowers Pty Ltd & Ngopamuldi Aboriginal Corporation	668,550
Future Jobs Fund(b)	PowerHealth Solutions	1,100,000
Future Jobs Fund(b)	Big Shed Brewery Concern P/L	50,000
Future Jobs Fund(b)	Como Glasshouse No2 Pty Ltd	1,000,000
Future Jobs Fund(b)	Robern Menz (MFG) Pty Ltd	500,000
Future Jobs Fund(b)	MASTEC Australia	400,000
Industry Financial Assistance Fund	Adelaide Airport Ltd	478,000
Industry Financial Assistance Fund	LBT Innovations Ltd	2,500,000
Industry Financial Assistance Fund	Flea Castle Pty Ltd	194,000
Industry Financial Assistance Fund	Other Assistance Package	625,000
Industry Financial Assistance Fund	Thoroughbred Racing SA	5,000,000
Job Accelerator Grant	Details not normally provided	27,504,500

Grant program/fund name	Recipient	2018-19 Actual Payments(a) $
Pre-Construction Grant	Details not normally provided	1,070,965
Senior Housing Grant	Details not normally provided	17,000
Small Business Payroll Tax Rebate(c)	Details not normally provided	908,552
Discretionary Grants	Racing SA Pty Ltd	15,482,963

(a) Transactions relating to year end 2018-19 are still being processed.

(b) The line titled Future Jobs Fund in the Department of Treasury and Finance's (DTF) administered items (DTF-AI) account reflects the drawdowns provided to the DTF loans admin account. This is a DTF account managed by the South Australian Government Financing Authority (SAFA). SAFA draw down amounts from AI-DTF once performance milestone has been completed.

(c) Final 2018-19 amount will be determined in the Consolidated Financial Report.

Office of the Commissioner for Public Sector Employment

The following table details the *new* commitment of grants in 2018-19 for the Office of the Commissioner and Public Sector Employment – Administered:

Grant program/fund name	Beneficiary/Recipient	Purpose	Value $
Nil	Nil	Nil	$Nil

The following table details budgeted (or actual) payments into the program or fund for the Office of the Commissioner and Public Sector Employment:

Grant program/fund name	Purpose of grant program/fund	Actual Payments $
Public Sector Mobilisation Project	OCPSE to develop an agreed governance and policy on effectively mobilising the public sector workforce to provide surge capacity for critical functions during times of a catastrophic disaster. The grant was received from South Australia Fire and Emergency Services Commission.	$95,000 (plus GST)

GRANTS SA

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 the following:

The government has provided a complete list of grants paid during 2018-19 in question 13 (previous answer).