

HOUSE OF ASSEMBLY

Thursday, 14 November 2019

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 11:00 and read prayers.

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

Bills

LANDSCAPE SOUTH AUSTRALIA BILL

Conference

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:01): I move:

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

Motion carried.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: NORTH-SOUTH CORRIDOR DARLINGTON UPGRADE PROJECT

Mr CREGAN (Kavel) (11:02): I move:

That the 27th report of the committee for the Fifty-Fourth Parliament, entitled 'North-south corridor Darlington upgrade interim report', be noted.

The north-south corridor Darlington upgrade project involves the upgrade of a section of Main South Road in the suburb of Darlington. When completed, the works are expected to contribute towards a nonstop motorway between the Southern Expressway and the intersection of Ayliffes Road and Shepherds Hill Road.

In May 2019, the Public Works Committee became aware of reports of water damage to a revetment wall that was part of the project site. At its meeting on 16 May 2019, the Public Works Committee resolved to open an inquiry into certain aspects of the north-south corridor upgrade project. The terms of reference for the inquiry included the cause of the failure of sections of revetment wall at the project site; the impact, including costs of the failure of sections of revetment wall on the project; and any other matter reasonably connected to the failure of the revetment wall at the site.

As you will know, Mr Speaker, much of the processes of the Public Works Committee are open to the public. Accordingly, the committee considered it important to hold public hearings for this inquiry. The committee contacted stakeholders and invited their participation in a public hearing for the purposes of the inquiry on Thursday 20 June 2019 at Parliament House. Stakeholders included the Department of Planning, Transport and Infrastructure, Gateway South and Aurecon, who were in turn engaged by the department to undertake an independent review.

The committee has since considered oral and written evidence addressing the inquiry's terms of reference and is deliberating to inform its final report. In consequence of that matter, the committee's interim report is the report that I address today. It provides what might be rightly described as a snapshot in time of evidence received. Accordingly, we hope that it provides some assistance to members and other interested parties by way of interim reflection. I can report to the house that the Public Works Committee met this morning and adopted a final report for this inquiry as well.

Motion carried.

PUBLIC WORKS COMMITTEE: JOY BALUCH AM BRIDGE DUPLICATION

Mr CREGAN (Kavel) (11:06): I move:

That the 28th report of the committee for the Fifty-Fourth Parliament, entitled Joy Baluch AM Bridge Duplication, be noted.

The Joy Baluch AM Bridge was constructed in 1972 and is approximately 550 metres long. The bridge spans the northern end of Spencer Gulf in South Australia. It consists of a two-way single-lane carriageway with footpaths adjacent to the northbound carriageway. The annual average daily traffic crossing the bridge is 17,600 vehicles.

The bridge is recognised as an important link in the National Land Transport Network at Port Augusta, providing access across Spencer Gulf for commuter, commercial and freight vehicles in the northern region of South Australia. The existing bridge infrastructure lacks resilience to incidents, capacity and capability for all road users, which impacts transport efficiency and further economic growth potential.

The committee has been informed that the proposed project will provide two lanes in each direction across Spencer Gulf and a shared-use pedestrian and bike path with access to the existing Port Augusta City Council foreshore facilities. The existing bridge will also be fitted with upgraded barriers and a raised bicycle lane. The project will include earthquake resistance, pier protection and barrier upgrades of the bridge approach over the Adelaide to Darwin railway. The key objectives of the Joy Baluch AM Bridge duplication project are to:

- reduce delays and improve road safety and efficiency for all road users;
- improve access for heavy vehicles to create greater efficiency and reduce transport costs;
- upgrade the shared-use pedestrian and bike path to achieve compliance with the requirements of the Disability Discrimination Act and improve the level of safety and capacity;
- create job opportunities during the construction, including a targeted percentage for local and Indigenous employment; and
- minimise disruption to road users, stakeholders and the general public during the works as much as practically possible.

The estimated total cost of the project is \$200 million, and it is to be jointly funded by the Australian and South Australian governments. The Australian government is contributing \$160 million and the South Australian government is contributing \$40 million. Construction is expected to commence in late 2019, with completion expected in 2022.

The Public Works Committee has examined written and oral evidence in relation to this project. The committee has been assured by DPTI officials that acquittals have been received from the Department of Treasury and Finance, the Department of the Premier and Cabinet and the Crown Solicitor that works and procedures contemplated by the scope of works as proposed in the referral are lawful. The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects as described in the Parliamentary Committees Act 1991. Based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr HUGHES (Giles) (11:09): This is an incredibly important piece of infrastructure, as the member for Stuart would well know. I think that it was a proud moment for the previous government when the \$40 million was allocated to get this project underway, and it was good to see the federal government come to the party with the \$160 million.

It is a project that has long been needed. I know that in my community of Whyalla at times I was approached by contractors who were doing work in the metal fab area, and the equipment fabricated in Whyalla had to be moved to the eastern part of the state or interstate. Indeed, I was approached by one Eyre contractor who was working on wind towers in Whyalla. They could not access the bridge so they had to go around by Yorkeys Crossing.

This was a trial contract for a wind farm in Victoria, and, as part of that contract, instead of just doing the tower, they had to do the internal fit-out for it. Even though they were travelling at

something like 1 km/h or 2 km/h with a load fully chocked around Yorkeys Crossing, when that load arrived in Victoria, because of the state of Yorkeys Crossing, a lot of the internal work had been sheared off. Somebody asked me whether I could intervene and very quickly get permits to cross the bridge, which eventually was done and it was done at night.

That is just a very small illustration in some ways about the importance of having an upgraded piece of infrastructure across the far northern end of Spencer Gulf. Of course, it is a piece of infrastructure of national significance, so it is not just the communities on Spencer Gulf that will benefit but all that east-west Eyre traffic and, indeed, the south and north Eyre traffic.

In the distant past, in Whyalla we looked at some alternatives, and we had an engineering company at the time that did design work. They were involved in a number of projects in Whyalla, but at the time they were also involved in the tunnelling project in Sydney Harbour. They did some back-of-the-envelope work, but a fair amount of work, looking at an intermittent causeway bridge or tunnel on some of the narrower parts of Spencer Gulf from Point Lowly to a few points north.

That would have been a major national infrastructure project, and you could imagine what the cost would have been. The cost would have been incredibly significant and, because it would have to be for heavy vehicles, a toll tunnel or a toll-intermittent causeway and bridge given the level of population and the intensity of use could not be justified at that time.

It is important that this piece of work is done. It is very important not only for the people of Port Augusta but also for the surrounding regional Eyre communities, and it is certainly important as a piece of national infrastructure, because potentially you have a real bottleneck there. When things go wrong, and sometimes they do go wrong, you have vehicles just building up. Yorkeys Crossing is sometimes okay and at other times it is not. It might well be something that could also be looked at as another alternative route, but I cannot underestimate the importance of that.

In conclusion, I would say that I am sure that, if it would have been economically feasible to do an intermittent causeway and bridge much further south and Joy were still in the chair at the time, she would have gone absolutely ballistic.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:14): I appreciate the contribution of the Chair of the Public Works Committee and also of my electorate neighbour, the member for Giles. We work very collaboratively in the Upper Spencer Gulf. We try to support each other on issues of importance to all of us, so I appreciate his comments as well.

It is an enormous pleasure for me to stand to speak on this report from the Public Works Committee. I have raised this matter here in this chamber, I would say, at least a dozen times in my 9½ years as an MP representing the electorate of Stuart, with Port Augusta as its major population centre. This project, as has been mentioned, is incredibly important for Port Augusta. People go back and forth all the time between the east and west sides of town.

It is very important as an intrastate piece of infrastructure, particularly for the north of the state, as minerals and cattle transport, sheep transport, wool transport and so on grow and travel from the north of the state through Port Augusta to the south of the state. But it is not an exaggeration to say that it is a national piece of infrastructure as well. The bridge that we have at Port Augusta carries the majority of road freight that travels between Perth and Sydney and the majority of road freight that travels between Adelaide and Darwin. It is not called the crossroads of the nation for nothing at Port Augusta. It is a very important piece of infrastructure.

I was very grateful when my then shadow cabinet colleagues and Liberal Party MP colleagues chose to support this project as an election commitment. I am more than happy to confirm what the member for Giles said, which was that both Liberal and Labor went to the last election with this commitment. We both secured support from the federal government to enable this to go ahead and, as has been the case in Port Augusta on a few important occasions now, both the government and the opposition have gone to a state election, matching each other's commitments in Port Augusta.

That is incredibly important from my perspective because then, regardless of the outcome of the election, the local community will receive the benefits of the commitment. Some people have a

view that, if your team promises something the others do not, that puts you in better shape. Certainly it does if you win the election but it does not if you do not win the election, and we have been on both sides of that now. It is good to know when you go into an election that a project is going to go ahead regardless of the outcome.

Of course, it is the great pleasure of the Marshall Liberal government to be the one that delivers this project in cooperation with the federal government. It is also important, though, to point out that, while any significant infrastructure project is planned or built or operated/used, there are some people who miss out. It would be inappropriate of me not to acknowledge that there are a very small number of families whose properties have been acquired to make this project work. It was completely unavoidable. It is not DPTI's or the government's fault that it was necessary to do this.

I accept the feedback I have had from my constituents that DPTI or the government could have gone about that acquisition in a better way. There is a range of views. Some people are satisfied with how it worked out and some people are dissatisfied. One couple in particular are leaving their family home of just over 30 years, a place that is very important to them, and I suppose none of us can fully understand the impact of having to do something like that unless we have been through it ourselves. I certainly have not.

I do not think for a second that DPTI or the government have deliberately done anything to make it more difficult than it needs to be, but I acknowledge the fact that this is difficult for some people. As difficult as it is for those people, the overwhelming majority of my constituents, statewide and interstate transport operators, local businesses and industry will all benefit enormously from this \$200 million project. An important local issue connected to this project is that in Port Augusta our historic wooden marine infrastructure is failing and, in some cases, has failed.

We have had four key pieces of infrastructure. What was affectionately called the T Jetty or the Mill Jetty on the east side, just south of the bridge that has now been removed because it became unsafe, is not there at all anymore. We have what is referred to as the Westside Jetty, on the west side obviously, near the boat ramp, which has now been deemed unsafe by council and closed off. Apparently, it is beyond repair. The main wharf on the east side (for those familiar with Port Augusta, at the back of the supermarkets) is incredibly important. It is under structural stress at the moment, with parts of it closed off and parts of it still accessible.

We also have the now completely failed first bridge across the gulf, the Great Western Bridge, a wooden bridge that for the last 20 or so years has been a pedestrian bridge providing access for people on bikes, for families with youngsters in prams and pushers and for people with gophers. When that bridge had to be closed, all that pedestrian traffic—old people on gophers, younger people in prams with their parents or other family members and pedestrians—then had to use the existing Joy Baluch Bridge, and that has been a completely unsatisfactory situation. It has meant that people have not been nearly as safe on the footpath as they should be.

It has also meant that the speed limit on the bridge had to be reduced. Initially, in an effort to be as safe as possible, it was reduced to 25 km/h by the previous government. I thank them for increasing it back up to 40 km/h at my request on behalf of the community, and it remains at 40 km/h. But a bridge where the nation's heavy transport freight plus local people can travel at a less than optimal speed, and still have pedestrians and others using the footpath not as safe as they should be, is not an ideal outcome. Sometimes out of situations that are less than ideal, you can speed up a positive outcome, and that is probably what has happened here. The state and federal governments have recognised that it needed to be done, so I am grateful for that probably accidental circumstance if that makes sense.

As well as the situation I have described for current users, the bridge has had to be closed on multiple occasions because of a spill, a truck running out of fuel, accidents, a breakdown and a range of other things. It would probably surprise members of this parliament to know how quickly the traffic backs up for kilometres in both directions when the bridge cannot be used. We do have a dirt road as a backup, Yorkeys Crossing, but it is approximately 20 kilometres longer, it is dirt, and it is not a terrific dirt road, so when we have more than six millimetres of rain that dirt road is closed. There has been only occasion in the last nine years I am aware of when the bridge was closed and Yorkeys Crossing was closed because of rain, but certainly that has happened and that is a circumstance we cannot accept on National Highway 1, let alone for the people of Port Augusta.

I am extremely pleased that this project is happening. We will now have two lanes of traffic all the way through Port Augusta from east to west except now for one point: the road overpass over the railway—near the old Hungry Jack's, near Clift Freight Service—will now become the most prominent bottleneck for traffic through Port Augusta. We can live with that for a while, but I put very clearly on the record that that will now be the next improvement we need to make so that we have a clear two lanes of traffic all the way through Port Augusta. I am very glad that the member for Giles and his constituents will be able to continue to drive through the wonderful regional city of Port Augusta rather than have to cross the gulf and miss out on that pleasure.

Mr CREGAN (Kavel) (11:24): I acknowledge the contributions from the member for Stuart and the member for Giles. Both members are closely familiar with this piece of infrastructure, the scope of works now proposed and, of course, have been advocates for improvements to the bridge and ultimately have sought this particular upgrade. I thank very much the member for Stuart for reflecting on the difficulties that his constituents have faced when trying to cross the bridge at times when there has been high rainfall. I acknowledge, too, of course, that the member for Giles has also been an advocate for this project.

The member for Stuart is a very substantial advocate for his community. He is highly respected in his community and his community looks to him to ensure not only that their voice is heard in this place but also that their needs are recognised. There is no doubt that this is a very substantial investment that has been made in part because of the very substantial advocacy by the members concerned.

There was some reflection in relation to the value of Yorkeys Crossing. I might record for the benefit of members that, as the members have previously outlined, Yorkeys Crossing is not an all-weather road and is highly susceptible to rainfall events. The closure data for the period from 2012 to 2017 indicated that there was a total of 67 days of closure. I reflect, for the benefit of members, that that information is recorded in the Public Works Committee report.

Motion carried.

PUBLIC WORKS COMMITTEE: FLINDERS PORTS (INNER HARBOUR PORT ADELAIDE TITLE F) SITE REMEDIATION PROJECT

Mr CREGAN (Kavel) (11:26): I move:

That the 29th report of the committee for the Fifty-Fourth Parliament, entitled 'Flinders Ports (Inner Harbour Port Adelaide Title F) site remediation project', be noted.

The project involves the environmental remediation of the waterfront port lands at Inner Harbour, Port Adelaide, which are now owned and operated by Flinders Ports. The Inner Harbour Port Adelaide Title F site is one of the two sites that are yet to be remediated. The remediation of this site is required in accordance with the South Australian Ports Business and Asset Sale Agreement. The Flinders Ports (Inner Harbour Port Adelaide Title F) site remediation project aims, amongst other matters, to:

- construct a capping layer to provide long-term environmental risk management of contamination at the site;
- provide a hard-wearing surface that will suit port operations to minimise ongoing maintenance;
- provide a lining structure to minimise infiltration of stormwater through the metal impacted soil to groundwater beneath the site;
- develop a containment management plan in the event that impacted soils are to be retained on site; and
- take into account stakeholder requirements and expectations.

There is also a focus on reducing the environmental impact to the marine ecosystem, and that matter is very significant.

The cost of the project is approximately \$16.466 million and, following completion of construction, it is expected that the operation and maintenance, to be signed over to Flinders Ports, will occur from mid-2020 onwards. The Public Works Committee has examined written and oral evidence in relation to this project, and the committee has been assured by the Department of Planning, Transport and Infrastructure officials that acquittals have been received from the Department of Treasury and Finance, Premier and Cabinet and the Crown Solicitor that the works and procedures are lawful.

The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for examination of projects as described in the Parliamentary Committees Act 1991. Based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr TRELOAR (Flinders) (11:29): I rise to make a contribution on the 29th report of the Public Works Committee in relation to the Flinders Ports project at Inner Harbour. In November 2001, Flinders Ports purchased the state's commercial port infrastructure, which was previously operated by the South Australian Ports Corporation. As a consequence of this purchase, Flinders Ports was granted a 99-year lease over waterfront port lands, entering into individual port operating agreements with the then minister for transport.

In accordance with the South Australian ports business and asset sale agreement, the state government agreed to undertake the responsibility for the environmental liabilities and remediation of the leased land to a standard required for use as a port. Under this agreement, the responsibility lies with DPTI to undertake remediation, at its cost, to the satisfaction of the Environment Protection Authority (EPA).

In 2008, the state government transferred the leased waterfront port lands to Flinders Ports, with the process managed by the former Land Management Corporation. As part of this process, the sale agreement included an overriding deed (2008) stipulating the state government's ongoing liabilities. This included DPTI retaining responsibility for environmental remediation of the waterfront port lands.

In 2010, the Crown Solicitor's Office advised that the recommendations detailed in an environmental assessment undertaken by Golder Associates in 2004 established the objective remediation standard for these sites. The objective remediation standard imposed a limit on the nature of the remediation that DPTI was obliged to undertake to meet the EPA's requirements while the sites continued to be utilised as ports. The Crown Solicitor's Office advice also stated that the standard of remediation should only be to the level required for port operations as they were at the commencement of the lease of the port lands in 2001.

Of the Flinders Ports sites to be remediated, two remain outstanding, being the Inner Harbour Port Adelaide Title F site and Port Pirie Title H site. Remediation of the Inner Harbour Port Adelaide Title F site is ready to progress and therefore requires consideration by the Public Works Committee. I understand negotiation for the remediation of the Port Pirie site is continuing between DPTI and Flinders Ports. The Inner Harbour Port Adelaide Title F site is a 7.9-hectare port facility with approximately three hectares leased out to OneSteel Manufacturing Pty Ltd. The site is surrounded by shipping and bulk handling facilities and consists of two docks and five berths—berths 16 to 20—with adjoining sheds located adjacent to the Port River at Port Adelaide.

The capping of this site is considered necessary to satisfy DPTI's environmental obligations and to finalise outstanding port infrastructure and land sale obligations in accordance with the overriding deed (2008). The ORS recommended that the Inner Harbour Port Adelaide Title F site undergo surface treatment of all unsealed areas of the entire site to cap ongoing impacts from slag and metal contaminated fill materials.

A 30-tonne carrying capacity pavement design would have been considered appropriate for the port operations in 2001. Since that time, however, Flinders Ports operations at Inner Harbour Port Adelaide have evolved to now include the use of heavy vehicles and machinery up to 80 tonnes. A pavement designed to accommodate 30-tonne carrying capacity with the ability to be readily

converted to 80-tonne carrying capacity in the future is now proposed. That will be funded by Flinders Ports.

Remediation will involve the construction of a capping layer to suit port operations and provide long-term environmental risk management of contamination. The works include the construction of a pavement surface forming a capping layer to provide long-term environmental risk management of contamination. Following remediation, DPTI will retain the liability for the underlying contaminated material, and Flinders Ports will be liable for maintaining the integrity of the capping.

The proposed cost of the Flinders Ports Inner Harbour Port Adelaide Title F site remediation is \$16.466 million, excluding GST. Following completion of the construction, operation and maintenance is expected to be signed over to Flinders Ports. That should occur from mid-2020 onwards. My understanding is that, based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act, the Public Works Committee recommends that the proposed public work go ahead.

My congratulations go to the committee members. They undertake many long and detailed considerations and reports. I also congratulate Flinders Ports on their ongoing work and support of export and port facilities in South Australia. I commend the report.

Mr CREGAN (Kavel) (11:35): I acknowledge the contribution made by the member for Flinders, who is closely familiar with this project. He has been an advocate for it, and he also makes it his business to ensure that he is well informed about the work of Flinders Ports and their requirements. He has certainly assisted the committee in making a contribution today. We also rely on his knowledge and expertise in relation to not only this project but also other matters before the house. It is certainly correct to say that I have benefited from his guidance and support since coming into this role and into this place. Thank you, Mr Speaker, for the time permitted to consider this report and to report to parliament.

Motion carried.

PUBLIC WORKS COMMITTEE: SOUTH EASTERN FREEWAY MANAGED MOTORWAY PROJECT

Mr CREGAN (Kavel) (11:36): I move:

That the 30th report of the committee for the Fifty-Fourth Parliament, entitled 'South Eastern Freeway managed motorway project', be noted.

The South Eastern Freeway is part of the National Land Transport Network between Adelaide and Melbourne. It is the primary access corridor to and from Adelaide for the South-East of South Australia, the Murraylands and much of the Adelaide Hills. The corridor is the most direct road link between Adelaide and Melbourne, provides a vital link in moving freight between eastern and central Australia and serves a mix of urban and regional communities. This corridor also plays a significant role in linking the Eastern States with Western Australia and, to some extent, the Northern Territory.

The South Eastern Freeway managed motorway project is expected to improve the freight network link to Victoria and regional South Australia, as well as providing a cost-effective alternative to traditional road widening. This project will involve the implementation of managed motorway measures to address the identified bottleneck on the South Eastern Freeway between Crafers and Stirling.

This is expected to contribute towards a more efficient transport network and improve the road safety for road users. It is a section of the freeway with which I am closely familiar and with which the member for Heyden is very closely familiar as well. In coming to this place this morning, I passed through that section of the freeway, as I do very often in the discharge of parliamentary duties.

Specifically, the key aims of the proposed South Eastern Freeway managed motorway project are to create a more efficient and less congested transport network, optimise freeway reliability to support the mobility of freight and people, reduce the number and severity of rear-end and sideswipe crashes, stabilise freeway speeds during periods of high demand to make them more consistent and safe, improve incident management with intelligent transport system infrastructure,

and minimise impacts to the travelling public, business operations and the wider community during construction, where practically possible.

The estimated cost of the project is \$14.2 million. The project is being jointly funded by the Australian and South Australian governments, with each government contributing \$7.5 million exactly. It is expected that project construction will be completed in mid-2020. The Public Works Committee has examined written and oral evidence in relation to this project. The committee has been assured by officials from the Department of Planning, Transport and Infrastructure that acquittals have been received from the Department of Treasury and Finance, Department of the Premier and Cabinet and the Crown Solicitor that the works and procedures are lawful.

The committee is satisfied that the proposal has been subject to appropriate agency consultation and meets the criteria for examination of projects, as described in the Parliamentary Committees Act 1991. Based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr TEAGUE (Heysen) (11:39): I take the opportunity to rise in support of the motion and to make some brief remarks with reference to the report and the proposed public works. As the member for Kavel has identified, the South Eastern Freeway managed motorway works will bring a much-needed safety improvement to that part of the South Eastern Freeway between Crafers and Stirling. As we know, that is frequented now by approximately 54,000 vehicle journeys each day. It has seen an increase in use over the last decade in particular, as a result of increasing freight movements and the increasing residential population along the freeway, most notably at Mount Barker.

I, too, travel that section of the freeway daily on my journeys through Heysen and to the city from my home at Bridgewater. It is a section of the freeway that has been very much in my attention from well before I was a candidate and also throughout my time as a candidate, prior to the election and since. It has been the subject of keen community interest, primarily, if not exclusively, with a view to ensuring that that section of the freeway is safe for motorists. That includes those local residents at Crafers and Stirling who have occasion to use that section of the freeway to commute and to move between those two town centres.

Something that can be observed very readily on a daily basis is the challenge that has resulted from a pre-eminent piece of road infrastructure that was developed some generations ago now having to deal with substantially increased volumes of traffic of all kinds. That is perhaps at no point more clear than at the points of connection from the Crafers and Stirling on-ramps at those sections of the freeway. One can observe the difficulty of the merging of traffic, whether that be the scheduled bus services, trucks navigating that section of the freeway at differing speeds or regular vehicular traffic endeavouring to go from town speed to freeway speed in the course of entry and, vice versa, at exit.

This work will significantly improve the safety and navigability of that section of the freeway. In my view, it is long overdue. I will continue, as will the member for Kavel and members of the local community, to work through the process of implementing these works. I congratulate the government on prioritising this work and I thank the Public Works Committee for its report.

Mr CREGAN (Kavel) (11:44): It is right to say that the member for Heysen has been a strong and consistent advocate for this project. He is closely familiar with it. He receives, as I do, regular feedback in relation to the need for it, and he and I together identified it early as a project requiring the utmost attention of the minister. We are very grateful to the minister and the government that this project has been brought forward in the manner that it has, and quickly, at our urging and the urging of our community.

It is right to say, too, as the member for Heysen has said, that this project has been needed for some time. It gives me great pride as a local member in the Hills, as I am sure it does the member for Heysen, that this project is now no longer being talked about but being delivered. This is very substantial good news. Our communities have been crying out for this project, and it will be delivered by this government in its first term.

The member for Heysen rightly observed, too, that this section of the freeway can at times be difficult to navigate for vehicles and trucks. We have seen that at close quarters, and regularly,

and members of our community see that. Whenever there is an accident at this particular location on the freeway, there are often long delays.

The evidence put before the Public Works Committee was that this section of freeway has a higher crash incidence than divided freeways of this type. For that reason also, it is right that works be initiated first at this section of the freeway to address significant safety concerns. Of course, we know, our constituents know and anybody who travels through this section of freeway knows that it can be dangerous. In the middle of winter when there might be a little bit of black ice on the road and heavy vehicle movements, when it is late and you have your lights on and there is some fog—as there often is—it can be particularly dangerous.

We are acting to try to address with the minister and the government as quickly as we can the matters that constituents have raised with us. The member for Heysen and I will continue to monitor the development of this project, and we recommend the proposed public works.

Motion carried.

Parliament House Matters

PARLIAMENT HOUSE VANDALISM

The SPEAKER (11:47): Members, I rise to make a short statement regarding vandalism of the parliament's building. Shortly before 5pm on Wednesday 13 November, a large number of demonstrators arrived at Parliament House. Upon arrival, many of the protesters used red paint to make handprints on the facade, stairs and columns of Parliament House.

Parliament House staff are currently engaged in a dialogue with SAPOL. No charges have been laid. Cleaning is underway by a DPTI prequalified contractor; however, due to the nature of the building, this may be a lengthy and potentially costly process. There is no guarantee that further specialist work will not be required.

While the right to protest on the steps of Parliament House is respected, vandalism of the house is completely unacceptable.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: KROEMER'S CROSSING ROUNDABOUT PROJECT

Mr CREGAN (Kavel) (11:48): I move:

That the 31st report of the committee for the Fifty-Fourth Parliament, entitled Kroemer's Crossing Roundabout Project, be noted.

This project involves the construction of a roundabout at Kroemer's Crossing located north of the township of Tanunda, South Australia. The current layout of Kroemer's Crossing in Tanunda has existing road safety concerns due to the complex road alignment over the dormant rail line and the proximity of multiple junctions.

A small section of Barossa Valley Way, which is south of Diagonal Road to Kroemer's Crossing north of Tanunda, is currently restricted for semitrailers. This restriction arises due to safety concerns and insufficient width that would otherwise be required for heavy vehicle turn paths. As a direct result, access into Burings Road—which is the primary freight access to Richmond Grove winery—is also restricted for semitrailers. From 2002 to 2018, there have been 37 reported crashes at Kroemer's Crossing, which included one serious injury and 10 minor injury crashes.

The proposed construction of a roundabout will enable the extension of the restricted access vehicle network along Barossa Valley Way and Burings Road to the Richmond Grove winery for Performance-Based Standards (PBS) level 2A vehicles. The committee was informed that Pernod Ricard Winemakers, owners of the Richmond Grove winery, contacted the South Australian government via the Department for Trade, Tourism and Investment, highlighting the inefficiencies to its business due to the transport restrictions and its willingness to invest in improving access at this location.

Pernod Ricard proposes to upgrade the winery, including investment in new crushing and processing equipment. This would result in a greater input of grapes and a greater output of final

product from the winery. This investment is anticipated to create ongoing employment opportunities and result in substantive direct and indirect economic benefits for South Australia. The project will address road safety concerns at this location and replace the existing multiple junctions connecting Barossa Valley Way with Murray Street, Burings Road, Menge Road and Vine Vale Road. Further, the proposed roundabout at Kroemer's Crossing aims to:

- enable the extension of the restricted access vehicle network;
- create greater efficiency and reduce transport cost for local industries through improved heavy vehicle access;
- reduce the confusion of the current road alignment due to the proximity of multiple junctions and the presence of the rail corridor;
- improve safety at the location by reducing the risk of collisions at the junctions and providing safer turning capacity for heavy vehicles; and
- retain safe access for pedestrians and cyclists along the Barossa bike trail, which passes through that location.

The total budget for the Kroemer's Crossing roundabout project is \$6 million. It is being funded by the Australian and South Australian governments, Pernod Ricard and the Barossa Council. The Public Works Committee has examined written and oral evidence in relation to this project. The committee has been assured by officials from the Department of Planning, Transport and Infrastructure that acquittals have been received from the Department of Treasury and Finance, the Department of the Premier and Cabinet and the Crown Solicitor that the works and procedures are lawful.

The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects as described in the Parliamentary Committees Act 1991. Based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (11:52): I rise to very much support this Public Works Committee report on a matter that I sent to the committee. The committee considered it and has, I think very sensibly, moved the report in this house for noting. This project is dear to my heart because it is in my electorate and will deliver significant safety improvements and productivity gains for the Barossa Valley.

This intersection not only cuts through Barossa Valley Way on the outskirts of Tanunda but also intersects with Menge Road as well as a small road, Burings Road, that heads to a very popular local attraction, one I took my colleagues to: the Barossa Valley Chocolate Company. When we were there, they displayed a massive amount of chocolate on a table with some very nice things to eat and drink. Perhaps more importantly, behind that business is a series of wineries. One in particular is Richmond Grove, which is a significant processor of Barossa fruit.

Essentially, this project came about for two reasons. Firstly, we wanted to improve that intersection. Anybody who has sat at Menge Road wanting to turn right but having to look left would realise that it is quite a dangerous intersection. It takes somewhere between 8,000 and 10,000 vehicles a day. The sightlines are also rather problematic because of the angle of the intersection between Menge Road and Barossa Valley Way.

We are seeking to do two things. We will create a roundabout that helps to shape these roads, which will also include Vine Vale Road as part of the mix. The roundabout will be quite large to make sure that that series of intersections, as it currently is, is much safer for passing motorists. In doing that, it will also improve productivity for heavier vehicles to be able to get to Richmond Grove. That is why this project actually has funding from all three tiers of government.

At this point, I would really like to thank Tony Pasin and his advocacy for this \$6 million project, where roughly 80 per cent of the money is coming from the federal government and 20 per cent of the money is coming from state government, but that 80:20 contribution is also being

augmented by funding from the council. I would like to thank the CEO, Martin McCarthy, and the mayor, Bim Lange, for their huge support of this project, because I know for them it has been a long time coming. I would also like to thank Pernod Ricard, which is actually putting money into this project because it knows that this will help it to be more efficient moving forward.

We know that right across the state improving heavy vehicle productivity is very good for our economy. It helps to drive efficiency throughout the supply chain so that when our products go to market and are exported overseas we can do so at a price that is competitive with the rest of the world, and this is precisely what this intersection is going to do. It is a great example of three tiers of government and private industry working together towards a common outcome. It just shows yet again that we now have a government that is willing to invest in regional areas to improve road safety and to improve productivity.

This comes off the back of a whole series of works that has happened in and around my electorate since March last year, including the resealing of Barossa Valley Way between Tanunda and Nuriootpa, something we were really glad and happy to get done before the Vintage Festival Parade earlier this year. In fact, the Vintage Festival Parade was one of the first groups of people who were allowed to go on it, and I got a lot of positive feedback that day. I was able to stand there with my daughters and look with some satisfaction at the beautiful new road the floats were travelling along.

We have also managed to get some money, again in conjunction with the federal government, to upgrade bridges on Lyndoch Road—that is, Lyndoch Bridge just outside the township by the old Schild Estate cellar door—and also some money to upgrade the Altona Bridge on Barossa Valley Way. In addition, after a long time of campaigning we have finally managed to smooth out some of the bumps on the Sturt Highway, which were really quite dangerous. The number of skid marks that you see on that section as you head out of Sturt Highway just north of Gomersal Road were actually quite dangerous, and so earlier this year to be able to fix that section was again another down payment for a community that has been long waiting for a government willing to invest.

It also comes off the back of our election commitment to seal Lyndoch Road, which is an absolutely fantastic outcome. Again, that was the federal government and Tony Pasin working together with the state government and council to seal a road that is going to provide a connection between Gomersal Road and the southern Barossa and really help to unlock that southern part of the Barossa. The sealing of Gomersal Road, and also the connections through the Northern Expressway through to the Sturt Highway, has actually seen some tougher times, so providing a sealed road to be able to get down to the southern Barossa will have huge impacts.

There is a lot going on in my electorate, and in a lot of ways we are showing the people of the Barossa that we are a government that wants to invest in them and wants them to get on and do more of what they do best and what we do best, and that is to produce the best glass of shiraz in the world and be able to export that shiraz around the world so that we can bring dollars from China, from North America, from Hong Kong and from the UK back here to South Australia to help employ our young people.

Kroemer's Crossing and a \$6 million roundabout is the next step in that re-investment in the Barossa community. I could not be more proud that this project has finally got off the ground and I commend this report to the house.

Mr CREGAN (Kavel) (11:58): I want to acknowledge at the outset the contribution of the member for Schubert (Minister for Transport) not only to this project but also to ensuring sufficient funds for road upgrades right across the state. Over \$1 billion has been injected into regional infrastructure, and we are extremely grateful for that. It is the single largest investment by any government in infrastructure of that type, and not only those of us in regional communities but also our colleagues in city seats appreciate how significant this investment is. This is but one part of that investment.

The member for Schubert was right also to acknowledge Tony Pasin, the federal member for Barker, and Mayor Lange, the local mayor, who have been strong, consistent and determined advocates for this project. They have fought over many years to ensure that this project remained in the public consciousness, came to the attention of governments and is now the subject of funding

from this government and from, of course, the council and from Pernod Ricard. We acknowledge that contribution, too, and the practical way in which they have worked with the department to bring this project forward. Of course, as earlier mentioned, we acknowledge the contributions from the federal government and the council. We strongly endorse this project and recommend it to the parliament.

Motion carried.

Bills

LEGAL PRACTITIONERS (FOREIGN LAWYERS) AMENDMENT BILL

Introduction and First Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:00): Obtained leave and introduced a bill for an act to amend the Legal Practitioners Act 1981. Read a first time.

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:01): I move:

That this bill be now read a second time.

The bill I introduce today is the Legal Practitioners (Foreign Lawyers) Amendment Bill 2019, which amends the Legal Practitioners Act 1981. The main amendments in the bill insert provisions to regulate the practice of foreign law by foreign lawyers in South Australia and to provide for their local registration and regulation.

The foreign lawyers amendments originated from a request made by the presidents of the Law Society of South Australia, the South Australian Bar Association and the Law Council of Australia to amend the Legal Practitioners Act to include provisions for the registration and regulation of foreign lawyers practising foreign law in South Australia. South Australia is currently the only jurisdiction not to have these provisions in its legislation to regulate the legal profession.

The last round of major amendments to the Legal Practitioners Act came into force on 1 July 2014. The changes included abolishing the Legal Practitioners Conduct Board and establishing the new office of the Legal Profession Conduct Commissioner with expanded powers to deal with misconduct by legal practitioners. Four new schedules were also inserted into the Legal Practitioners Act to deal with incorporated legal practices, trust money and trust accounts, costs disclosure, and adjudication and investigatory powers.

These schedules were based on the Legal Profession Model Bill, which is in force in all jurisdictions except for New South Wales and Victoria. The latter jurisdictions operate under the Legal Profession Uniform Law Application Act 2014. Both the model bill and the uniform law contain provisions for the regulation and registration of foreign lawyers. A locally registered foreign lawyer is only entitled to practise foreign law in Australia. Overseas-admitted practitioners who wish to practise Australian law must apply for admission in Australia and will then be regulated as an Australian legal practitioner.

The Law Society is of the view that the inclusion of the foreign lawyer provisions will facilitate the provision of legal services across South Australian borders and also provide export opportunities for South Australian legal practitioners and practices. The foreign lawyers provisions in the bill are modelled on the relevant provisions from the model bill so that South Australia remains consistent with the other model bill jurisdictions.

The other significant amendment to this bill is an amendment relating to trustee companies. Trustee companies are corporations regulated by the Corporations Act 2001 (commonwealth), which provide 'traditional trustee company services' which are defined in the Corporations Act as:

- performing estate management functions;
- preparing a will, a trust instrument, a power of attorney or an agency arrangement;
- applying for probate of a will, applying for grant of letters of administration, or electing to administer a deceased estate; and

- establishing and operating common funds.

National Australia Bank has identified an issue with the Legal Practitioners Act that affects its subsidiary, National Australia Trustees Limited (NAT). The bank has identified that trustee companies such as NAT most likely fall within the definition of 'incorporated legal practice' used in the Legal Practitioners Act. This problem has also been identified with respect to legal profession legislation in other jurisdictions.

The advice I have received indicates that trustee companies do in fact fall within the definition of an incorporated legal practice under the Legal Practitioners Act and so in theory must comply with the entire regulatory regime set out in schedule 1, which covers incorporated legal practices. This means that not only are trustee companies over-regulated, as they are subject to both state and commonwealth regulatory regimes, but it is likely that some of the provisions of the Legal Practitioners Act, as they apply to trustee companies, may be inconsistent with the commonwealth Corporations Act and therefore invalid.

As a result of advice sought from the Crown Solicitor's Office, and extensive consultation with the Law Society, the Legal Practitioners Act will be amended to remove trustee companies from the ambit of the Legal Practitioners Act. I am satisfied that the relevant trustee companies are sufficiently regulated by the Corporations Act such that there is no risk to consumers of a trustee company being underregulated. In order to achieve this outcome, regulations will be made under clauses 1(2)(c) and 1(3) of schedule 1 of the Legal Practitioners Act to exclude trustee companies from its operation.

However, it is necessary to first undertake a legislative amendment to ensure that a court would not find the regulations to be in conflict with section 21(3)(s). Therefore, the bill contains an amendment to section 21(3)(s) to exclude trustee companies offering traditional trustee company services (as defined by the Corporations Act) from the operation of the Legal Practitioners Act. The relevant regulations will be developed in the usual way following the passage of the bill. I commend the bill to members and seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Legal Practitioners Act 1981

4—Amendment of section 5—Interpretation

This clause inserts a number of definitions required for the purposes of the measure.

5—Amendment of section 5A—Terms relating to associates and principals of law practices

This clause amends the definition of *associate* of a law practice so that the term includes—

- an Australian-registered foreign lawyer who is a partner in the law practice; and
- an Australian-registered foreign lawyer who has a relationship with the law practice of a class prescribed by the regulations.

6—Insertion of section 5B

New section 5B, inserted by this clause, provides a definition of *home jurisdiction*. A legal practitioner's home jurisdiction is the jurisdiction in which the practitioner's only or most recent current Australian practising certificate was granted. For an

Australian-registered foreign lawyer, the home jurisdiction is the jurisdiction in which the lawyer's only or most recent current registration was granted.

7—Amendment of section 20AI—Refusal, amendment, suspension or cancellation of practising certificate—failure to show cause

Section 20AI is amended by this clause to give the Supreme Court the power to impose conditions on a practising certificate where the applicant for, or holder of, the certificate has provided a written statement as required under section 20AG or 20AH. Those sections require an applicant for, or holder of, a practising certificate to provide a statement to the Supreme Court if a show cause event in relation to the person has happened.

8—Amendment of section 21—Entitlement to practise

This clause makes amendments to section 21 consequential on the introduction of provisions into the Act relating to registration of foreign lawyers. Under the section as amended, the provision of the section that prevents a natural person who is not a local legal practitioner or an interstate legal practitioner from practising the profession of the law will not apply in relation to the practice of foreign law by an Australian-registered foreign lawyer in accordance with Schedule 1A.

As a consequence of additional amendments made by this clause, officers and employees of trustee companies and certain other bodies corporate will be authorised to undertake certain legal work (for example, preparing wills) even if they are not local or interstate legal practitioners.

9—Insertion of Part 3 Division 4A

Under proposed section 24A, which is included in new Division 4A of Part 3, Schedule 1A applies in relation to the practise of foreign law in South Australia.

10—Amendment of section 39—Delivery up of legal papers

11—Amendment of section 40—Authority of legal practitioner or foreign lawyer to act on behalf of person of unsound mind

12—Amendment of section 43A—Interpretation

The amendments made by this clause are consequential on the insertion into the Act of provisions relating to the registration of foreign lawyers in this jurisdiction.

13—Amendment of section 49—Supreme Court may grant authority permitting director to practise

Section 49 prohibits a legal practitioner who is or has been a director of an incorporated legal practice during the winding up of the corporation for the benefit of creditors from practising the profession of the law without the authority of the Supreme Court. The section as amended by this clause will extend the prohibition to Australian-registered foreign lawyers and corporate entities entitled to engage in legal practice in a foreign country.

14—Amendment of section 57—Fidelity Fund

Currently, money in the Fidelity Fund includes costs recovered in disciplinary proceedings against legal practitioners or former legal practitioners. This clause expands the relevant provision so that costs recovered in disciplinary proceedings against Australian-registered foreign lawyers and former Australian-registered foreign lawyers are also included.

15—Insertion of Schedule 1A

This clause inserts a Schedule that sets out provisions that apply to the practise of foreign law in South Australia.

Schedule 1A—Foreign lawyers

Under Schedule 1A, a person is prohibited from practising foreign law in South Australia unless the person is an Australian-registered foreign lawyer or an Australian legal practitioner. An Australian-registered foreign lawyer is a locally registered foreign lawyer or an interstate-registered foreign lawyer.

Under Part 3 of the Schedule, an overseas-registered foreign lawyer may be registered as a foreign lawyer. An overseas-registered foreign lawyer is a natural person who is properly registered to engage in legal practice in a foreign country. Part 4 of the Schedule sets out provisions relating to the granting or renewal of registration as a foreign lawyer. Application is to be made to the Law Society. Unless there are grounds for refusing an application, the Society must grant an application for registration as a foreign lawyer if the Society—

- is satisfied the applicant is registered to engage in legal practice in one or more foreign countries and is not an Australian legal practitioner; and
- considers an effective system exists for regulating engaging in legal practice in one or more of the foreign countries; and
- considers the applicant is not, as a result of criminal, civil or disciplinary proceedings in any of the foreign countries, subject to—

- any special conditions in engaging in legal practice in any of the foreign countries; or
- any undertakings concerning engaging in legal practice in any of the foreign countries,
- that would make it inappropriate to register the person; and
- is satisfied the applicant demonstrates an intention to commence practising foreign law in this jurisdiction within a reasonable period if registration were to be granted.
- The Society may refuse to grant or renew registration if—
- the application is not accompanied by, or does not contain, the information required by Schedule 1A or prescribed by the regulations; or
- the applicant has contravened the Act or a corresponding law; or
- the applicant has contravened an order of the Tribunal or a corresponding disciplinary body; or
- the applicant has contravened an order of a regulatory authority of any jurisdiction to pay any fine or costs; or
- the applicant has failed to comply with a requirement under the Act to pay a contribution to, or levy for, the Fidelity Fund; or
- the applicant has contravened a requirement of or made under the Act about professional indemnity insurance; or
- the applicant has failed to pay any expenses of receivership payable under the Act; or
- the applicant's foreign legal practice is in receivership (however described).

Clause 24 sets out additional grounds for refusal to grant or renew registration.

Under Part 9 of the Schedule, registration as a foreign lawyer is subject to conditions imposed by the Society, statutory conditions imposed by the Act, conditions imposed under the legal profession rules and conditions imposed under Part 6 of the Act.

Provisions relating to amendment, suspension and cancellation of registration are also included.

The Society is required under the Schedule to keep a register of the names of locally registered foreign lawyers.

16—Amendment of Schedule 2—Trust money and trust accounts

This clause amends Schedule 2 to insert a definition of 'law practice' that applies for the purposes of the Schedule and includes an Australian-registered foreign lawyer who practises foreign law on the lawyer's own account and a partnership consisting of one or more Australian-registered foreign lawyers or one or more Australian legal practitioners, or both.

17—Amendment of Schedule 3—Costs disclosure and adjudication

This clause makes a number of amendments to Schedule 3 to ensure that the costs provisions in the Act apply to Australian-registered foreign lawyers.

18—Amendment of Schedule 4—Investigatory powers

This clause amends Schedule 4 to insert a definition of 'law practice' that applies for the purposes of the Schedule and includes an Australian-registered foreign lawyer who practises foreign law on the lawyer's own account and a partnership consisting of one or more Australian-registered foreign lawyers or one or more Australian legal practitioners, or both.

Debate adjourned on motion of Dr Close.

CROWN LAND MANAGEMENT (SECTION 78B LEASES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 October 2019.)

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (12:07): I am the person who will be leading the debate on this side, the lead speaker, and I also inform the chamber that we will be opposing this bill. I will give some brief explanations on that: I would be interested in hearing more between the houses, particularly as a request I made for maps of where each of the shacks is

located, and also a list of the leases and when they were first made, have not yet arrived in my office. I do not mean to criticise the minister's office. I know that they are extremely busy with another matter that I am also busy with, and probably many other things, but I am still looking forward to receiving that information perhaps between the houses.

I will say, though, that my objection to this piece of legislation comes primarily from a point of principle and one that the Labor Party has long held. In fact, I believe this bill is seeking to overturn a piece of legislation that was put in by the Labor Party when in government in 2009. If we think back over the history of shacks in South Australia, essentially these were properties that for a variety of reasons and mechanisms were built in places where we would not currently allow dwellings to be built. They are alongside watercourses such as the Glenelg River and the Lower Lakes, substantially along the coastline and in national parks.

It is my abiding regret that the government's proposal to allow the change to the lease conditions for shacks in national parks is not subject to legislation. This is something to which I may turn my mind, but at present it is able to be done simply by a decision of the government and an amendment to the management plan of each of the individual national parks.

I say that because, while I think that the location of all the shacks currently still under lease mean that they ought not be altered in their lease conditions, I find it particularly egregious that people would be able to have private dwellings that they would be able to sell or be able to will to allow inheritance by other people in our national parks. That is not consistent with our current and contemporary understanding of national parks and what they are for, and I would oppose that if I could; however, it is not in this bill.

What is in this bill is addressing the nearly 300 shacks, I think, that are on coast protection land or otherwise on Crown land that are the site of dwellings that, as I say, would not otherwise be given approval. When the Liberal Party was last in government—I guess some 17 or 18 years ago now—at the end of their period, at some point during their last government, they made a decision that they would largely allow the freeholding or at least the change in the conditions of leasing shacks.

That was done as a large exercise by the environment department (whatever its name was at the time; it might have been the department of environment and heritage (DEH)), and that process looked at every single shack that was under lease in South Australia. I probably do not need to tell the chamber, given that it would have been in the second reading explanation, but just to be clear, the arrangement that was made with people who had built shacks was that they would be able to have them as long as the last person on a lease that was devised was alive, and when that last person died they would be resumed by the state government.

In Victoria, that has happened significantly. A large number of shacks have been taken over by the government and, in fact, destroyed and the land has been returned to the coast land or the Crown land along the watercourses. However, in this case, back when the previous Liberal government was in office, the decision was that they would all be looked at to see whether either they could be altered so that the property could be allowed to be transferred to another leaseholder—i.e., largely through inheritance or gift—or the property could be made freehold and therefore owned and able to be sold.

All but these shacks were agreed to in that process under the previous Liberal government. All but these 300-odd shacks had their legal status changed. There was a reason that these were not. The reason was that none of them were either in a location or in a state, or both, to be justified as continuing to be dwellings past the term of the legal lease that had been given to the people who were leasing them. That was how it was left when the Liberals last went out of office for these 300-odd shacks.

Those in national parks, by virtue of being in national parks, those along the Glenelg River, around the Lower Lakes and along the coastline, were not suitable because their location was environmentally sensitive, because the access for the public was deemed to be more important (even by the previous Liberal government) or because the wastewater treatment, road access, coast erosion protection and other criteria were not satisfied.

This government has come in with an election commitment to have another look at those remaining shacks. What they are proposing to do is to change the protection that is given to the

public rights to those pieces of land that currently have shacks on them, that are leased. They propose to change that protection that was put in by the Labor government so that they can go through an administrative process to determine again whether any of those shacks, or all of those shacks, are able to be made freehold or to allow people to transfer the lease.

I understand from the briefing that I had that that process will include matters such as wastewater treatment. That is pretty good. It is important that we do not have dwellings that are putting sewage out into rivers, oceans or lakes. They will also look at the question of access by road and the question of whether the owner has done coast protection works—basically whether the dwelling has been brought up to standard and whether the dwelling is able to be defended in its own right by the works the owner has done to any coastal erosion processes and others.

Of course, we must bear in mind that we are already at 1° of warming for climate change and show no signs of slowing the increase in emissions, and therefore coast protection will increasingly be a feature of discussions that, whichever party is in, governments at a local, state and federal level will be having. For South Australia that is particularly difficult, given we have a very long coastline and a relatively low population. It is going to be expensive.

From the briefing as I understood it—and I am very happy to hear any further detail through the close of the second reading—the argument is that all those issues are going to be dealt with through an administrative process and that these shacks will need to be at a certain standard in order to be allowed to go through this process.

What is not addressed is the question of the principle that these shacks are dwellings where no-one would otherwise be able to build a dwelling, and in that sense they are alienating what is otherwise land that South Australians expect to have public access to. The reason you are not supposed to build on the coastal strip is that the coastal strip belongs to the people. That principle, of course, would not be addressed through this process.

I think there is a question of the mitigation of risk, particularly where a number of shacks are together. If the coastal erosion processes become so significant in the face of climate change, could there be a pressure through insurance companies, political pressure or through the residual obligations of government that they are not able to be transferred to private owners, that public funds would ultimately be used to protect private land that ought not be private but in fact ought to be resumed by the public?

I will have a number of questions when we go into the committee stage on this bill about how the money works. What has been paid by people for these properties, some of them incredibly well located? What would be paid in order to make them freehold? Should they be sold? Does that money remain only in private hands, or is there an expectation that the public would be compensated for the loss in perpetuity of what ought to be public land? There are a number of questions associated with the way in which the money is addressed.

As I understand it from the briefing, when this went to public consultation the only submissions that were received were from environmentalists who were concerned about this. That said, the only submissions environmentalists put in were that they did not think that this was a good idea. It is one of those conundrums for a minister for environment: the minister is often asked to do things by virtue of holding Crown land, as part of the policy but not the legislation by virtue of being responsible for national parks, that are not in fact in the interests of the environment. This, I believe, is one of them.

I do not believe that this is in the interests of the environment. It appears that that was the feedback in the submissions from people concerned with the environment. I am interested to know whether, at any point in the chain of finances that are associated with shacks, there is any benefit for the environment in any of the changing of hands, of money or of property that is being proposed.

With that, I think I have sketched out the concerns. It is a principled concern, but I also have numerous questions about process, about finances, about risk management and risk management into the future. At the heart, I have concerns about our environment, which any Minister for the Environment is the custodian of and given the primary responsibility for within any government, and whether this in fact conforms to that responsibility or is essentially about taking what is public land

and making it available to a fortunate few who at present have a lease that lasts until the death of the last person on that lease. I look forward to going into committee and having an opportunity to ask more questions about that.

Mr ELLIS (Narungga) (12:20): I rise to wholeheartedly support the Crown Land Management (Section 78B Leases) Amendment Bill. I travelled down to Innes National Park, which I realise will not necessarily be covered by the bill, to meet with the chair of the shack owners association, Brenton Chivell, to discuss with him his desire to see him and his fellow shack owners achieve ownership of their shacks and the shacks they have held in their families for some years. This is an important first step in that direction.

I am pleased to contribute to the bill, which pleasingly fulfils another pre-election commitment made by the Marshall Liberal government to create new opportunities for families with shacks on Crown leases on Crown lands to retain their shacks in exchange for upgrading them to meet contemporary safety, amenity and environmental standards. It is noted, of course, that the Crown Land Management (Section 78B Leases) Amendment Bill impacts only upon leases on Crown land. In my electorate of Narungga, there are seven around Marion Bay, six at Port Clinton, three at Dowcer Bluff, one at Foul Bay, one at Hardwicke Bay, one at James Well, two at Port Moorowie, one at Pine Point, one at Point Souttar and one at Sultana Point.

There is one at Pudden Rocks off North Beach near Wallaroo—I have never been to Pudden Rocks. There is also one at Webling Bay in the Barunga West council area, six near Port Broughton and 30 at Fisherman Bay, and what a wonderful community Fisherman Bay is. Finally, of course, in the Adelaide Plains council area there is one at Port Parham and two at Middle Beach.

Pleasingly, for these lessees and their connected families who have retained shacks for generations, the bill creates some certainty after many, many years of uncertainty. Knowing their shack under life tenure lease would face demolition upon the death of the last named lessee and as such providing no incentive to maintain or invest in them, understandably left many to fall into a state of disrepair.

The Marshall Liberal government sees the benefits that these shacks bring for holiday communities and for environmental wellbeing and tourism value, so I welcome the announcement made straight after the 2018 election by the Minister for Environment and Water, the Hon. David Speirs, placing a moratorium on the practice of automatically terminating leases upon the death of the last named lessee and placing all pending revaluations of shack sites on hold to allow valuable time to explore the issue of freeholding shacks on Crown lands and look at renewable tenure options for shacks in national parks.

The amendment bill before us importantly removes the transitional provision, the legal barrier contained in the existing Crown Land Management Act that prevents the holder of a section 78B lease from being granted a further interest at the site, such as better tenure or freehold or term tenure. It sets out a process that provides options for existing leases that lessees currently do not have where they can seek surrender of their existing lease in return for purchasing the land at market value or entering into a term Crown lease. The lessee may seek this for themselves or nominate another person to purchase or lease the Crown land. It is important to note that this amendment bill does not guarantee a lessee will be granted improved tenure, but it creates a pathway that will allow them to be considered for better tenure.

At this point, I wish to stress that the bill is step 1 in this welcome reform process. The amendment bill does not deal with shack leases within national parks, such as Innes National Park in the Narungga electorate, of which there are 20 shacks whose lessees are watching this debate today with great interest and who have publicly and loudly welcomed the commencement of any legislative reform that will stop the necessity to demolish these generational family shacks.

Dealing with shacks within national parks requires a separate process by the department, which the Marshall Liberal government has committed to and which will follow the passage of the bill before us today. Of course, this is required to amend the relevant park management plans, as outlined in section 38 of the National Parks and Wildlife Act, before further reform can commence. This process involves a regulated minimum three-month public consultation period, yet to commence, and consideration by several parties, including the Parks and Wilderness Council, and

negotiation, in the case of Innes, with the Narungga traditional owners as future co-managers of the park.

With a co-management agreement in place with the Narungga Nation Aboriginal Corporation, from there the new park management plan can proceed. With the drafting and consultation process, I expect it will take another 12 months of work, but still the progress of this first step amendment bill before the house today has been welcomed by all lessees of shacks on Crown land and in national parks, even though lessees on the latter will still need to be patient for just that little bit longer.

Shack owners in Innes National Park have been fighting for change for some four years or more now, with the most well-known case being the fight to save a family shack at Shell Beach in Innes National Park, known as Sloggs Motel, which in 2015 became the first of the Innes shacks on the chopping block to be hit with forced removal.

Under current legislation and the previous Labor government, despite lobbying from the South Australian Shack Owners Association, family member representatives, such as Mick Reynolds, who became the spokesperson for a large extended group of family and friends of the late Philip Pavy, the last leaseholder of the Sloggs Motel, who died in 2014, this shack faced enforced demolition by 30 June 2015.

There was a large and loud public outcry about this decision, and from more than just the family of the lessees. A change.org petition was signed by 1,172 people, and similar support came from social media platforms. The online petition preamble stated:

We the undersigned would like to ask that Members of the Parliament of South Australia, move to save the Private Shacks in Innes National Park as historically important places to this region.

And, I further quote:

...support to the call 'Save Sloggs Motel', allow this family, and future generations of, to preserve this important icon of this state and region. So that future generations may enjoy the heritage, and generations to come can see the humble beginnings of tourism, in a place which has since been declared as a national park.

It was noted that the area now known as Innes National Park was 'gifted to the state government by the Innes family, who would never have intended for shacks for ever have been demolished'. As was alluded to, Innes National Park, which is about 9,000 hectares in size, was first claimed in 1970. Its name arises from the Innes family, who gifted the park to the government. It is my understanding that the Innes family gifted the park with the proviso that the village of Inneston, which retains a number of heritage buildings, would always be allowed to remain, so one can take that to mean that the shacks were intended to remain there as well.

Mr William Innes discovered gypsum in the area in the early 1900s, which has been mined and exported since. Online response comments of the day advocated:

Sloggs Motel is not a Burden on any natural resource, nor is it overly intrusive to the environment with native vegetation extending to and beyond the edges of the existing footprint of this dwelling.

Others lamented the 'appalling treatment of existing lessees who pay exorbitant fees and look after such places'. With shack lessees paying thousands a year in annual lease fees and council rates, the latter for scant services in return—reportedly, these rates were calculated on valuations of freehold sites in nearby towns—it is not surprising that lessees have long been calling for reform. Coming back to the online petition, it was all to no avail, however, as legislative requirements are just that, and the infamous Sloggs Motel ultimately lost its fight, being demolished in 2016 after a long fight to save it.

To further demonstrate the depth of connection and feeling by local people on this issue, particularly from southern Yorke Peninsula, and the extent of effort to save it from the bulldozer, I now read from the local media of the day on 11 March 2015:

A family shack at Shell Beach is expected to be the first of Innes National Park's iconic retreats to be demolished.

For 63 years family and friends of the late Philip Pavy have spent holidays at the shack, known as Sloggs Motel.

Mr Pavey died late last year, and the Department of Environment, Water and Natural Resources is now bound to enforce its demolition under the life tenure shack lease agreement he signed in 2002.

However, Mick Reynolds is working to save the building on behalf of the family and is not giving up yet.

Mr Reynolds said he will continue to exhaust every avenue of appeal.

He goes on to say:

'I am doing this on behalf of Phillip's sister, although as part of an extended family group I have been going down to the shack regularly for 46 years...

Originally when owner and builder John Sloggs passed away in the late 1980s the shack was left to his friends at Port Victoria, about half a dozen lads including Phillip and my father.

Unfortunately, they were later told only one person could be on the lease, and that's when Phillip became the leaseholder.

'The shack is not a permanent place of residence, nor a mansion worth a million dollars, it's an iron dwelling with an old wood floor and no electricity.

If in the end we were forced to remove the shack the dune it sits on would become a dust bowl very quickly doing more damage to the environment than we've ever done.'

An important point indeed, as we progress the bill before us today. The media article continues:

Sloggs Motel is expected to be the first of the Crown-lease shacks to go within Innes, including at Pondalowie, Dolphin Beach and Inneston.

Despite an ongoing fight, currently shacks must be pulled down by their owners' estates at considerable expense once the last person on each property's lease dies.

If only they had had the Marshall Liberal government moratorium on the automatic termination of the shack leases in place, as we do now, that allows for the shack review process that is underway and has, since April last year, provided families with confidence that they can continue to at least occupy the shack in the event of the death of the last lessee until such time as they are assessed for the suitability for longer tenure.

If such a review had been underway under the previous government, the local iconic Sloggs Motel may well still be standing to be enjoyed by future generations of locals and visitors. At the time, the valid argument from the Innes Shack Owners Association, who joined the fight and worked with the department to explore options for the future to secure tenure for all shacks within Innes, was that:

The Shell Beach shack in particular has provided benefit to our local community over the years by allowing many local schools and community groups to utilise the shack.

We hope these aspects are also able to be taken into consideration by [the department] when assessing the value of these buildings to the local area.

That was stated by local champion for the cause Brenton Chivell at the time back in 2015. I must note, Brenton is still today the chairperson of Innes Shack Owners Association. I have met with him a number of times since being elected and prior to being elected, and I know he is following the passage of this bill very carefully and attentively today. Mr Chivell has publicly welcomed the commitment by those on this side of the house to provide a legislative pathway to retaining shacks in recognition of the roles they can provide in relation to long-term economic and tourism benefits—in this case, for the YP region—and for the environmental benefits.

When the moratorium on further demolition of shacks was announced in April 2018, local lessees described it as 'exciting times for shack owners in South Australia at the moment'. A local lessee also stated:

After years of being treated like second class citizens by the previous Labor Government, it's great to see our new government standing by its promises to embrace the shacks community.

What a wonderful quote that is about the support for this bill before us today. Whilst additional amendments are required to individual park management plans to facilitate the retention of shacks located in national parks, this separate process by the department is being advanced and will take due course while the moratorium on demolishing shacks is being maintained. Innes National Park lessees welcome the continued development of new policy and implementation that provides certainty of tenure and valuations of shack sites going forward.

I welcome the bill before us today and gladly support it. It provides certainty of tenure for families by expanding the eligibility to maintain a lease in return for improving shacks to meet contemporary safety, amenity and environmental standards. More freeholding of shacks located on Crown land will follow as will renewable tenure options for shacks located within national parks. Fair valuation advice for the sale of shack sites will come as a result, as will strengthened links between local ranges, Friends of Parks groups and shack owners.

This policy work has been technically complex and has involved consultation with shack owners associations, traditional owners, the Conservation Council and Friends of Parks groups, as well as individuals and families, dealing with a broad range of regulatory agencies and government departments, including the Environment Protection Authority, the Coast Protection Board, DPTI and SA Health, as well as local councils. I heartily commend all involved in the extensive work undertaken. With 247 shacks in South Australia presently affected by section 78B leases, this work is of vital interest to many.

I stress that the amendment bill before us does not guarantee the lessee will be granted improved tenure, but it creates an important pathway to at least allow them to be considered for better tenure, be it for a longer lease or to freehold. It is stressed that any surrender of a life tenure lease will be on terms determined by the minister, that a demonstrated ability to meet the identified contemporary safety standards will determine a successful surrender, and that relevant issues at each site will differ depending on circumstances. It is also important to note that under this amendment bill shack lessees will not be obliged to upgrade their shacks as a result of this process. Rather, they will elect either to participate or to remain on their current section 78B lease.

In summary, whilst it is too late for some families who unsuccessfully petitioned the former Labor government to stop shacks demolition, I am pleased that those who have not been able to secure tenure under the previous government have had respite since April last year from worrying about the uncertainty of when their long-held family shack may have to go. The bill that is before us formally commences the pathway that will provide much-needed certainty to current shack lessees that they have not had previously.

These people, in their 70s, 80s and 90s and under considerable anxiety, will get the opportunity to hand their tenure on to family members. A clear process will be provided by this bill to enable the ongoing tenure of shacks on Crown land and in due course, hopefully, in national parks. I thus commend the Crown Land Management (Section 78B Leases) Amendment Bill to the house and look forward to its speedy passage.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the member for MacKillop, I would like to acknowledge the presence in the gallery today of Mr Geoff Gallasch, who is President of the Shack Owners Association in South Australia, and who has come in to listen to the debate. Welcome, sir.

Bills

CROWN LAND MANAGEMENT (SECTION 78B LEASES) AMENDMENT BILL

Second Reading

Debate resumed.

Mr McBRIDE (MacKillop) (12:36): I rise in support of the Crown Land Management (Section 78B Leases) Amendment Bill 2019. This bill signifies the delivery of yet another Marshall Liberal government election commitment. For many families across the state, a shack is a great asset that has been handed down from generation to generation. It is a place to get away from everyday life, a place to relax and enjoy time with friends and family.

Life tenure leases for holiday accommodation purposes, otherwise known as shack leases on Crown land, were issued under section 78B of the Crown Lands Act 1929. The Crown Land Management Act 2009, which replaced the Crown Lands Act 1929, included a transitional provision

that prevents the holder of the shack lease from being granted a further interest at the site, that is, either freehold or term tenure.

For too long, many shack lessees on Crown land have been in an unenviable and difficult situation, left with no incentive to improve their residences with the tenure of their lease on Crown land destined to expire. Under Labor, life tenure leases meant that upon the death of the last named lessee, the shack was required to be demolished and the land returned to the government. This has resulted in many lessees allowing their shacks to fall into disrepair, there being no incentive to maintain or invest in them.

Discussions with one of my constituents has provided a great example of the no-win situation shack owners were in: stuck with the status quo, knowing that they could not pass their shack on to family members or anyone else. The shack was built in a place that resembled a holiday outfit that was always secondary to the home and the lifestyle where those people may have come from, but it was meant to be a place of simplicity and enjoyment of the peace and quietness that a shack might provide from everyday life.

It might be drawing a long bow, but I will liken the shack to the idea of the links golf courses that have been built around the world, where one of the prerequisites is that the golf course has to be isolated. It has to be down a dirt road that no-one else really wants to use, it has to have a coastal view somewhere on the golf course—obviously water or sea or whatever it might be—and, most importantly, it has to remove the people who want to play that game of golf from their everyday society or how they live.

I think that sums up really well what these shacks meant to the people who lived in and operated them. It was where they could remove themselves from their day-to-day lives. This is where the golf courses do not come in—the shack gives a greater perception of this: it was a place to engage with friends and family. These shacks would have had a lot of history of good memories and camaraderie amongst owners, families and friends who used them.

They knew their tenure would end upon the death of the shack's lessee, which left these owners in a state of despair. These shacks were built very simply: they had no mod cons or benefits that we now enjoy in this age of technology. It brought people back down to a position where they could enjoy the environment and the outdoors. It was a place where you could get away, particularly if you were a city resident.

With these shacks being built very simply, I know that 40 or 50 years ago waste was dealt with just like it was anywhere. There may have been a long-drop toilet. There may not have been any running water. Certainly, there is no power in a lot of these shacks. The simplicity of existing in them would have been in the style of the early settlement period, but they were still enjoyed and appreciated by those who used them.

If the shacks were not quite up to scratch and you wanted to introduce modern technology, why would you do it if you knew they could not be passed on to anyone else and that they would be bulldozed upon the death of the lessee? What a quandary to have to work through. Through these amendments, the government is suggesting that all waste systems are upgraded as we give tenure of these shacks and that they are modernised so that they are not detrimental to the environment, as we now know they could possibly be.

As technology changes, we now have septic systems. It is easy to put in running water. We know we can install solar panels and wind turbines, which can maintain battery-type power and operate water pumps. Suddenly, these houses can have electricity, running water and a septic disposal-type system, and they can have these things in an environmentally friendly way. It is very pleasing that this government is joining the dots and providing an opportunity for this to take place if these shack owners wish to pursue that.

I have heard that the other side of the chamber is going to oppose these amendments and this bill. I question why they would do this. The shadow environment minister spoke about issues that give a long stretch to her concerns and the concerns of her party about the existence of these shacks. I heard that there was a detriment to where these shacks exist. The deputy leader talked about the environment, climate change, global warming and rising sea levels and how these shacks could suffer as a result of these changes and perhaps even add to the woes of these changes.

I have seen no evidence at all thus far, and if there is evidence that they are a problem hopefully this will be rectified. For example, if they wish to keep these shacks up and running, the government will stipulate that the waste disposal systems have to be upgraded. I have seen no evidence at all that these shacks have caused any hassles to the environment in a huge way. Yes, they might have an environmental footprint, as was claimed by the other side—they need roads, and the native vegetation around them has been cleared—but humans leave an environmental footprint wherever they have been.

This is one of the greatest dilemmas that we as a species are trying to deal with—that is, what sort of footprint on the world are we willing to accept as a human race? How are we going to coexist with this huge movement on global warming, our environmental footprint and these sorts of issues, and how are we going to solve them? We come back to this shack issue. How do we deal with it? We are just going to bulldoze and remove them. We are just not going to have them. We are going to turn the land back to native vegetation, as if we were never there. Well, let me tell you, we are here for a long time.

We are a very clever species and we will develop ways and methods to live within the environment and to do it well. For those who want to backtrack and undo what we have done, we as a species never generally do that. We do not undo ourselves. We do not go back to the horse and cart. We develop technologies and ways to work within the environment, and these shacks are exactly the same sort of thing. They can coexist in the environment.

In regard to the shacks, it has been pointed out to me that people are not allowed to build onto the shacks. They are not allowed to make them any bigger. Once they were a two-bedroom or two-room humpy. They could never build on a third room or put on a bathroom or a decent kitchen because they were not allowed to build on them. They were the rules for shacks. The shacks should at least be allowed to be upgraded so that the amenities are suitable for today's living. I would say that the incentive to invest further moneys—knowing that you could not have any more than the one generation living there—has absolutely been lost.

Shack owners are not the environmental Nazis of any particular region. By that I mean they do want to play their role in the environment. These shacks are found on the edge of rivers or on the edge of lakes—the Coorong, more importantly—and they want to blend in and be part of a solution for all that they can enjoy. I know that Coorong shack owners have been part of a weed management process, taking out the noxious weeds that have infiltrated our national parks, so they have been part of an answer. This is an engagement that we should absolutely hang our hat on and say, 'This is a great thing.'

I also know that Coorong shack owners were responsible for the Long Point jetty, which is a boat mooring facility. People can go out, put out their nets and catch a fish. Even professional fisherman can tie up against this jetty. It was constructed and maintained by the shack owners, or they at least assisted with this process. Of all things, the previous government was going to have that jetty pulled down. They were going to have it removed. Why? Because we do not want to have that sort of facility and infrastructure in a place where people are enjoying themselves. Why? Because it is a national park. Why would you want to do that in a national park? Because it is meant to be a national park in its full entirety. No human footprint is allowed to be seen here. The problem is that we do want to enjoy these national parks, and that brings me to the next point.

There is a roadhouse operator halfway between Meningie and Kingston. He believes he has suffered due to the national parks not engaging with tourists well enough, and that runs parallel with shack owners. Shack owners want to exist on the Coorong and do all the right things by the environment and the national park and help out with weeds and infrastructure.

To get the Coorong pumping so it can be a great tourist destination, the roadhouse operator wants signage. He wants good signage to say, 'Come in here and enjoy what the Coorong has to offer.' There are toilets and there are camping spots. You can camp in this area. There are roads that will take two-wheel drive vehicles and there are tracks that will take four-wheel drive vehicles. This is about engaging with all the people who want to enjoy national parks and the Coorong. I believe there is a great fit here for shack owners to be part of this process.

The delivery of our election commitment to create new opportunities for shack owners, providing the settings to enable the reinvigoration of these residences and the potential for enhanced visitation to these locations will realise benefits for both shack lessees and the broader local communities. The groundwork for this bill has included investigating the legal and technical requirements to facilitate and deliver on this election commitment. I am advised that consultation has included working with a range of agencies, including the EPA, DPTI, SA Health and the Coastal Protection Board.

A discussion paper was prepared and circulated in early July 2019 for community and stakeholder information and comment. This, together with extensive face-to-face consultation conducted by the Department for Environment and Water, provided an opportunity for shack lessees, local councils, traditional owners and Friends of Parks groups to consider the approach and understand the scope of the proposed amendments. I am advised that around 250 survey responses were received as a result of this consultation. Our election commitment identified that a lease will be required to upgrade their shack to meet current safety, amenity and environmental standards before they are assessed for improved tenure at the shack site.

I am advised that the assessment process relies on existing regulatory regimes and standards. These standards, of course, also include where development approval is required. This is an approach that I and many others appreciate will reduce duplication in processes and provide consistency in approval processes. The amendment removes a legal barrier that currently prevents shack lessees from applying for longer tenure. It also sets out a process where they may purchase or lease Crown land. This amendment will provide a pathway for leases that was not previously available. The bill also creates a provision that allows for the minister to require the removal or to remove unauthorised fixtures on Crown land.

In summing up, when I first came into this role as a new candidate one of my first calls was the Easter Coorong Shack Owners Association meeting at Meningie Bowling Club. There were a lot of distressed people in that room and they were very concerned about where they were and how they were progressing with the current government, which was the Labor government of 16 years. They had no longevity in their shack. They were really reaching out to the Liberal Party to help them out of this maze of issues involving something they had a real affinity for and love affair with.

The room had at least 100 to 150 people in it. Shack owners came all the way from the Glenelg River, near Nelson, and the Coorong and Lakes area. It was well attended and I got to meet a number of the faces, and I even got to meet people I did not realise had a shack who were friends and counterparts of mine from local communities, such as Lucindale and the like. It was quite staggering to see that these shacks are not just for a select few.

I have to say that they are certainly lucky to be in the situation to have a shack in some of these what I call pristine, beautiful places. One of the things they acknowledge is that they do not want to destroy these areas, and they do not want to cause any pollution or erosion. I think that our government can work well with this organisation and these shack owners to make sure that we cross all the t's and dot all the i's and that they have a good relationship.

One of the other important things is that we in the Liberal Party can hold our heads high. Hopefully, this progresses further to all the rest of the shack owners we could represent in this area. At the moment, it is just those on Crown lease or Crown land. It is giving some sort of ownership and belonging that we respect. What do I mean by 'respect'? Obviously, South Australia was settled 150 to 200 years ago when we plonked ourselves down here and tried to make a life for ourselves.

Shack owners, and those who developed these shacks, were very much of that early pioneer stage, when perhaps a beautiful site was found and they put up some sort of humpy or a house or fixture that represented an easy build and was not going to be encompassing for anyone to have to worry about too much. They could go and spend a couple of weeks or a couple of months there, and it has progressed further from that. We as a government are giving respect to that sort of pioneering development that South Australia and Australia developed. We are a young nation. We are a young state compared to the rest of the world. We cohabited this land by pioneering and these shacks are a result of that.

It gives me great pleasure that this bill signifies the delivery of yet another election commitment of our government. It reflects an appreciation of the value of shacks to our communities and the value they bring to the lifestyles of those who are fortunate enough to have them. I commend the bill to the house.

Mr TRELOAR (Flinders) (12:54): I rise to make a contribution to the Crown Land Management (Section 78B Leases) Amendment Bill 2019. I give it my wholehearted support, as I represent an area that has at least two settlements that have shack leases that will be caught up and encompassed by this proposed legislation.

Shacks have been part of South Australian life for more than 100 years, providing rest and relaxation for families and friends. They have also provided a boost to our regional economies. The South Australian government is committed to creating new opportunities for owners to retain shacks on Crown land and in national parks, which will benefit shack owners, regional economies and the broader community.

As other members have indicated, shacks are scattered across the South Australian coastline, from the Glenelg River, at the very bottom of the South-East of South Australia, to Smoky Bay on the West Coast. In fact, they spread farther than that: there are also shacks all the way out to Fowlers Bay. Historically, local farming families have visited their closest beach, established shacks and spent their summer holidays there. Those shack precincts started out as places where these farming families would spend their summers, particularly after harvest and over the Christmas and new year period before the children went back to school, to rest and enjoy the spectacular natural environment.

I have a theory about how shacks were established at certain sites, and that is that the farming families on Eyre Peninsula and right around country South Australia identified their closest beach as the place to spend their summer holidays. With our coastline being much indented with gulfs and islands and with the South-East, there was plenty of opportunity for farming families to go to the beach, to go to the coast, and have their summer holidays. If you will bear with me, I will try to explain how my theory works.

In the Far West of the state, the farming families established shacks at Fowlers Bay. In the Wirrulla area, they went to Smoky Bay. The Poochera farmers went to Haslam. Those on central Eyre Peninsula at Wudinna, Minnipa and Warramboos invariably headed to Venus Bay, which was a hive of activity over that summer period. They went there to holiday but also to fish and catch up with all the people they also socialised with throughout the year.

The Lock families often went to Dutton Bay or Coffin Bay and the bottom end, too, went to Dutton Bay and Coffin Bay. Many of the Cummins farming families had shacks at Coffin Bay, and I will get to that a bit later because we were one of those families. Louth Bay was established just north of Port Lincoln. Incidentally, in the early days a lot of these destinations also served as drop-off and pick-up points for the ketches that serviced our coastal communities. The Ungarra farmers went into Tumby Bay or, if they were looking for a quieter time, off to Port Neill.

The Cleve farming families went to Arno Bay, and the Kimba farming families holidayed in Lucky Bay, which is just north of Cowell. There are over 100 shacks at Lucky Bay; in fact, I think there are 113, 117 or thereabouts, but I stand to be corrected on that. Those shacks, even though they are under a lease arrangement, are not caught up in this legislation because the shacks at Lucky Bay are under a headlease with the local council, the District Council of Franklin Harbour. I know that there are negotiations separate to this about extending the tenure of those shacks from 2026 to at least life tenure or maybe beyond.

I think my theory stacks up: the closest beach was the best destination to build a shack. The reason is that it was easy for the father of the family—and I say that with all due respect—the farmer in the family to go home every third day and check the sheep. It was important that the family farm was within striking distance of where the family was holidaying. As I have made clear, many shacks have been retained in these families for generations. The families have committed to caring for coastal shacks and, in the process, have contributed to the wider environmental wellbeing of our beaches—and our rivers, let's not forget that—provided healthy lifestyle opportunities and assisted our tourism sector. At this stage, I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

LANDSCAPE SOUTH AUSTRALIA BILL

Conference

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (11:40): I have to report that the managers have been to the conference on the bill, which was managed on the part of the Legislative Council by the Hon. J.M.A. Lensink, the Hon. D.G.E. Hood, the Hon. K.J. Maher, the Hon. F. Pangallo and the Hon. M.C. Parnell. We there received from the managers on behalf of the Legislative Council the bill and the following resolution adopted by that house:

That the council insists on its amendments Nos 2, 14, 40 to 44, and 47 to 50 and suggested amendments Nos 1 to 5 disagreed to by the House of Assembly.

Thereupon the managers for the two houses conferred together and it was agreed that we should recommend to our respective houses that the resolutions, which are being circulated, be agreed to:

As to Amendment No. 2—

That the Legislative Council no longer insist on its amendment.

As to Amendment No. 14—

That the Legislative Council no longer insist on its amendment.

As to Amendments Nos 40 to 44—

That the Legislative Council no longer insist on its amendments.

As to Amendments Nos 47 to 50—

That the House of Assembly no longer insist on its disagreement to the amendments.

As to Suggested Amendments Nos 1 to 5—

That the Legislative Council no longer insist on its suggested amendments and that the House of Assembly makes the following amendment in lieu thereof:

Clause 67, page 73, after line 32—

After subclause (9) insert:

- (9a) If a council writes off a debt constituted by an unpaid regional landscape levy (or part of a regional landscape levy) under section 143 of the Local Government Act 1999, the regional landscape board must, on application by the council in accordance with the regulations, refund to the council an amount equal to the amount of the levy (not including any related interest) that has been written off (payable from the fund under section 94).

And that the Legislative Council agrees thereto.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today, students from Moana Primary School, who are hosted by the member for Kaurua. I trust you enjoy your time in the parliament. I notice there was a class here this morning as well.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Speaker—

Local Government Reports—City of Playford—Annual Report 2018-19

By the Premier (Hon. S.S. Marshall)—

State Theatre Company of South Australia—Annual Report 2018-19

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

Criminal Law (Forensic Procedures) Act 2007—Report undertaken by Ombudsman SA
 Report for the Period 11 May 2018 to 30 June 2019
 Equal Opportunity Commission—Annual Report 2018-19
 Legal Practitioners Disciplinary Tribunal—Annual Report 2018-19
 Office of the Public Advocate—Annual Report 2018-19
 The Public Trustee—Annual Report 2018-19
 Training Centre Review Board—Annual Report 2018-19

By the Minister for Education (Hon. J.A. Gardner)—

Education and Early Childhood Services Registration and Standards Board of South
 Australia (Education Standards Board)—Annual Report 2018-19
 Review of the Children and Young People (Oversight and Advocacy Bodies) Act 2016—
 South Australia—Report October 2019

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

Central Adelaide Local Health Network—Annual Report 2018-19
 Country Health SA Network—Annual Report 2018-19
 Health Advisory Council Inc—
 Central Adelaide Local Health Network Annual Report 2018-19
 Country Health SA Local Health Network Annual Report 2018-19
 Northern Adelaide Local Health Network Annual Report 2018-19
 Southern Local Health Network Advisory Council Annual Report 2018-19
 Women's and Children's Health Network Annual Report 2018-19
 Northern Adelaide Local Health Network—Annual Report 2018-19
 Pharmacy Regulation Authority SA—Annual Report 2018-19
 Southern Adelaide Local Health Network—Annual Report 2018-19
 Women's and Children's Health Network—Annual Report 2018-19

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

Planning, Transport and Infrastructure, Department of—Amendment to the Annual
 Report 2018-19

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Mr CREGAN (Kavel) (14:07): I bring up the 39th report of the committee, entitled 'Final report: Finger Point wastewater trunk main relay'.

Report received and ordered to be published.

Question Time

UNEMPLOYMENT FIGURES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08): My question is to the Premier. Why do the unemployment figures published today show that the Premier's policies have not created one single job in the past 12 months?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08): It's a pleasure to answer this question. Two months ago the Leader of the Opposition was complaining about the high unemployment rate at 7.3 per cent. It's now down to 6.2 per cent and he's still complaining. He hates the fact that this government, since coming—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to power, has created almost 10,000 jobs, of which 65 per cent are full-time jobs—and he hates it. He hates the fact that South Australia is moving forward. The reality is that, whilst we have created almost 10,000 jobs in the first 18 months that this government has been in place, we are going to redouble our efforts and continue to create even more jobs in South Australia. That's the focus of this government—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and that's what we are going to be doing every single day that we are in government. So, rather than talk down the state, talk down the prospects—like those opposite love to do—we are going to be working hard every day to create more jobs and a better future for all South Australians.

The SPEAKER: Before I call the leader, I call to order the following members: the Leader of the Opposition, the member for Lee and the member for Waite.

JOB CREATION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:09): My question again is to the Premier. Why has the number of jobs in South Australia gone backwards since the delivery of this year's state budget?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:09): As I said, we are working very hard—harder than ever—to create more jobs here in South Australia. We know that there is a lot of uncertainty in global markets, in national markets, here in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We are not shirking our responsibility, but there's got to be recognition about the environment—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. S.S. MARSHALL: —in which we are operating. We know that this uncertainty is creating some issues for employers not just here in South Australia or nationally but also internationally at the moment, and that is why it's critical—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to have a government—

The Hon. Z.L. Bettison interjecting:

The SPEAKER: Member for Ramsay!

The Hon. S.S. MARSHALL: —with a backbone, not a government that falls apart every time there are some difficult conditions.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: The reality is that the people of South Australia have elected us into government—

Ms Stinson interjecting:

The SPEAKER: Member for Badcoe!

The Hon. S.S. MARSHALL: —to create better economic conditions. Let me say, this is a test—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —between the two parties. The first opposition to any difficult economic conditions—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. S.S. MARSHALL: —and those opposite go to water, talk down the state, talk down South Australia here in the media, interstate, even nationally, telling people that things are a disaster in South Australia. The reality is that we have created thousands of jobs since we came to government and we have only just started.

The future is very bright here in South Australia. This morning, sir, you might be interested to know that I was with our federal cities minister. I was working with him and local government to present the implementation plan for Lot Fourteen—a fantastic facility that is going to create many, many more jobs here in South Australia. That is our focus, and we will continue to work on it every day that we are in government.

The SPEAKER: Before I call the leader, unfortunately I must intervene and call the following members to order: the member for Playford, who has been doing it all day; the member for Kaurana; the member for Badcoe; and the member for Hurtle Vale.

UNEMPLOYMENT FIGURES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:11): My question is to the Premier. Why has the participation rate declined since this year's state budget?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:11): The participation rate moves around a lot.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: The reality is—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —that we would always like to see the participation rate increase, absolutely increase, and that's one of the reasons why we are working very hard to create more opportunities for long-term unemployed people here in South Australia. It is one of the reasons why my good friend—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. S.S. MARSHALL: —the Minister for Innovation and Skills in South Australia has been working very hard to create more apprenticeships and traineeships in South Australia, and a lot of people in South Australia love this policy. Some people hate it—and we know who those people are. They hate good news. They hate the fact that we are fixing up the mess that they created.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: They hate the fact that we are dealing with the mess that we inherited of the completely inept management of TAFE presided over by the deputy leader. The new minister responsible, the Minister for Education in South Australia, has put more than \$100 million

into the budget of TAFE in South Australia and fixed the quality standards, which were left in tatters by those members opposite. The Minister for Innovation and Skills has put \$200 million—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —back into the budget to create 20,800 new apprenticeships and traineeships. I love the fact that earlier this week we got a report from the independent umpire, the NCVET, and what did it show? A 28.8 per cent increase in the number of people who had commenced apprenticeships or traineeships here in South Australia, and isn't that good news?

Isn't it good news that young people are getting a start in a profession that is going to lead to a job outcome? This is the change that has been implemented in South Australia over the last 19 months—putting money into critical areas that are going to grow our economy, create more jobs, more apprenticeships, more traineeships—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —and make sure that we can make South Australia a more prosperous place.

The SPEAKER: Before I call the member for Flinders, the answer of the Premier may entertain or irritate the opposition, but that is not an excuse to carry on like that. Consequently, I call to order the member for West Torrens. The member for Badcoe is warned, and the member for Elizabeth is called to order for excessive gesticulation. The member for Flinders.

TOURISM

Mr TRELOAR (Flinders) (14:14): My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is supporting South Australia's regional tourism industry?

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

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: And it's not just because I had a coffee at the Boston Bean with the member for Flinders when I was last in Eyre Peninsula, or a beer at Beer Garden Brewing with the member for Flinders, but because we understand that tourism is a crucial part of the South Australian economy—40,000 South Australians are employed in over 18,000 businesses. Today, the Marshall Liberal government has announced a new Skilling South Australia project. The Tourism Industry Council of South Australia is delivering the pilot initiative, which will encourage business owners to take on an apprentice—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. D.G. PISONI: —and attract young people into rewarding career pathways—

Members interjecting:

The SPEAKER: Member for Lee and member for West Torrens!

The Hon. D.G. PISONI: —across the South Australian tourism sector. The pilot involves—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned.

The Hon. D.G. PISONI: The pilot involves the Tourism Industry Council of South Australia working with TAFE SA to deliver training for 20 Eyre Peninsula jobseekers. They will gain skills

required to work in the state's regional tourism sector and be supported into full-time apprenticeships, in this instance a Certificate III in Tourism, with tourism operators across Eyre Peninsula.

South Australia's visitor economy has risen to \$7.6 billion. The regions in particular have seen tremendous growth—\$3.3 billion spent outside of metropolitan Adelaide. A component of the \$130,000 project of Skilling South Australia will support the Tourism Industry Council of South Australia to promote training opportunities to their strong membership base, including through their planned statewide business development workshops. Tourism operators will be introduced to the benefits of hiring an apprentice or trainee through 27 events. The first one is being held today in our tourism mecca, Kangaroo Island.

I spoke with the Chief Executive Officer of the Tourism Industry Council, Shaun de Bruyn, just last week and he was very excited about the new project. He said tourism employers, particularly in regional South Australia, need more staff with a broad range of skills. The new project is one of 90 Skilling South Australia projects up and running to date, codesigned directly with industry—a stark contrast to what those opposite were offering when they were in government.

We are working to skill South Australians for the new and growing industries here in South Australia. The project is just another example of delivering new job outcomes while working directly with industry through our Skilling South Australia program. I endorse the comments of the Premier earlier—a 28.8 per cent increase in the number of trainees and apprentices in the first six months of this year, compared with the first six months of last year.

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:17): My question is to the Premier. Premier, when were you informed that your Chief Executive of SA Health, Dr Chris McGowan, resigned his directorship with Silver Chain Corporate Services Pty Ltd two months after he started his role as CE?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17): I was informed by my chief of staff this morning.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:18): My question is to the Premier. Who did Dr Chris McGowan notify within government when he was informed on 16 July 2018 that he was still a director of Silver Chain Corporate Services Pty Ltd and had been for over two months while also serving in the Public Service?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18): I don't have information on that, but I'm happy to make an inquiry.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:18): My question is to the Premier. Did the Premier himself sign off on the contract with the Chief Executive of SA Health, Dr Chris McGowan, and what steps did the Premier take before signing that contract to ensure Dr McGowan had resigned all board memberships?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18): Yes, I did sign that employment contract. It was not an issue that was raised with me, his position on other boards. My understanding is that he had resigned those positions but that there was an administrative error. On one of those three directorships, there was—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned. We have the question.

The Hon. S.S. MARSHALL: —an administrative error which caused a delay in changing one of the office holder's roles. That is the information that I have been provided.

I do note that Dr McGowan referred this matter to the Commissioner for Public Sector Employment this morning—

Mr Szakacs interjecting:

The Hon. S.S. MARSHALL: —I think she is going to take a look at this issue.

The SPEAKER: The member for Cheltenham is called to order. The member for Kaurna and then the member for Waite.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:19): My question is to the Premier. When the Premier says that he was informed that resignations had occurred from Dr McGowan, who made that notification to the Premier at the time?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19): I made that point just a moment ago. I made the point that it was the chief of staff who told me about—

Mr Picton: No, when the contract was signed.

The SPEAKER: The member for Kaurna is called to order. You have asked your question.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: I have nothing further to add.

CITY DEAL FUNDING

Mr DULUK (Waite) (14:19): My question is also to the Premier.

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier is called to order.

Mr DULUK: Can the Premier please update the house on how the government is working with the commonwealth to drive innovation and growth in South Australia?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:20): It was a great pleasure today to have minister Alan Tudge with us. He is a person we have been working very closely with to sign the City Deal here for South Australia. This is one of the issues that I took up—

Mr Odenwalder interjecting:

The SPEAKER: The member for Elizabeth is warned.

The Hon. S.S. MARSHALL: —immediately on becoming the Premier of South Australia. It was very obvious to me that other cities, other states around Australia, had already pursued opportunities for a City Deal with the federal government. On coming to government, it was pretty disappointing to learn that no action had been taken by the previous government—they were sitting on their hands. Of course, you understand why this would have occurred. The relationship with the federal government—

Mr Szakacs interjecting:

The SPEAKER: The member for Cheltenham is warned.

The Hon. S.S. MARSHALL: —had broken down, and what we have now is a grown-up, sensible government—

Mr Brown interjecting:

The SPEAKER: The member for Playford is warned.

The Hon. S.S. MARSHALL: —putting the people of South Australia first. I was very pleased, on becoming the Premier of South Australia, to make this a key goal for us: to sign a City Deal. City Deals are struck between the federal government, the state government and, of course, a city council.

We were very pleased to work with the Rt Hon. The Lord Mayor of Adelaide, Sandy Verschoor, and I think we have come up with an excellent project.

We have more than \$550 million to transform our city. The centre point of this, of course, is Lot Fourteen. Those opposite, sir, as you would be more than aware, wanted to essentially flog it off for some housing development, which would have been competing directly with those—

Mr Brown interjecting:

The SPEAKER: The member for Playford is warned.

The Hon. S.S. MARSHALL: —opposite in the private sector on the other side of North Terrace. We saw this as a once-in-a-lifetime opportunity to create the most exciting urban redevelopment project in the history of our state and one of the most exciting projects—

Members interjecting:

The SPEAKER: The member for Lee and the member for West Torrens are on two warnings.

The Hon. S.S. MARSHALL: —in the entire country at the moment: an innovation centre to really drive jobs and opportunity into the future. Can I say that two years ago this was a functioning hospital. If you go down there now, it's a hive of activity. Today, we launched the implementation plan, which really sets out the responsibility at the federal government level—

Mr Szakacs interjecting:

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

The Hon. S.S. MARSHALL: —at the state government level and, of course, at the local government level: who is paying, when it's going to be delivered and how it's going to be delivered, as well as an overarching governance structure for that project. I have to say that more than \$100 million worth of contracts have already been let. The adaptive re-use of the heritage buildings is absolutely exciting. I encourage members to go down there.

I note that the Leader of the Opposition has finally decided he needs to go down and have a look at that, and we welcome that. It's a little bit late, but it is great that he is finally going to get himself down there. We welcome that, and we welcome everybody to go down and have a look at what is happening on Lot Fourteen.

Next month, of course, we open the Australian Space Agency. This is something that every single South Australian should be proud of. I know that when I am going out and speaking to schools about the great opportunity, it worries me slightly because nearly always when I ask the kids in the class, 'What would you like to do when you finish school?' they say, 'I want to be an astronaut.' So we are going to have to build bigger spaceships to take all these kids up to the moon because they are superexcited. The great thing about this is that they are very excited about studying the right subjects to lead into careers, whether it be in engineering, whether it be in space, defence, cyber or machine learning—some of these great industries that are presenting themselves going forward.

We are also absolutely delighted now that the incubator and accelerator is up and running. We are out to the market in regard to the innovation hub. The federal government is putting \$20 million on the table for the innovation hub, which will be built directly behind the adaptive re-use of the heritage buildings. We continue to work very hard to finalise our plans for the establishment of a globally significant Aboriginal art and culture centre on this site. We couldn't be more excited and it is great to have the federal minister back here in Adelaide.

STONE AND CHALK VISIT

The Hon. A. KOUTSANTONIS (West Torrens) (14:24): My question is to the Minister for Innovation and Skills. Given the Premier's previous answer, can he explain to the house why he vetoed a visit by the Leader of the Opposition to Stone and Chalk?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:24): There was no veto for the—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: I personally wanted to be there so I could give—

Ms Stinson: So you didn't let someone else go.

The SPEAKER: The member for Badcoe is warned for a second time.

The Hon. D.G. PISONI: —the Leader of the Opposition the full treatment. I am a very hospitable man. There has been no cancellation.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: My office has said that I wasn't available at that particular time, and I wanted to be there—

Members interjecting:

The SPEAKER: Order! The member for Lee is on two warnings.

The Hon. D.G. PISONI: —to take the Leader of the Opposition on the tour of the Startup Hub and, as far as I understand, our officers are working with each other to find out a mutually agreeable time.

Members interjecting:

The SPEAKER: Order! Before I call the member for Kurna, who is patiently waiting for a question, I am going to ask the member for Playford to leave the chamber for half an hour for constantly interjecting during the minister's answer.

The honourable member for Playford having withdrawn from the chamber:

MCGOWAN, DR C.

Mr PICTON (Kurna) (14:25): My question is to the Premier. Did Dr McGowan, when signing his employment contract, have to sign any declarations of interest and did any such declaration include Silver Chain Corporate Services Pty Ltd?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:25): Of course, we were more than aware that Dr McGowan had previously worked for Silver Chain. As to the specifics of that declaration, I am happy to make inquiries with the Commissioner for Public Sector Employment, who conducted all the recruitment aspects of the employment of Dr McGowan into this key role for us here in South Australia. I know that we established an independent panel to advise us on the appointment of this key role for South Australia, and it was a unanimous recommendation that Dr McGowan be appointed. I am happy to make that inquiry to the Commissioner for Public Sector Employment.

MCGOWAN, DR C.

Mr PICTON (Kurna) (14:26): My question is to the Premier. If, as the Premier just said, the Commissioner for Public Sector Employment was the one who conducted the recruitment process of Dr McGowan, why and how could it be that the Commissioner for Public Sector Employment is the appropriate person to conduct an investigation into this matter?

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:26): It seems extraordinary to me that the opposition is now questioning the integrity and the independence of the Commissioner for Public Sector Employment.

Members interjecting:

The SPEAKER: Order! Member for West Torrens, you are on two warnings.

The Hon. S.S. MARSHALL: Can I make it clear that Ms Erma Ranieri is one of the most significant, long-serving, diligent, high integrity, capable public servants we have in South Australia, and I find it absolutely disgraceful that the opposition would be casting any question on her ability to look into this issue.

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

The SPEAKER: Premier, there is a point of order. I take it that the member for West Torrens feels aggrieved.

The Hon. A. KOUTSANTONIS: This is debate, sir. The opposition made no reference whatsoever to the integrity of Ms Ranieri. It is offensive.

The SPEAKER: The point of order is for debate. I have the point of order; I also have the question. I have allowed the Premier some time to provide some relevant background information and I ask him to come back to the substance of the question. Premier.

The Hon. S.S. MARSHALL: It was very clear to me with the tenor of the question that the opposition was questioning whether or not Ms Ranieri would be appropriate—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —to look into this matter. We reject their—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. S.S. MARSHALL: —hideous slur on the office of the public sector commissioner—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and we have all confidence in the Commissioner for Public Sector Employment in this state to look into this matter.

Ms Stinson: You're in trouble on this.

The SPEAKER: The member for Badcoe is on two warnings. If this continues, she will be leaving. The member for Kaurna and then the member for Elder.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:28): My question is to the Premier. Will the Premier launch an independent investigation into the board membership of Dr Chris McGowan of Silver Chain Corporate Services Pty Ltd while he was a public servant?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28): I have made it quite clear: the Commissioner for Public Sector Employment is looking at this matter as we speak.

EQUAL OPPORTUNITY COMMISSION

Mrs POWER (Elder) (14:28): My question is to the Attorney-General. Can the Attorney-General please update the house on the Annual Report of the Equal Opportunity Commission?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:28): I thank the member for the question and, as members might have noted, I have tabled the annual report of the—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee, you can leave for half an hour under 137A. Thank you. The Deputy Premier has the call.

The honourable member for Lee having withdrawn from the chamber:

The Hon. V.A. CHAPMAN: I have tabled today the Equal Opportunity Commission Annual Report, and I would urge all members to read it. One of the most stunning revelations in this report is that the number one basis for a discrimination is disability as a ground of complaint. It has been so for the last five years. As the commissioner identified, the social and economic impacts of disability discrimination are profound.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. V.A. CHAPMAN: The commissioner wrote that we should be 'pulling out all stops' to get as many people living with a disability as possible into meaningful and productive jobs—something I wholeheartedly support and our government endorses.

Mr Malinauskas: How?

The Hon. V.A. CHAPMAN: Well, listen up. Having carefully considered this information—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —I was concerned that, despite the evidence highlighting disability as the number one ground of complaint, an insufficient number of the commission's activities or resources have been directed to this important issue. The commissioner reiterated the importance of public education activities throughout the annual report. Unfortunately, only two of her 49 speaking engagements in 2018-19 specifically related to the issue of disability, and there was only one of 51 speaking engagements in the previous year.

It is clear that the commissioner has a significant emphasis on public education activities that focus on leadership and gender inequality. While these are very commendable, the need to address discrimination in relation to disability—a ground of complaint that far exceeds all other complaints—should be a priority, as it is for the government. Earlier this month, the Premier and the Hon. Michelle Lensink launched the State Disability Inclusion Plan for 2019-23. The plan highlights the collective efforts of the government agencies to implement measures to improve access and inclusion of South Australians with a disability.

It comes at a time when the royal commission is underway, as many would know, into the violence, abuse, neglect and exploitation of people with disability. Our government supports this commission, and my department in particular coordinates the government's response. Given the government's response and focus, and in the interests of ensuring that public funds are directed to the areas of highest need, I will request that the commissioner prioritise addressing discrimination on the ground of disability and that she report to me how she intends to do so and the outcomes that we can expect.

We must respond to the figures that are before us and do all we can to reduce and, hopefully, eliminate discrimination on the basis of disability. Increased education activities of the equal opportunity commissioner will be a start. My request will seek the commission to realign its efforts, and, as I have presently advised the parliament, it is my expectation that the commissioner and other statutory officers manage their offices within their existing resources. This must be the priority. The commissioner will need time, of course, to implement and demonstrate this renewed focus and I look forward to observing these changes while regularly being advised of them and expect to report back to the parliament on its progress.

Ms Cook interjecting:

The SPEAKER: Member for Hurtle Vale is called to order. The member for Kaurana has the call.

MCGOWAN, DR C.

Mr PICTON (Kaurana) (14:32): My question is to the Premier. Did your Chief Executive of SA Health, Dr Chris McGowan, sign over any minute or advice regarding the procurement of Silver Chain before he resigned his directorship of the board of Silver Chain Corporate Services Proprietary Limited on 16 July 2018?

The SPEAKER: Sorry, could we repeat the question.

The Hon. L.W.K. Bignell: Shades of Olsen and Ingo!

The SPEAKER: The member for Mawson is warned.

Mr PICTON: My question is to the Premier. Did your Chief Executive of SA Health, Dr Chris McGowan, sign over any minute or advice regarding the procurement of Silver Chain before he resigned his directorship of the board of Silver Chain Corporate Services Proprietary Limited on 16 July 2018?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33): I don't have that information. I am more than happy to make that inquiry and get back to the house.

MCGOWAN, DR C.

Mr PICTON (Kurna) (14:33): My question is to the Premier. Will the Premier call on Dr Chris McGowan to stand down while his conduct is investigated by the Commissioner for Public Sector Employment and, if not, why not?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33): No, we won't because we just don't believe that this has met any threshold whatsoever. The Commissioner for Public Sector Employment is looking at this matter at the moment. If anything further comes to light, I am happy to update the house.

MCGOWAN, DR C.

Mr PICTON (Kurna) (14:33): My question is to Premier.

The Hon. A. Koutsantonis interjecting:

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

Mr PICTON: If, as the Premier said, this matter has reached no threshold whatsoever, why is it being investigated by the Commissioner for Public Sector Employment?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:34): It's embarrassing for the opposition that they don't even listen to the answers that are provided in this house. We are not even halfway through, I don't think, and they have already run out of questions. They are just asking the same question over and over again. But, as I pointed out, this was a matter which the government didn't refer to the Commissioner for Public Sector Employment. It was something that Dr McGowan himself referred to the Commissioner for Public Sector Employment out of an abundance of caution.

KING ELECTORATE SPORTS FACILITIES

Ms LUETHEN (King) (14:34): My question is to the Minister for Recreation, Sport and Racing. How much is the Marshall government investing in sports facilities in King?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:34): I thank the member for King for her question and her passion for sport in her local community. She is very aware that as a government we are very keen to be delivering sporting infrastructure into South Australia and we are very keen to be delivering it into King. She is a wonderful advocate for her community, does an outstanding job and, like the rest of the government, she is just passionate about getting people active in her community.

It was a pleasure to be with her in her electorate last week. I was at the Golden Grove shopping centre with her, and it was outstanding to see people lined up to talk to her, all with a friendly smile, all wanting to have a chat. The way that she engages with her community so regularly is first class and her community appreciates her for that.

Mr Duluk interjecting:

The SPEAKER: The member for Waite is warned.

The Hon. C.L. WINGARD: When it comes to sporting facilities, we went to the Golden Grove Tennis Club and it was with great pleasure that we handed over a cheque, through the community

recreation and sport facilities grant—and I had to look down to read this to check this was right—for \$369,800 to improve the facilities at this tennis club. What they are going to get—and they have been waiting a long time for this, and the member for King has advocated very hard for this tennis club and this tennis community—is new change rooms and new social rooms as well.

This club is really well run. It has stacks of members and it is really bursting at the seams, so to have this infrastructure and to have this facility there for this club is truly outstanding. We got to meet a man with a number of roles of club president, club coach, sponsorship and marketing coordinator, social committee member and life member, Craig Mousley. What a great man he is! He has been at this club for 27 years and has given back so much to this community. The juniors that he runs, the programs that he runs, he reaches out to people of all ages and does an outstanding job. It was a pleasure to meet him. He has been advocating for this for a long time. He worked with the member for King and we were very happy to be delivering this new facility for that community.

Whilst he is aware and very conscious of keeping people active and keeping people playing tennis and involved in the community from a health perspective and a sport perspective, he is also very aware of the importance that sport plays from a social aspect as well—keeping people around the club, keeping them engaged, keeping them communicating with one another. It is a big part of what sport offers in a community; that was absolutely outstanding. We went to what will be the new clubrooms and the courts. It was great to see Craig and talk about tennis. We went to the local shopping centre as well where the member, as I said, was swamped.

We also went to the Salisbury Police Station and had a good look around there, and it was a pleasure to work with the local police to see what they were doing on the ground. Again, the member for King is incredibly engaged with the police community and has a constant communication with them, relaying that back into her community. Guy Buckley is the officer in charge of the northern district; he is the superintendent. He and the member for King are almost on speed dial with each other, they talk so regularly. They stay in touch. She is doing such a wonderful job advocating for her community and she is tapped into all elements of her local area. I commend her for that.

I am going to flick back to tennis because I know the member for King was excited by this as well and so was Craig Mousley, the coach at the Golden Grove Tennis Club. His son Bradley plays on the international stage. He is a young up-and-coming tennis player, a South Australian tennis player. They also spoke about how excited they were about the Adelaide International kicking off here in South Australia early next year in January. We have the WTA event and the ATP event. Craig has obviously coached his son for a period along with Jack Reader, a couple of good South Australian coaches on the tennis stage, and we hope very much that Brad might be in full fitness to have a chance to qualify for the Adelaide International. It would be great to see a lot of young South Australians playing in that.

Again, to the member for King, for the great work she does, for the advocacy and the money that she has injected into her local community through sport, we must commend her and thank her for her hard work.

HEAVY VEHICLE INSPECTION SCHEME

The Hon. G.G. BROCK (Frome) (14:39): My question is to the Minister for Transport and Infrastructure. Can the minister update the house on the implementation of the second stage of the Heavy Vehicle Inspection Scheme, the awarding of the contract and how it's going to affect the regions?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:39): I thank the member for Frome for his question and his ongoing interest in this area. That ongoing interest, I think, is twofold. First off is the fact that the member joins with everybody in wanting to improve road safety and especially the very difficult situation we have at the moment, where far too many heavy vehicles on our roads do not pass muster. I must admit, there have been some very strong and good improvements on that front.

HVIS stage 2, such an improvement to the existing regime, which was contemplated back in late 2017, is currently in the tender process. In terms of updating the house, I actually have provided a ministerial statement to the house, I think last sitting week. I am more than happy to get the member a copy of that ministerial statement. That does provide the particulars, the dates and the time frames.

Again, I think it is useful to state for the house that one of the important considerations through this process is making sure that, as we roll out stage 2 of the Heavy Vehicle Inspection Scheme, regional areas have access to that inspection scheme in a timely manner. The fee for that has been set at \$268, from memory, and that will be regardless of where the vehicle is inspected. But I think it is extremely important that we make sure that there is coverage so that we don't see vehicles off the road prematurely or vehicles off the road simply because regional areas can't get access. I do note the member's ongoing interest in that and certainly will provide a copy of the ministerial statement to the member.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:40): My question is to the Premier. Will the outcomes of the inquiry by the Commissioner for Public Sector Employment into the board membership of Dr Chris McGowan be made public in full?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41): I am advised that an administrative error by Silver Chain led to a delay in changing office holder details on a non-operational dormant subsidiary company of Silver Chain. As soon as Silver Chain identified the administrative error, the directorship details were updated. Dr McGowan did not receive a salary or any remuneration from Silver Chain following his resignation as CEO on 4 May 2018. To ensure transparency and in the abundance of caution, Dr McGowan has asked the Commissioner for Public Sector Employment to review this issue. That is the state of play.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:41): My question is to the Premier. Why do ASIC records show the resignation date for Dr Chris McGowan from Silver Chain Corporate Services Pty Ltd was on 4 May 2018, even though the resignation documents were signed more than two months later, on 16 July 2018?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42): I refer the honourable member to my previous answer, which fully canvassed this issue.

Members interjecting:

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

Ms Stinson: Do you want him to repeat it? I don't think you were listening.

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

Mr Malinauskas interjecting:

The SPEAKER: And the Leader of the Opposition will be joining her if he continues to interject.

The honourable member for Badcoe having withdrawn from the chamber:

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:42): My question is to the Premier. What powers does the Commissioner for Public Sector Employment have to compel the production of evidence as part of her inquiry into Dr Chris McGowan?

The Hon. J.A.W. GARDNER: Point of order: questions seeking legal advice are not appropriate.

The SPEAKER: That is a bogus point of order, but I can understand why, on the spur of the moment, the minister raised it, so I will be merciful and not eject him on this occasion. I am going to allow one of the cabinet an opportunity to answer. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:43): I don't know where the opposition is going on this matter. Asking whether or not—

Members interjecting:

The SPEAKER: Member for Light!

The Hon. S.S. MARSHALL: —the commissioner has powers to seize documents from somebody who is offering all information seems a little bit heavy handed. It probably says more about what was going on in the government when they were in power. It says a lot about their state of mind, quite frankly, rather than what is going on.

As I have just outlined to the house, we see this as an administrative error. In an abundance of caution, the commissioner, who is independent, is going to take a look at this. I don't think anybody in this parliament would suggest the commissioner is anything other than of high integrity and perfectly well qualified to look into this issue, and that is precisely what is going to happen.

Members interjecting:

The SPEAKER: Order!

MCGOWAN, DR C.

Mr PICTON (Kaurua) (14:44): My question is to the Premier. Has the Premier sought advice and is he confident that Dr Chris McGowan has not breached section 1308(2) of the Corporations Act by making a misleading statement to ASIC about the true timing of his resignation from Silver Chain Corporate Services Pty Ltd?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:44): I refer the member to my previous answer.

MOUNT GAMBIER HIGH SCHOOLS

Mr BELL (Mount Gambier) (14:44): My question is to the Minister for—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The Minister for Innovation is called to order. Member for Mount Gambier.

Mr BELL: My question is to the Minister for Education. Can the minister inform the house what measures are being implemented at Grant and Mount Gambier high schools in my electorate to cater for year 7s entering high school?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:45): I thank the member for the question. It is a pleasure to be able to talk about Grant High School and Mount Gambier High School. I know the member was interested when I was in Mount Gambier late last year—I think it was in November; yes, 11 November last year, a bit over a year ago. We visited both high schools. We were able to announce at the time that the Mount Gambier High School had been successful in their bid to be one of our five new entrepreneurial high schools around South Australia. That is a program that is currently rolling out and, in due course, from 2022, we will include the year 7s in that program when the year 7s are at Mount Gambier High School.

We were also able to visit Grant High School and spend time with some of the VET students who were building a house out the back of the high school, a transportable home, which is then able to be sold on, giving those students a real-world perspective on potential future employment pathways. It is a terrific program.

I am also very pleased to get good advice about Mount Gambier from a reasonably regular point of view as former principal Gary Costello is helping me out as one of my advisers in my office. When we were in Mount Gambier, it seemed that the only person more popular than the member for Mount Gambier walking down the street was Mr Costello, who almost everybody had worked with, worked for or indeed studied under. People were very eager to speak to their former principal.

Grant High School and Mount Gambier High School are both going to have to have increased capacity—about 100 students each—as part of the transition of year 7 to high school. Both have capital works projects underway. Grant High School, which has in the order of 800 students at the moment, has a \$7 million capital works upgrade, which we released the concept plans for earlier this week. The member for Mount Gambier was good enough to bring the principal, Fleur Roachock, and the governing council chair, Damian Buckley, into my office to have a chat about the scope of that project, and I believe that they are very pleased.

We are introducing additional general learning areas and specialist learning areas, including a science lab. There is the removal of aged transportable buildings, some of those very old wooden asbestos transportables that are being removed; the construction of a new building to house a performing arts facility and general learning areas; a new canteen; and a new student courtyard hub with covered outdoor areas for individual and group study. The Grant High School project is progressing very well.

Mount Gambier High School has 857 students at the moment and a \$6 million capital works upgrade, and I believe we are just weeks away from the concept plans being available for that. Part of the work that is necessary for these schools to be able to offer a 21st century learning program—which the year 7s deserve, and they will also benefit from being able to receive the Australian curriculum in the circumstances for which the Australian Curriculum is designed, the year 7-8 program obviously being designed as a high school program—is having great information technology and internet services available in a school.

I can advise the member for Mount Gambier that both the Grant High School and the Mount Gambier High School were connected to the new high-speed fibre optic internet connection that the Marshall Liberal government has been investing in. They were connected on 19 July, so they are now able to benefit already from that high-speed internet connection, which will be critically important and an opportunity for those year 7s to engage in the modern curriculum. TAFE facilities in Mount Gambier are relevant to the students at Mount Gambier High School and Grant High School.

The member would be aware that we have recently released a new vocational education and training policy for our school students across South Australia, and they engage with TAFE very readily. Indeed, we visited the TAFE campus, and last year we were able to complete the reinvigoration program at the Mount Gambier TAFE campus, and the digital efficiency program at TAFE is due to be completed in March 2020, which will also benefit those students at Mount Gambier and Grant high schools.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:49): My question is to the Premier. How many contracts has Silver Chain or its subsidiaries been successful in being granted since Dr McGowan was appointed Chief Executive of SA Health on 7 May 2018?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:49): I'm not aware of that but, as most people in this place would know, Silver Chain, and I think a subsidiary, RDNS, has had a longstanding relationship with the South Australian government. There is one that I am aware of which is the SA Community Care Program for non-government organisations, which included Silver Chain in May 2018. My understanding and my advice is that Dr McGowan had no involvement in the negotiation or the procurement of this contract.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:50): Supplementary to the Premier: in relation to that contract that the Premier just cited, did Dr McGowan approve the minute going to the minister to award that contract?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:50): My understanding is that, having regard to the fact that he had previously worked for that company, he referred that matter to a deputy chief executive who sent the minute directly to the minister.

MCGOWAN, DR C.

Mr PICTON (Kaurna) (14:50): My question is to the Premier. Have any concerns been raised about the performance of Dr Chris McGowan as part of any performance review undertaken for the chief executive?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:50): I undertake the performance reviews for the chief executive, and can I just say that we have been very pleased with the work that Dr McGowan has done since taking up this role. It is a very—

The Hon. L.W.K. Bignell: Not as pleased as the shareholders.

The SPEAKER: The member for Mawson is warned.

The Hon. S.S. MARSHALL: —difficult role as you can imagine. It's a very significant business for South Australia. He has many challenges to deal with, a reform process that is underway at the moment—the expansion—

Mr Malinauskas interjecting:

The SPEAKER: The leader is on two warnings.

The Hon. S.S. MARSHALL: I would have thought that the Leader of the Opposition might have liked to have heard about somebody who is working diligently, virtually 18 hours a day, to try to clean up the mess that he inherited from the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: What an absolutely disgraceful mess the health system was left in by those opposite. They should hang their heads in shame, and the number one person who should hang his head in shame is the incompetent, unworthy Leader of the Opposition, who was the minister for health—

Mr PICTON: Point of order, sir.

The SPEAKER: Premier, there's a point of order.

The Hon. S.S. MARSHALL: —who hid things from the people of South Australia regarding the true position of the Central Adelaide Local Health Network.

The SPEAKER: There is a point of order by the member for Kaurna. The point of order is for debate?

Mr PICTON: Debate.

The SPEAKER: It was a question about performance. The Premier is giving his opinion on performance. He is probably starting to deviate, so I'm going to pull him back to the substance of the question.

The Hon. S.S. MARSHALL: The substance of the question was all about the performance of the current chief executive, who is dealing with very difficult and trying conditions that we inherited from those opposite.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: What he is doing is setting about fixing the health system.

Ms Bedford interjecting:

The SPEAKER: Member for Florey!

The Hon. S.S. MARSHALL: We are seeing very significant—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens can leave for the remainder of question time for interjecting after being on two warnings. Premier, and then the member for Florey.

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

The Hon. S.S. MARSHALL: We are very satisfied with the work of Dr McGowan as the Chief Executive of SA Health. There is a huge amount of work to be done in this area. Can I say that the reform work, in terms of expanding the local health network, especially in country SA, is a significant amount of work. The rebuilding of our hospitals in South Australia and undoing the damage of Transforming Health is well underway, making sure that we can open new beds in South Australia—exactly and precisely what we are doing, especially on the Repat site, which was a

hospital closed by those opposite, sold by those opposite and now is being reactivated as a genuine health precinct for the people in the south. This is the work—

Mr Malinauskas interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It's almost impossible to believe that the minister can't think back 18 months ago.

Members interjecting:

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

The Hon. S.S. MARSHALL: Now they didn't close the hospital.

Mr Duluk interjecting:

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

The honourable member for Waite having withdrawn from the chamber:

The Hon. S.S. MARSHALL: I know that he likes to see himself as a fantastic footballer. I know what his key skill would be: it would be the handball. It would be the handball: 'It wasn't me. It wasn't me.' What a hopeless, weak, lily-livered opposition leader we have in South Australia. He only ever wants to say, 'I had nothing to do with the health catastrophe that we handed over to the Liberal Party.'

The SPEAKER: Premier!

The Hon. S.S. MARSHALL: We don't care. We'll fix it up. We love fixing up your mess—

The SPEAKER: Premier, this is not a debate.

The Hon. S.S. MARSHALL: —and your mess, and your mess.

The SPEAKER: The Premier will be seated. The member for Kaurana.

SA HEALTH

Mr PICTON (Kaurana) (14:54): Thank you very much, Mr Speaker.

Members interjecting:

The SPEAKER: I blame the member for Waite. Member for Kaurana.

Members interjecting:

The SPEAKER: Order!

Mr PICTON: My question is to the Premier. Has the ICAC commissioner raised with your government, Premier, concerns about issues of conflict of interest management and procurement management within SA Health, and what have you done about it?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:54): Can you say that first part again?

Mr PICTON: Has the ICAC commissioner raised with your government concerns about conflict of interest management and procurement management within SA Health?

The Hon. S.S. MARSHALL: The commissioner hasn't raised anything with me in regard to the chief executive, but I do note that he has made public statements that he is going to provide some advice to the government by the end of this year, and we look forward to receiving that advice.

The SPEAKER: The member for Kaurana, and then the member for Florey.

SA HEALTH

Mr PICTON (Kaurana) (14:55): My question is to the Premier. Will the Premier now agree to a request from the ICAC commissioner that was made last year to provide \$2 million over two years to conduct an inquiry into maladministration and corruption in SA Health?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:55): I have answered these questions before, but I am happy to canvass them again. This is a government which respects the Office for Public Integrity and the work that the ICAC and the ICAC commissioner do, and that is one of the reasons why we have put new money into that office since coming to government. In fact, I think that in our most recent state budget there was additional money made available of around \$15 million. I note that those opposite were violently opposed to the establishment of an ICAC over a very extended period of time and had to be dragged kicking and screaming—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —over a long period of time.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: One thing I am concerned about is the very obvious amnesia which is sort of occurring in the opposition at the moment. Having no understanding—

Mr PICTON: Point of order.

The SPEAKER: Point of order.

The Hon. S.S. MARSHALL: —of what has happened in the past is a little bit disconcerting.

Mr PICTON: Debate.

The SPEAKER: For debate. I uphold the point of order. Premier, please come back to the substance of the question.

The Hon. S.S. MARSHALL: We made it clear that we have (1) been a strong supporter of the establishment of the Office for Public Integrity and the ICAC commission and the ICAC commissioner in South Australia, and (2) we have advanced significant increases in funds and resources to the ICAC commission. But it is not a situation where we can have unlimited funding going to every single institution in South Australia.

We provide the resources, but it is actually up to the commissioner and the commission themselves to determine how they allocate that money. Of course, the commission can make a choice to prioritise health, and that would be completely up to the commission. It is not something that we would interfere in whatsoever. We welcome the fact that the commissioner has said that he will be making a report to government by the end of this year, and we await that report.

SA 125 SUFFRAGE SCHOOLS COMPETITION

Ms BEDFORD (Florey) (14:57): My question is the Minister for Education. Can the minister provide the house with an update on the SA 125 Suffrage schools competition?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:57): I thank the member for Florey for the question and note her long interest in this topic. Obviously, this year every member of the house is aware that we celebrate the passage of women's suffrage. The bill that gave effect to it was passed in this chamber on 18 December 1894, very nearly 125 years ago.

We sit here in this chamber under the gaze of our first female member, the Hon. Joyce Steele, and I am very proud to be standing alongside South Australia's first female Deputy Premier and first female Attorney-General, the member for Bragg. In some ways I wish she didn't have that on her. I wish that we had had women deputy premiers and attorneys-general in South Australia for decades, but certainly she deserves plaudits for that.

The member for Florey's contribution to the 125-year celebrations should not be underplayed—the Muriel Matters of the South Australian parliament—

Ms Hildyard interjecting:

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

The Hon. J.A.W. GARDNER: —in the 21st century as she is, and I know she has followed this program with interest. It is an important partnership between the education department, Catholic Education SA, the Association of Independent Schools, the History Trust of South Australia and the Office for Women, which we have been very pleased to support.

The scope of the competition provided students in years 6 to 9 with the opportunity to participate in historical research that would develop their understanding and empathy with the suffrage movement here in South Australia. There was a years 6 and 7 multimodal category and a years 8 and 9 written piece category.

The students who participated, who came from a wide range of schools around South Australia, had to have their entries in by the end of August, and we are grateful to the judging panel, which was drawn from all those partner institutions. I would like to express my thanks to the Minister for Human Services, the Hon. Michelle Lensink, who was able to host a ceremony for the winners and the high commendations next door in Old Parliament House last week, where they were able to be congratulated.

I want to reflect briefly on those winners and highly commended students. The winners in the years 6 and 7 multimodal category—I am sure the member for Unley would be pleased to know; in fact, I am aware he already knows this—were the year 6 students of room 4 at Highgate School. They wrote, acted in, produced, filmed and thought deeply about it, as was very apparent from the film. All 26 students played a role in the film about the role of suffrage. It was very evident that the students put in hours of meticulous planning and that it was a real team effort. I know that they are very proud of that, as is their school.

The high commendations went to students from Seymour College. They are a smaller group: Amelie, Lana, Sana, Emma, Liezel, Airlie, Katherine, Alexandra and Heidi of years 6 and 7, who put together a slide presentation of the suffrage movement in South Australia, effectively communicating the significance of the topic and demonstrating excellent use of primary and secondary resources. One of the groups used their own animation, drawn by the students, and voice overs.

Very commendable in the year 8 and 9 written piece category was the winner, Aerin, a year 9 student from Walford Anglican School for Girls. She wrote a letter from the point of view of a suffragist, painting a vivid picture of her commitment to the cause and the social climate of the time. Highly commended was Mary, also of Walford Anglican School for Girls, scooping the category, for another letter relating to the journey and triumph of the passing of the Adult Suffrage Bill 125 years ago, urging the recipient to lead a similar campaign in Victoria.

These students are to be commended. I thank all members on both sides of the house and the crossbenchers who have supported and participated in engagement with this program. I know that we all wish those students our best.

TOURISM ADVERTISING

The Hon. Z.L. BETTISON (Ramsay) (15:01): My question is to the Premier. Does the Premier now agree that appointing a Victorian advertising company to promote the state was a bad idea? Will he take steps to terminate the contract?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:01): No.

Ms Cook interjecting:

The SPEAKER: The member for Finniss has the call. I will come back to the member for Ramsay. The member for Hurtle Vale is warned.

BLUE CARBON STRATEGY

Mr BASHAM (Finniss) (15:01): My question is to the Minister for Environment and Water. Can the minister inform the house how South Australia is demonstrating national leadership in the development of blue carbon initiatives?

Mr Malinauskas: Capitulator!

The SPEAKER: The Leader of the Opposition can leave for the remainder of question time.

The honourable member for Croydon having withdrawn from the chamber:

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:02): It's very sad that the opposition doesn't take the crisis of climate change seriously, isn't it?

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: It is an absolute tragedy that they don't want to hear about what the government is doing to deal with climate change. All they can do is shout and make a noise. They need to calm down.

Mr PICTON: Point of order.

The Hon. D.J. SPEIRS: Climate change is—

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

Mr PICTON: The minister is debating the answer.

The SPEAKER: I ask that the interjections on my left cease so that I can hear the minister answer a question, which is on a very important subject. Minister.

The Hon. D.J. SPEIRS: I am glad you agree that it is a very important subject: dealing with climate change, adapting to a changing climate and making sure that South Australia can actually benefit from that, because we shouldn't always talk about it in the negative. There are great opportunities for this state to harness the economic opportunities that may come from being a leader in adapting to and mitigating the impacts of climate change.

One of those areas that I have particular interest in is the development of blue carbon. That is the idea of storing carbon—'sequestering carbon', to use the correct term—within marine environments, particularly those quasi-marine environments along the coast such as mangroves, wetlands and seagrass. This can be win-win-win for South Australia because enhancing those environments not only stores carbon but of course it also creates a more resilient coastline. We have a lot of coastline in this state—5,067 kilometres, I often quote in this place. Some of it is very resilient. Other areas, particularly where there are population centres, can be particularly weak as a result of the pressures from those populations.

By enhancing our coastal environments for the purposes of storing carbon, we can also create a far more resilient landscape, building up the quality of those mangroves environments and looking to improve the estuarine environments along areas such as the Port River, the Gawler River, the Onkaparinga estuary. A whole range of estuarine environments in South Australia really lend themselves to being used through blue carbon.

There is also, of course, the conservation element of this. If you are increasing the resilience of these environments, if you are expanding habitat, if you are improving the amount of seagrass found offshore, you are creating habitat as well: habitat for fish and for birds in particular in the estuarine environment, wading birds. We know that South Australia plays an important role in the flyway, where particularly waders spend time in what is now known as the International Bird Sanctuary, the area north of St Kilda, heading up towards Port Wakefield.

Some would say at first glance that it's quite a low-quality environment, but when you look very closely it actually provides incredible mudflats for these wading birds, which then fatten themselves up for part of the year and then head up to the colder parts of the world to breed, around Siberia, Russia and areas of China.

These environments are unique, but they also provide blue carbon opportunities. It has been great in the last couple of weeks to launch the Blue Carbon Strategy for South Australia, a body of work undertaken by the Premier's Climate Change Council. I thank Martin Haese and his team for leading that work. We have partnered with the Goyder Institute. It's a great body of work: win-win-win—economic wins, environmental wins, carbon storage and a more resilient coastline.

TOURISM ADVERTISING

The Hon. Z.L. BETTISON (Ramsay) (15:06): My question is to the Premier. What has a can of Coke got to do with marketing South Australia?

The SPEAKER: The question could be rhetorical or actual. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:06): I really have no idea what the member is referring to.

TOURISM ADVERTISING

The Hon. Z.L. BETTISON (Ramsay) (15:06): My question is to the Premier. Is it true that the same Victorian advertising firm has recently been contracted by the Department for Trade, Tourism and Investment to market the economic benefits of South Australia to the world?

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

The SPEAKER: The Minister for Education is called to order.

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:07): Again, the question makes no sense to us whatsoever. Perhaps the member could explain.

TOURISM ADVERTISING

The Hon. Z.L. BETTISON (Ramsay) (15:07): Let me clarify. The Victorian firm that has our advertising contract that you signed—

The SPEAKER: Is leave sought to insert this fact?

The Hon. Z.L. BETTISON: I seek leave to insert this fact.

The SPEAKER: Leave is sought; is leave granted? Leave is not granted. Would the member for Ramsay like another go?

TOURISM ADVERTISING

The Hon. Z.L. BETTISON (Ramsay) (15:07): Can I ask the Premier: the Victorian ad agency that we have an advertising contract with—

The Hon. S.S. Marshall: Are you making a statement? Ask a question.

The SPEAKER: Order, Premier!

Members interjecting:

The SPEAKER: Member for Playford, I am not a bully.

The Hon. Z.L. BETTISON: —have they recently been contracted by the Department for Trade, Tourism and Investment to market the economic benefits of South Australia? Is it the same advertising agency?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:08): I don't have that information.

MINING INDUSTRY

Dr HARVEY (Newland) (15:08): My question is to the Minister for Energy and Mining. Can the minister update the house on the growth in the resource sector?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:08): Yes, I can. Thank you very much to the member for Newland for this important question. Growth in jobs in the resources sector is continuing under the Marshall Liberal government. This is a very important sector, providing not only approximately 35 per cent of our state's exports but also an enormous chunk of our employment. Importantly, in Adelaide, in regional areas and in outback areas people are getting jobs in the resources sector.

Let me share a few poignant numbers with you: in the September quarter, there were 773 mining and resource jobs advertised in South Australia. There are outstanding opportunities for people, which fit in exactly with the work that the Minister for Innovation and Skills is doing in regard

to training people to be able to take up these jobs. These jobs are in a very wide range of white-collar and blue-collar areas—management, professionals, trade, operations, operators—and this shows continued growth in this very important sector.

Minerals commodities recording growth in the year to September 2019 included refined copper and copper products up to \$510 million, or 41 per cent, and iron ore and concentrates up to \$115 million, or up 33 per cent. In addition to this year's positive results, South Australian minerals and energy resources exports reached a five-year high of \$5.76 billion in the financial year 2018-19. That is overseas money coming into our state through the resources sector, and that's an increase of nearly \$1 billion on the previous financial year. This increase was led by a \$623 million increase in copper exports and a \$177 million increase in petroleum exports.

Our resources industry is thriving in South Australia. It is very important that all resources projects, whether they be exploration or production in the minerals or the petroleum sector, operate safely with regard to people and the environment. It is very important that they operate in cooperation with their host communities and other local industries in the areas where they operate, and our resources sector is doing incredibly well.

Another piece of useful information the house might be interested to receive is that just a couple of days ago I met with Mr Matt Moore, an Aboriginal man who is an employee from the Department for Energy and Mining. We actually bumped into each other. He was able to tell me that, through his work and the work of Mr Barry Goldstein in DEM, they have recently managed to provide 10 new employment opportunities, actual jobs, to Aboriginal people in South Australia.

As part of the Premier's Aboriginal Affairs Action Plan, the Department for Energy and Mining intends to contribute to people all over our state, regardless of what their background is, regardless of what part of the state they happen to live in, and this is very good news in that regard. For members who are interested in employment in South Australia, I point you to the South Australian Resources Sector Hiring Intentions report for the 2018-19 year, which has an enormous amount of valuable information in this area.

The resources industry is a responsible industry. The resources industry is an industry that is contributing in ways that we never would have thought of previously with regard to a newer, greener economy. We are very fortunate in South Australia particularly to have such great copper resources to export to the world to contribute to a cleaner, greener world over time. Of course, increases in jobs in all sectors are welcome, and the resources sector is pulling its weight in South Australia.

Grievance Debate

MCGOWAN, DR C.

Mr PICTON (Kaurna) (15:12): One of the first things that this Premier did when he came into office was to sack Vickie Kaminski, who was the head of SA Health, and put in his own hand-picked chief executive of SA Health, Dr Chris McGowan. Dr Chris McGowan came from working for Silver Chain, which provides out-of-hospital services.

It has been revealed in a stunning revelation today that, for the first 2½ months that Dr Chris McGowan was meant to be working for the people of South Australia—was meant to be working for everybody out there on behalf of our public health services—he actually had a secret appointment as a director of Silver Chain Corporate Services Pty Ltd. Nobody knew about this. It was not discussed. During that time in which he held this appointment, there were clear dealings in regard to Silver Chain's contracts.

Silver Chain were appointed a lucrative contract worth millions of dollars to provide services in South Australia, and Chris McGowan has admitted previously that he signed through that minute to the minister. He did not recuse himself from that involvement and now we know that at the same time he did that he was a director in one of the group of companies that was involved.

Chris McGowan was informed about this back in July last year by Silver Chain, and what did he do then? Did he tell the minister? Apparently not, according to the minister's answers in question time yesterday and today. Did he tell the Premier? Not apparently, according to the Premier's answers in question time in this house today. What he did was sign a resignation form that was backdated to 2½ months prior, to the Friday before he started on the Monday as the chief executive

of SA Health. That is a scandal. That stinks and that is highly suspicious. I think it is a clear breach of the Corporations Act.

Section 1308(2) of the Corporations Act says that you are not allowed to mislead ASIC in relation to corporate law and corporate filings and directorships, yet here we had a misleading statement that was provided by the chief executive of SA Health that went to Silver Chain and was provided to ASIC and filed in ASIC. You can see the ASIC records as they stand now, which state very clearly that it was apparently, according to those records, before he became the chief executive. But we know that that was not the case because we know that the chief executive, Dr McGowan, was sent an email by Tess Meldrum on 16 July entitled Resignation for Silver Chain Corporate Services, which states:

Hi Chris

Quick and easy task; promise!

On your last day at Silver Chain, we completed resignations for two entities but missed SCCS. Sorry! Can you please sign and return the attached this week? (Email is fine)

[Regards,] Tess

And then there was a minute attached from Scott Logan, the group financial controller. Was this addressed to Chris McGowan private citizen, or Chris McGowan former director of Silver Chain? No. It was addressed on that date to Christopher McGowan, the Director of Silver Chain Corporate Services Pty Ltd. It said:

[We require updating details] for the annual company statement...Accordingly, could you please assist with completing the following Sole Director's resolution and Director's resignation.

Resolutions request appointment of Lynette Jones and removal of Christopher McGowan...

And then the form that was provided to do this was not dated. This document was dated 16 July; the following document was dated 4 May. This was a clear attempt to cover up the fact that the Chief Executive of SA Health was wearing two hats for over 2½ months. What do we know? Silver Chain got a contract in that time. What do we know? This government was setting about appointing Silver Chain to other contracts in that time.

The Premier would not reveal anything today. In fact, the Premier is saying, 'There's nothing to see here.' He did not think that any threshold had been reached in this matter. He thinks that it is appropriate that there be no independent investigation into this matter and that the only investigation that should take place should be done by the person who did the recruitment work that the Premier was handballing all the responsibility to when he said the recruitment happened. He then tried to blame us, saying we disrespected her. We do not. We are calling for an independent investigation, though. We are calling on Chris McGowan to stand down while the investigation takes place, and that is the only appropriate thing that should be happening in this circumstance.

DUCK PONDS BUSHFIRE

Mr TRELOAR (Flinders) (15:17): During mid-afternoon on Monday of this week, a fire took hold just west of Port Lincoln in the area known as Duck Ponds. Strong north-westerly winds pushed the fire quickly towards the city, and on a day of extreme fire danger, emergency services, which were very much at the ready, responded immediately. The CFS, the SES, SAPOL and SA Water were all on site very quickly.

I want to give particular credit to the Aerotech company that has a contract with the South government to provide water bombing coverage. They had eight fixed-wing aircraft flying out of the Port Lincoln airport on that day, plus I think one chopper for observation of the fireground. In what were very difficult flying conditions—in fact, the weather conditions for the day tipped over into catastrophic at one point—the water bombers worked fearlessly, to use that term, to drop water and assist with controlling the fire.

The Zone Emergency Support Team (ZEST) was set up in the CFS/SES complex and from there they directed operations. Certainly, they were very busy on the Monday. A refuge centre was also set up at the Kirton Point Bowling Club. Many people self-evacuated.

Unfortunately, Port Lincoln has become all too used to this sort of situation. The number of fires that have occurred in the last 10 years or so right on the outskirts of the city number four or five. So people are ready, people are prepared and people know what to do, and I guess that is the advantage when you get a situation like this that people are prepared. They have their properties prepared and they have a plan prepared. Regardless of that, the Kirton Point Bowling Club was set up as a refuge centre. Many people, as I said, self-evacuated and went to stay with friends further into town or up-country.

The fire was contained by that evening. Monitoring and mopping up continued, of course, and continued through yesterday. It finished up with a fire footprint of some 280 hectares, I believe. I stand corrected on that. Of course, I was here in Adelaide on Monday during the sitting week. I want to thank our whip for organising a pair for me to be home again on the Tuesday, not that I could do much but it was nice to be able to touch base with people who were involved either with the emergency services or with cleaning up properties after the fire.

There were some property losses. I believe two houses were burnt. One of those, in fact, was abandoned. There was one inhabited house right on the outskirts of town that was lost. There were certainly a few sheds, some fencing and some motor vehicles lost but, thankfully, there were only minor injuries as a result of this fire. I want to say congratulations to all the respondents but also to the residents of Port Lincoln for their preparedness and calmness in the face of another dramatic situation.

A big thankyou to the Boston Football Club, the Salvation Army for providing sustenance and Kimba Racing Club for donating their Toyota to assist in transporting CFS volunteers alongside EP Bus Charters. Q Mechanical Services, at short notice on the morning, kindly donated a forklift. The list is endless. I will have missed people there. There were numerous businesses in and around Port Lincoln who opened up their hearts and donated drinks and food. I certainly know that the volunteers, SES and CFS appreciated all of that very much.

In the remaining minute—and I know the member for Colton has flagged a Private Member's Motion for later this year—I want to pay tribute to Kieran Modra who was born in Port Lincoln. It is the name well known to all South Australians. Kieran was an Australian Paralympic swimmer and tandem cyclist who won five gold and five bronze medals at eight Paralympic games from 1988 to 2016. I will say more when the motion comes up, but Modra grew up on a farm at Greenpatch, just 20 kilometres north of Port Lincoln, which now is run by his brother Mark. I spoke to Mark this morning briefly; he is a neighbour of mine. To quote Mark, 'Nothing was impossible for Kieran, absolutely nothing. There was no such thing as can't.' Condolences to the Modra family.

Time expired.

SIKH COMMUNITY

Ms WORTLEY (Torrens) (15:23): This week in the state Parliament of South Australia, I joined some of my parliamentary colleagues to acknowledge the contribution of our South Australian Sikh community in celebrating the 550th birth anniversary of the first guru and founder of Sikhism, Guru Nanak Dev Ji, preacher of harmony and peace.

Harmony and peace, of course, are things most of us strive for in our daily lives, in our families and in our communities, and something we would like to achieve across the nation and, yes, around the world. This week also marked the anniversary of Armistice Day, 101 years from when the guns were silenced on the Western Front. Like many in this chamber, I attended the Remembrance Day ceremony at my local RSL, the Gilles Plains and Hampstead RSL, to pay my respects to those who lost their lives in battle and those who continue to suffer from their experiences.

Some may not be aware that standing side by side as members of the Australian Imperial Force and New Zealand Expeditionary Force throughout World War I were members of the Australian Sikh community. In fact, between World War I and World War II, 83,000 Sikhs lost their lives and more than 109,000 were wounded fighting for the allied forces.

The Sikh contribution to Australia and South Australia has a long history that goes back more than 100 years. It has been and continues to be significant in so many ways: economically, socially, culturally and, for my family, through the warm friendships we have formed. Today, there are more

than 8,500 Sikhs living and making valuable contributions to our state of South Australia. It was wonderful to be able to invite leaders and community representatives together for Guru Nanak Dev Ji's 550th birth anniversary celebration on Tuesday.

I know at gurdwaras across the state celebrations took place and are continuing in the days ahead. Through the community I have learnt that the guru's spiritual teachings embraced unity, compassion and equality of all humankind, that he rejected the notion of divisions between people based on religion and did not believe in race, caste or status. Preaching peace and harmony, his teachings called for the equality of women in society, because he believed all human beings are born of women and so a woman should be equal of everyone they helped create.

The celebrations include a religious procession led by Panj Pyare, the five beloved ones, carrying the Sikh flag, followed by a communal lunch, reinforcing the ideas of unity irrespective of class. This is the fourth year that we have brought a celebration of the birth anniversary of Guru Nanak Ji to Parliament House in South Australia. This year, there are celebrations in other state parliaments, as well as the federal parliament in Canberra. I would like to extend wishes of peace and harmony to our South Australian Sikh community on the auspicious occasion of the 550th anniversary of the birth of the father of Sikhism.

Recently, we also had representatives of our South Australian Hindu community gather at state Parliament House to celebrate Diwali, often referred to as the Festival of Lights. A popular festival among people from India, Nepal, Bhutan, Fiji and some parts of Bangladesh, Diwali symbolises the spiritual victory of light over darkness, good over evil and knowledge over ignorance. Throughout this time homes are cleaned and the exchange of sweets and gifts among family and friends takes place.

Diwali is a time for spiritual and emotional renewal, when the light of the diya washes away past grievances. It is a celebration of the spirit of community coming together. On Diwali night there is no moon, so the candles are lit and decorative lights are hung inside and outside of the home, on shops and iconic buildings. It is the biggest festival of the year and a day when families travel far to be together and perform prayers in their homes.

Hindus across Australia celebrate Diwali with family and friends, new and old. I know that it has become a popular topic in some of our schools, with many schools within my electorate of Torrens hosting cultural days for students over the past few weeks. Recognition of our multicultural communities, who each contribute to the tapestry of South Australia, is vitally important. These communities in South Australia make a significant social, intellectual, economic, sporting and spiritual contribution to our state. With cultural awareness being a sign of an enlightened society, it is important that these and other cultural festivals are progressively open to the wider community.

DANN, MS S.

Ms BEDFORD (Florey) (15:28): Today, I want to acknowledge the extraordinary contribution to South Australia of the now retired feminist warrior, Sandra Dann. I am grateful to Rosemary Owens, former chair of the Working Women's Centre, for these thoughts. I agree with Rosemary and her notion that sometimes in our professional lives we are fortunate to meet a person who inspires us, not only for their ideals and their willingness and courage in standing by those ideals but also for the way they go about translating those ideals in the work they do. Sandra Dann was definitely one of those people.

Sandra has a deep understanding of the importance of and the need for social justice for all working women, especially the most vulnerable. She is a committed feminist and a fantastic leader. Leadership is particularly challenging in a small organisation, one where everyone is always very close to everyone else. In such an organisation, the art of being a good leader depends more than ever on the ability to work collaboratively and collectively.

Sandra made sure her achievements were also the achievements of all who worked with her at the centre. Successes—her successes, all successes—were always shared but, inevitably, there are also times when difficulties arise where there is a need for hard conversations. A hallmark of Sandra's leadership was that she recognised leadership itself was a challenge but she was always

keen to improve and learn more. I quote from Rosemary's contribution on the evening of Sandra's retirement party:

The challenges of leadership at a small organisation are especially great when [as with the Working Women's Centre] it is one dependent on grant funding—it is a reality life is precarious for the Centre and for everyone who works in it. In that context, we can doubly appreciate the longevity of Sandra's tenure is quite remarkable. In such an environment there is a need to become very strategic in the approach and appeal which is made to those who hold the key to the funds on which the Centre depends.

I would like to say something about feminism today. I think we could be forgiven if we might have expected things would go better for working women in our lifetime. Of course, there have been many advances over the years for working women, especially in a country like Australia, and we should neither downplay nor forget them.

However, equally, I think it is very true to say in recent decades we have lived through a time when attacks on women and on working women have been some of the most vicious ever. The treatment of the then prime minister, Julia Gillard, was one of the worst examples that I have ever seen or witnessed, but perhaps even Teresa May's recent experiences in the British parliament would come very close to it. When the most powerful in the country are treated this way, the consequences for the less powerful are likely to result in even worse treatment.

There continues to be much to do for the Working Women's Centre, and in this environment, Sandra stayed true to the mission of the Working Women's Centre and kept the least powerful working women firmly in view. It was always the stories of the women who were clients of the centre that formed the basis for the work, not just the individual work for particular women but the policy work that seeks to make a wider impact.

Under Sandra, the WWC has been an outstanding leader in the policy area. For example, the centre was one of the first to raise the issue of workplace bullying as a serious issue, especially for women. Perhaps even more worthy of note is the recognition of domestic or family violence having serious implications for the lives of those, mainly women, who are its victims.

In June this year, the international conference of the International Labour Organization, which is the U.N.'s agency dedicated to working issues, celebrated the centenary of its foundation, and they voted on whether to adopt an international convention or treaty on domestic violence. Now ratified, it will be a very powerful recognition that the equality of women cannot be realised without a guarantee of safety in the home.

I believe the depth of Sandra's commitment to social justice is also powerfully demonstrated in the leading role she has played in supporting the Working Women's Centre in Timor-Leste. The challenges for women and of poverty in that country are immense. In today's world, there can be no social justice anywhere if it cannot be achieved everywhere. Sandra Dann has always been an absolutely genuine person, one you can count on both professionally and as a true friend.

Sandra is generally interested in others, she loves and delights in her family and friends and she has an enormous and wicked sense of fun. She is also a member of the Muriel Matters Society, which shows great taste. These qualities will take her far in whatever she chooses to do in her retirement. She is an activist through and through and, as Rosemary says, 'For such a person, I suspect there will be no real retirement.' I look forward to working with Sandra Dann on some of her retirement activities and particularly on some of the issues the Muriel Matters Society is keenly interested in.

REMEMBRANCE DAY

The Hon. A. PICCOLO (Light) (15:33): On Monday this week, we commemorated Remembrance Day at a number of services across the state and across the nation. It was good to see the community is steadily once again giving greater respect to this day and stopping for a minute's silence to remember those who made the ultimate sacrifice during World War I and future conflicts. As a schoolboy at Epsom Primary School, I recall the special assembly we held on the day, standing silent for one minute at 11am to acknowledge the sacrifice made by service men and women and their families. That tradition seemed to disappear from the mid-seventies, so this year I was pleased to be able to attend the Remembrance Day service held by Gawler and District College.

While Remembrance Day marks the end of World War I, the day gives the community an opportunity to recall, reflect and acknowledge the effect of violent conflict on all our service men and women and their families, irrespective of the theatre of war. Our veterans and their families deserve no less. I have been fortunate enough not to have been involved in any theatre of war, so I have no firsthand experience of the brutality of war. I do not know what it is like, and the best I can do is have empathy for those who served and their families.

As shadow minister for veterans affairs I can and indeed I have an obligation to listen to ex-service personnel and their families to ensure that they do not needlessly suffer as a result of poor public policy. There is a general consensus in our community that we take a bipartisan approach when dealing with defence and veterans' policy. I fully concur with this sentiment.

Bipartisanship does not, however, mean turning a blind eye to injustice in public policy or, worse, a lack of commitment to veterans and their families. A significant proportion of veterans public policy falls within the federal sphere of government. Nevertheless, a state government can act as an advocate for local veterans and their families and also support various ex-service organisations that work hard to assist and support our veterans and their families.

This is why the Rann Labor government created Veterans SA and the new portfolio of minister for veterans' affairs. It is disappointing now to hear that Veterans SA currently has no director after a failed selection process, which required the incumbent director, Mr Rob Manton, to reapply for his own position. I raise this matter for two key reasons: firstly, I believe that Veterans SA plays an important role in supporting veterans and should have its full complement of staff and particularly its leaders in place; secondly, I have various concerns about what the Premier and the Minister for Veterans' Affairs have previously informed this parliament. On 4 June 2019, the Leader of the Opposition asked the Premier the following question:

Can the Premier guarantee that the Director of Veterans SA, an Iraq veteran, Mr Rob Manton, will continue in executive employment?

The Premier responded as follows:

Mr Manton has a contract. There is no suggestion that that contract will be broken. He is doing an excellent job, and I enjoy working with him. His service to Australia and to the veterans' community in South Australia has been exemplary.

You will note the high praise from the Premier for Mr Manton. On 24 July 2019, I asked the Premier the following question in estimates:

In terms of the move of Veterans SA, Premier, what is your understanding regarding current staff of Veterans SA? Will any of the current staff in Veterans SA be required to reapply for their positions?

The Hon. S.S. Marshall answered as follows, 'No, that is not envisaged at all.' We now know that Mr Manton was required to reapply for his own position. These answers raise a number of questions: when was Mr Manton told and by whom that he would be required to reapply for his own position, and are these facts consistent with the Premier's responses to parliament? On 4 June 2019, the Leader of the Opposition asked the Premier, 'Are you abolishing Veterans SA as a standalone agency?' and the Premier responded, in part, as follows:

... we have made a decision to locate it in the office of Defence SA so that it can share some of the overheads that are associated between those two agencies.

On 24 July, I asked the Premier the following question, 'What benefits do you hope to achieve from the transferring of Veterans SA program to Defence SA?' The Premier replied, in part:

I think we have been extraordinarily satisfied with Veterans SA since coming to government. It was an initiative of the former government...

I then asked, 'Does the Premier envisage any administrative or budget savings from the co-location or the merger of Veterans SA to Defence SA?' The Premier responded, in part, 'Nothing specific.'

Our veterans deserve an appropriately resourced agency that has the support of their minister. Veterans SA should be competently led by a veteran with proven leadership capability. When can we expect this to occur? This parliament has not been informed why Mr Rob Manton was

removed from his office, despite the Premier's previous high praise, and it is not clear why Veterans SA has been shifted to Defence SA.

I am also advised, but happy to be corrected, that the Premier has failed to attend any Veterans Ministerial Council meetings. This parliament and, most importantly, SA veterans deserve answers and a minister who is fully engaged in his portfolio, not missing in action. Our veterans and their families deserve no less.

COUNTRY FIRE SERVICE

Mr DULUK (Waite) (15:38): Today, I rise to talk about the Country Fire Service and the vital role that it plays in keeping our community safe, especially during the bushfire season. In recent days, we have been dealt a timely reminder of just how dangerous bushfires can be, with fires all across the eastern seaboard, as well as here in South Australia, especially in Port Lincoln. I would like to echo the comments made by the CFS and remind everyone how important it is to be bushfire ready and of the steps that we can all take to ensure the safety of our families and our community.

In my own electorate of Waite, we are fortunate to have the fantastic team of volunteers from the Sturt CFS group keeping us safe this bushfire season. Members of the Sturt group stop what they are doing and give up their own time to assist others, day after day, week after week, year after year. The Sturt group recently sent a contingent to New South Wales and Queensland to help fight the bushfires over there. I understand, unless I am corrected by the Minister for Emergency Services, that over 200 South Australians have gone to the Eastern States to assist in that most important task, and that is obviously to fight the fires over there. A contingent from Belair and Eden Hills stations from my Sturt group have recently been in Port Lincoln as well helping the community of the member for Flinders.

Under the leadership of group captain Dale Thompson, the Sturt CFS group have been vocal advocates for bushfire safety and how families can prepare to ensure that their properties are safe as possible this bushfire season. This week Sturt CFS group posted an important reminder on its Facebook page that I would like to share here today. It says:

We are incredibly fortunate in my community to have avoided a major bushfire since the 1950s. We were unaffected by the devastation of Ash Wednesday in 1983 while many other areas were not so lucky.

This has led to many residents thinking our area is not a major risk, but this is not the case—our area has plenty of fuel that would ignite in the event of a fire, and a fire will eventually happen.

The Sturt CFS group is urging residents to clean up their properties to mitigate the risk of a fire.

It's everyone's responsibility to make sure their property is not a fire risk, and failure to properly clean up may put others in danger [and indeed the whole community].

Taking the time to clean up your property is a small price to pay for the safety of your family and neighbours, and if you are unable or unwilling to clean up, there are plenty of people who can be hired to do it for you.

I urge residents in my community to heed the advice of the CFS. The CFS also has a simple survival plan and a nine-step program for surviving a bushfire. These include having a five-minute bushfire plan; talking to your family, neighbours and friends about that plan; having flexibility in your plan; clearing around your property; having an emergency kit ready; knowing when to leave and where to go; listening to the weather and knowing when total fire bans are; subscribing to the CFS warning emails; and checking the radio, website, social media and news updates.

Increasing bushfire safety awareness is important and now more so than ever. As a recent CFS survey found, more than 40 per cent of young people were not bushfire ready, and just 16 per cent of 18 and 19 year olds were adequately prepared for a bushfire. Research conducted by the University of South Australia also found that 55 per cent of people living in bushfire danger zones would choose to wait and see instead of evacuating in the event of a bushfire.

The advice that my community constantly receives from the government and the advice that the CFS provides to South Australia is to leave and leave early in the event of a bushfire, and in those catastrophic fire days as well be on high alert and be prepared. More importantly, to do the right thing for yourself and for the community you live in because we just cannot rely on the CFS to be bushfire prepared. We need to be bushfire prepared as well.

The Marshall Liberal government takes bushfire safety very seriously, and of course we respect our CFS. This has been reflected in some of the recent funding announcements we have allocated to emergency services, including \$5 million for the CFS project Renew, and provided a further \$9.2 million to increase our state's aerial firefighting fleet.

More importantly, locally, on 23 November I once again will be hosting my CFS fundraising barbecue at Coles, Blackwood, together with my colleague the federal member for Boothby, Nicolle Flint, and the member for Davenport, Steve Murray, to raise funds for our local CFS group. I encourage everyone to come down, buy a snag, have a chat to the CFS and support a great community and a great organisation.

Bills

LANDSCAPE SOUTH AUSTRALIA BILL

Conference

Consideration in committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

In doing so, I would like to thank all those who took part in the conference and all those in the Public Service who supported that conference and this process.

Mr GEE: Chair, I draw your attention to the state of the house.

A quorum having been formed:

Motion carried.

CROWN LAND MANAGEMENT (SECTION 78B LEASES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Mr TRELOAR (Flinders) (15:48): Prior to the break, I was waxing lyrical about who went where on Eyre Peninsula for their summer holidays. I was generalising, of course, but it is a very strong theme that revolves through country South Australia, that of a family holiday at the shack.

Before I speak to the bill proper, I want to talk about my wonderful experience as a child enjoying our shack at Coffin Bay. My grandfather on my mother's side actually built the shack with a friend immediately post-World War II out of shell grit mixed with concrete—not much concrete, I think—and second-hand corrugated iron. Of course, immediately following the war, materials were hard to get. Anyway, they managed and built one big square room, which was subdivided by cupboards and curtains.

At that stage, the block apparently belonged to my grandmother's uncle Wilf Roediger. He called it his block, but I do not think there were any boundaries in place at that stage. That did not happen until our shack and most of the others in Coffin Bay were able to be freeholded in the 1990s, which was a significant move. We want to give others that same opportunity now.

I remember our excitement, as three young boys heading off to Coffins for our summer holidays. Because we shared the shack with other families, we had just 10 days available to us over that Christmas/new year to end of January break, so we wanted to make the most of it. My dad did not come down much. Mostly it was mum and the boys, so credit to her for managing us through our period of growing up. We learnt to swim and row rowboats and fish. As we got older, we must have had a good harvest one year because dad turned up with a seagull motor, which we put on the back of our 10-foot bonwood dinghy. We had a wonderful time and we learnt a lot of life skills there at the shack.

I even know a couple who met on the jetty at Coffin Bay and, as a result of that meeting, went on to marry and live happily ever after. All sorts of things can happen during a summer holiday at a shack. In more recent years, my wife and I have managed to acquire our own shack at Coffin Bay with a view to giving our kids and even our grandchildren the same opportunity.

A number of shacks will potentially be impacted by this legislation. In the electorate of Flinders, still at Coffin Bay, there is one shack that sits on Crown land. At Kellidie Bay, there are 13 shacks sitting on Crown land. Also at Kellidie Bay, but within a national park or the Kellidie Conservation Park, there are a further two shacks. There are areas with a large number of shacks: Milang has 73 on Crown land and Fisherman Bay has 30 on Crown land. The Coorong National Park, which is a different situation again, has 62 shacks on Crown land. There are 41 at Glenelg River and 20 in Innes National Park, in the seat of Narungga. There are many other district councils with smaller numbers. What we want to do is significantly improve the opportunity for long-term tenure for those shack owners.

In March 2018, the South Australian government made a commitment to create new opportunities for families to retain shacks on Crown land and in national parks. That commitment included providing certainty of tenure to families, who have one of these leases, by expanding the eligibility to maintain the lease in return for them upgrading the shack to meet contemporary safety, amenity and environmental standards.

There is responsibility on the shack owners to meet those standards before there is approval or progression of the tenure. The commitment also included investigating more freeholding of shacks on Crown land and also providing renewable tenure options to shacks located within national parks. It is a slightly different situation, but hopefully we can put all that on the table. The commitment also includes seeking fair valuation advice for the sale of shack sites and strengthening links between local rangers, volunteer groups and other shack owners and lessees.

It applies to shacks located on Crown land and in national parks that are on life tenure or fixed-term tenure leases where there is no existing arrangement for longer tenure at those sites. This legislation will not apply to outstanding matters from previous freeholding deeds and land management agreements and does not apply retrospectively to leases that have already been terminated or to shacks that have been demolished. That certainly has occurred in a number of settlements. Smoky Bay is one that I can think of.

In order to determine a practical way forward, the department has undertaken a comprehensive review of the legislation, regulations, policies, plans, standards and commitments governing shacks on Crown land and shacks in national parks, native title, co-management, contemporary safety, amenity, environmental standards and planning and development. I mentioned Smoky Bay earlier. I should remind the house that there are 11 shacks at Smoky Bay still on Crown land. Others have been held freehold in the past, but 11 still exist on Crown land.

The current legislation that governs shacks on Crown land and park management plans for national parks do not allow for any of these changes to existing shack tenure. These legal barriers must be addressed to allow leases to be converted to another tenure, which is fundamental for the Retaining Shacks commitment that the Marshall Liberal government gave in the lead-up to the last election. Hence, we are here debating the legislation.

There are also park management plans involved. Current park management plans for Coorong National Park, Innes National Park, Kellidie Bay Conservation Park on Eyre Peninsula and Little Dip Conservation Park do not envisage the retention of shacks within those parks. The government will seek to amend the park management plans for these parks to enable shacks to remain, subject to, as I said earlier, meeting the regulatory requirements and contemporary standards.

The regulatory requirements need to be complied with by certain parties in order to secure longer tenure for shacks on Crown land, and contemporary safety, amenity and environmental standards also need to be met. Other things to be considered include planning and development, building standards, wastewater management, natural hazards (including coastal flooding and erosion, riverine flooding and bushfire) and the amenity itself. Public access to the waterfront needs to remain.

Many shacks are located within the buffer zone of a 30 to 50-metre wide strip of Crown land and might already impact on public access. Upgrading the shacks, including any associated infrastructure, must not duly restrict or further restrict public access to or along the adjacent waterfront. There will be environmental and cultural heritage protection, and the government also

recognises that local councils will have some responsibilities here, particularly in relation to development applications and enforcing compliance. When the legal barriers are addressed, shack sites and shacks can then be assessed for their suitability for longer tenure, freeholding or for a transferable term lease. This is a really exciting piece of legislation and it will mean a lot to many of my constituents.

In relation to Little Dip, Kellidie Bay and Cape Gantheaume conservation parks, there are no current arrangements for these parks to be co-managed. Given the low numbers of shack leases in these parks—as I said, in Kellidie Bay there are just two—an expression of interest will be sought from shack owners to determine whether or not they wish to be assessed for longer tenure. If any lessee wishes to be assessed and there are no other barriers to granting longer tenure over the shack site, the department will initiate the process to amend the relevant park management plans.

My congratulations go to the Minister for Environment and also his department on getting this legislation to the House of Assembly. I am disappointed that the opposition have chosen not to support this, but we will carry on regardless. It has been a long-term commitment of the Marshall-led opposition and then the Marshall government. It would be wonderful to think that we could give an opportunity to all those people who still own and enjoy shacks in some beautiful parts of South Australia to have some secure tenure to go forward with. It will encourage investment into those properties and it will also allow either the sale or transfer to other family members as time rolls on. I commend the bill to the house.

Mr BELL (Mount Gambier) (15:59): I rise to make a brief contribution on this legislation and also acknowledge the work the Hon. Michelle Lensink has contributed to this policy position. In fact, if we go back to when I was campaigning in around 2013, the Hon. Michelle Lensink was paired with the seat of Mount Gambier and so visited on numerous occasions and certainly listened to the concerns of our local community on a range of issues.

Shacks and termination of leases when the last surviving person on that lease passes away were certainly issues which we took seriously and which helped form a policy position within the Liberal Party on changing the current situation had we won the 2014 state election. When visiting the area when I was an outdoor education teacher, there was nothing better than canoeing down the Glenelg River with a bunch of students. You would normally start up near Dartmoor and three or four days later you would be canoeing and your arms would be tired after very little sleep on a bit of foam mattress.

When you got around to Reedy Creek and Donovans, the shacks were always a welcome sight because they signalled that you were very close to Nelson and finishing the journey. It has certainly been a part of my life in the time I have spent in Mount Gambier and, I know, in the lives of many other people whose family either owns a shack or who know people who own a shack or even just visit and take photographs of the structures there. I certainly welcome this introduction by the Minister for Environment, David Speirs, to ensure that the Glenelg River shacks will remain in place.

It is quite an interesting development to watch a previous government's policy position and the impact it has on families and the outcomes of it. I hope that in future we do not develop policy positions that really try to grind people down into submission and achieve an outcome through what I would say would be a war of attrition versus common-sense policy and actually listening to the community you are meant to represent. The outcome of a war of attrition is the state that we see at the moment, where some of the shacks have been razed because the last person on the lease is deceased.

That can be quite distressing for other family members who are not only burying their grandfather, their father, their loved one, but then are incurring a massive cost on top of a funeral expense to remove the family shack down on the river, and some of those costs can be quite large. Some people do not have \$25,000 on top of a funeral expense to pay that. I hope that in future, if decisions like this are to be made, a more sensible approach is taken versus a war of attrition and grinding people down to the situation we have at the moment.

Many of those shacks have been passed down from generation to generation. This legislation has been hard fought, but it now gives some certainty to the owners of those shacks and the families of those shacks that they will need to bring them up to code and up to standard but that

the money they invest will not be wasted and can be enjoyed for generations to come. As I said, owners have been stuck in limbo for many years, and this has obviously caused a big issue, but I want to talk about some of the passionate people.

I need to acknowledge the District Council of Grant, Mayor Richard Sage and the previous CEO Trevor Smart, who helped facilitate the organisation of shack owners and, in fact, helped them incorporate into an associated body, the Glenelg River Shack Owners Association, so that they could structure themselves in such a way that their voice could be heard. So congratulations to Trevor Smart, the former CEO, Mayor Richard Sage and all councillors and council staff. Like my office, I am sure they have been regularly contacted by shack owners wanting to know what is occurring and when it is occurring.

I note it is complex legislation and it is pleasing to see a minister with resolve to push through difficult issues, instead of taking the easy road or shirking some of those issues. He is actually trying to work with his department on finding sensible solutions so that he and the government truly are representing the people of South Australia. Some of those people who told me their stories are people like the Telford family, the Gazzard family, the Holmes family, the Matthews family, as well as Brett Orr, who is the president of the association, and Kim Cawthorne.

Allowing renewable and transferable tenure under the proposed legislation gives shack owners a greater degree of autonomy and surety. This legislation also gives strong incentives for the owners to invest in their structures and bring them up to current safety and environmental standards, which is important particularly for those on the Glenelg River. It was pleasing to see that this was a continued commitment from the 2014 campaign into the 2018 campaign and it is being finally implemented in this term of government. I hope if parliament is going to be prorogued that this passes the upper house because people have waited for a very long time, 18 years in some instances, for this to occur.

The other very pleasing thing from a local member's point of view is the openness of minister Speirs on this issue. Every time I have rung his office or spoken to him, he has been open and honest. One of the first things he undertook was to put a moratorium on the automatic termination of shack leases. There were a number of families in the region who had a name on the lease of someone very elderly and, in fact, some people have passed away. But that moratorium gave those families a level of comfort and assurance that this government was looking out for them and aiming to implement the intent of the promise, even though it was going to take a long time or a period of time for the legislation to come before parliament and then hopefully be passed.

I would like to congratulate formally people like Brett Orr and Kim Cawthorne from the Glenelg River Shack Owners Association, who have worked very hard for many years both with the Hon. Michelle Lensink and minister Speirs, to keep this issue on the state government's radar. For the people who have waited years and years to see this result, I would like to assure them that we are now at the stage where this is changing the legislation. I sincerely thank the current Liberal government for honouring their commitment at the 2014 and 2018 elections to have this legislation passed. With that, I thank the current government and I thank all those people who have campaigned for a long time. May this pass both houses in a speedy fashion.

Mr PEDERICK (Hammond) (16:09): I rise with some delight to speak on the Crown Land Management (Section 78B Leases) Amendment Bill 2019. I note the interest in the bill, whether people are involved in Crown land shacks or shacks in national parks. I certainly note the interest of Mr Geoff Gallasch in that regard, who has a Coorong shack in a national park. However, this bill today is about shacks on Crown land.

The issue for me, as it always has been since I have represented Milang, which has 73 of these shacks, is that the politics of envy has prevailed. Sadly, it still prevails today within the ranks of the Labor Party. They will not let some people have the ability to have some tenure with their shacks and to contribute to communities, and not just the regional communities where these shacks are, as they are in Hammond and surrounding regional electorates in the state, but also their home communities. Many of these people come from communities here in the city of Adelaide; some may have formerly voted Labor.

Having met with people, like the Milang shack owners group, I am not sure that too many are voting Labor at the moment because they have had to put up with the fact that they have only had lifetime tenure. So, if the person with the name on the lease dies, the shack has to be pulled down. That is one of the saddest things about what has happened down at Milang, where I believe there are now 73 shacks in place. This is an area that is significantly impacted by this legislation.

I congratulate the minister on bringing this issue forward. It is a commitment that those of us with shacks in our areas have lobbied hard to get on the table. The Hon. Michelle Lensink in the other place was heavily involved previously. I absolutely congratulate minister Speirs, the current minister, on his resolve in bringing this matter forward. This issue is technical, it is not a simple process and it is going to get more interesting when we get to the national park legislation, especially where some shacks by some decree also come under native title.

I have had many discussions about native title, including the ridiculous situation at Currency Creek, where there is a town square in the middle of four property owners' land. They basically just put a pole in the middle and share the land, and they are supposed to keep road access. It is something I have been campaigning to sort through. It is difficult, but hopefully we can get a result there.

What annoys me with this issue is that the Labor Party are so fixated on anyone having success. They look at the success of someone with a \$5,000 tin shed as their shack or a \$20,000 shack at Milang. They think that it is terrible to have that option, to have that shack as a holiday place, as somewhere to go and enjoy, as I know many people do, whether in a national park or, as we are debating here today, on Crown land.

I want to acknowledge the Milang Shack Owners Association and Keith Turner, who is the president of that group. I also want to acknowledge World War II veteran Bob Honor (he is not with us anymore), who fought for years. I used to go down and meet with Bob and his wife, Zeta, on many occasions at their beautiful little shack at Milang. We would have long discussions about how we could sort through this process and get the right outcome for people who, in the case of these shacks at Milang, just want to have a very small piece of paradise that they can keep in their family.

In regard to shacks across the board, they are scattered along the South Australian coastline from Glenelg River in the South-East, as the member for Mount Gambier outlined, to Smoky Bay on the West Coast. The member for Flinders gave a rendition of the shacks over there. A lot of these shack precincts started out as places where farming families spent their summers to rest and enjoy the spectacular natural environment. Where the opportunity has existed, many shacks have been retained in families for generations. These families have committed to caring for coastal shacks and, in the process, have contributed to the wider environmental wellbeing of our beaches and rivers by providing healthy lifestyle opportunities and assisting our tourism sector.

During the previous government's 16-year tenure from 2002 to 2018, family shacks—for instance, those similar to the ones at Milang that were located on Crown land—were subject to life-tenure leases and, upon the death of the last named lessee, the shack was required to be demolished and the land returned to the government. Consequently, many shack lessees allowed their shacks to fall into a state of disrepair because there was no incentive to maintain or invest in them.

Investing in these shacks is something that could really brighten up some of these shack areas. People are doing a great job now, but if there were the opportunity for tenure and the appropriate protocols were put in place around ownership, they could spend money on their shacks and make them even more attractive.

It is ridiculous that this has not been exercised in the past. Instead, as the last named lessee on a licence passes away, the order goes out and the shack disappears. Quite frankly, it is a disgrace. I know of a transportable shack that was put in at Milang so that, if that dark day came, they would have to move it out. I would love to go there when this legislation passes—as I hope it does through both houses—and put in some secure steel and concrete footings so that shack does not have to move in the future.

As has been stated before, the current Marshall Liberal government from opposition made election commitments to retain shacks as part of vibrant holiday communities with a view to realising

the benefits to both shack owners and the broader community. This commitment was made to provide shack lessees and their families with certainty of tenure by expanding the eligibility to maintain a lease in exchange for upgrading the shack to meet contemporary safety, amenity and environmental standards.

The commitment included investigating the leasehold of shacks on Crown land and renewable tenure options for shacks located in national parks. In that regard, on 4 April 2018, shortly after the election, the Minister for Environment and Water announced a moratorium on the practice of automatically terminating leases upon the death of the last named lessee, and placed all pending revaluation of shack sites on hold.

This bill puts in place life tenure leases for holiday accommodation purposes. As a bit of history around the bill, shack leases on Crown land were issued under section 78B of the Crown Lands Act 1929. In 2010, the Crown Land Management Act 2009 replaced the Crown Lands Act 1929 and included a transitional provision which prevents the holder of a section 78B lease from being granted a further interest at the site, i.e., better tenure whether freehold or term tenure.

This amendment bill removes the transitional provision, the legal barrier, which currently prevents shack lessees from applying for longer tenure. It also sets out a process where they may seek to surrender their existing lease in return for purchasing the land at market value or entering into a term Crown lease. The lessee may seek this for themselves or nominate another person to purchase or lease the Crown land.

Another factor of this amendment bill is that it does not have a guarantee that a lessee will be granted improved tenure but it creates a pathway that will allow them to be considered for better tenure. As I indicated earlier in the debate, this current amendment bill does not impact shack leases within national parks. A separate process will be undertaken regarding relevant park management plans and collaboration with the board in cases where parks are or will be co-managed, and there will be a three-month consultation period.

This amendment bill also addresses an ongoing issue associated with the management of Crown land more broadly, creating a provision that allows for the minister to require the removal of unauthorised fixtures on Crown land. The minister will be able to determine if a fixture is unauthorised if it is in place without legal authority or excuse; for example, if the lessee did not obtain the lease or licence that granted permission for the erection of their structure.

As far as the policy process is concerned, the election commitment stated that a lessee will be required to upgrade their shack to meet contemporary safety, amenity and environmental standards before they are assessed for improved tenure at their shack site. That process will rely on existing regulatory regimes and standards and, in circumstances where development approval is required, it will rely on existing processes that will provide consistency and reduce duplication in processes.

A preliminary discussion paper was prepared by the government and put out for public consultation in early June this year for approximately five weeks. Approximately 250 survey responses were received, which is significant. This paper detailed the regulatory and policy considerations associated with implementing the Retaining Shacks election commitment. I must commend the minister for getting his department organised. The Department for Environment and Water performed extensive face-to-face consultation in regions across South Australia where the shacks are located, and they met with representatives of the shack lessees, local councils, traditional owners and engaged with Friends of Parks groups, in addition to consulting with relevant regulatory authorities.

As indicated, the surrender of a life tenure lease will be on the terms determined by the minister and a demonstrated ability to meet the identified contemporary safety standards will determine a successful surrender, but the relevant issues at each site will differ depending on the circumstances. It is important to note that shack lessees are not obliged to upgrade their shacks as a result of this process.

Rather, they will elect—they will have the freedom of choice from this Marshall Liberal government—either to participate or to remain on their current section 78B lease. The minister will continue to be bound by the objects and principles of the Crown Land Management Act 2009,

including ensuring that all decisions are made with consideration to triple bottom line outcomes—social, economic and environmental—as well as observing the principles of ecologically sustainable land management.

The first of the 73 shacks at Milan was established in 1947, so post war. They have been there for decades, apart from the ones that sadly had been taken away under the previous regime, until the minister quite wisely put that moratorium in place so that people could live with some security until we get this legislation through the houses. With respect to these shacks at Milang, in the past there have been very positive talks with the local government sector. The Alexandrina Council was quite proactive about working to get a good outcome, because the council can see what these shacks do for the local community.

You can go down to Milang any time of the year, but obviously the warmer months always bring a crowd. You can go down there in the middle of winter and there are people at the shacks and there are people in the caravan park, and these people are vital to keep this lakeside community as it is on Lake Alexandrina, progressive and successful, to keep people touring around that area down towards Clayton, around to Goolwa, and back to Langhorne Creek to the wineries and just enjoy a beautiful part of Hammond. I commend the Alexandrina Council for its proactive work.

In regard to other shacks that are on Crown land in my electorate, there is one at Pompoota in the Mid Murray Council. At Punyelroo in the Mid Murray—which is a great skiing spot on the river; not that I have been up on skis for a while—there is one. There is also one in Punyelroo.

The Hon. V.A. Chapman interjecting:

Mr PEDERICK: Yes; the Deputy Premier is scaring me now. There is one at Scrubby Flat there in the Mid Murray Council area that is on Crown land, and at Walker Flat South there is one on Crown land.

I think this legislation is timely. It was only ever going to happen under a Liberal government, and I do not think that anyone should delay this process, and I say that sincerely. People who have shacks in my electorate have been coming to me. To be fair, most of them do not even vote for me, but that does not matter. I want to get the right outcome. They are not voting because they do not like me: it is because they do not live in my electorate. They are not registered at Milang.

An honourable member: They do like you.

Mr PEDERICK: They do like me, the minister responds, and I felt that. I felt the love when I have gone to the meetings of the Milang Shack Owners Association and explained to them, over far too long, about the outcomes we want to get for them so that they can have tenure, so that we can have vibrant communities on these Crown land sites and get a lot better outcome. There still will be access in front of these shacks for the public to get down to the lake. That is a no-brainer. That is going to happen every day of the week.

People who are against this idea need to have a good, hard look at what is going on here. We can get a far better outcome where we have shacks which are maintained and upgraded in a fantastic way and which are brought back to the glory days of 50 years ago when these shacks were all brightly painted and looked absolutely fantastic.

They still do, but sadly, because of the lack of tenure, some people have not spent the money to give the absolute love they can to these shacks to get them in a really smart condition. There will need to be some money involved here, obviously, getting shacks up to regulatory standards. There will obviously be fire control standards and a whole range of things. As I said in regard to that, in years gone by, especially in regard to the Milang shacks, the Alexandrina Council has been very proactive and has had proactive discussions with the shack owners group so that they can get the right outcome.

I commend this legislation. I wish its speedy passage through this house and the other place. I want people who know the regions, who know where these shacks are, to appreciate the beauty of these spots, including Milang in my electorate, including down at Glenelg River, including at Smoky Bay, which is a fantastic spot on the West Coast of South Australia in the member for Flinders' electorate, and appreciate what these shacks are.

There is no problem with people having multimillion-dollar shacks, no problem at all, but they are certainly not that. As I indicated, some of these shacks, especially in the national parks, which we are not talking about here today, might be worth a few thousand dollars, and some would be in the tens of thousands of dollars. Let's do the right thing, let's commit to this legislation, let's give people certainty and let's have that certainty go through to the future.

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (16:30): I rise this afternoon to acknowledge and thank all the members of this place who have made a contribution to this debate. I thank the deputy leader for her comments on the bill. While I am disappointed to learn that the Labor opposition will oppose the bill, I look forward to responding to the deputy leader's specific questions during the committee stage and clarifying any aspects that she would like to have more information on.

I also wish to thank the members for Narungga, MacKillop, Flinders, Mount Gambier and Hammond for their contributions on the bill. All those members have the job of representing geographical areas where these shack communities are found, so they have an often intimate understanding of the communities and the individuals who are impacted by the uncertainty, which has been the case to date, around the tenure of these shacks. They know the role that these communities have in the culture of those particular areas. They know that during the summer and during holiday weekends their communities are absolutely filled with people who are getting along to the shacks, buying produce from local shops, filling up at a local servo, going to the fishing tackle shop and so on.

These communities are really providing an economic stimulus to regional South Australia. When you add them all together, while not a huge number of shacks fall into the categories that we are talking about today, the loss of those shacks in these particular communities would be catastrophic economically. So it has been great to hear from those members who have a real understanding of the positive impact that these shacks have on the communities.

It has also been really good from my point of view during my time as the shadow minister, and since becoming the minister in March 2018, to meet with many of the people who have associations with these communities. Whether they be shack owners or people who have family members connected with shack communities, it has been good to hear their stories, to be able to visit their shacks and to see the verandahs and front yards where people have sat for generations—grandparents and great-grandparents, extending back through the generations.

These are often great assets within particular families or groups of friends. These are not necessarily financial assets; they are assets that revolve around and are built up through the social capital of families and these communities. I have really enjoyed being able to interact with these communities during my time as minister. In particular, I want to thank Geoff Gallasch for his role. Geoff has been a really passionate advocate for shacks across South Australia and for the rights and also the responsibilities of shack owners across South Australia.

It has been great to have Geoff at the end of the phone, providing advice on particular communities and having input into the process as we seek to shape a process going forward. From a government point of view, we want a process that is responsible and puts in place the appropriate environmental and health and safety protections, but of course also values the role of shacks in regional South Australia and seeks to create a pathway through which we can ensure that these shacks stay part of the particular communities they find themselves in.

I really do not want to say a great deal more than that, other than to say that this bill gives us the opportunity, in an administrative sense, to move to the next stage of creating more certain tenure for these shacks across regional South Australia. When I became the minister, we put in place a moratorium, which meant that when those final lessees on the leases passed away the lease would not be extinguished and that the shacks would not be torn down.

I understand that, unfortunately, some of those last lessees have passed away since the moratorium came into place. The moratorium has given their families certainty and a pathway forward to get that certainty of tenure. It has been a difficult time for those people, but fortunately, because of the moratorium, unlike families in the past, there is actually a bit more certainty with this legislation. I really hope that it passes this house today and moves into the Legislative Council.

I am hopeful that it will pass the Legislative Council and then we will be able to get on with providing certainty of tenure—increased tenure in some circumstances and perhaps freehold in other circumstances—where the type of land and the condition of the property allows us to do that. We know that that will not apply to all the shacks. Shack owners and shack associations are quite aware of the limitations of some of the locations and some of the properties.

Where possible, we will move towards freeholding; where that is not possible, we seek to provide a longer length of tenure so that people can actually get down and invest in these communities. As the member for Hammond said, there is a real need to see investment in some of these communities. People have been holding back from that investment because of the uncertainty of tenure. If we can get over that, we can get more investment into the communities. They are already vibrant and healthy communities, but I think we can take that to the next level again.

I reiterate my thanks to the members of this place who have provided contributions. I thank the public servants in my department and further afield in other departments who have been part of the process thus far. I particularly thank Mr Geoff Gallasch and his team in the shack associations across South Australia who have been part of the advocacy and the promotion around this.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 4 passed.

Clause 5.

Dr CLOSE: This refers to the disposal of Crown lands to which this change applies. I presume that that is in the context of potentially disposing of the Crown land to the person who currently holds the shack lease so that it might become freehold. My question is: what financial interaction is being contemplated? Will the person who has held a lease be required to pay the Crown anything as part of transforming into a freehold, should that be approved, or is there any other kind of financial arrangement that is being contemplated?

The Hon. D.J. SPEIRS: I am advised that, as I mentioned in my concluding remarks, many of these shacks will not go down this track. Some may. If there is a situation where a freeholding process goes through the provisions of the act—and this is the broader act, not included in the amendments we have before us today—to require us to dispose of the land at market value, that market value can be determined by the Valuer-General or a private valuer approved by the Valuer-General. The land would be sold for the value of the land minus any improvements. In the case of much of the land that we have in question, those improvements probably have quite a minimal value.

Dr CLOSE: In the event of what I think is the more likely trajectory, where a shack is in the circumstances of the last person on the lease dies and it is surrendered, that may become a situation where the lease is able to be passed on or transferred. Is there any financial exchange in the process of that occurring or being given permission to change the lease terms to that?

The Hon. D.J. SPEIRS: In the circumstances of an exchange of a lease between two private individuals, person A and person B, that would be an entirely private matter. It might be an inheritance situation, where that would transfer as per the requirements of any will that was in place. It may be the sale of an asset, which would be a private situation, and that could be for as little or as much as people thought their asset was worth or were willing to relinquish their asset for.

However, as part of the purchase of one of those leases, the agreement continues with the government under person B—so it was person A's lease and it becomes person B's lease—but the lease costs in terms of the rent payable continue at that level until revalued.

Dr CLOSE: At the point when the current lease arrangements are altered, having gone through the process of determining whether that is deemed appropriate, at that point does the person who currently holds the lease that would terminate on the death of the last person, becoming a lease that is able to be transferred, pay any money to the government for being able to change the terms of their lease?

The Hon. D.J. SPEIRS: No, apart from just the standard application fees for such an assessment.

Clause passed.

Clause 6 passed.

Clause 7.

Dr CLOSE: My question relates to new subsection (1), where 'the lessee must first apply to the Minister in such a manner as the Minister thinks fit'. I ask the minister to briefly summarise the criteria that the minister intends to use to determine whether the minister will in fact see fit.

The Hon. D.J. SPEIRS: There are three main areas that we will look at: safety requirements, amenity requirements and environmental requirements. In short, a shack will need to be adequately protected from environmental hazards, particularly those shacks located along the coast, including coastal hazards such as flooding, erosion or sand drift. They are really the main things that we will be looking at from a safety point of view.

When it comes to amenity, shacks will be required to maintain their sites in a neat and tidy condition. This generally means making sure that buildings are kept in a reasonable state of repair and the area free of litter or other pollution. There are a number of pieces of associated legislation, such as the Local Nuisance and Litter Control Act 2016 and its regulations, the Housing Improvement Act 2016 and its regulations, and the Environment Protection Act 1993 and its regulations. It is no different from a dwelling or building anywhere else; you would expect them to be meeting the requirements of those three pieces of legislation.

I mentioned safety and amenity. The third point is environmental requirements that shacks will need to meet. The main one to be considered is wastewater management. The South Australian Public Health Act 2011 provides a head of power enabling the administration of legislation and codes relating to on-site wastewater systems. The South Australian Public Health (Wastewater) Regulations 2013 detail the legislative requirements for on-site wastewater systems and there is a prescribed code under the regulations of the SA Health On-site Wastewater System Code 2013. All of those will need to be taken into consideration when dealing with wastewater on the site.

Further, the Environment Protection Act 1993 and its subordinate legislation contains provisions to prevent or minimise environmental harm. I guess the real potential risk we are trying to minimise is wastewater entering waterways, given the location of many of these shacks along South Australia's coast, and some river environments as well. These requirements for on-site wastewater management will need to be considered in any offer of better tenure to ensure that a shack site is compliant with health and environmental standards, particularly in areas close to sensitive waterways. The community wastewater systems compliance with the SA Community Wastewater Management Systems (CWMS) code will also be required to be met.

Dr CLOSE: In the event that a shack lessee attempts to fulfil those criteria and is unable to demonstrate that the wastewater treatment is of sufficient standard, is that situation then simply allowed to continue? I understand that changing the circumstances of the lease would lead to declining, but, nonetheless, you have now found out that there is a problem. Does that then simply remain or is there some effort that needs to be put in by the government or the lessee?

The Hon. D.J. SPEIRS: That is a really good and sensible question. It would trigger the various requirements under those pieces of legislation, particularly the responsibilities of the EPA, which would step in at that point. You would hope that if someone were going down this track they would not out themselves as an offender, but if they did and they were not meeting the requirements that we expect, the various protections under the Environment Protection Act and I think also the Local Nuisance and Litter Control Act would also just kick in and that would be dealt with.

Inevitably there will be some shacks that are not quite at the standard we would expect at the moment. Hopefully, this process will lift the standard of the environmental requirements that are being met in these communities.

Dr CLOSE: Is there a liability, therefore, on the government as the owner—because they are the landlord of the land at least, if not the shack—that there is a lease arrangement that has

enabled people to build? Is there any liability on the government to audit now, regardless of whether there is application, and to do anything about anything that they come across?

The Hon. D.J. SPEIRS: Our current lease conditions require that these things occur. They may not necessarily be at the standard that you would apply to a house in a suburb in Adelaide, just because of the nature of the properties and their locations, but the current lease conditions do require these things to be adequately dealt with. There are inspections and visits to these properties from time to time.

Clause passed.

Remaining clauses (8 and 9) and title passed.

Bill reported without amendment.

Third Reading

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (16:52): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to amendments Nos 2 to 5, 7 and 8 made by the House of Assembly; disagreed to amendment No. 1, as indicated in the following schedule; disagreed to Amendment No. 6; and made an alternative amendment as indicated in the following schedule in lieu thereof:

Schedule of the amendment made by the House of Assembly and disagreed to by the Legislative Council

No. 1. Clause 2, page 2, after line 7—Insert:

- (2) Section 7(5) of the *Acts Interpretation Act 1915* does not apply to this Act or to a provision of this Act.

Schedule of the amendment made by the House of Assembly, disagreed to by the Legislative Council and an alternative amendment made in lieu thereof

No. 1 Clause 7, page 10, line 37 [clause 7, inserted section 54L(1)(e)]—Delete 'psychiatrist' and substitute:

medical practitioner, with appropriate expertise in addiction, psychiatric or paediatric medicine or other expertise related to the order,

Consideration in committee.

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

That the House of Assembly do not insist on Amendment No. 1.

Motion carried.

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

That the House of Assembly do not insist on Amendment No. 6 and agrees to accept the alternative amendment made in lieu thereof.

Motion carried.

Matter of Privilege

MATTER OF PRIVILEGE

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:55): I rise on a matter of privilege. Today, the member for Kaurana, during the grievance debate, made the following statement:

One of the first things that this Premier did when he came into office was to sack Vickie Kaminski, who was the head of SA Health, and put in his own hand-picked chief executive of SA Health, Dr Chris McGowan.

This related to the alleged conduct by the Premier, no less. On or about 25 May 2018, Ms Kaminski is reported in ABC News announcing that she would be leaving her position in respect of the head of SA Health and returning to Canada. The third matter that is important for consideration is that, in response to a question of the Hon. K.J. Maher in another place, the minister, the Hon. S.G. Wade, provided an answer on 25 July 2018. Accordingly, he placed the same in the public domain in response to questions relating to the appointment of Dr McGowan and the early end, as described, of Ms Kaminski's contract when, at paragraph 3 in the answer, he stated:

The terms of Ms Kaminski's early resignation are subject to a confidentiality deed between her and the government.

Mr Acting Speaker, I ask you to carefully consider this material, which I will provide copies of the same, and find that the statement of the member for Kaurana is not only incorrect but false. I further seek, giving consideration to this matter of privilege, that you rule on a motion to establish a privileges committee and that it should be given precedence over the business of the House of Assembly.

In the circumstances of the consideration, any act or omission which obstructs or impedes the house in the performance of its functions, or which obstructs or impedes any member or officer of such house in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such a result, may be treated as a contempt and therefore be considered a matter of privilege, even though there is no precedent of the offence. I ask that you find accordingly and establish the privileges committee.

The ACTING SPEAKER (Mr Duluk): Attorney, I will refer that matter to the Speaker for his consideration.

Bills

FLINDERS UNIVERSITY (REMUNERATION OF COUNCIL MEMBERS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

ARCHITECTURAL PRACTICE (CONTINUING PROFESSIONAL DEVELOPMENT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 October 2019.)

The Hon. A. PICCOLO (Light) (16:58): I rise to indicate that the Labor opposition will be supporting the bill and is happy to assist with its speedy progress through the parliament. We support the bill because we recognise the importance of continuing professional development in the architecture profession—

The ACTING SPEAKER (Mr Duluk): Member for Light, are you the lead speaker?

The Hon. A. PICCOLO: Yes, I think I am the only speaker.

The Hon. S.K. Knoll: I spoke on it.

The Hon. A. PICCOLO: Not for the opposition you haven't.

The ACTING SPEAKER (Mr Duluk): Member for Light, thank you for indicating you are the lead speaker. You have the floor.

The Hon. A. PICCOLO: —an industry which has significant influence on our state's built form and environment. I note that under this bill the professional development framework will be dealt with by the Architectural Practice Board of South Australia in accordance with those already established in other states. It makes sense to align regulatory frameworks across Australia's federation wherever it is possible and advisable.

I want to make two points in relation to this bill that connect to other matters also before the parliament. The first point is an obvious one, the irony of which I do not believe the minister would

have missed. The bill introduces an ongoing professional framework for registered practising architects in order to guarantee their competence. This is a very good thing. The public should have confidence in professionals providing services, particularly when their work directly impacts on the public realm.

In keeping with this principle, I look forward to the minister's support for the Planning Development and Infrastructure (Transparency) Amendment Bill 2019, introduced by Labor into the parliament in the last sitting week in the other place. The transparency bill, similar to this bill, contains provisions which require the professional accreditation of State Commission Assessment Panel members in order to bolster public confidence in the panel's deliberations and the public's acceptance of the panel's decisions. The principle applied in both bills is the same and I look forward to the government's support for the transparency bill.

The second point I wish to emphasise also concerns public confidence in the building industry. I note that in the minister's second reading explanation he made reference to the national Shergold Weir report into building confidence and the role this bill plays in public confidence in registered architects. I agree that public confidence in the building industry has taken a hit in recent times with revelations that many privately certified buildings contain flammable cladding and other features that do not comply with the Building Code of Australia.

Requiring ongoing professional development of registered practising architects is a worthy initiative, but I also urge the minister to reconsider the extension of private assessment in the planning system, which has been included in the development assessment regulations. The Labor opposition has already moved a disallowance motion against these regulations. I note that public confidence in the building industry will require independent planning authorities to make decisions without pecuniary interests in the outcome. With these few points raised, I indicate the Labor opposition's support for the bill.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (17:01): I thank the shadow minister, the member for Light, for his contribution for the indication of the opposition's support. This is a measure that has been a long time coming, something that was actually consulted on years ago, but we are here now.

I think it is especially important in light of the new Planning Development and Infrastructure Act, which is coming into place progressively over the course of the next 12 months, but also in light of the serious questions that have been asked about everybody along the building supply chain essentially from developers through to planners, architects, building surveyors and fire safety engineers and certifiers, whether they be council or whether they be private, around how adherence to building codes are conducted and the fact that what we see now is quite a lot of deficiency, especially in relation to aluminium composite cladding and the issues that are manifesting there.

We now see this call for a better regulated accredited professional scheme—and obviously part of that matter is being progressed here—not only by industry but also by insurance companies, who want a greater level of assurance that there is a high bar for those involved in the design and manufacture of buildings, that they hold themselves in high regard and that they adhere to high standards so that we can have a greater level of confidence in the work they do.

I commend the bill to the house. I thank the opposition for their support in this regard and I look forward to this being one small part in the big puzzle of getting this right so that we can keep people safe in and around dwellings.

Bill read a second time.

Third Reading

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (17:03): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**CRIMINAL LAW CONSOLIDATION (FALSE OR MISLEADING INFORMATION) AMENDMENT
BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 17 October 2019.)

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

A quorum having been formed:

Mr PICTON (Kaurna) (16:06): It is my pleasure to speak to the Criminal Law Consolidation (False or Misleading Information) Amendment Bill. I indicate, particularly to the Clerk, who is always interested, that I will be the lead speaker for the opposition on this significant piece of legislation.

The Hon. J.A.W. Gardner: Will you be using those entire entitlements?

Mr PICTON: That's right, unlimited time. This is another part of the real agenda for action and change that we have become accustomed to—of minor, tiny amendments seeking to use the parliament's time.

The Hon. V.A. Chapman: The Chief Justice asked us to do this.

Mr PICTON: You are listening to the Chief Justice now, are you? I thought in this parliament we have heard quite a lot about times when you have been disagreeing with the Chief Justice and the entirety of the Supreme Court of South Australia, who are against your earlier propositions that we have debated. Despite the fact that the Attorney is at war with the Supreme Court on other matters, on this we will be supporting the bill.

The bill creates two new offences: an offence for a person to enter false or misleading prescribed information into an electronic court management system and an offence for a person to provide false or misleading prescribed information to another person, knowing that the information will be or is likely to be provided to a court. Both offences attract a maximum penalty of \$10,000. Prescribed information will be defined by regulation; however, we are advised that the regulations will be developed in consultation with the court and the Chief Justice. I hope that consultation goes better than we have seen in relation to the Court of Appeal.

The modernisation brought through this legislation is required as a result of the introduction of the electronic court management system (ECMS), which allows users to lodge court documents and interact with the court electronically. I am advised that in November 2018 the ECMS for probate matters became fully operational, and the government expects the implementation of ECMS for civil matters across all courts to occur in early 2020 and for criminal matters in 2021. Probate matters will be the first jurisdiction to be covered under this legislation. We understand that civil and criminal matters will be included at a later date. Alas, with those short words, I conclude my speech on this important measure and indicate that we will be supporting the legislation.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:08): I thank the member for Kaurna for his indication of support from the opposition and commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:09): I
move:

That the bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (CLASSIFICATION OF PUBLICATIONS, FILMS AND COMPUTER GAMES) BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 30 October 2019.)

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

A quorum having been formed:

Ms STINSON (Badcoe) (17:11): I rise to speak on the rather lengthily titled Statutes Amendment and Repeal (Classification of Publications, Films and Computer Games) Bill of 2019. I indicate that I am the lead speaker in my capacity as the shadow minister for arts.

This is a bill that has two main purposes: firstly, to dismantle the South Australia-specific classification system, which was established in 1995 when a national system was established at the commonwealth level. That effectively means the disbanding of the SA Classification Council, as well as the removal of specific decision-making powers for our state's Attorney-General in relation to classification. Secondly, the bill repeals legislation governing the classification of theatre performances and removes the ability to classify or restrict theatre performances, at least at a state level.

I indicate that Her Majesty's Loyal Opposition will be supporting this bill. I am awaiting some replies from my own consultation efforts, but at this stage no amendments are envisaged. However, of course there is little point in doing consultation if you are not going to listen to it. So, if there is feedback that indicates that amendments are necessary, then there is a possibility that we may do that in the other place. However, at this stage Labor is supporting the bill without amendment.

The bill does mark the end of an era when it comes to classification, an era presided over by both Labor and Liberal attorneys-general who have taken responsibility for matters of classification. The bill, if passed as is, will see South Australia come into line with the national classification system and will remove the independence that SA has had until now when it comes to classification. It essentially removes South Australia's right to go it alone or act first on classification decisions, and there is a history of doing that in this state.

I would like to make mention of those who came before, especially those who put a great deal of effort into matters of classification both under the South Australian scheme and utilising the provisions of the commonwealth act and schemes. On the Labor side, the Hon. Michael Atkinson was nearly synonymous with classification at a national level, especially in relation to the debate over violent video games. I was very lucky, I think, that I had the privilege of working for the then attorney-general, including on classification matters, but of course that was many moons ago now.

No matter what your view is on classification, attorney-general Atkinson undoubtedly did a pretty gutsy job, vehemently advocating for what he viewed as the need to protect young people and vulnerable people from some pretty graphic and disturbing images that were at the time entering into the emerging area of video game development. This included video games that showed sexual abuse and graphic murders, often in first-person shooter-style gaming. There was, of course, a long-running debate about the introduction of an R18+ classification for games at the time.

I recall that at one stage the then member for Croydon was receiving death threats, including a threatening note under the door of his home. That was the home that he shared with his wife and his young children. Of course, that must have been pretty frightening. Considering there was also a fervent debate at the time about outlaw motorcycle gangs, I remember him remarking that he was more concerned at the threats from gamers than he was of the criminal bikies. I think that gives some indication—

The Hon. V.A. Chapman: He claimed one of them didn't even exist and he ended up living in his electorate.

Ms STINSON: That might have to be a conversation for later that you can fill me in on, Attorney. I think that gives an indication of just how passionate and highly emotive the debate was

at the time around gaming and some of the material that was being produced at the time. No matter your view, it did take some stamina to withstand the criticism that he did endure in accordance with what I think were his strongly held principles and what he thought was a responsible public policy, and I think he should be recognised for that.

After Mick Atkinson, and interspersed for a brief period by Paul Holloway, there was then John Rau. Of course, he is also a fine chief law officer of the state. The then deputy premier John Rau was the last minister to recommend the banning of a film. That film was *A Serbian Film*. *A Serbian Film* was a 2010 production described as 'exploitation horror'. It told the story of a financially struggling porn star who agreed to participate in an art film, only to discover that he had been drafted into a snuff film with some paedophilic and necrophilic themes. I think we can see already why people were maybe a bit disgusted by that one.

South Australia was the first to move to ban that film, and that was just days ahead of its release date. That decision was later echoed by the federal scheme. It is worth mentioning that because, even though the SA-based classification scheme is being dismantled through the bill, the scheme has certainly served a purpose over time. The SA-specific scheme was not actually established under Labor, as many might think due to our rather outspoken attorneys-general of the past, but it was established under Trevor Griffin in 1995.

It was established just as the national scheme came into force. I am not entirely sure what the reasons were for a separate scheme. The Attorney might know more of what happened in that period, but I can only guess that, because we had a Labor federal attorney-general and a Liberal state government, maybe there was some consternation or concern that maybe different people might come to different considerations as far as classification goes. I will either continue researching or take the Attorney's good counsel on the history of why that came about.

In any case, it was under Trevor Griffin that the two theatre productions were banned in the mid-nineties under the Classification of Theatrical Performances Act 1978, and that will be repealed under this bill as well. As far as I am aware, they were the only two performances that were banned under that legislation. So it actually took 17 years from when that legislation was put in place to a ban coming about.

There were restrictions that were also applied to other performances during that time. The two that were banned have some pretty interesting names; in fact, I am not sure I can say them. Annie Sprinkle, who some people might be familiar with, had *Post Porn Modernist*, which was a performance in 1996—I am sure that was a thrill. Then there was *Shopping and F**king* of 1997. I am not sure if Trevor Griffin was still in in 1997. Those were two very interesting titles. I am sure even more interesting content was involved in them. They were banned outright, but then there were others that were restricted.

Even though I think that the council and the various ministers have certainly exercised and used this legislation, and it has been put to some good use over the years, on this side of the parliament we are not opposed to a change to the national system at this stage. It is worth recognising that this repeal and amendment does, of course, take decision-making out of the Attorney's hands. So let's hope there is not something wildly offensive that comes into this state that the Attorney would like to see banned and could be at odds with the federal minister over that. In such a circumstance, the Attorney would have deprived herself or future attorneys of the ability to intervene.

We do have a fairly robust national scheme, which has been operating for many years now. I am pretty sure it is every other state that has signed up to that, so we certainly would not be in any worse position than every other state and territory that has been operating under that scheme for some time. Labor had, in fact, looked at the Classification Council and the theatre council and their roles in the review of government boards and committees in 2015. That resulted in those two boards being combined into one.

Before I wrap up, I might just add that, despite the fact that this repeal and this amendment look set to go through the parliament, I think that issues of classification are still of great relevance to people. Certainly, people raise matters with me in terms of social media and online content and apps. Probably the classification debate has now moved on to those forums and what might be suitable, particularly for children. That goes to matters of violent or sexual content and also areas

like gaming and gambling and the exposure of children to those themes, and not just children but more vulnerable members of our community as well.

Although South Australia may be moving to a federal classification scheme, I do not think that that really indicates any lessening of the relevance of classification matters or, indeed, any reduction in concern from the community to make sure that suitable content is available and that unsuitable, offensive or damaging content is not available to people in our community.

I would like to wrap up by thanking the members of the most recent Classification Council. I understand that their terms ended in November last year and they were not replaced. Our thanks go to Julie Redman, the chair; Michael Dawson, who has a wealth of knowledge and is someone I respect greatly; Anthony Durkin, Barbara Biggins, George Karzis and Ester Huxtable. Our thanks to the registrar, Wilhelmina Chapman of the Attorney-General's Department.

They have served ably, as I am sure many have before them, on the Classification Council and the theatre council as well and we thank them for their efforts and their contribution to classification decisions in this state. Finally, my thanks to the Attorney-General's staff and the staff of her department for briefing me on the bill. I commend the bill to the house.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (17:22): I am very pleased to be able to speak on the Statutes Amendment and Repeal (Classification of Publications, Films and Computer Games) Bill 2019, which abolishes the South Australian Classification Council and repeals the Classification of Theatrical Performances Act 1978.

For the sake of completeness for my constituents, who no doubt are watching the broadcast or potentially reading *Hansard*—

An honourable member interjecting:

Ms Stinson: They're glued to it.

The Hon. J.A.W. GARDNER: There are a number, I promise you. They write emails and I enjoy reading them. They may or may not be constituents of mine, but certainly a number of people do find this riveting. The context of the bill is interesting in more than just what it does in itself. Other members have explained the purpose of the bill.

We have a national body that does this work of classifying materials. That national body is established, it is funded, it is set up, it is appropriate to do that work and it has the expertise required. I think the member for Badcoe added to the comments of the Attorney-General in introducing the bill, about some of the technical nature of that work and the challenges put on that work by the way society has moved. Computer games are added to the sheer volume of films seeking classification, with South Australia and the Northern Territory being the only jurisdictions to maintain these bodies. In South Australia's case, it has not met in some time. It is more than five years. But the legislation remains: no material being classified since 2011.

The context of this comes from me as a new member of parliament coming into the parliament during 2010 when the then attorney-general had such an interest in this matter that he provoked the establishment of a political party named after his seat: Gamers 4 Croydon. It was not just about classification issues, but this legislation was a key part of the work that they did. The former attorney, for whom the member for Badcoe worked, which I did not realise, and it must have been an interesting time—

Ms Stinson: Educational.

The Hon. J.A.W. GARDNER: Well, we all seek to take lessons where they come, and there were many lessons that all of us in the chamber took from the former attorney-general when he was the Speaker of this house. I reflect on the disappointment he must feel in his former staff member, the member for Badcoe, and the disappointment that he must feel for the Labor Party, as the Labor Party has now very sensibly indicated its support for this legislation.

The Hon. A. Koutsantonis interjecting:

The Hon. J.A.W. GARDNER: Well, I suspect the former attorney-general is currently watching the broadcast right now. We will see whether he tweets his angst and concern. He will be

glued. I know that he follows the member for Badcoe's Twitter account, and I am sure that he will be engaged in the debate deeply, spiritually, from wherever he is sitting right now. He will be very, very upset.

The Hon. A. Koutsantonis interjecting:

The Hon. J.A.W. GARDNER: He will be very upset. The fact is that during the 2010 election campaign, as a candidate in a Labor seat, this was not the first thing people raised when we were knocking on doors, but it occupied the minds of many people in the political framework because the former attorney-general, God bless him, was very interested in this.

Some of us imagined the idea of his retaining the power that no other attorney-general around South Australia or up in the Northern Territory had to be able to—go through and watch every one of these videos as they were coming in, as people were submitting for the State of South Australia to allow the viewing of certain materials. We wondered whether there was an establishment within the Attorney-General's office—a war room, if you like. Some staffer had to do it; poor member for Badcoe, I do feel for you.

We could not work out quite why this was. The former attorney-general Mr Atkinson ran a strong line in rhetoric about the protections that he was providing for the people of South Australia through his service in this way. We feel as a government, and I felt then, very pleased to be acting on what is a small piece of legislation, but I think it stands for a lot. It is a sensible piece of legislation. We feel that the former attorney-general's service, as he saw it, to the people of South Australia, would potentially be better replicated by the professionals at the federal body who are undertaking this work. He had a different view, and there it is.

We enjoyed his time in the chamber. Things changed without him. He was a very strict Speaker, I might say. He was a Speaker who did not stand for any guff. He was a Speaker who would regularly express his concerns with the interjections that I would make and discipline me accordingly. We wish him well, but one of his legacy initiatives—the retention of this legislation in the South Australian statute—from the sounds of it by the end of this year may well be no more.

Ms Stinson interjecting:

The Hon. J.A.W. GARDNER: There no doubt are some other legacies to go; he will not be forgotten. His legacy in what he has established in the South Australian parliament through precedent is valued in many cases.

The Hon. A. Koutsantonis interjecting:

The Hon. J.A.W. GARDNER: The right wing of the Labor Party—well, the only way is down sometimes. The member for Croydon, as he was, has been replaced by another member for Croydon who has no longer taken up the cudgels on behalf of the right of the South Australian Classification Council.

The Hon. A. Koutsantonis interjecting:

The Hon. J.A.W. GARDNER: I am reflecting on the memories of the joyous time when the member for Croydon was synonymous, through not only the representations in the parliament but the effect of creating their own political party, with the Classification Council. I think that merits a moment of reflection. Having reflected on that, I am very grateful for that opportunity and I commend the bill to the house.

Matter of Privilege

MATTER OF PRIVILEGE

The Hon. A. KOUTSANTONIS (West Torrens) (17:29): I raise a matter of privilege. Today, in question time at 2.24pm, I asked the Minister for Innovation and Skills a question:

Given the Premier's previous answer, can he explain to the house why he vetoed a visit by the Leader of the Opposition to Stone and Chalk?

The minister then replied with:

There was no veto for the—

and then members interjected, the Speaker called for order and then the minister said:

I personally wanted to be there so I could give—

and then there were interjections, the Speaker warned the member for Badcoe and then the minister said—

the Leader of the Opposition the full treatment.

He went on to say:

I am a very hospitable man. There has been no cancellation.

Members interjected, the Speaker called for order and then the minister went on to say:

My office has said that I wasn't available at that particular time, and I wanted to be there—

Then members interjected, the Speaker called for order again and the member for Lee was on two warnings. The minister then said—

to take the Leader of the Opposition on the tour of the Startup Hub and, as far as I understand, our officers are working with each other to find out a mutually agreeable time.

Members then interjected, the Speaker then called for order and we moved on. I have checked with the Leader of the Opposition's office and his electorate office. There has been no communication from the minister's office to arrange an alternative time. A time was scheduled for the Leader of the Opposition to visit with Stone and Chalk. That was cancelled at the request of the minister.

I believe that the minister has deliberately and intentionally misled the House of Assembly and that a prima facie case exists for the establishment of a privileges committee. I ask that you give consideration to my matter of privilege and rule if a motion to establish a privileges committee should be given precedence over other business in the House of Assembly.

The DEPUTY SPEAKER: Thank you, member for West Torrens. I will of course refer this matter to the Speaker for his consideration. If you are able to furnish the Clerk or myself with any relevant documents, I will ensure the Speaker has those.

Bills

STATUTES AMENDMENT AND REPEAL (CLASSIFICATION OF PUBLICATIONS, FILMS AND COMPUTER GAMES) BILL

Second Reading

Debate resumed.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:32): I am just looking around in case anyone else was inspired to make a contribution on this bill. I thank the member for Badcoe for her indication of support of this bill. There are a couple of matters that have been raised, and I indicate that I share with the member for Badcoe some of the concerns raised in respect of online matters.

In this context, it not so much in the envelope relating to the difficulties the former attorney-general had in relation to the members of the Gamers 4 Croydon political party and the mischief they all got up to. From memory, I think one of them was claimed by the former attorney-general to not exist. On the front page of the paper the next day, it was disclosed that this person did exist and that he was not just an anonymous troll on the attorney but was a real person and in fact lived in his electorate, so that was an interesting time.

It is important to note that we are living in the online world. I remind members of the eSafety Commissioner, which is a national commission which provides a number of services to Australians who, of course, are online and need to have support and advice on how to deal with a number of things. Image-based abuse is common, where intimate images or videos are being shared without consent. There is also cyber bullying, which people obviously understand and want to combat and the harm it causes, and even adult cyber abuse, dealing with threatening, intimidating, or harassing or humiliating online behaviour, and illegal and harmful content, which, members I am sure would be aware, relates to child sexual abuse material and other prohibited online content.

These are all areas that are within the expertise of the eSafety Commissioner. For anyone who has inquiries on these matters amongst their constituency, it is important to make sure that they have this available. I recall a recent occasion when somebody contacted my office and said, 'My 16 year old has been photographed in a local hotel. It has been put on social media promoting the general hotel activity,' entirely innocently, in that sense. Nevertheless, the parent of the girl was quite disturbed and concerned by this, contacted the commissioner, and I think within minutes the offending material was withdrawn.

One of the concerns we all have is that any content that goes online can live forever, so it is important that, where possible, we have the cooperation of the agencies that provide the distribution and the keepers of this material. Although there is litigation and attempts legislatively to try to deal with ensuring that Google and everyone else who are keepers of information have a capacity to be able to ultimately deal with this—and, hopefully, we will be able to deal with this on an international level as to how we might manage that in the future—we have agencies to help us in the meantime.

I also recognise that, in the spirit of what has been raised by the member of material that has been restricted as a result of the state council applying a standard, mention has been made of the different standard, the extra protection, that the former attorney-general felt was necessary to be maintained for South Australia to have its own threshold of what was acceptable and what was not. There have been a number of occasions, in addition to the theatrical performances that have been referred to, where there has been a restriction of publication or a film reclassification.

In 1996, there was a category 1 restricted publication for *The Picture Sextra*, also *The Picture Sextra* (all issues), and also *The Picture* (all issues). In 1998, there was a category 1 restricted publication for *Spice Girls Poster Magazine*. It might seem a little odd these days, but in those days it was seen as requiring a category 1 restriction. In 1999, there was a film reclassification of the *Wild Wild West* which had an M15+ rating.

In 2005, there was a film reclassification of *Birth* which had an MA15+ rating. It had adult themes, strong sex scenes, etc. In 2005, there was a film reclassification for *9 Songs* which was 18+ restricted to 18 and over. It had actual sex and high-level sex scenes in it. In 2005, there was a film reclassification for *Mysterious Skin*—it must have been an era in 2005. It was an R18+ restricted to 18 and over. There were adult themes, strong sexual violence, medium-level sex scenes. In 2006, there was an unrestricted publication at M rating for *Zoo Weekly*. I hate to think what that was about.

Members interjecting:

The Hon. V.A. CHAPMAN: Well, it was not recommended for readers under 15 years, let me say that. In 2007, there was an unrestricted publication again for *Zoo Weekly* magazine which had an M rating from unrestricted. There was *Zoo Weekly* magazine again later that year. In fact—heavens!—it was the *Zoo Weekly* magazine for all future issues of a series. That was in 2007, so Mr Atkinson's council must have been very busy that year. It was not recommended for readers under 15 years.

In 2007, there was a film reclassification for *Georgia Rule* which had child abuse themes, alcohol abuse themes, sexual references and moderate coarse language. In 2009, there was a refused classification publication for *Just 18 Magazine*, Volume 10 Issue 9.

Ms Stinson interjecting:

The Hon. V.A. CHAPMAN: It seems the member for Badcoe remembers that one. That was refused classification. There was another occasion of *Just 18 Magazine*, when a serial classification of 24 months was refused classification. Again, in 2009, there was a refused classification—this is really busy—for *Purely 18 Magazine*; another *Purely 18 Magazine* for the holiday 2008. Then the *Barely Legal Magazine Australia Edition* was refused classification. *Best of 18 Teen Angels Magazine* was refused classification; *18 Teen Angels Magazine* on five occasions was refused classification. They may have been actually renaming themselves, I do not know. Anyway, they kept getting refused. *Purely 18 Magazine* and then *Best of 18 Teen Angels Magazine* was refused classification and *18 Teen Angels Magazine* was refused classification.

Members will also remember, as per the second reading debate on this and as mentioned by the member for Badcoe, the film reclassification of *A Serbian Film* from R18 to refused

classification in 2011. That was the last time the council undertook work. I am not quite sure how the attorney-general, Mr Atkinson, had time to do any work during 2009.

Ms Stinson: Some of those were John Rau.

The Hon. V.A. CHAPMAN: No, 2009.

Ms Stinson: 2011 was John Rau.

The Hon. V.A. CHAPMAN: Yes, all the ones in 2009 I was referring to. It was a very busy year. He had obviously been reading teen magazines to check whether the council's recommendations should be applied. In any event, he obviously found time and exercised his capacity as attorney to consider those recommendations.

I also place on the record that, whilst the practice of having a national scheme at times overlaps with a state scheme, it usually emanates from there being state regimes and a desire for uniformity and consistency, especially in the publication of films and literature, and even theatrical productions, which may have Australia-wide proposed audiences. Uniformity is often presented as an argument in circumstances where there is a practice—in this case, production in entertainment—that would provide for those providing and preparing material to have some consistency. Therefore, this is promoted to have a national scheme.

We moved to a national scheme. Certainly, it was decided by the former attorney that the South Australian Classification Council was to have a continued life, even though it was extinguished in other jurisdictions, so we have had it for a long time. I would like to thank Julie Redman for her work as the chair, whom I have also known for decades in legal practice, and those members of the council who were not reappointed after late last year by this government, purely because there was really no purpose in their continuing when this work was being competently undertaken at a national level, as we know.

I think it is important for all members to appreciate that we have areas of responsibility. When we do agree to transfer responsibility for certain issues to a national board or scheme, for example, it is done with good intentions. We have done it for very comprehensive areas, such as in income tax and in corporations law. There are lots of reasons and circumstances where we have transferred to a national level. I can think of consumer law that is now at a national level, as well as defamation law, and there is usually a very good reason for this.

However, South Australia is an autonomous body, state and entity which, through this parliament, has its own capacity to make legislation and to determine its own destiny in relation to matters. It should never be forgotten that we have the capacity to deal with a number of matters, and we do at times maintain a position where we have a different standard. I can think of one more recent example in the time I have been here when the minister for health of the day, the Hon. John Hill, proposed a scheme by which all our health practitioners and their regulations should be dealt with at a national level. It would be applied and implemented at the state level in offices around the country, but there would be a national scheme.

When we got to optical, opticians, optometrists and—I forget what the surgeons of optical work are; whatever their important title is—it was determined that in South Australia we had a regulatory regime that prohibited the use of plano lenses. Some people might know them as cosmetic lenses, which young girls in particular would use to make their eyes look green, cats eyes or something of that nature. We decided in South Australia this was such a dangerous practice, without instruction or without being under supervision, that they should not be sold or distributed without a prescription.

We had that rule here. The rest of the country did not, but we decided, when the Hon. John Hill promoted this national scheme, that we would require that we still retain the right to be able to insist that that occur, and we did. So there are times when we should not be, I suppose, blindfolded to the concept that at times we have in our state the better system, in our view, and we are entitled to retain that autonomy.

It became very clear in this instance, though, in relation to classification that, whilst the attorney-general of the day, the former member for Croydon, had a particular interest in maintaining

his personal stamp in relation to these matters, it really was perpetuating a structure that had very little work to do, and the national scheme was able to comprehensively undertake that role.

I appreciate that the former member for Croydon is probably gnashing his teeth at this point at the prospect of this bill passing the parliament. He may not care at all, but I expect he is probably irritated to say the least. Notwithstanding that, I thought about making the bill in memory of the member for Croydon, the '(Atkinson) Bill', but I have resisted that temptation. I commend the bill to the house and thank those who have made a contribution.

Bill read a second time.

Sitting extended beyond 18:00 on motion of Hon. J.A.W. Gardner.

Committee Stage

In committee.

Clause 1.

Ms STINSON: Attorney, this clause is about the short title, isn't it?

The Hon. V.A. CHAPMAN: Yes.

Ms STINSON: Excellent.

Mr Pederick interjecting:

Ms STINSON: Yes, I will note that there is no mention of the word 'miscellaneous'. It is quite an extensive title and it does aptly describe what is in it, so there certainly will not be any objection from this side about the title. However, the Attorney did mention that she was considering alternative titles for the bill and that maybe it might be named in someone's honour. I wonder if the Attorney might be able to elaborate on some of the other options that she had either considered in the past or maybe that just spring to mind right now, which she may have alternatively named the bill.

The Hon. V.A. CHAPMAN: I would also like to speak on the short title, and I thank the member for Badcoe for her invitation to treat as to the title that we have before us. Firstly, let me explain that 'classification of publications, films and computer games' are in separate areas of the bill relating to film, publications and computer games. It also amends the Summary Offences Act and the Classification of Theatrical Performances Act.

I explain that there is no use of the word 'miscellaneous' as an alternative because, unlike other bills from time to time that we have discussed on miscellaneous where there are different subject matters which the reform is proposing, and therefore consistent with the practice of parliamentary counsel to not give one particular area precedence or priority over the other, to recognise it in the title and then miss out other aspects, the term 'miscellaneous' is used.

However, neatly in this bill, the Classification (Publications, Films and Computer Games) Act 1995 incorporates all three, so it was not unreasonable for parliamentary counsel to have nominated the Statutes Amendment and Repeal (Classification of Publications, Films and Computer Games) Bill 2019 in those circumstances.

There may be some argument that the reference to 'classification of theatrical performances', which does not get a mention in the title, might offend the miscellaneous common use rule of parliamentary counsel, in which case, if anyone has any concerns about that, I am happy to take it up with parliamentary counsel and make sure that they are rapped over the knuckles about that one. It probably would have added an extra and much too long title for the bill, so I have not asked for that to be amended.

I could think of some magnificent names for this bill otherwise, not reflecting at all what it is about, and that is the 'capacity to classify and reclassify or refuse classification for certain publications, films, etc.', particularly because of the work that has been done by previous attorneys-general. I could start with the Hon. Trevor Griffin, who was not known for his radical thoughts and views. He has now passed away. He served as attorney-general in the Tonkin administration from 1979 to 1982 and then again under the Brown administration and the Olsen administration until about September 2001 or so.

After that, the Hon. Robert Lawson became attorney-general. He had a fairly short period as attorney-general and, to the best of my knowledge, he did not exercise any role under the state Classification Council procedure but certainly attorney-general Griffin did. I suppose we can blame him for taking advice from the then council in 1998 for having a restricted publication category 1 for the *Spice Girls Poster* magazine. I do not know what the contents of the poster were. I do not even recall it.

I happen to know who the Spice Girls were—at least I know that—but I do not remember their being in any state of undress in their public presentations or publications. However, there might have been some risqué presentation by them in this particular poster which attracted the concern of the council, that they were in some way offended by it and felt that it was necessary to have a restriction on the publication of this poster magazine.

As I have not viewed the material, I cannot answer to that. It would not surprise me, knowing the Hon. Trevor Griffin, as he was then the attorney-general, had a conservative approach to these matters. He may in some way have thought, or the council may have taken the view, that it would in some way corrupt the viewer of such material, particularly as I expect it was designed to be attractive for young men and young women to view.

We are talking about 20 years ago, last century. I can remember in my parents' day their complaining about persons who were critical of Elvis Presley, with gyrating hips and all sorts of other things that were seen to be obscene in the day and completely unacceptable. I can remember some rather B-grade movies that he was in but, in any event, it was quite scandalous at the time. He was prohibited from being on national television in the United States. There were church groups that protested against him being able to give performances, because this was seen in a way to be so offensive in his mode of dance that they wanted it concealed from impressionable young minds, especially those of young girls.

He really did, I suppose, start a particular form of music and dance, which had a baptism of fire and certainly was not welcomed amongst some of the homes, congregations and towns in the United States, which took a very conservative view to this. They were probably hopeful that their sons and daughters would be going off to balls and dancing the military two-step rather than actually hankering to go to an Elvis Presley event. They must have been completely blown away by the time the Beatles got on the scene. They were instrumental, frankly, in being able to bring at least Britain and Europe into the modern era and then eventually to impress this and develop a level of tolerance, acceptance and understanding of new mediums of art—in this case, music and dance—which became acceptable.

I am not quite sure what happened by the time we got to Woodstock. I was still at school, but it was seen to be fairly unsatisfactory and unsavoury—I would not say uncivilised—although there seemed to be a three-day event of lots of mud, lots of music, lots of drugs—

Ms Stinson: You didn't go?

The Hon. V.A. CHAPMAN: It went to a film. As I say, I was still at school—goodness gracious, I would not have been allowed. It developed very much as a new cult and era in music of the day and what was acceptable or not.

Fortunately, our parents and so on seemed to have all survived the sixties, and by the time we got to the seventies there seemed to be actually a little bit more maturity brought back into theatrical and musical presentations for modern culture. In fact, if anything, there seemed to be a bit of a swing back. Perhaps that was the advent of television, I do not know. We did not get television on Kangaroo Island until about 1969 or 1970. We must have had it in 1969 because man walked on the moon, but unfortunately dad had not plugged in the aerial by that stage so it was all snow that we saw on the day.

We were still watching, I think, Brian Henderson, late-night shows, things of that nature. Things became very much more conservative. Depending on what the era was and depending on what was acceptable, whilst the community mores have varied over time there has always been a desire for governments to ensure that there is a process by which there is management of and the capacity to restrict material that might be offensive or completely unsuitable for certain age groups.

Historically, whether it has been literature or movie productions—obviously, we are now into the computer game era—there has been a need to change legislation and classification processes according to the mode by which we get entertained, so there have been very significant changes. However, the areas of classification have generally been dealt with in certain age groups.

Certainly in the time that I am aware of, the classification was done based on making an assessment of what would be suitable for different ages. Commonly, there would be a provision for up to 15 years of age to identify a level of maturity and then a classification between 15 and 18 years. Then, of course, there was over 18 years, which was R rated, as it used to be described: R18+, which was suitable for adults.

There would be these types of ratings so that parents could be assured that when these publications were purchased on video tapes or CDs or now online, of course—you can get them through Netflix—they could identify and be informed as to what they might want to view. They might not want to have violent scenes; they might be happy to look at sexual scenes, but not violent scenes as an adult, so there is a discrimination between what they want to watch but, more importantly, to ensure that children or teenagers are watching age-appropriate material. If there are adult themes, strong sex scenes or violence that clearly are inappropriate for children, this is a measure by which parents can police that.

It is similar for book classifications. Computer games are obviously a new medium of entertainment. Magazines have always been in the spotlight. They have always been a little bit more out there because of the very competitive magazine world. I do not know how they survive. I do not generally read them, but I still see them in every hairdressing shop and the like. Clearly, they still have a consumption, but they are probably finding it difficult, like all other print publications, to compete. For example, I can recall the first editions of *Cleo* being published in the 1970s.

Ms Stinson: Centrefold spreads.

The Hon. V.A. CHAPMAN: Yes, and I think, from memory, Jack Thompson was the first centrefold. He was very famous as an actor in the early seventies in Australia. I remember going to the world premier of the film *Sunday Too Far Away* with my dad. Mr Whitlam came over, as the prime minister of the day, with Mrs Whitlam. This was before the Casino even existed. I was there in my long white gloves and long dress. It was in the Railway Station. The whole of the station was gilded up with glitter and all the gossamer of the seventies' approach in those days. It was a huge event. Mr Thompson was very famous. He had two wives, as I remember, two sisters who were his companions in life. That introduction of new centrefolds to *Cleo* magazine was a bit like Elvis Presley in the fifties. This really did shake up those who were offended and, of course, they were ready to start shouting their position.

Films were coming into their own with the R rating. I suppose one has to draw on one's own experiences on these occasions. I can remember coming back along the Flagstaff Hill section of the Main South Road. My dad was driving. We were coming home late from a meeting at Victor Harbor. Probably some RSL meeting or it might have been a deb ball or something of that nature. Anyway, I was asleep in the front seat. Dad decides he cannot go any further. We stop at Flagstaff Hill at the drive-in—for those who might remember there was a drive-in there. I do not know whether it is still there. It is in the area I think the Minister for Environment is about to make into Glenthorne Park—another brilliant Marshall initiative. Is it still there?

The Hon. D.J. Speirs: Yes, but it looks decrepit.

The Hon. V.A. CHAPMAN: The minister informs me that it looks decrepit. I am sorry to hear that. Anyway, here we go, we are driving along, dad is feeling very tired, so he says, 'We'll just go into the drive-in and you can watch a movie for a while. I'll have a few hours' sleep and then we will drive on.' I was of course underage and I could not drive. Well, I could drive, but I was not allowed to drive in Adelaide, at least.

We pull into the drive-in and pay whatever it was. He promptly puts the seat back and goes to sleep and I watch the film. The film was called *Swedish Fly Girls*. I always remember this film because I can tell you that I had never seen air hostesses like it. It was a very interesting film. It was extremely risqué for me, and I would later learn that of course it had a rating that was suitable for adult viewing—not for 12 year olds, which is probably what I was at the time.

In any event, I had a great time watching it. When dad woke up, he said, 'How did you go? Was the film quite good?' I said, 'Great, dad. It was all about flight and aviation.' I did not mention all the other activities that were undertaken by passengers and the air hostesses during the film. It was very interesting, but it gave me a little insight—so much so that I remember it even today—into what is suitable for young children and what is not.

We need to ensure that we maintain a standard in the country. Should the event come that we find that the Classification Council and model nationally are inadequate for South Australia, then bear in mind we have every right to restore these matters. In the meantime, I thank members for their contribution and I have no further questions in the committee.

Clause passed.

Remaining clauses (2 to 23) and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (18:08): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LANDSCAPE SOUTH AUSTRALIA BILL

Conference

The Legislative Council, having considered the recommendations of the conference, agreed to the same.

At 18:09 the house adjourned until Tuesday 26 November 2019 at 11:00.