

## HOUSE OF ASSEMBLY

Wednesday, 4 March 2020

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 10:31 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*

#### **FUEL WATCH BILL**

##### *Introduction and First Reading*

**Ms BEDFORD (Florey) (10:32):** Obtained leave and introduced a bill for an act to facilitate the provision of information to consumers regarding the price and availability of fuel for retail sale and wholesale, to regulate the retail sale and wholesale of fuel, and for other purposes. Read a first time.

##### *Second Reading*

**Ms BEDFORD (Florey) (10:33):** I move:

That this bill be now read a second time.

I am delighted to introduce the Fuel Watch Bill 2020. As a local MP, I represent communities on incomes where unexpected high prices, be it for petrol or any other essential household commodity, can present real difficulties. At a time when wages are not moving, and for any person unemployed, underemployed or reliant on a fixed income benefit, all consumers are facing the same issues when purchasing petrol.

When you consider this bill could help save between \$300 and \$500 each year by empowering people with the information to allow them to buy fuel at the bottom of the fuel price cycle, you do have to wonder why it has taken so long to honour this election campaign commitment, giving consumers a fair go and relieving the stress of finding petrol at the right price at the right time.

That is why I have undertaken an active interest in fuel prices and why I am introducing this bill today—because this bill will make it easier for consumers, particularly price-sensitive consumers on low or fixed incomes, to find when and where to buy fuel at the cheapest price. Drawing on the best aspects of successful interstate models of fuel price monitoring and regulation and adapting them to South Australian circumstances will provide an opportunity for this parliament to address escalating fuel prices and empower consumers in a seller's market heavily skewed to major retailers.

Of course, this bill has not simply emerged from the ether. It is now two years since the last election when both major parties committed to deliver what they have labelled a real-time fuel price monitoring app to help South Australian consumers, and the definition of 'real-time' is at the heart of the matter. Initially, the government took prompt action to fulfil this commitment but it did not take long for barriers to appear. Meanwhile, the spike in fuel prices over the past 12 months has made the cost of missing out on cheap petrol on any given day in the cycle an even bigger problem for the motoring public.

We have seen prices at some sites jump over 40¢ a litre in a single day, and the RAA has estimated that rising fuel prices over the past 12 months are costing Adelaide motorists up to \$30 extra to fill their tanks. So it was obviously disappointing for many to hear of the government's difficulty to progress the election commitment, which was also made by the now opposition. It has been somewhat difficult to decode all the reasons for this. Perhaps there is a concern about any impact on prices or perhaps it is simply a question of vested interests or a fear of change itself. The decision to refer to the Productivity Commission is certainly a step in the right direction, although that in itself will not deliver change in the short term. Whatever the reasons, it is time to act now.

Early last year, wanting to understand this issue more deeply, and concerned that as a crossbench member I should do everything I could to see this measure implemented, through my office I commissioned research to investigate the causes and possible remedies for the kinds of unpredictable fuel price fluctuations now almost accepted as the new normal that we see in Adelaide. An updated version of this research, along with other papers, was recently circulated to parliamentarians to aid in the consideration of this bill. A briefing was unfortunately not well attended and this briefing will be repeated for those who may wish to now avail themselves of the opportunity to come up to date with the latest research.

What that exercise revealed to me when first commissioned and what its subsequent update has reinforced is that fuel price cycles in metropolitan Adelaide are their own bosses. So I was pleased late last year to see the government refer the issue of fuel price monitoring to the newly established South Australian Productivity Commission for thorough investigation. Having recently met with the chair of the commission, Dr Matthew Butlin, and director, Gerard MacDonald, and presented in support of my submission, providing an updated version of the research I commissioned, I am reassured the work being undertaken by the commission is fully informed and the real pressures being faced daily when navigating petrol prices in Adelaide are known.

With major players such as Caltex now backing the so-called real-time reporting solution, it is already clear this discussion created around the activity is shifting public debate. I note the commission is continuing to engage with various parties in the fuel industry. The Productivity Commission's investigation is due to report to the government on 18 March. I hope the government will ensure speedy consideration of this bill and that it will not be impeded by a delay in the tabling of this report, as the flexibility of the bill allows the minister responsible the ability to incorporate any input by the commission. I now seek leave of the house to insert seven tables of statistical information to which I now refer and put on the parliamentary record.

Leave granted.

TABLE 1—LAST 5 PRICE CYCLES OF 2019 IN ADELAIDE

Cycle start		Cycle high point		Days in cycle		
Start day	Start date	Peak day	Peak date	Days to peak	Days to end	Total days
Friday	25 October	Wednesday	30 October	5	12	17
Monday	11 November	Saturday	16 November	5	12	17
Thursday	28 November	Sunday	1 December	3	11	14
Thursday	12 December	Wednesday	18 December	6	13	19
Tuesday	31 December	Monday	6 January	6	11	17

Source: ACCC, *Petrol Price Cycles*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 2—NUMBER OF FUEL PRICE CYCLES PER QUARTER FOR MAJOR CAPITAL CITIES 2018–2019

	Quarter				
	December 2018	March 2019	June 2019	September 2019	Total for year
Sydney	2	3	3	3	11
Melbourne	2	3	3	4	12
Brisbane	2	3	3	3	11
Adelaide	4	5	4	5	18
Perth	13	13	13	13	52

Source: ACCC, *Report on the Australian petroleum market, September quarter 2019*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 3—ANNUAL NUMBER OF PRICE CYCLES IN MAJOR CAPITAL CITIES, 2009–2017

	Number of price cycles per annum								
	2009	2010	2011	2012	2013	2014	2015	2016	2017
Sydney	52	45	42	28	20	14	20	17	12

	Number of price cycles per annum								
	2009	2010	2011	2012	2013	2014	2015	2016	2017
Melbourne	52	47	42	23	21	14	12	9	10
Brisbane	51	48	39	28	20	15	13	11	10
Adelaide	52	49	37	26	25	17	17	14	14
Perth	38	49	52	52	52	52	52	52	52

Source: ACCC, *Petrol price cycles in Australia, December 2018*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 4—ANNUAL AVERAGE DURATION OF PRICE CYCLES IN MAJOR CAPITAL CITIES, 2009–2017

	Average number of days in price cycle per annum								
	2009	2010	2011	2012	2013	2014	2015	2016	2017
Sydney	7.0	8.2	8.8	12.9	18.0	27.4	16.9	21.5	30.3
Melbourne	7.0	7.9	8.8	15.8	17.1	28.4	30.8	37.8	37.2
Brisbane	7.0	7.7	9.4	12.9	18.0	26.7	26.0	34.5	36.4
Adelaide	7.0	7.5	9.9	14.2	14.2	23.4	19.5	26.6	26.4
Perth	9.2	7.7	7.0	7.0	7.0	7.0	7.1	7.0	7.0

Source: ACCC, *Petrol price cycles in Australia, December 2018*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 5—ANNUAL AVERAGE PRICE CYCLE INCREASES IN THE MAJOR CAPITAL CITIES, 2009–2017

		Annual average price cycle increases								
		2009	2010	2011	2012	2013	2014	2015	2016	2017
Sydney	average price (c/l)	119.1	124.8	140.0	141.4	145.0	144.2	127.5	114.8	124.9
	average increase (c/l)	12.2	10.2	9.5	12.0	13.3	15.2	17.7	20.7	20.9
	average increase (per cent)	10.2	8.2	6.8	8.5	9.1	10.5	13.9	18.0	16.8
Melbourne	average price (c/l)	121.1	126.0	139.5	140.7	144.4	144.6	126.2	116.6	129.2
	average increase (c/l)	11.0	11.3	11.4	12.8	14.4	15.2	20.6	21.7	22.1
	average increase (per cent)	9.1	9.0	8.2	9.1	9.9	10.5	16.3	18.6	17.1
Brisbane	average price (c/l)	117.9	127.6	142.4	145.4	148.1	149.8	130.8	119.3	130.4
	average increase (c/l)	9.3	9.3	8.8	10.4	12.9	15.7	16.8	20.7	22.5
	average increase (per cent)	7.9	7.3	6.2	7.1	8.7	10.5	12.9	17.3	17.3
Adelaide	average price (c/l)	119.6	124.5	139.1	141.8	144.3	144.8	127.4	114.3	126.5
	average increase (c/l)	13.5	12.9	13.7	16.1	16.4	15.4	21.2	22.5	24.1
	average increase (per cent)	11.3	10.4	9.8	11.4	11.4	10.7	16.7	19.7	19.1
Perth	average price (c/l)	117.2	124.8	140.3	143.0	146.2	147.9	128.6	116.6	128.9

		Annual average price cycle increases								
		2009	2010	2011	2012	2013	2014	2015	2016	2017
	average increase (c/l)	7.6	7.2	8.1	8.4	9.8	9.5	12.7	15.4	18.4
	average increase (per cent)	6.5	5.8	5.8	5.9	6.7	6.5	9.9	13.2	14.3

Source: ACCC, *Petrol price cycles in Australia, December 2018*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 6—ESTIMATED ANNUAL SAVINGS TO MOTORISTS SHOPPING AROUND FOR WEEKLY FILL-UP IN MAJOR CAPITAL CITIES, 2017–2018

	Buying at low point price in cycle		Buying at lowest price outside of cycle		Estimated savings
	Price difference (c/l)	Number of fill-ups	Price difference (c/l)	Number of fill-ups	
Sydney	25	14	7	38	\$308
Melbourne	25	12	5	40	\$250
Brisbane	25	12	5	40	\$250
Adelaide	25	16	5	36	\$290
Perth	20	52	n/a	n/a	\$520

Source: ACCC, *Petrol price cycles in Australia, December 2018*, available at [www.accc.gov.au](http://www.accc.gov.au) accessed February 2020

TABLE 7—CASE STUDY OF FUEL PRICES ALONG NORTH-EAST, LOWER NORTH EAST AND ASSOCIATED ROADS, 27 FEBRUARY 2020

Service stations		ULP price (c/l)			
Retailer	Location	Time	App-report	Sighted	Difference
Mobile/X-Convenience	North East Road, Valley View	10.06am	139.9	139.9	0.0
BP/OTR	North East Road, Holden Hill (north)	10.08am	142.3	142.3	0.0
OTR	North East Road, Holden Hill (south)	10.10am	142.9	139.9	-3.0
Caltex	North East Road, Holden Hill	10.12am	143.9	143.9	0.0
Caltex/Woolworths	North East Road/Sudholz Road, Gilles Plains	10.14am	137.9	137.9	0.0
Shell/Coles Express	North East Road/Sudholz Road, Windsor Gardens	10.17am	140.9	140.0	0.0
BP/OTR	North East Road, Hillcrest	10.21am	143.6	139.9	-3.7
Liberty	North East Road, Windsor Gardens	10.23am	137.9	137.9	0.0
Mobil/X-Convenience	North East Road, Klemzig	10.25am	137.9	135.9	-2.0
OTR	North East Road/Fosters Road, Greenacres	10.26am	143.9	139.9	-4.0
Shell/Coles Express	OG Road, Klemzig	10.31am	139.9	137.9	-2.0
Mobil/X-Convenience	OG Road, Klemzig	10.31am	137.9	135.9	-2.0
Liberty	OG Road, Klemzig	10.34am	n/a	144.9	n/a
Caltex/Woolworths	Payneham Road, Felixstow	10.40am	154.9	154.9	0.0
BP	St Bernards Road, Hectorville	10.46am	154.9	154.9	0.0
Shell/Coles Express	St Bernards Road/Montacute Road, Hectorville	10.56am	154.9	154.9	0.0
Caltex	Lower North East Road, Campbelltown	10.51am	157.0	157.0	0.0
BP/OTR	Gorge Road, Newton	10.55am	157.9	153.9	-4.0
BP/OTR	Gorge Road, Athelstone	11.00am	156.9	153.6	-3.3
BP/OTR	Lower North East Road, Dernancourt	11.07am	150.9	143.9	-7.0

Service stations		ULP price (c/l)			
Retailer	Location	Time	App-report	Sighted	Difference
BP/OTR	North East Road, Modbury	11.20am	143.9	140.3	-3.6
Shell/Coles Express	Montague Road, Modbury North	11.30am	144.9	144.9	0.0

Source: Personal sightings and MotorMouth app, 27 February 2020

**The SPEAKER:** Member for Florey, is the table statistical in nature?

**Ms BEDFORD:** I actually said that. The first table to which I refer, numbered 1, illustrates the last five fuel price cycles of 2019 in metropolitan Adelaide. What this table shows is that, on average, the last five price cycles of 2019 were for a period of 16.8 days, which is more than two weeks. From the lowest point of the cycle to the top of the cycle, it took an average of five days, while from the peak of the cycle it took an average of 11.8 days for prices to return to their lowest point.

As the ACCC has pointed out, for most consumers prices are above the average price for around two-thirds of the time. This table validates that statement and also shows price cycles, even the average prices rather than the actual prices at individual service stations, do not occur at regular intervals and differ in the length of each price cycle. What does this mean? In simple terms, it means for the most price-sensitive consumers, buying fuel at its cheapest requires filling up on average only once every two to three weeks. This is a tough task, not possible for most people who commute to work or study on a daily basis.

The second table to which I refer, numbered 2, compares fuel price cycles per quarter in the major capital cities of Sydney, Melbourne, Brisbane, Perth and Adelaide from 2018 to 2019. With 18 price cycles during this period, Adelaide has more price cycles than Sydney, Melbourne or Brisbane, but we are far short of Perth's highly predictable weekly price cycle of 52 a year. I will return to discuss the situation in Perth later.

The third and fourth tables to which I refer, numbered 3 and 4, illustrate the number of price cycles and the average duration of those cycles in the major capital cities of Sydney, Melbourne, Brisbane, Perth and Adelaide from 2009 to 2017. These tables in combination tell us what many of us already know: price cycles have become increasingly longer over the past decade making it harder to buy fuel at the lower point in the cycle. Tellingly, members will know that a decade ago price cycles in all major capitals were roughly a week long but have consistently increased in length in all but one city—and that is Perth, which has maintained a consistent and highly predictable seven-day cycle since 2009.

The fifth table to which I refer, numbered 5, details the annual average price cycle increases in the five major capital cities over the same period. Members will note that across all capital cities the difference between the high point and the low point in the price cycle has grown over the past decade. This tells us very clearly there is a substantial saving to be made for consumers who shop around if they can find where petrol is the cheapest. It is important to note this is based on average price jumps only. In practice, price differences at individual service stations may be larger or smaller.

What this table does not reveal is explored in more depth in the research report I commissioned and provided to members; that is, compared with other major cities, when the price cycle turns Adelaide's fuel prices tend towards sharper and more sudden price jumps than the other major capital cities, sometimes up to 40¢ a litre. Combined with the unpredictability of our cycle length, this makes it that much harder for the most price-sensitive customers to time the purchase of fuel to take advantage of prices when they are cheapest.

The sixth table summarises the ACCC's estimate of savings to motorists who buy at the bottom of the cycle and shop around for the cheapest actual price at other times. For Adelaide motorists, this sits at around \$300, but members should note that this is based on average prices and canny consumers can find even cheaper prices. Most importantly, this table illustrates an important difference between Perth and the other major capital cities.

In Perth, prices routinely fall to the lowest every Monday—which has now become commonly known as 'cheap Monday'—and, for the most price-sensitive customers, this means they can make larger savings far more easily than in any other major capital city. It is therefore no surprise to find

that over 25 per cent of fuel sales in Perth occur on a Monday, suggesting that some 10 to 15 per cent of motorists will look for the cheapest price if they have the opportunity.

The first six of these tables have been drawn from ACCC data, but the last reflects a research task undertaken by my office. On the morning of 26 February, as the price cycle reported by the ACCC was starting to come down, I and my staff visited service stations, travelling from my office along North East Road, back along Payneham Road and then to Lower North East Road. We recorded the unleaded fuel price at each service station and took a screenshot of the price reported on the MotorMouth price monitoring app.

The results show why so-called real-time price monitoring provided by private operators is inherently unreliable for consumers and why therefore we must act through regulation. Firstly, private apps do not cover all fuel stations in the same way. Out of 22 service stations, one independent was not reported on MotorMouth at all and several other discount suppliers were misreported. This was, in fact, a good reporting outcome. More commonly, private apps do not report as large a sample of prices and may not include independent retailers.

Secondly, because the price reported online was frequently not the same as the price displayed at the service station, almost half were incorrectly over-reported on MotorMouth. At one station, the difference in price was 7¢ a litre. Thirdly, even from one arterial road to another, the price differential can be as high as 20¢ per litre, which no consumer could possibly know except by word of mouth or by physically driving to each station, as we did. That concludes my analysis of these statistical tables. If you are confused or feel none the wiser, then you are on the same page as most fuel consumers—and welcome to my next briefing.

I can think of no other retail commodity that fluctuates in its price to the extent that occurs for fuel, particularly given the stability of the underlying wholesale price (which responds to global supply) and supply costs, which at best vary on a weekly basis. Even for retail products which are susceptible to daily fluctuations and wholesale costs, such as bread, retailers keep their daily prices the same.

What this data illustrates is a complex and confusing situation for consumers. To understand fuel prices, consumers need to have the time and skills that would normally be associated with experienced professionals trading on the Stock Exchange in futures or derivatives or in similar spot markets—an absurd expectation which stacks the deck clearly against fuel consumers.

It is clear some retailers are quite prepared to maximise their profits. Indeed, seven major petrol retailers—BP Australia, Caltex, Coles Express, Mobil, Woolworths and 7-Eleven, as well as the operators of the MotorMouth app—were prosecuted by the ACCC for price sharing in a way deemed to be anticompetitive price collusion. While this matter was settled without the need for court proceedings, it illustrates very clearly the interests of consumers are not the primary concern of major retailers. So what is the answer?

According to many experts, the solution is to empower consumers. All the standard economy theory tells us competitive markets work best where consumers have the information they can use to make the best economic choices for their circumstances, but it is quite clear consumers are being kept in the dark. That is why motoring organisations, such as the RAA, who I have been pleased to meet with on more than one occasion, have been advocating for fuel price monitoring schemes for some time.

While recent years have seen the emergence of a number of privately operated commercial apps, MotorMouth, PetrolSpy and GasBuddy, to name a few, it is abundantly clear most of these do not or cannot provide information that is accurate, up to date or complete. In a speech to the Asia Pacific Fuel Industry Forum on 13 September 2017, the chair of the ACCC, Rod Sims made the point:

...while...having many website and app providers can be a good thing, the timeliness and completeness of the price data is very important.

He goes on to say:

It is important that not only the major players are covered by these websites and apps, but also that smaller independents are also included, as they often provide competitive tension that is so important in these markets.

The limitations of the private apps, based on highly variable information, sometimes crowd sourced, sometimes voluntarily reported and sometimes misreported, is a pretty clear indication in my view of the imperative for government to act and that only government can act.

The question is, of course, which model should we pursue? Do we want the model used in New South Wales, the Northern Territory and Queensland, which provides a reliable reporting tool for price changes but imposes no other constraints upon retail prices? Or do we want the longest standing and popular Western Australian model, which limits price changes to a 24-hour period in declared areas?

The bill takes the hybrid approach, adapting the best of these models to South Australian circumstances, with flexibility built in to cater for changing circumstances. I know there are some who argue the extent of government engagement should be to establish a reliable form of real-time price monitoring. This argument is based on the assumption that it is only the lack of reliable fuel price information that impairs the ability of consumers to make rational economic choices and that a light-touch government-backed scheme is sufficient to alleviate this. But will this really be enough to help the most price sensitive consumers find the cheapest price for fuel?

What the data tells me is that for the people I represent so-called real-time pricing is well and good, but it is no good unless they have enough time to take advantage of the cheap prices before they are put up again. In simple terms, so-called real-time pricing is a waste of time unless consumers have enough time to take advantage of cheap prices or, to put it another way, even with real-time fuel price monitoring consumers are unable to uncover the information and symmetry that stack the deck in favour of major retailers.

While this is the detailed report I have circulated to members, it shows, as common sense dictates, filling up when fuel is at its cheapest is hard to plan when prices bounce around on a single day to the extent they do in metropolitan Adelaide. Under real-time price reporting, the price reported online can change before you even get to the pump and individual petrol stations can have multiple prices in a single day. That means consumers who are most sensitive to full price fluctuations, such as the people on low or fixed incomes, will always end up missing out. After all, they would need to be stockbrokers with spreadsheets to be able to keep up.

Close to 60 per cent of people in my electorate earn less than \$1,000 a week, so saving up to \$30 a week on fuel matters to them. It is the cost of a family meal, a school excursion or the monthly mobile phone plan. In my view, it is clear that the long-running successful Western Australian model, the 24-hour price guarantee, which has operated since 2001, has clear merits for the South Australian consumers.

I have a great deal more information to give you. I have an extra five minutes of material, so I am going to skip very quickly towards the end of the speech. Of course, the real underlying argument is the third concern—you have not heard the first two, but they will be obvious later—is this bill could lead to higher price averages, but there is nothing in the evidence to support this conclusion. Over the years, annual average prices in Perth have remained closely aligned with other major capital cities, profit margins have been stable and retailers have not gone out of business. Indeed, it is important to note that Perth's average fuel price remains lower than Brisbane and Sydney and lower than the average annual price for the four lowest price cities: Adelaide, Melbourne, Perth and Sydney.

If only a third of motorists take advantage of cheap prices, total yearly savings would amount to \$75 million based on the figures I have presented. Even if it is only 15 per cent, as it appears in Western Australia, the savings would be in the order of \$37 million a year.

In conclusion, I would like to acknowledge and thank the hardworking staff of the Florey electorate office who have assisted me in preparation of the legislation. In particular, I thank Mr Andreas Michaelides for his excellent research paper, Mr Zack Jackman and Mr Matt Loader. I commend the bill to the house. I reiterate my comments from the Address in Reply debate that I would be more than happy for the government to take carriage of this bill if it speeds up the delivery of this scheme. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

This clause is formal.

##### 2—Objects

This clause sets out the objects of the Act.

##### 3—Interpretation

This clause defines certain terms used in the Act.

Primary definitions include:

- fuel, fuel retailer, fuel wholesaler
- fuel watch area
- normal fuel price, discounted fuel price
- fuel pump display, price board, service station.

##### 4—Administration of Act

This clause provides for the administration of the Act by the Commissioner for Consumer Affairs (thus enabling the Commissioner to use his compliance and enforcement powers under the Fair Trading Act) and requires the Commissioner, in administering the Act, to have regard to the objects of the Act.

#### Part 2—Functions of Commissioner

##### 5—Functions of Commissioner

This clause provides for additional functions of the Commissioner under this Act, including:

- monitoring and publishing information about fuel prices and availability of fuel
- keeping fuel prices under review and conducting research into fuel prices and related matters
- giving advice to fuel consumers about fuel prices.

#### Part 3—Fuel watch areas

##### 6—Minister may declare fuel watch area

This clause enables the Minister to declare:

- any part of the State outside of Metropolitan Adelaide to be a fuel watch area
- exclude the whole or any part of Metropolitan Adelaide from being a fuel watch area.

(The definition of fuel watch area in clause 3 automatically includes all parts of Metropolitan Adelaide unless excluded under this clause.)

A declaration by the Minister is made by gazettal and is subject to parliamentary disallowance as subordinate legislation.

In making a declaration, the Minister must seek the advice of the Commissioner and must have regard to the objects of the Act.

#### Part 4—Information regarding pricing and availability of fuel

##### 7—Provision of information to the Commissioner on price and availability of fuel and restrictions on change of fuel price etc

This clause requires fuel retailers and fuel wholesalers to notify the Commissioner:

- within 30 minutes of increasing or decreasing the normal fuel price for a type of fuel offered at that retailer's service station or by that wholesaler
- within 30 minutes if a type of fuel offered for sale becomes temporarily unavailable for sale;

and provide other required information at the time of notification.



However, in a fuel watch area a fuel retailer is limited to having 1 fuel price in every 24 hour period commencing either at midnight or at 6am and is required to notify the Commissioner of that price at 2pm on the preceding day.

Prices must be quoted in cents per litre.

Information is provided in the manner and form specified by the Commissioner (and the Commissioner is to published that information on the fuel watch website).

There are defences in the event of an emergency or for other reasons.

#### 8—Fuel watch website

This clause require the Commissioner to maintain a fuel watch website for the publication of fuel price information.

#### Part 5—Offences

##### 9—Offences relating to display of fuel price

This clause makes it an offence for a fuel retailer:

- to display a different price, for a type of fuel, on a fuel pump display or price board from the notified price
- to display a discounted fuel price on a fuel pump display or price board.

This clause also requires a fuel retailer or wholesaler to specify the normal fuel price, for a type of fuel, separately from the price of any other type of fuel or any other goods of services offered for sale by the retailer or wholesaler.

Regulations may be made further providing for the display of fuel prices on fuel pump displays and price boards.

##### 10—Offences relating to sale of fuel price

This clause makes it an offence for a fuel retailer or wholesaler:

- to refuse or fail to sell fuel, without reasonable excuse, on demand for the notified price
- to make the sale of fuel to a person conditional on the sale of any other goods or services.

In addition, a fuel wholesaler is required to separately itemise the cost of providing fuel on request.

There are defences to a charge of failing or refusing to sell fuel to cater for demands for unreasonable amounts of fuel or when a retailer or wholesaler has insufficient fuel available.

#### Part 6—Miscellaneous

##### 11—Court may order compensation for contravention of Act

This clause allows the District Court, on application, to order a fuel retailer or wholesaler to compensate any person who has suffered loss as a result of a contravention of the Act.

##### 12—Delegation

This clause allows the Commissioner to delegate powers under the Act.

##### 13—Annual report

This clause requires the Commissioner to submit an annual report on the operation of the Act.

##### 14—Regulations and fee notices

This clause is formal.

Debate adjourned on motion of Mr Pederick.

## **PLANNING, DEVELOPMENT AND INFRASTRUCTURE (CARPARKING REQUIREMENTS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. A. PICCOLO (Light) (10:49):** Obtained leave and introduced a bill for an act to amend the Planning, Development and Infrastructure Act 2016. Read a first time.

### *Second Reading*

**The Hon. A. PICCOLO (Light) (10:50):** I move:

That this bill be now read a second time.

I rise to introduce the car parking requirements amendment bill. Last year when I introduced this bill for the first time, I noted that in recent years we have witnessed too many development approvals in metropolitan Adelaide—for apartment blocks, townhouses and subdivisions—which provide inadequate off-street car parking for residents. I noted that as a result communities now associate urban infill with congestion, inconvenience and a lack of amenity.

Only in the last few weeks I met with a number of councils, and they expressed a concern. One of those councils was actually the City of Marion, who said that the biggest complaint they get from infill development is the issue of car parking on streets. When I introduced the bill last year, I also noted that this has created inhospitable streetscapes congested with parked cars. Certainly, if you speak to the residents of some parts of Lightsview, that would be a view strongly held by them.

I recounted what we on this side of the chamber have heard loud and clear from our constituents—that inadequate car parking is severely impacting on community amenity and wellbeing. The parked cars of residents are spilling out onto streets, creating unwanted congestion and adversely impacting on visitors, including carers and health professionals who attempt to provide essential care to residents in densely developed neighbourhoods. I reminded members that development should serve the community, and the planning system should demand design standards that deliver community amenity.

This bill requires a minimum of one off-street car park per dwelling, regardless of description—for example, studio apartment, etc.—and a minimum of two off-street car parks for dwellings of two or more bedrooms. If these requirements are not met, developers must either provide the equivalent number of car parks in a shared off-street car parking facility—not more than 100 metres from the dwelling—or have the development application assessed as a 'restricted development', which features extensive public consultation, submission and appeal rights. These legislative requirements are needed because the existing car parking requirements contained in council development plans are either inadequate or have been subverted through development assessment processes.

Unfortunately, the draft Planning and Design Code, which will replace council development plans at some stage, has not taken the opportunity to regulate car parking requirements to ensure that the parked cars of residents do not spill out into suburban streets. Informed by the thresholds of the existing council development plans, the draft code only requires two off-street car parks per dwelling when the threshold of three bedrooms is reached—and I think that minimum threshold of three bedrooms is very important. This is inadequate to avoid on-street car parking congestion.

When I introduced this bill into the house last year, I dealt with the criticisms I had encountered through the public consultation process that the bill does not accommodate likely future public transport use or innovative transport options, such as ride-sharing. My response was that we must flexibly deal with the problems of today while intelligently planning for the future. The reality is that public transport use does not increase unless services are provided.

I cited the example of the Lightsview development, where the road traffic infrastructure for bus services has been provided, but not the bus services themselves, because of the perception that there is insufficient demand. The fact is that private car use will remain high if viable alternatives are not provided. Public transport options must be convenient, accessible, frequent and affordable. Ride-sharing arrangements, including through autonomous vehicles, may also prove popular in time, but how long must residents in congested suburban neighbourhoods have to wait for this reality?

This bill does not seek to deal with all the challenges presented by urban infill development—a private member's bill of this nature simply cannot—but it does provide an immediate remedy to a burning community problem through statute, which cannot be overturned except through a restricted-development assessment process.

When I introduced this bill last year, I offered the government and its members, many of whom represent electorates with extensive infill developments, an opportunity to address this serious issue. But what was the government's response? Did members opposite support the bill? The answer is, no, they did not. In his contribution to the debate in the committee stage of the bill, the Minister for

Planning got stuck on a misunderstanding of the legalities of compelling developments on separate titles.

The bill proposes no such thing; it merely offers a proponent the opportunity to offset their car parking requirements through an associated shared car parking facility on a separate allotment within 100 metres, which would be included in a single development application enforceable by the relevant planning authority.

The minister also got stuck on the requirements for developments that do not adhere to the car parking requirements needing to go through the restricted-development assessment process. He claimed that this process was not envisaged to be used for these types of developments. This was not the advice I received from his department. They advised that the restricted-development assessment process would not operate like the current noncomplying process.

Instead, they advised it had been designed as a rigorous performance assessment process, and there is a big difference there. This provides an acceptable assessment for apartment developments in the CBD, which would be assessed by SCAP in any case if their value exceeded \$10 million. Last year, members opposite chose to ignore the legitimate concerns of their constituents. By reintroducing this bill, I am giving them another opportunity to support it. I commend the bill to the house.

Debate adjourned on motion of Mr Pederick.

### **HEALTH CARE (HEALTH ACCESS ZONES) AMENDMENT BILL**

#### *Introduction*

**Ms COOK (Hurtle Vale) (10:56):** I move:

That the bill be restored to the *Notice Paper* as a lapsed bill pursuant to section 57 of the Constitution Act 1934.

Motion carried.

### **MOTOR VEHICLES (OFFENSIVE ADVERTISING) AMENDMENT BILL**

#### *Introduction and First Reading*

**Ms HILDYARD (Reynell) (10:57):** Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

#### *Second Reading*

**Ms HILDYARD (Reynell) (10:58):** I move:

That this bill be now read a second time.

I rise today to introduce the Motor Vehicles (Offensive Advertising) Amendment Bill 2020 and to wholeheartedly commend this bill to the house again. In doing so, I note that this bill is identical to the bill I introduced on 14 November 2018. I also note that the reintroduction of the bill means that this government has, for 16 months since we introduced it, absolutely refused to take a step that would help end the terrible disrespect and violence towards women that our community confronts.

At a time when people here in our state and in communities across our country are crying out for an end to violence against women, and an end to the disrespect with which violence against women always starts, this government has played silly political games and refused to act. South Australians deserve better than this. They deserve to have our communities, every one of those communities connected in some way by roads, free from that which disrespects and promotes violence against women, including on their roads.

Apparently, this government either does not agree or puts not wanting to agree to a Labor bill that will help to rid our roads of this vile disrespect ahead of that which is most important, and that is to do every single thing we can as community leaders to prevent and end violence against women and to eradicate anything that excuses or promotes it.

I have previously spoken in this house about Wicked Campers. It is a national company that rents campervans to backpackers and other tourists and to local people. They are renowned—

infamous, in fact—for their deliberately offensive slogans. Their slogans promote disrespect and violence towards women, sexism, racism and paedophilia. They demean and objectify women, engender fear, and they are deeply distressing.

We know that violence against women begins with disrespect. These vans are utterly focused on disrespecting women and they are utterly unacceptable. Campaigning against the slogans began when a courageous 11-year-old girl, offended by a Wicked Campers slogan that referred to girls as sluts, initiated a petition that attracted 126,000 signatures. This prompted Queensland, the ACT and Tasmania, as well as local councils, to ban them from their respective jurisdictions. Music festivals have also moved to ban them because festival organisers understand just how offensive they are.

We must question why this government cannot, will not, do the same by adopting Labor's bill. Instead, the South Australian Liberal government has dragged its heels, adjourning my previous bill close to 20 times in the last parliament after it was introduced back in November 2018. This is despite slogans continuing to adorn these awful vans with appalling words such as, 'I've often wanted to drown my troubles but I can't get my wife to go swimming,' or, 'A wife: an attachment you screw on the bed to get the housework done,' or the sinister, 'I can already imagine the gaffer tape on your mouth,' littering our roads, caravan parks and holiday destinations. The slogans and their accompanying imagery go way beyond what is acceptable.

**The SPEAKER:** Member for Reynell, I just want to caution the member about introducing unparliamentary language into the debate from other people.

**Ms HILDYARD:** So the language is not okay here but it's okay out there?

**The SPEAKER:** It's just a caution—

**Ms HILDYARD:** Are you kidding?

**The SPEAKER:** —and if you argue with me—

**Ms HILDYARD:** Are you actually kidding?

**The SPEAKER:** —I will remind the member that by arguing with me and refusing to accept the authority of the Chair, under 137A I can remove you for up to one hour for no reason. If it continues I can also name you, so I am just cautioning you. It was just a caution. I am not accusing you of anything. It was just a caution.

**Mr PICTON:** Point of order, Mr Speaker: how can the member describe these words without actually mentioning what they are?

**Ms HILDYARD:** It is what they say. I do not know what to—

**The SPEAKER:** Unparliamentary language cannot be introduced into debate by a quote. It is just a caution for the member. I just ask her to take my caution on board. Irrespective of who the member is or what they say, just take that on board.

**Ms HILDYARD:** Thank you, Mr Speaker. I hear you and I call on those opposite to ensure that language that is deemed unparliamentary and offensive in here they absolutely support being abolished out there in our community.

**Mr Pederick:** Have a good look at your side. Have a good look.

**The SPEAKER:** Member for Hammond, you are not helping here.

**Mr Pederick:** Have a good look.

**The SPEAKER:** The member for Hammond is not assisting me right now. The member for Reynell has the call. She is entitled to the rights and privileges of this house and I would like to hear her.

**Ms HILDYARD:** Thank you, Mr Speaker. These slogans I have just spoken about and their accompanying imagery go way beyond what is acceptable. They are offensive by anyone's standards and the messages they send to our community, and particularly to our young people, are dangerous. It is absolutely shameful that this government have adjourned this bill on so many occasions. It is a

straightforward bill that requires a supportive response that in a straightforward way will show that those opposite do not accept disrespect towards women. Surely with the litany of problems that have been exposed that this government has with women, they might just want to take a step forward.

The bill seeks to amend the Motor Vehicles Act 1959 by expanding the powers of the Registrar of Motor Vehicles to take action against a registered vehicle owner. This is done when the registrar is notified by Ad Standards (formerly the Advertising Standards Bureau) that a complaint has been upheld in relation to the vehicle having offensive slogans and/or images advertised on it. This bill will mean that those offensive vans cannot be registered in South Australia or can be deregistered.

I am determined to do whatever I can to ensure this sort of offensive material does not appear on our roads or caravan parks and camping grounds. Tasmania, the ACT and Queensland have already given power to their Registrar of Motor Vehicles to not register them in those states. South Australian women and girls deserve better, as does our wider community. They deserve for our registrar to have these powers too.

This bill is something tangible and practical that we can do as a parliament, as community leaders, to call out sexism and the disrespect that promotes violence against women. As we near another International Women's Day, it is absolutely time that we take a step together to end disrespect and violence towards women. Several highly respected women's organisations and advocates are also calling on this government to support this bill, and I heartily thank them.

A collective shout-out to those who have been leading this campaign in an outstanding and sustained way: the YWCA, who have been working with me on every step of the journey, the Women's Legal Service, the Women's Working Centre, the Coalition of Women's Domestic Violence Services, Soroptomist International of Adelaide and many, many others for their efforts on this and for always unfailingly acting to end violence and disrespect against women. I thank them, and I thank the ACL for backing this campaign, this legislation. These groups and individuals see this as a way for this government to take a step towards preventing violence against women, as do so many in our community, and I urge them to so.

As community leaders it is incumbent upon all of us to speak out and, most importantly, to act against offensive material that absolutely does not accord with community standards and offends many, to do whatever we can, whatever is within our sphere of influence, to end violence against women. Other states and territories, as well as local councils, have moved to ban the offensive vans, so why can't we? Why has it been so hard for this government to act? Over and over again this government has been told that a successful national approach means that each state, each territory, has to do their part. Why is this not a priority for this government, particularly given its appalling lack of female representation and ongoing issues with the member for Waite?

The transport minister has in no way matched his rhetoric, his big talk at the meeting of transport ministers in Adelaide last August, with any action whatsoever. He said at the time:

We want to make sure that we close down these loopholes, stop the scourge of these offensive advertising and materials on the sides of these campervans...

That was early August 2019, and what has he done? He has done nothing. We have since had another summer of these vans at our caravan parks and beaches. In place of delivering anything in this space, the minister has spent 16 months thwarting Labor's measures that mirror exactly what other states have done. This is the exact kind of arrogant, disengaged, hands-off approach the Marshall Liberal government is renowned for. This is yet another example of an empty, broken promise from those opposite.

I hear many speeches by members of the government about preventing violence against women. Every parliamentarian in this house has rightly spoken at some stage about the need for us to step up and do what we can. And yet, when presented with a sound, sensible piece of legislation, one with broad community support and proven in other states, those opposite simply turn their collective back. They put petty game playing ahead of what matters. Why will those opposite not oblige the South Australian people and remove this garbage from our roads?

The bill is not about family cars or a sticker on a sedan or ute: it is about commercial vehicles that have had complaints against their slogans and imagery upheld. It means that our registrar will now have the power to do something about them. It means that we as South Australians send a message to Wicked Campers that they and their reprehensible messages are not welcome here.

Should we pass the bill, it means that together we send a message to our young people that disrespect towards women is not okay, that it is never an option, that we together will not stand for anything that promotes violence against women and that we will do what it takes to end it. I urge those opposite to act and to support the bill.

Debate adjourned on motion of Mr Pederick.

### **MOTOR VEHICLES (MOTOR BIKE LICENSING) AMENDMENT BILL**

#### *Introduction and First Reading*

**Mr ODENWALDER (Elizabeth) (11:10):** Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

#### *Second Reading*

**Mr ODENWALDER (Elizabeth) (11:10):** I move:

That this bill be now read a second time.

In doing so, I undertake to be brief and succinct in my remarks. I know that we have a fair bit of private members' business to introduce and reintroduce this morning, and I would like to give everyone the opportunity, if I can, to put their views on record so that we can actually debate some of these things—in some cases, debate them again. The other reason that I will be brief and succinct, if I can, is that my views on all these things are well established and on the public record and I see no sense in delaying the business of the house too much further. In a way, this speech will be an update on what progress has been made on any of these issues, if any at all.

This first bill I have reintroduced today in private members' business is about motorbike licensing. It grows out of a series of incidents dating back to the previous government. In 2017, there was an unacceptable spike in motorcycle road trauma and road deaths. It was seen at the time as being urgent enough to bring together a group, formed by the then minister, that became known as the Motorcycle Reference Group. It was to look very closely at the issues on our roads, particularly pertaining to motorcycle road trauma.

I should mention that the Motorcycle Riders Association of South Australia, the Ulysses Club and the Adelaide University's Centre for Automotive Safety Research were all represented on this group, as well as other riders' groups, and it was chaired by the minister. Out of this grew a report and a series of recommendations, under the banner of the Centre for Automotive Safety Research but with contributions from all those groups. It recommended a whole series of things, one of which was a change to motorcycle licensing, and that is what this bill describes.

I will not go into the measures in any particular detail today, as they are all on the record; indeed, most of them are contained in that early 2018 report. Of course, since then the government have done precisely nothing, except for making a few random statements in the media promising that they would do some things—and simply not acting. The motorcycle riders' groups have at times been angry and certainly frustrated that since the election nothing has been done with this report. I have made this point before: it is not just about motorcycle licensing and it is not just about new and novice riders; it is about motorcycle safety as a whole. Over the last year, and sadly in the early part of this year as well, we have seen a trend towards more motorcycle road trauma and more motorcycle deaths on our roads, but still the government have not acted.

What the motorcycle riders' groups want to see is a holistic approach to motorcycle road safety. They want to see a re-establishment of a regular meeting with the Motorcycle Reference Group. They want to see consultation with the minister done in a way that produces results. At present, they are completely dissatisfied with the level of consultation they have with the minister and with the department. In fact, they are so frustrated that early last year they urged me and the Leader of the Opposition to introduce legislation that at least partly replicated what was

recommended by the CASR report back in 2018. So this bill does that. This bill addresses the licensing issue.

I have noticed recent media reports of the minister finally coming around to addressing this issue. It is difficult to know exactly what they would do just in a few lines in a media statement. One of those promises by the minister, for what they are worth, is to raise the licensing age to 18. My bill proposes the age of 17. I do note, and I have noted before, that the CASR report does in fact recommend 18. Since that CASR report there has been a period of—I would not call it consultation—conversations within the motorcycling community and certainly consultation with the opposition, which led to us landing on the age of 17 as a reasonable compromise. Eighteen was seen as perhaps a little too harsh, but we will debate that out.

I have said before and I will say again that if and when the government finally sees fit to introduce legislation aimed at reducing motorcycle road trauma, I will be there. I will be the first person to agree with any measure which can be proven to substantially make a mark in reducing that road trauma. I will work with the government. I will abandon this private member's bill if the government bill does what the motorcycle riders groups say is essential, what the CASR report said is essential. What we have seen in media statements so far does not give me much hope, but I, again, make this pledge to work with the government if that legislation is forthcoming at any point in the future.

For now, we have a bill which makes certain provisions and certain changes to the motorcycle licensing regime. Essentially, what it boils down to is extending out the graduated licensing scheme, making various changes along the way from a learner permit to a full motorcycle licence. It extends those periods out and it provides for various safety measures and training along the way to that end. The aim of this legislation is simply to make novice and new motorcycle riders safer on our roads and reduce motorcycle road trauma.

As I said, if the government has better legislation, if the government has legislation that even replicates this and tweaks it around the edges, I will be happy to talk to them and happy to support them. For now, we have this bill before us and I urge members to support it.

Debate adjourned on motion of Mr Pederick.

### **SOUTH AUSTRALIAN PUBLIC HEALTH (IMMUNISATION AND EARLY CHILDHOOD SERVICES) AMENDMENT BILL**

#### *Introduction and First Reading*

**Mr PICTON (Kurna) (11:17):** Obtained leave and introduced a bill for an act to amend the South Australian Public Health Act 2011. Read a first time.

#### *Second Reading*

**Mr PICTON (Kurna) (11:18):** I move:

That this bill be now read a second time.

This is the third time that the South Australian Labor Party has sought to introduce these provisions to the parliament. The first time was 2½ years ago when the now Leader of the Opposition in the other place introduced provisions to set up a no jab no play system in South Australian early education childcare centres and kindergartens. Since then, this has been blocked and blocked and blocked. We have had 2½ years of no action and complete delay on introducing these. Now we have gone through the complete farce of having this proroguing of the parliament. We are now seeking to reintroduce these provisions for the third time.

The obvious reason for doing this is to keep children safe—to keep children safe in our early education, in our childcare centres and in our kindergartens. We are now following what has happened in New South Wales, Victoria, Western Australia and Queensland, all of which have no jab no play policies in place. Victoria, New South Wales and WA have very similar schemes to what we have been proposing here for 2½ years. It is just absolutely shameful that this policy has been delayed and that we have not had this in place. There is really no excuse for why the government has not progressed this.

This has been another example of legislation we have sought to reintroduce in this parliament since the election, and week after week after week the government delayed our dealing with that. They put off this debate on this bill for no other reason than they wanted to delay this legislation. It is absolutely disgraceful that South Australian kids have not had the benefit of this.

One of the most important reasons for having this legislation is the children who cannot be immunised due to their medical conditions. There are children who are immunosuppressed, who cannot get vaccines for a range of different conditions that are completely vaccine preventable, but they therefore need the rest of the community, and particularly those children they will be associating with in child care and kindergartens, to be vaccinated to help protect them.

Sadly, without these provisions in place we cannot be assured that those other children are vaccinated. We know that there is great support in the community for doing it. While there will always be some anti-vaxers peddling their pseudoscience and things that they have found on the internet, the vast majority of South Australians support this measure, the vast majority of South Australians want to see it in place and they scratch their heads as to why this has been delayed for 2½ years.

I am sure avid readers of *Hansard* will be able to look back at the previous debates that we have had on this in the parliament and see my speech and the now Leader of the Opposition's speech 2½ years ago in the other place for the background of this. The bill will make mandatory immunisations that align with the National Immunisation Program childhood schedule. They include hepatitis B, whooping cough, polio, measles, mumps, rubella and strains of meningococcal that are currently on the schedule.

It will improve our coverage while reducing pockets of underimmunisation. This will apply to childcare centres, long day care, family day care, preschool, kindergartens, rural care programs, mobile childcare services and occasional care. There will be a maximum penalty of \$30,000 for any person who provides an early childhood service and enrolls a child without the appropriate exemption or immunisation history required.

As I said, this has been in place in a number of states now for a number of years. We had a previous consultation process that was undertaken back in 2017. The then Liberal prime minister, Malcolm Turnbull, was one of the avid backers of this measure to make sure that this was in place, but since then we have had very little action. In fact, this bill has now been delayed in this parliament 27 different times. Most of the time it has been the member for Hammond who stands up and moves that this bill be adjourned or deferred, and we do not get to debate it and we do not get to have a vote on it.

**Mr Pederick:** Or postponed.

**Mr PICTON:** Twenty-seven different times you have postponed this and stopped this from being debated in this parliament. I think people want to know why you have done that, why you have stopped this being debated.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PICTON:** We have been trying to get this passed for 2½ years and you have stopped it being debated 27 different times. I think that is disgraceful. Now what we see is the government saying, 'No, we've got this new idea. We are going to do no jab no play,' and they are introducing their own bill, which is almost exactly identical to the bill we have been trying to get passed for 2½ years. I think that amount of hypocrisy from the government, when they are the ones who have been blocking this, they are the ones who have been stopping it, is absolutely disgraceful. This could have been in place for 2½ years if it had not been blocked by the now government and previously when they were in opposition.

This is widely supported by the community. Most of the childcare centres are enthusiastic supporters of this. Every time any polling is done on this measure, huge numbers of people say that they want to support it because they want to support their kids, they want to support those children who cannot get vaccinated and make sure we have herd immunity in our community from all these different, very serious and potentially deadly diseases, which we can eradicate if we make sure that vaccines are in place to do that.



I endorse this legislation for the parliament yet again. I hope that after 2½ years of delay we can actually get this passed and make sure that this is in place. I hope that we will get an explanation from the minister at some point as to why last year and the year before he kept blocking this legislation. He raised serious doubts about it last year. He went to great lengths to raise concerns about it last year, but now, apparently, he has turned around. I think that requires an explanation from him for why he took that action last year that delayed this being in place to protect our kids in South Australia. The time for acting has well passed. Let's get up in place with what is happening in other states and make sure that this is not delayed any longer.

Debate adjourned on motion of Mr Pederick.

### **ROAD TRAFFIC (DRUG TESTING) AMENDMENT BILL**

#### *Introduction and First Reading*

**Mr ODENWALDER (Elizabeth) (11:26):** Obtained leave and introduced a bill for an act to amend the Road Traffic Act 1961. Read a first time.

#### *Second Reading*

**Mr ODENWALDER (Elizabeth) (11:26):** I move:

That this bill be now read a second time.

Again, I will not delay the house unduly with a lengthy explanation of something that has been well canvassed time and time again. In fact, before prorogation this private member's bill was the oldest bill before the house. I note the member for Kaurna's observations about the bill that he just reintroduced a moment ago, that it had been postponed 27 times. This bill was postponed, by my count, at least 30 times in the last parliament. As I have said before, it is a very simple bill. I will quickly run over the main provision: it amends the Road Traffic Act so that police have the power, upon a positive roadside drug test, to search a person or vehicle for drugs. This seems to me an eminently sensible measure.

Indeed, when the government were elected, they were elected partly on a platform of winning a war on drugs—their words, not mine—and so when I reintroduced this bill, which formed part of a package of reforms that were in the previous parliament, I assumed that the government would jump on it. I assumed the police minister and the Attorney-General, would say, 'Yes, of course, we were planning to do that, but we will support this. It's a sensible measure. We know the police support it. We know it was a recommendation of the Ice Taskforce. We will support that straightaway.' But, no, they postponed it 30 times.

I think there were a couple of contributions. I think the member for Heysen made a quite erudite contribution, as he always does. The Attorney made a contribution, too, along the lines that the Road Traffic Act and the drug testing regime around the Road Traffic Act should be about road safety. That is true; they should be about road safety, but why should that be to the exclusion of waging a war on drugs? If the war on drugs is so important, why not give the police all the powers they need, indeed the powers that are recommended by the Ice Taskforce and that they support? Why would the government not support those measures?

The police commissioner, in a response to a letter from the Budget and Finance Committee earlier this year, said in no uncertain terms that he supported the provisions of the bill. There were no ifs or buts; he supported the provisions of the bill. SAPOL supported the provisions of the bill. When that became a media talking point for the minister and the commissioner, the minister then scurried around to try to propose certain changes around the Road Traffic Act but skirted around this particular issue, this very simple proposition. I seek leave to continue my remarks.

Leave granted; debate adjourned.

#### *Motions*

### **MUECKE, DR J.**

**Mrs POWER (Elder) (11:30):** I move:

That this house—

- (a) recognises the 2020 Australian of the Year, South Australian Dr James Muecke AM;
- (b) highlights Dr Muecke's outstanding contribution to the medical profession worldwide in the area of eye health and the prevention of blindness; and
- (c) acknowledges the significant impact Dr Muecke has had on the fight to prevent blindness, not least through his role as co-founder of Sight For All, a research, education and infrastructure organisation providing low-cost programs to target the causes of blindness.

It is a pleasure to rise today to congratulate Dr James Muecke AM on being bestowed such a prestigious national award. He joins other outstanding South Australians who have been honoured with the award, including Dr Richard Harris OAM, an anaesthetist and cave diver who assisted with the Thai cave rescue in 2018. Dr Muecke joins an honour roll filled with high calibre Australians, such as Cathy Freeman, Pat Rafter, Rosie Batty and Fred Hollows.

The nominees for the 2020 South Australian of the Year awards included Michael O'Connell AM, an advocate for victims of crime and terrorism; Gabrielle Kelly, a wellbeing advocate, digital pioneer and filmmaker; and Dr Sandra Marshall, a known literacy advocate. All are outstanding in their fields and I am proud to call them fellow South Australians. This year, Dr Muecke was honoured for his outstanding achievements in the area of eye health and the prevention of blindness by the National Australia Day Council board from a group of 32 state and territory nominees. I congratulate all those who were nominated to begin with.

For those who are not entirely familiar with Dr James Muecke's career, he is an ophthalmologist who began his career in Kenya. He then relocated to South Australia and became an eye surgeon and blindness prevention pioneer. Dr Muecke is a man who cares. He saw the opportunities his skill set could give to less fortunate people with no access to the health care they needed. Doctors like him could offer something unique to improve the sight of tens of thousands of people.

Having witnessed and recognised this gap in the provision of eye health services in our neighbouring developing countries, Dr Muecke went on to co-found Sight For All with Dr Henry Newland and Dr Bob Casson. A social impact organisation, Sight For All has the quite perfect vision, I guess you could say, to create a world where everyone can see. Sight For All raises funds to deliver eye healthcare projects free of charge to our partner countries and communities.

By working with their foreign colleagues, the three doctors at Sight For All identified the areas of greatest need and developed a sustainable sight-saving model, which became the basis for the organisation. It delivered this model in countries like Nepal and Bangladesh. The organisation also undertakes collaborative research to improve the treatment and prevention of blinding diseases, provides infrastructure support for the delivery of eye health services in these regions and runs sustainable education and eye health awareness programs.

Dr Muecke is not a stranger to being recognised for the work he has done, which has changed the lives of thousands of people. In the 2012 Queen's Birthday Honours, Dr Muecke was appointed a Member of the Order of Australia. He received the University of Adelaide's Vice-Chancellor's Alumni Award in 2019.

This is a particularly special year for Dr Muecke to receive yet another award, as 2020 marks the 60<sup>th</sup> anniversary of the Australian of the Year awards. It has been bestowed as part of celebrations surrounding Australia Day since 1960 in recognition of outstanding achievement, with fellow Australians proudly viewing those with the title as embodying all that it means to be Australian. The award represents one of the many ways in which national identity is expressed, and often encourages a public dialogue about national identity, about Australia's past, present and future and the values of a civil society.

In closing, I say congratulations and a heartfelt thank you to Dr Muecke for his vision for a better world, his commitment, and his contribution.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (11:35):** I rise to support this motion, an excellent motion that brings to the house information relevant to congratulating Dr James Muecke AM, now the 2020 Australian of the Year. I have known Dr Muecke for some time. He and his family reside in my electorate, and I must say there was enormous sense of pride when the

announcement was made that we had the honour, if you like, of having the Australian of the Year for two years in a row coming from South Australia.

I cannot think of a more worthy recipient of this incredible honour than Dr James Muecke. He has been working for an extended period of time trying to prevent curable blindness not only here in Australia but right throughout the world. This is a story that I think young people, and in fact all Australians, should find extraordinarily motivating.

He studied ophthalmology here in South Australia, graduated and worked in our hospital system, but almost from day one he thought there was a further contribution that could be made beyond his service as an ophthalmic surgeon here at the Royal Adelaide Hospital. He saw there was extraordinary curable or preventable blindness that existed in Central Australia among some of our Aboriginal communities, throughout Asia and further afield.

We know that from time to time many surgeons have travelled overseas into areas that are suffering from preventable or curable blindness. They dedicate and donate their services to communities that do not have that level of surgical capability in their own countries, and this is a very commendable activity. However, Dr Muecke and his supporters at the Royal Adelaide Hospital said that there must be a better way, that rather than sending our surgeons on short visits overseas, 'Why don't we flip that around? Why don't we bring doctors from these countries down to the Royal Adelaide Hospital, have them work here, train them up and then send them back with adequate resources to create clinics and hospitals and treat patients back in their own countries?' That is exactly and precisely what has occurred.

It started with the Vision Myanmar project and that has now evolved into Sight For All. My understanding is that this program is now touching more than a million people per year, which is extraordinary. It is a story every single South Australian should know. Every single South Australian should know that this project, which is having such a global impact, emanated from the Royal Adelaide Hospital and important ophthalmic surgeons in South Australia, and that Dr Muecke was one of the co-founders.

He was awarded an AM in the Order of Australia back in 2012, a very worthy recipient. I know his wife, Mena Muecke, also received an award under the Order of Australia for her services, also supporting the work of Sight For All. I know Dr Muecke would be the first to say that, whilst he has been recognised, an extraordinary number of South Australians have contributed to the success of this project: medical specialists in South Australia, great philanthropic support and corporate support has put together the fundraisers to, if you like, purchase the equipment and lease or build clinics or hospitals in these countries.

In many ways, it has been an effort of the entire state and a contribution we can make as a state to help rid the world of curable or preventable blindness. My heartfelt congratulations and thanks to Dr Muecke for his service. We know that this year will be an extraordinarily busy year for him. We know that he is already booked up, as Dr Richard Harris was last year, speaking to school groups and community groups, and telling their inspirational stories to the next generation.

That is precisely what will happen to Dr Muecke over the next 12 months. He will be spreading a story, which I think will inspire the next generation—not just people interested in the area of preventable blindness but people who want to make a contribution more broadly beyond their area of profession. I thank the member for Elder for bringing this motion to the house; I think it is a very important one. We should recognise the contributions that are made, and I am very happy to support this motion.

**Mr PICTON (Kaurua) (11:40):** I rise on behalf of the opposition to also support this very important motion thanking Dr Muecke for his important work and congratulating him on this esteemed award as Australian of the Year. It is a delight to have two South Australian doctors in a row as the recipients of the Australian of the Year. Of course, Richard Harris was last year's recipient.

These awards have gone to people who have contributed not just to the lives of people across Australia but to people across the world. When we look at the work of Dr Muecke and his contributions through Sight For All, we see somebody who has devoted himself to making sure that the rights, services and treatment that we expect and in many regards take for granted in Australia

are available to people to people in other countries, no matter the status of their income or level of services in place.

Eyesight is obviously so important yet is something that we take for granted. To lose your eyesight and become blind has such a big impact upon your life. To be able to provide treatments and preventative and restorative services in many countries around the world that do not necessarily have those services can be truly transformative. In many countries, they do not have the services available that we provide in Australia, through the Royal Society for the Blind and others, for people who have lost their vision. Many countries have far fewer services, and if you become blind that is very detrimental to the rest of your life and how you can participate, particularly in those countries.

As has been mentioned, Dr Muecke co-founded the Vision Myanmar program in 2000 and then founded Sight For All in 2007. Sight For All is a not-for-profit organisation that deploys more than 120 eye specialists across 10 countries, predominantly focused in Asia, to combat preventable blindness. The organisation also conducts vitally important work with Aboriginal communities in Australia.

Sadly, we know that the gap between Aboriginal communities and non-Aboriginal communities in terms of health services is wide, and that is completely unacceptable. Ophthalmology services and services to prevent blindness are certainly areas in which there is a lot more to do. As such, I congratulate Dr Muecke for that work as well. Sight For All's mission is to:

...[empower] communities to deliver comprehensive, evidence-based, high quality eye health care through the provision of research, education and equipment.

While this award recognises Dr Muecke's work in eye care, he has also set a broader agenda in terms of what he wants to focus on as Australian of the Year. As the Premier said, there will no doubt be a busy agenda for him, with speaking engagements and various meetings, and also many functions and school groups that he will be focusing on.

As I mentioned, Dr Muecke also has a broader agenda to look at other critically important health issues that are front of mind, including tackling type 2 diabetes. Type 2 diabetes is a massive issue across this country and yet, in a large part, is preventable. Taking additional preventative health actions could have a big impact. Dr Muecke, in his role as an ophthalmologist, was seeing patients losing vision as a result of type 2 diabetes and became increasingly frustrated that he was at the stage of the patient's journey when it was often too late to save their sight.

His focus was increasingly drawn towards tackling the root cause of his patients' vision loss, an entirely preventable disease. In 2017-18, one million Australians had type 2 diabetes. It is the leading cause of blindness for working-age Australians and the sixth biggest killer in our country. Dr Muecke wants to challenge Australia's relationship with sugar, a hugely important cause that we know has a significant impact upon our health system. He has been using his platform to call on governments to consider their responsibilities to reduce the consumption of sugar through their policy agenda.

I know that the Leader of the Opposition has already met with Dr Muecke. I am hoping to meet with him soon as well to discuss his policy recommendations to address this massive issue. I hope that the government is doing the same because we should be taking the opportunity of his leadership in this role this year to challenge our thinking and our policy solutions and make sure that ultimately we can prevent people getting type 2 diabetes and losing their sight.

A man of many talents, Dr Muecke notably has also authored a book, called *Adelaide for Kids*, with ideas to keep kids entertained. I am sure we would all agree that is very important, particularly when you have young kids. Sadly, Dr Muecke has now revealed publicly that an inherited neurological disability means that he will need to cease performing surgery. Of course, Dr Muecke's important advocacy work will no doubt continue to contribute to what will be a significant legacy and invaluable contribution to our community and globally.

On behalf of the opposition, we congratulate Dr Muecke and thank him for his work here in Australia, particularly at the Royal Adelaide Hospital helping so many people in our state, including Aboriginal communities as well. We know that ophthalmology services is one area of our health system that is under pressure and under constant stress and has long wait times, but we know that

his work does not limit itself to our state borders. It has had a huge impact on many thousands of people around the world, and we could not be more delighted that he has been recognised with this very important honour.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:47):** It is with considerable pleasure and pride that I stand to support this motion and thank the member for bringing this to the attention of the house. I hope all members in the chamber watched the ceremony when Dr James Muecke was recognised as the Australian of the Year this year. I hope we are all flush with pride as he is the second South Australian in two years to achieve this high honour.

He and his wife, Mena, as the Premier has pointed out, have both been recognised with Australian orders for their work, in particular in the development of the Sight For All program. I suppose as South Australians, on the one hand, and as Australians, we recognise how important this occasion was for the advancement and advocacy of eyesight, particularly in the adult population, which was the specific cause for bringing the spotlight onto diabetes in relation to the consequences and loss of sight. We feel enormous pride, and we congratulate Dr James Muecke on this honour.

I also recognise the work of the Hon. David Tonkin, also an ophthalmologist, who has been a premier of this state. I do so not in any way to diminish the contemporary work now that has been continued by Dr James Muecke but to acknowledge that in our own communities, we have had exceptional areas of leadership in advancements in relief for those who have the plight of blindness or are sight impaired. One of those is Dr David Tonkin, himself a trained ophthalmologist. In fact, he continued his practice in this area while he was in the parliament, including when he was premier. He continued a Saturday morning practice to continue to support his existing clients.

I bring to the parliament's attention that in 1990 the Lions Club in South Australia established a SightFirst program, which emanated from the Burnside division of the Lions Club in particular. It has now had the benefit of assisting 27 million people in prevention and training around the world. There have been 80.5 million treatments administered through this program. It has close to 1,000 programs across 90 countries in the world.

Very importantly, it has been a program that has supported the training of over 305,000 nurses, ophthalmologists and other eye care workers around the world. This is all because people who cared about this issue gathered together, developed it here in South Australia and it is now a program that is around the world. That is what happens when you combine a problem that has to be solved, people who are committed to the cause and an endurance quality to ensure that that is maintained, and that is exactly what Dr James Muecke and Mrs Mena Muecke have undertaken with their colleagues in the development of this program.

I also applaud Dr Muecke's determination to use his time wisely in those speaking engagements to ensure that he spreads the message that we need to do everything we can to improve the nutrition and increase the physical activity of our population. This is a very important public health policy that he is committed to.

Dr Muecke has already established his war on sugar and highlighted that we need to consider—and this will be a matter that will come to all of us in state and federal parliaments—whether we have a sugar tax, whether it should apply to products where there has been an excess amount of sugar, whether there are further requirements that we should be looking at for food labelling and whether there are restrictions on advertising, particularly to children during children's television viewing and the like. He maintains that sugar is as toxic and addictive as nicotine. Clearly, with these messages, he is intent on making sure that he makes a difference in his year of this recognition.

I also wish to identify a number of other areas that need to be improved. There is a program called the Get Healthy Information and Coaching Service, which provides free telephone coaching to any South Australian adult to assist them to make healthy behaviour changes and to assist with physical activity, weight management and the like.

There is also the SA Healthy Towns Challenge, which has committed \$1 million over four years to fund community projects in regional towns. Across the first two rounds of grants, 12 towns have been provided with funds. All projects are addressing nutrition by physical activity. Again, a big

tick to Wellbeing SA, which of course is the newly established agency established under the stewardship of the Hon. Stephen Wade, Minister for Health and Wellbeing. It is a considerable compliment to him in advancing a rebalancing of our health system to understand that this preventative role not only is it important but it needs to be active, it needs to be funded and it needs to be effective.

I am sure that, with Wellbeing SA's work, together with the support of Dr James Muecke and his valuable advice and experience to promote the social media campaigns that are necessary to look at preventing diabetes through good nutrition and the importance of screening for diabetes, these will all be important initiatives. They will have the spotlight shone on them during this year—and it is not before time. It will advance the work that is absolutely necessary to ensure that we can bring people through healthy lives and that, if they do fall victim to a diabetes diagnosis, we are able to assess that, and with early screenings and the like ensure that eye health is maintained as best it can be, and hopefully we can combat the preventative lapse into blindness or severe eyesight impediment.

Congratulations to Dr James Muecke. We look forward to hearing from you, seeing you, supporting you and recognising the extraordinary contribution you have already made, particularly as a result of your professional achievements and diverse involvement around the world and, indeed, to see your richly deserved applause from others.

**Mrs POWER (Elder) (11:55):** I thank all those members who have contributed to this motion. Once again, on behalf of the South Australian government and this place, I congratulate Dr James Muecke on his award. It is well deserved.

Motion carried.

### **SURF LIFE SAVING SOUTH AUSTRALIA**

**Mr BASHAM (Finniss) (11:55):** I move:

That this house acknowledges the tremendous efforts of Surf Life Saving SA, its clubs and its volunteers across the state, in particular for—

- (a) keeping our beaches and coastal waters safe for the South Australian community;
- (b) countless hours' training and patrolling our beaches and coastal waters; and
- (c) representing our state with distinction in national competitions which showcase the skills and expertise employed in serving and protecting the South Australian community.

With so much of our population living relatively close to the coast, it is little wonder that a day at the beach is considered an integral part of the Australian lifestyle. We have found lots of ways to enjoy that coastal terrain, those beaches. We have found lots of toys to take into those waters, but we have also found lots of ways to get into trouble in those waters, and that is where surf lifesaving comes in.

There are 22 surf lifesaving clubs in South Australia, with more than 9,000 club members across South Australia. The first club that was founded in South Australia was at Henley in 1925. The most recent club that has been founded is in my electorate of Finniss at Goolwa only 10 years ago. They formed a club and, at that stage, they were based out of a tin shed built for them by the CWA. That club has recently opened new clubrooms and has grown to a large club with over 300 members from its initial start 10 years ago with just six. The first regional club was also in my electorate, at Port Elliot, and that was formed in 1933.

Surf lifesaving provides patrol services at 20 locations in the state between October and April. Members train in search and rescue, rescue watercraft services, jetboat services, and even in the Westpac Life Saver Rescue Helicopter. It is very important for them to do that training to understand the risks and to learn how best to help the people who are in trouble. It is a very important part of that club structure.

I also see that the education and training extend even further into first aid, public safety, administration of the beaches and the school programs they run. They run the nippers program for the young up-and-coming surf lifesaving members, teaching them about the risks of the beaches and the ways they can help those who might get in trouble around them. It is also interesting to see how surf lifesaving has developed into a national sport. We saw the popularisation of the Ironman series

back in the eighties and nineties with the things those individuals did during that series with those rescues. But the competition goes a lot further back than that.

The Port Elliot club are very proud of their history of using surfboats. All their surfboats are named the *Flying Fish* 1, 2, 3, 4, 5 to whatever number they are up to of boats they have had over the years. The *Flying Fish* was the name of a boat that was lost during the 1800s in a storm in Horseshoe Bay at Port Elliot, so they have carried on the tradition of using that name on their rescue surfboats.

They have competitions not only in surfboats but in jetboats as well. Sadly, I very much remember the loss of a local butcher in my childhood called Ray Evans. The surf lifesaving club decided to honour him by raising funds for a jetboat and naming that boat after him. The Port Elliot club has had the *Ray Evans* jet boat for many years following that unfortunate incident of him losing his life.

The training done in relation to the sport and competitions helps them hone their skills in relation to actual rescues. All competitions are based on the different ways that they can go out and rescue people, so it very much hones those skills. Often, when visiting my parents, who live not far from Horseshoe Bay, you will often see a surfboat row around the peninsula, out of Horseshoe Bay around towards Middleton, just as they are going for a quick row in the evening as they do their training.

Chiton Rocks is a third club in my electorate. It is quite amazing for one electorate to have three surf lifesaving clubs, as there are only 22 in the state. It is certainly a privilege for Finniss to have those three wonderful clubs. Chiton Rocks was founded in 1957. In the short time that I have been in this place, it has been wonderful to see the opportunity to invest back in those three clubs. Chiton Rocks and Goolwa have both had significant upgrades. In the case of Goolwa, there has been a complete new build of its clubrooms and that has enabled them to do their job much better. They are able to concentrate on rescuing as their facilities and equipment are kept in wonderful new clubrooms.

It is really pleasing to see that Port Elliot is also in the process of looking to upgrade its clubrooms and is hoping to do that in the very near future. We have seen \$2.6 million spent on the clubrooms at Goolwa, as well as extra money for audiovisual training equipment that has also come from government support, and we have seen \$2.6 million spent at Chiton Rocks. It is very important that we as a government continue to invest in our surf lifesaving assets, resources, and volunteers in particular.

It is in the summer when we actually see the focus of this work being done, but they do work right throughout the year as well, making sure those beaches have equipment available if needed to get involved in surf rescues, etc., if circumstances arise outside those seasons. It is a challenging space, but we need to make sure that we look after surf lifesaving. The beauty of our coast certainly attracts us down to those waters. We see the opportunity to engage and swim, but we do not necessarily always understand the dangers.

One interesting fact that has been conveyed to me by the Goolwa Surf Life Saving Club is that the beach has been rated a nine on a scale of one to 10 of being dangerous to swim at. The only other patrolled beach that has the same rating is Bondi. Bondi and Goolwa Beach are the only number nines and there are no patrolled beaches that are 10s. So it is one of the most dangerous beaches. The rips out there are very difficult to see and negotiate if you get caught in them. It is very important if people are out swimming that we encourage them to swim between the flags and allow the surf lifesavers to do their job and protect you in those waters.

Port Elliot beach is certainly much safer than Goolwa, but it differs from one end of Horseshoe Bay to the other; they are very different. One is a very safe space to swim in, but the other has deep rips and can be quite challenging at times. Sadly, we have seen several fatalities there in the last 18 months. Unfortunately, people got into trouble and lost their life. If we encourage people to swim in areas where there is supervision, then hopefully that will limit that loss occurring. Swimming is something that the Australian community loves to do.

We need to encourage people to swim. It is great for your health, to get out into the water to keep yourself fit and healthy. I think it is something for which we need to have some personal responsibility. We need to understand our capabilities and, if we are in doubt, swimming between the flags is certainly the best option. When I headed across to New South Wales and Bondi, the only place I went in the water was between the flags, because you could see it was a very dangerous beach and you could see the rips. It concerns me that people choose to swim other than between the flags because they can get into trouble.

In concluding, I thank very much the volunteers for their work in keeping the clubs running and keeping the community safe and in particular for the work they do in risking their lives to save other lives. I also thank the government for its support of surf lifesaving. I am very proud of the history of surf lifesaving in the seat of Finnis and hope it continues to grow, keeps the community safe and allows people to enjoy the beaches we have in our regions.

**Ms HILDYARD (Reynell) (12:07):** I rise to speak in support of this motion. I thank the member for Finnis for bringing the motion to the house and for his words. I want to speak about the invaluable and generous work of Surf Life Saving South Australia volunteers in clubs right along our beautiful South Australian coastline. They are generous community members who give up their time, their weekends and put their energy and passion into keeping fellow community members safe, serving our community and giving them confidence to enjoy our magnificent beaches. They also put their energy and passion into healthy competition that, as the motion says, does indeed showcase their considerable skills and expertise.

Every single day I feel deeply blessed to represent communities along our beautiful Mid Coast and to spend my life so close to beaches that are spectacular and that provide the best place for recreation and connection as a community. As a community in the south, we are able to safely enjoy those beaches, their surf and the reef because of the efforts of our surf lifesaving volunteers. They are a constant, reassuring and friendly presence for many and they absolutely save lives and keep people safe.

My community and I are blessed, like the member for Finnis, that three magnificent surf lifesaving clubs are located in Reynell: the Port Noarlunga Surf Life Saving Club, the Christies Beach Surf Life Saving Club and the South Port Surf Life Saving Club. Each of these clubs is filled with community leaders who not only selflessly keep us safe but also do so much to give young people in our community a sense of belonging and a sense of purpose, a place where they are supported to learn the value of community service and to develop skills.

I thank every single member of each of these clubs, clubs that help to make our community the special and kind place that it is and strengthen the very fabric of our community and the volunteering that it values. In doing so, I thank each of their outstanding presidents: Brett Parker, from the Port Noarlunga Surf Life Saving Club; Dick Olesinski, or 'Ollie', from the South Port Surf Life Saving Club; and Madeline Nurmi, from the Christies Beach Surf Life Saving Club; as well as their committees for their leadership and for everything they do for our community.

In mentioning those clubs, I want to heartily congratulate the South Port Surf Life Saving Club on reaching a very special milestone this year, their 60<sup>th</sup> anniversary, and to thank them for the many celebrations they have had in our community and the way they have included people in our community in those celebrations. I also want to heartily congratulate every member, every official and every competitor from the Christies Beach Surf Life Saving Club, which, just this weekend that has just passed, hosted the extraordinary state Surf Life Saving SA masters titles. It was an extraordinary event.

There were thousands of people at our beaches. As well as so many of the members of the Christies Beach Surf Life Saving Club competing, they also spent so much time setting the carnival up. Many of them were there in the very, very early hours of the morning, getting barbecues ready, marking out areas for competition, and they continued to do that all weekend. So I absolutely say thank you to the Christies Beach Surf Life Saving Club community family for what they achieved on the weekend, and I congratulate all those competitors in the masters state titles on their efforts.

As I have mentioned previously in this house, I am a very proud patrolling member at Christies Beach Surf Life Saving Club, a very slow patrolling member at the Christies Beach Surf Life



Saving Club, who does nowhere near the hours that most volunteers there do. I am also the co-patron of the South Port Surf Life Saving Club, vice-patron of the Port Noarlunga Surf Life Saving Club and patron of Surf Sisters, all roles of which I am extraordinarily proud and deeply, deeply humbled to hold.

I am humbled because, despite my passion for and lifelong commitment to surf lifesaving, the number of hours I contribute are so incredibly small compared with the hours, the months and the years of dedication that so many members of these clubs and others contribute. Many of those members have literally spent almost every weekend for every summer of their lives giving to surf lifesaving, giving to their community, making young people know that they are part of a great big community family that is there to look after them.

As I have also mentioned in this house before, I am so pleased that, despite the fact that we still do have some way to go, the number of women who participate in surf lifesaving is progressively growing. The determined women in surf lifesaving who had to fight every bit of the way for their right to participate and compete many years ago should be commended. Their fight received a much-needed boost in 1974 when our own South Australian premier, Don Dunstan, threatened to cut off funding to surf lifesaving if women continued to be blocked from participating. Shortly after premier Dunstan's intervention, also in 1974, the New South Wales far south coast branch agreed at their annual general meeting to permit the introduction of female membership, and many, many other branches followed that decision, and women are certainly thriving participants in surf lifesaving now.

Those were significant victories after a long campaign by women and other supporters in surf lifesaving, and they were achieved through determination and organisation. Today, it is great that women and girls make up half the new members of lifesaving clubs, but there is still work to be done to ensure equal representation in leadership roles in surf lifesaving. I do think the campaigning, the mentoring and the support provided to surf sisters by their Surf Sisters will certainly assist in those goals.

In closing, I again thank every surf lifesaver on the Mid Coast and certainly every surf lifesaver right along our coastline in every one of the clubs, some of which have already been talked about, for making the decision to give up their time in the service of our community and the service of other people. Whenever families and individuals go along to a beach they see the red and yellow and they see people there who can look after them, set up and ready to go and assist should they get into trouble. That gives many people in our community great confidence to enjoy our magnificent South Australian beaches.

I thank every member who decides to give their time in this way. It is a really extraordinary gift to our community. Again, I commend the motion to the house and I thank the member for Finniss for bringing it to the house.

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (12:15):** I rise as well to speak on this motion brought to us by the member for Finniss, acknowledging the great work that our surf lifesaving clubs do here in South Australia, and I thank him for this very important motion. It is hard to imagine our beaches without the red and yellow flags of our surf clubs. The flags are such a recognisable sight to all Australians right across the country from Bondi in Sydney to Scarborough in Perth, and, of course, across the 22 clubs at our South Australian beaches from Robe in the South-East to Whyalla we have some wonderful volunteers who do great work at our surf lifesaving clubs.

Surf clubs dot our metropolitan coastline and further south in the member for Finniss's electorate, with surf lifesaving clubs at some of the state's most picturesque beaches. The Goolwa Surf Lifesaving Club—I was very pleased to be with the member for Finniss when we unveiled the great new redevelopment there—is a wonderful spot. Whether you are out getting active or just relaxing and having a drink at the end of the day or a bite to eat, the club does an outstanding job.

Port Elliot is a beautiful beach down there in the member for Finniss's electorate and Chiton Rocks is another surf club, which I opened with the member for Finniss a little while back, since coming into this job. It is a beautiful club, tucked away in there, and not many people know about it. In fact, it has a great affiliation with the Henley surf club in the member for Colton's electorate, and

many of his constituents head down there and patrol the beaches at Chiton Rocks. It is a great little spot to go and visit, and the balcony of the club is a wonderful place to be on a sunny afternoon.

South Australia has some of the most beautiful and accessible beaches in the world, and I have just outlined a couple. The red and yellow striped flags are such a reassuring sight, to know that when we are down at the beach and we see these flags we can relax and swim safely, knowing that we are watched over by very well-trained and capable surf lifesavers, who not only devote their time but do it for no remuneration as well, because the majority are volunteers doing wonderful work in our community.

They are another great group of South Australian volunteers, and within my portfolio area I am very lucky to work with so many, be they through the CFS, the SES, surf lifesaving, or the so many sports clubs that I deal with right across our great state. As a state we are very lucky to have, I think, the best volunteers in the country, and I take every opportunity and this opportunity as well to say thank you to all our volunteers. They want to make everybody on the beach feel safe and enjoy the wonderful places where they are swimming and recreating.

We know all too well that our beaches can be dangerous. We heard the member for Finnis talk about that, and surf lifesavers truly deserve their title of being lifesavers. In my electorate, I am very privileged to have two surf lifesaving clubs, Brighton and Somerton, and they are bookended just outside my boundaries by Seacliff and Glenelg. A lot of people from my community also go to those surf clubs. So they are just four in my local area that I know do an absolutely amazing job week in, week out. It is always a pleasure to visit these clubs throughout the year and see the excellent service they provide to our community right across the board.

I will take this moment to acknowledge the President of the Brighton Surf Lifesaving Club, Chris Parsons, and the President of the Somerton Surf Lifesaving Club, Warwick Holland, for their leadership and the amazing job they do with their whole team. Again, I thank all the people on the committees. We know volunteer clubs do not operate with just one or two people; the committees run very deep, and we thank everyone. Both those clubs have had very big years.

Last year, Brighton's club tower was officially opened, again with the federal member, Nicolle Flint, and my parliamentary colleague the Minister for Environment, David Speirs, the member for Black. It was great to be down there opening that. The tower looked spectacular and it really is one of those iconic surf lifesaving sights on our beach and it allows the people of that surf lifesaving club to patrol the beaches and keep the residents of our community even safer.

There is also our election commitment: another great thing we have done at the Brighton Surf Lifesaving Club in particular. It is just one of three across the country, I am informed, that has a road between their surf lifesaving club and the beach. We have put a great new wombat crossing there with flashing lights as well. Many youngsters, in particular, are travelling from the surf lifesaving club across to the beach with equipment and gear, then coming back and washing up at the end of the day—and there is also a playground right next door—so the community really uses the crossing. In the lead-up to the last election, the club came to me and said, 'This is something we would really like to do.' They had been pursuing it for a while without any success, but we delivered it for that community and I think it has been a wonderful outcome.

The Somerton Surf Life Saving Club have begun their 60<sup>th</sup> season—a huge milestone for this club. It is a great club with wonderful members, really down-to-earth folk. I like to get down there whenever I can. Their committee does a great job and they have a really great vibe around their club. I must say that that is not in small part due to Robin Kidney senior. Robin founded the club 60 years ago. He is a great community member. He also founded the Mitchell Park Football Club and was a very staunch member of the Army Reserve, 10<sup>th</sup> Battalion of the Royal South Australian Regiment.

I do not think he will mind me saying that he is a gentleman who is getting on in years. He is no spring chicken anymore. He is always around at the club with a big smile on his face, and to see what the club is today from what he founded when it first kicked off should make him very proud. I know the community is very proud of him and what he has done. It would be remiss of me not to mention that, as well as these wonderful community aspects and growth and projects he has been involved with over his time, he is an outstanding musician. He is a very talented man and I know that

the Somerton Surf Life Saving Club is greatly indebted to him for kicking the club off and making it, as I said, what it is today.

I caught up with him most recently when I was there with the member for Morphett when we unveiled the walk through the Minda Dunes. Fundamentally, that links his fine electorate with my even better electorate and allows our communities to link through there and not have to go back and walk along the footpaths and the streets. You can do the beach walk all the way along and that path takes you through. It really has added to the Somerton Surf Life Saving Club and the people now who engage with the club. In fact, I did the walk on the weekend and saw the member for Morphett out doing cleaning up work on the beach. Again, he is another great community contributor doing wonderful work in his area.

In January 2020, the Australian Open Water Swimming Championships took place at the Brighton jetty. The championship is the nation's premier open water swimming event. Once again, we were treated to some of the world's best swimmers on display. In February, of course, we had the Brighton Jetty Classic, an ocean swim hosted by the Brighton Surf Lifesaving Club. A number of American competitors came over to take part in the Open Water Swimming Championships as they prepare for the Olympic Games, and it was great to see that international flavour in Adelaide. The Brighton Surf Lifesaving Club is very heavily involved in that.

They also had the Jetty Classic the week after. That is famous. You would have heard us talk in this place many times about the Marilyn swim and all the other events. It ranges from a 100-metre swim, a 400-metre swim to a 1.5-kilometre swim. As I pointed out, the Brighton Surf Lifesaving Club volunteers who run cover for that event do a wonderful job. I congratulate them all. The Marilyn Jetty Swim is a charity fundraiser for the Cancer Council.

Also in February, in what has been a very busy month, a number of members took part in the rescue and resuscitation state titles. They achieved fantastic results, with Matilda Whelan and Ellie Morgan from the Brighton Surf Lifesaving Club winning a bronze medal in the under 15s two-person rescue and resuscitation event. That is just fantastic to see because whilst they are out there having fun, being fit and being healthy, there are the underlying thoughts, ideas and focus on rescue and resuscitation. That is very important because that is what they are there to do: be fit, be healthy and, have fun on the beach, but they are there to save lives and that is what they do. Congratulations to Matilda and Ellie.

In the same month, a few of Brighton's surfboat teams travelled to New South Wales to take part in the 2020 Surf Live Saving Australia Surf Boat Interstate Championship, with the women's Bombshells team finishing fifth in the final of the women's reserve, and the Brighton Biddies winning silver in the masters competition. Congratulations to them.

It is important to remember that surf lifesaving clubs across our state are built on volunteers. We have talked about that, and we cannot thank our volunteers enough. As one of the largest volunteer movements of its kind in the world, surf lifesaving clubs carry out so much more than just patrolling our beaches. Beyond that, they provide a community for lifelong friends and they facilitate water safety, risk education and experiences. As a government, we have supported surf lifesaving clubs around our state in a number of ways.

Our election commitment was that every surf lifesaving club will be provided \$5,000 a year for four years to help purchase front-line equipment. That has been incredibly well received. We are subsidising Surf Babies and Little Lifesavers, programs to help parents and kids get involved and confident around the water. That has been outstanding. We also have our drone coverage. Our shark-spotting drones have been incredibly well received. They have done a great job in complementing the planes and rescue helicopters we have in place.

Again, I commend the member for Finniss for the great work he does in his community and for bringing this motion to the house. I support the motion.

**Mr COWDREY (Colton) (12:25):** I rise today to support the member for Finniss's motion and to take this opportunity to thank our surf lifesaving volunteers across our great state. I have mentioned many times in this house already that the first lifesaving club formed at Henley in 1925. I say that frequently because our local community is obviously very proud to have the oldest surf club

in South Australia. We have two fantastic surf clubs, one at West Beach, towards the southern end of the electorate, and Grange, just outside the electorate, but I am sure there is still a crossover of people within the Henley area who are members at Grange as well. They are great surf clubs that have done great work across our community for a long, long time.

The support that the surf clubs receive from our local communities says a lot about what they do and what they mean to our communities. They are a quintessential example of what volunteering is: making a positive and substantial difference to our local communities. Certainly, all lifesavers in the area are held in great esteem. There have been a number of occasions over the past couple of years when they have been called into action when not necessarily on patrol. But, having been in the area, having been at the jetty or the beach, they have come to the fore and done what needed to be done at the time to help people in need. Once a lifesaver, always a lifesaver and technically not really ever off duty, I think is the approach that most take.

I have certainly been a big advocate for volunteering for local community groups. I know that both the West Beach and Henley surf clubs are always looking for people to join in and to volunteer. Really, anybody can be a surf lifesaver. They come from all walks of life and in all shapes and sizes. There are many different jobs that can be done around a surf club. I certainly urge anybody who loves the beach, who loves our community, to think about getting involved and joining one of our local surf clubs.

With summer now just over, it is an opportunity and a time for us to reflect on the valuable role that our surf lifesaving clubs and volunteers play. I am more than happy to take this opportunity to put on record this house's sincere appreciation for the work Surf Life Saving SA do—the organisation as a whole as well as the surf lifesavers and volunteers across our coastal community.

I want to take the opportunity today to discuss the National Drowning Report that is compiled each year by Royal Life Saving Australia. Between 1 July 2018 and 30 June 2019, 276 people drowned across Australia in waterways. It was a slight increase on the previous year but still slightly lower than the 10-year average across our nation. In terms of the numbers, I think everybody here would accept that we are aiming for zero. We do not ever want to lose a life on our beaches or, in our waterways. From a water safety perspective, everything we do should be aimed at reducing that number.

There are some pretty compelling stats around water safety, and I just want to highlight a couple that were put forward in that report. It would probably surprise some members to know that 81 per cent of drownings are male. We had 14 drownings in South Australia last year, which was down by 13 per cent on the year before, and in part that is a testament to the work that our lifesavers do. It makes sense that the vast majority of drownings occur not only in the summer season but also on weekends, when our beaches are frequented at a higher rate than during the week.

From time to time, it has been a challenge to direct resources between beach drownings and inland waterway drownings. The statistics this year were practically equal in the number of drownings across each category, but there is always much more that we can do to try to protect and ensure that number reduces, both as a government and more broadly as a community and through our not-for-profit organisations, such as Surf Life Saving SA and Royal Life Saving South Australia. The government certainly has stepped up some way to contribute to reducing that number.

The Minister for Sport has already referenced the Surf Babies and Little Lifesavers programs, and the extension of the primary school-age Sports Vouchers program to cover swimming lessons is also a positive move in the direction of trying to achieve a lower total in terms of drownings in South Australia. We already have the VACSWIM program, which is incredibly important for those who do not necessarily have the opportunity to do regular swimming lessons but can take this on during the school vacation times.

Offering this program across both beach and pool provides great opportunities for those who are not necessarily accustomed to the challenges that come with swimming in the sea. The member for Finniss has already referenced rips and the like that are synonymous with his part of South Australia, but even for those within metropolitan South Australia there are particular areas that are sometimes more challenging. I know the member for Morphett would certainly reference the Glenelg

breakwater as being one of those. Everybody in this place has a responsibility to continue to provide opportunities for us to contribute to reducing the number of drownings.

I would like to take this opportunity to again thank the presidents of both surf clubs in my electorate—Peter Zuill at West Beach and Rae Lawson at Henley Beach—for their continued support of their surf clubs and their communities. Broader than that, I would like to thank the vast number of people who volunteer on the surf lifesaving club committees and contribute, in most circumstances, a huge portion of their time to those organisations.

The member for Finniss referenced the tin shed that the Goolwa Surf Life Saving Club had been using prior to entering their new facilities. That story is well ingrained in many of our surf clubs up and down the metropolitan coast and further abroad. The West Beach Surf Life Saving Club, in particular, paid homage to their tin shed roots by establishing a group called the Tin Shedders, who fundraise frequently for the surf club and have raised over \$100,000 for the West Beach Surf Life Saving Club over the past 10 years. When you hear the words 'Tin Shedders', it is synonymous with surf lifesaving in South Australia but, in particular, with the West Beach Surf Life Saving Club.

In conclusion, I would like to thank all those who work and volunteer with Surf Life Saving SA and its clubs and across coastal communities here in South Australia, in particular in the local western suburbs. It is an incredibly vital public service that they provide. While at times they can be overlooked and are not seen in quite the same vein as the emergency services, such as the SES, the CFS or the MFS, certainly in the eyes of many in this place their role is absolutely critical in ensuring the safety of South Australians. I think there is vast support within the broader community for the work that they do.

We would like to wish all surf lifesavers a very successful and safe remainder of the season, and we hope that they get the opportunity to enjoy and contribute, through their communities, across the coming months and years.

**Mr PATTERSON (Morphett) (12:33):** I want to take the opportunity in parliament today to acknowledge the tremendous efforts of Surf Life Saving South Australia, its clubs and also its volunteers. The mission of Surf Life Saving South Australia is to save lives, create great Australians and build better communities. I can certainly say that Surf Life Saving South Australia lives up to that mission.

In terms of South Australia, in their 2019 annual report Surf Life Saving South Australia noted that there are 21 surf lifesaving clubs here in South Australia. Those clubs patrol many of our metropolitan and also regional beaches—beautiful coastline—but they rely on volunteer surf lifesavers to keep those beaches safe. Of those patrolling members, in 2018-19 there were 2,435 patrolling members who, between them all, provided 77,218 patrol hours, which is a significant amount of volunteer time that is put into our South Australian community.

While they were patrolling, they performed 307 rescues, made 964 first aid treatments and also undertook 8,311 preventative actions for the year. They have done a terrific service for our beachgoers and South Australians and tourists alike. It is not just the patrolling lifesavers who make up these clubs; there are many other members of the clubs, with a combined total in South Australian surf lifesaving clubs of 8,755 members across all the clubs. Of those members, many of them are parents of our junior surf lifesavers. They get involved with the clubs, they take their kids along and introduce the nippers to the surf lifesaving program. In fact, there were 2,595 junior surf lifesavers last year.

It really is such a fantastic environment for those juniors. The great thing about surf lifesaving clubs is that they have older members ranging right down to the junior members, between 80 years plus down to seven years old, and there is also a great mix of male and female. It is a good way for the young ones to learn from their mentors with leadership from the older ones, and also to get comfortable dealing with males and females and being together going forward in terms of learning how to get on with the opposite sex.

The 2019-20 patrol season has been going for quite a while now. It started on Saturday 12 October 2019. Volunteers across all those surf lifesaving clubs patrol on weekends, both Saturday and Sunday, but also on public holidays over the summer months. The patrol season

will finish as we reach into Easter on 13 April. That is quite a significant number of months over the summer season when our beaches are patrolled and swimmers can safely swim between the red and yellow flags.

In the case of my electorate of Morphett, there is the Glenelg Surf Lifesaving Club sitting there on Glenelg Beach. Each weekend, they have two volunteer patrols on each of the Saturday and Sunday. One patrol patrols between 12 o'clock and 3 o'clock, while the other one takes over from 3 o'clock until 6 o'clock. Because it is such a busy beach, over the January period they do provide surveillance between 9 o'clock and 12 o'clock, so that means the beaches are effectively patrolled from 9 o'clock until 6 o'clock on weekends, and also, I should add, on public holidays. On Christmas Day there are surveillance patrols, and also on Boxing Day, New Year's Day and other weekends when there are festivals as well.

Glenelg is very busy. Of course, an example is the Blessing of the Waters when young Greek Orthodox men and women jump into the ocean and try to retrieve a cross. You would think that most of the swimmers who take part in that would go in there knowing that they could swim, but on occasions they do not realise how deep the waters can be and sometimes, in their endeavours to retrieve the cross, need the help of the surf lifesavers.

In terms of the surf lifesaving club at Glenelg, it has 11 patrol teams that operate diligently over these months. That takes in over 175 volunteers, so I cannot name every one of those volunteers individually, but it is worth acknowledging the patrol captains of these 11 patrols, including Grant Macauley, Neil Mangelsdorf, Jared Schenscher, Dave O'Shaughnessey, Lisa Harvey, Dan Everett, Lincoln Jeffrey, Shane Harris, Rick Woolford, Sarah Schenscher and, of course, the captain of the patrol team 4, of which both my wife and I are members, Fernando Camacho. We will be patrolling this public holiday Monday, which is Adelaide Cup Day, and keeping the beaches safe.

The Marshall Liberal government certainly recognises the importance of these surf lifesaving clubs. It has provided and delivered on a \$420,000 election commitment over the four years of the Marshall Liberal government leading to 2022, which means that each year each surf lifesaving club gets \$5,000 to put into front-line equipment to keep the beaches they are patrolling very safe. In addition to the government's support, the surf lifesaving clubs are well supported by many local organisations.

The Glenelg Surf Life Saving Club has received fantastic support recently from the Rotary Club of Somerton Park, who provided \$12,000 to go towards a new all-terrain vehicle (ATV), which is a fantastic support. It allows roving patrols to go up and down the beach and up to the groyne in the north parts of the Glenelg Beach and down south towards the Broadway kiosk. I really thank the Rotary Club of Somerton Park for that. They presented the ATV in front of over 100 nippers at one of their Saturday training sessions, and I think it is great for the nippers to see how well supported this fantastic volunteer organisation is.

The nippers are out on the beach most Saturdays, but they do not just turn up, of course. You need a very diligent junior committee that puts supports in place, and they are well and ably led by the chairperson of the junior committee of the Glenelg Surf Life Saving Club, Justin Ganley. They put in place terrific programs where the kids learn to be surf smart and have an awareness about them of safety on the beach via anything between swims, or wades, or beach flags and boards as well. It is important for the kids to get comfortable on the beach, not only at Glenelg but so they can then take those skills they learn to other beaches not only in South Australia but also in Australia.

If I could just mention briefly the Glenelg Beach itself, it looks quite benign. It seems very safe. Most times it is quite shallow but, unfortunately, there have been tragic drownings at this beach. Quite recently I think there were three drownings of quite young people at the northern part of the beach where the waters do get a bit treacherous around the groyne, so swimmers at Glenelg really do need to be careful. As I said, most of the water is shallow, but, as it gets closer to that groyne, the water has gouged out the sand underneath, and so the water can go from waist deep or chest deep to quite quickly going over your head, and that causes people concern.

Just in February there were two 20-year-old South Korean tourists, ladies who came along, saw the beautiful beach and thought they would go out there. They just waded out. They were not great swimmers, and suddenly, even though they were quite close to the jetty, they found themselves

in trouble. The waves just pushed them forward a bit and they found themselves in one of these troughs where the water had gouged out the sand. The water was over their heads, and they had to grab each other to try to stay afloat.

Luckily for them, there were five junior nippers training for the upcoming junior championships and they did a fantastic job. They quickly boarded out the 80 metres and surrounded these girls. They jumped off their boards, allowed those South Korean tourists to grab onto the boards and basically stay a float until the senior lifesavers could arrive.

I really commend those five juniors—Lachy Larven, Quinn Hammersley, Charlie Crowe, Angus Ganley and Astin Rouvray—for their terrific efforts. I quote Lachy, who said, 'We were in the middle of training and two girls started yelling and scheming. They were fully clothed and caught in a rip. I felt pretty proud of myself knowing we saved lives.' I commend those young nippers for their great efforts and for allowing those two South Korean tourists to go home to their families.

The junior chairman, Justin Ganley, who was in charge of training that night said that the club was extremely proud of these children who used their knowledge to assist in the rescue. Certainly the tourists were very happy. Once they had been settled down and brought safely to shore, they came up and gave hugs and a very sincere acknowledgment to those five surf lifesavers. I commend them for keeping our beaches safe, as I commend the Glenelg Surf Life Saving Club, and its president, Georgina Cole, for their diligent work in keeping our beaches safe in Glenelg.

**The Hon. S.C. MULLIGHAN (Lee) (12:44):** I rise to support this motion as well because I think it is important that this place's efforts to recognise the importance of our surf lifesaving clubs, and all those South Australians involved with our surf lifesaving clubs, continue.

I am in a relatively unique position of having two surf lifesaving clubs in my electorate. Both the Semaphore Surf Life Saving Club and the Grange Surf Life Saving Club in those respective suburbs are almost at each end of my electorate along the coast in the western suburbs. They are terrific clubs not just for the important work that they do; other speakers have spoken at some length about the task of protecting the community through their patrolling and lifesaving efforts.

However, far beyond that, I heard the member for Morphett make comments about clubs and how they involve young children as nippers in their clubs. For many young South Australians, becoming a nipper at a surf lifesaving club is often their first experience of organised sport and recreation activity. It is often an extension of the efforts that they have gone to and their parents and other caregivers have gone to to teach young children how to swim, and getting them out of a pool and into the surf, into the ocean, to further those skills is extremely important.

Beyond that young participation is of course the broader participation of how families continue to become involved in the surf lifesaving clubs. The two clubs in my electorate, both Semaphore and Grange, are renowned statewide for the extraordinary number of members and the extraordinary involvement of the local communities in their clubs. You do not have to talk very long to one of the parents who might be at a function or involved in one of the patrols or one of the other volunteer activities that occur at the clubs to hear the story, 'Well, we just moved into the area and we thought we would go down to the club.' Perhaps it was to have a coffee or a meal or perhaps it was to involve their child or children in the club's activities, and very quickly it is the parents who become involved as volunteers.

It is those volunteers who are the backbone of these clubs. In particular, I would like to mention a couple of names at Grange. Bob and Heather Thompson have an extraordinary record of commitment, volunteering their time, their efforts, their energy to continually take stewardship of key roles within the Grange Surf Life Saving Club. That is a wonderful thing. They leave a legacy that hundreds and hundreds of families in the western suburbs enjoy to this day: a strong, vibrant surf lifesaving club.

Grange is also renowned as the most successful surf lifesaving club when it comes to the competitions in which it participates. Grange presentation nights are really enjoyable and necessarily lengthy nights, such are the awards and such are the pennants, ribbons and other achievements that are won year on year by the Grange Surf Life Saving Club. They not only put a lot of effort into getting young kids, volunteers and families involved but also put a lot of effort into the competitions. Their

success speaks for itself, often, as I have spoken about previously in this place, to the great envy of some other surf lifesaving clubs around the state.

The Semaphore Surf Life Saving Club not only puts effort into competing but particularly puts effort into involvement in the local community. I want to mention a couple of people who, throughout my time as the member for Lee, have consistently been involved in the Semaphore Surf Life Saving Club. I am thinking of Neil Bisset, Patrick Hansen and Mick Kenny. These people have provided important commitment and leadership to that club over many years. They have all taken the opportunity to begin the process of handing over the reins to new leadership in that club. Paul Breden and Raelene Donnell are now taking on key leadership roles within that club to continue the work.

Of course, the Grange Surf Life Saving Club and the Semaphore Surf Life Saving Club have both benefited from recent redevelopments of their premises, which benefit not only the club members who rely on the facilities for the patrolling efforts and the volunteering activities but also the community activities that the clubs are involved with. The Grange Surf Life Saving Club underwent a very extensive redevelopment on a very tricky site.

If anyone does have the opportunity to be down at Grange, whether they are visiting the jetty there (also recently refurbished) or perhaps going to the Grange Hotel, then quite close by they will see the surf lifesaving club premises surrounded quite tightly by its neighbours. It is a stunning facility now—absolutely stunning—and quite rightly is in high demand, not just from people wanting to become involved in the club but also from people wanting to go down to the club for a cup of coffee or even a drink later in the day to enjoy the spectacular views from that club.

The Semaphore Surf Life Saving Club has undergone an extensive redevelopment as well. The developments at these two clubs, along with several others, including Henley, Chiton Rocks and the recently completed works to establish a premises and a facility at Goolwa, were made possible by the bringing forward of substantial funds under the former Labor government to fast-track the developments and the redevelopments of these club facilities. All of them are quite remarkable.

The Semaphore Surf Life Saving Club is a little bit different from some of the other developments, in that it is not an entirely new build. It was effectively a refit of the existing building. I am pleased to say that the City of Charles Sturt, the landlord of the premises there, also took the opportunity to contribute quite significantly to that redevelopment. They also took the opportunity—it must be two or three years ago now—to redevelop the recreation areas around the Semaphore Surf Life Saving Club at Point Malcolm Reserve.

When the weather is good, which is often, of course, down by the beach in metropolitan Adelaide, the Point Malcolm Reserve and the Semaphore Surf Life Saving Club are absolutely bursting at the seams. Council bashing has become a recent fashion in South Australia, but I think that work and those projects that the City of Charles Sturt has been involved in show some of the important works that a good, hardworking council can contribute to.

The Semaphore Surf Life Saving Club also has a great reputation in the local community for serving meals—very affordable meals—for the local community, particularly on Thursday and Friday nights. It is also a terrific venue for functions and has become a much sought-after venue since its redevelopment. I am sure it is not the principal aim of government-funded projects to enable the commercialisation of these surf lifesaving clubs, but it does have a significant benefit, and for the Semaphore Surf Life Saving Club to be able to host functions like weddings, as it does almost every weekend of the year and also sometimes on other days, provides an important income stream that helps that surf lifesaving club to continue its services in the community and, most importantly, expand its services into the community.

We all know that the trends for drownings and other water rescues continue to increase. Particularly in Adelaide, we have experienced some members of some migrant communities getting into trouble when it comes to trying the water for the first time. Indeed, as the former transport minister, I worked closely with the member for Morphett when he was the mayor of the City of Holdfast Bay to try to introduce measures to reduce the risk of that happening. When you see Semaphore Surf Life Saving Club, as well as all the other surf lifesaving clubs, go to the effort of expanding their activities throughout the community, they are doing a great job of protecting South Australians.



**Mr BASHAM (Finniss) (12:54):** I would like to thank the members for Lee, Reynell, Morphett and Colton and the minister for their contributions towards this motion. It does point out the importance of the surf lifesaving clubs themselves, their volunteers and the efforts they commit to their communities.

Reflecting on some of the things that have been said, it intrigued me when the minister mentioned that one of his clubs has a road in front of it, and it made me think about one of the clubs in my electorate, Chiton Rocks, which has a railway line in front of it. They actually have to manage getting their gear across the railway line, making sure they avoid the SteamRanger train as it goes through and that they are not impeded in getting whatever they need to the beach in an emergency.

The club have also seen it as an opportunity. They are currently in discussions with SteamRanger and negotiating for a platform to be built at the Chiton Rocks station so that they can have the train stop there and tourists can hop off, go and have a meal or a drink at the Chiton Rocks Surf Lifesaving Club, go and have a swim at the beach and then get back on the train and go back to wherever they came from. It is great to see that initiative and their trying to link in to that service.

That then made me think about that train line. That train line is actually an extension of the original train line built in 1854 between Goolwa and Port Elliot, the first public railway built in the Southern Hemisphere. That was built to bring goods from the River Murray across to Port Elliot to then be shipped to the rest of the world. That then brings me to the next connection: the *Flying Fish*, which is the name of the boat after which the Port Elliot club has chosen to name all its surfboats.

There was a potentially tragic incident—it was not tragic in the end—when nine sailors were on the *Flying Fish* during a storm in December 1860 and the boat was being washed up towards the rocks at the northern end of Horseshoe Bay. Luckily, a local resident—the town had only 250 people at the time—by the name of Agen Dent had learnt to swim, which was a bit unusual in those days. He had actually been taught how to swim by the local Ramindjeri people and he felt confident enough in his ability to go out and assist those nine on the *Flying Fish*.

He tied a fishing line around his waist, tied the other end to a heavy rope, swam out to the boat and was able to rescue all nine sailors on that boat.

That was probably the first act of lifesaving that occurred, back in Horseshoe Bay in 1860, well before the establishment of the club itself. The club has very much embraced that history, recognising the heroics of Agen and naming its surfboats after the *Flying Fish*, from which those people were rescued at the time.

It shows that we have had an enormous change, from a population of very few people knowing how to swim back then to much of our community now knowing how to swim. We see that people are taking up and enjoying that opportunity. The fact that we also have 22 wonderful surf clubs around South Australia taking advantage of that makes it much safer when you choose to swim in those patrolled areas.

So thank you very much to the volunteers in the surf lifesaving community and thank you very much to the clubs. Thank you also to those who have spoken on this motion, and I would like to commend the motion to the house.

Motion carried.

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

*Address in Reply*

#### **ADDRESS IN REPLY**

**The SPEAKER:** Before I call for petitions, I would like to give members advance notice that I have been informed that Her Excellency Professor Brenda Wilson AM, the Governor's Deputy, will receive the house at 4pm tomorrow for the presentation of the Address in Reply, and all members are invited to attend.

*The Hon. S.K. Knoll interjecting:*

**The SPEAKER:** I believe so.

*Petitions***THE PINES PRIMARY SCHOOL SAFETY FENCE**

**Mr BROWN (Playford):** Presented a petition signed by 256 residents of South Australia requesting the house to urge the government to make a reasonable contribution to assist with the funding of a safety fence to ensure a better outdoor learning and play space for students at The Pines Primary School, Parafield Gardens.

*Parliamentary Committees***LEGISLATIVE REVIEW COMMITTEE**

**Mr TEAGUE (Heysen) (14:02):** I bring up the second report of the committee, entitled Subordinate Legislation.

Report received.

*Question Time***CORONAVIRUS**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:02):** My question is to the Premier. Can the Premier please advise the house regarding the wellbeing of the woman who has recently contracted coronavirus in South Australia and assure the house that she is getting the best care that our great state can afford her?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:03):** I thank the Leader of the Opposition for his question. As of 6 o'clock this morning, at my phone hook-up with the health minister he advised that there are in fact no people living with the coronavirus here in South Australia. The three people who had previously contracted that disease had been discharged from hospital and were back living in the community. Unfortunately, later this morning I received confirmation from the Chief Public Health Officer that there had been another confirmed case from a positive pathology test for coronavirus in South Australia, a 40-year-old woman who had her test yesterday. The result was received today.

I want to assure the house that we are taking every step possible to keep the people of South Australia free from the coronavirus in South Australia. I am particularly pleased at the level of testing and the speed of the results that are coming back. I am informed by the Chief Public Health Officer that the Communicable Disease Control Branch are currently interviewing this woman, trying to understand exactly and precisely who she has come into contact with since arriving in Australia on 1 March. She came to Adelaide via Malaysia, I am informed. She started her journey from Iran. My understanding is that she came via Kuala Lumpur and then to Adelaide, arriving on 1 March.

As people would be aware, the federal government has put a travel ban in place with regard to Iran. This is because of significant concern that the federal government and the Chief Medical Officer for Australia, Dr Brendan Murphy, have regarding the outbreak and the lack of control of that outbreak in Iran. So that travel ban obviously continues to remain in force.

We don't have details yet of who this woman has come into contact with. We are in the process of ascertaining that information, but we make it clear that if people did arrive in Australia via Malaysia on 1 March they should think about their health, see whether they are exhibiting any symptoms whatsoever and, if they are, to self-isolate and seek assistance from the Communicable Diseases Control Branch in South Australia as quickly as possible.

This woman travelled to South Australia with her infant child. I understand that the Chief Public Health Officer is now making arrangements following the interview to determine the best place to isolate this mother and child, having concern for the wellbeing of both the patient and her infant child. That is the information that is received to hand. I expect that there will be further statements from the Chief Public Health Officer later today.

We wanted to bring this matter to the attention of the people of South Australia and the parliament as quickly as possible. I think that we need to continue to follow the advice from the Chief Public Health Officer to remain alert but not alarmed. This is another example of where, because of the excellent testing regime we have here in South Australia, which I am informed is the best in the

country, we have been able to identify somebody living with this, act promptly and, if you like, contain the spread of the virus as quickly as possible.

We know that there is growing global concern with regard to the outbreak of this disease, and I want to assure the house that we are doing everything possible to minimise the effects both in terms of the health of the state and the economy, and we are taking all of those necessary steps.

#### STATE FINAL DEMAND

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07):** My question is to the Premier again. Does the Premier still believe that two consecutive quarters of negative growth in state final demand constitute a recession?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07):** I thank the Leader of the Opposition for his question. I think he is referring to state final demand figures that came out today. I've got to be clear, I haven't gone through those—

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

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

**The Hon. S.S. MARSHALL:** —in detail. I think most people would appreciate that there has been another pressing issue for us as of today. But the Leader of the Opposition is right: there are very significant headwinds economically both here—

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

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

**The Hon. S.S. MARSHALL:** —in South Australia and more broadly—

*Mr Picton interjecting:*

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

**The Hon. S.S. MARSHALL:** —around Australia and globally at the moment. Just a cursory glance at those state final demand figures that came out today shows that South Australia had a 0.1 per cent contraction in the December quarter last year. I note that that is a smaller contraction than has occurred in Victoria or Queensland and significantly lower than has occurred in Tasmania.

I think we have been very clear that there has been a slowdown in the Australian and the global economy through 2019. This accelerated further in the December quarter, and we are not immune from it here in South Australia.

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe interjects.

**The Hon. S.S. MARSHALL:** We do face significant headwinds, and that's why we are doing everything we can to make sure that we keep our economy strong. Yesterday, I provided the house with an update with regard to my cause for optimism going forward. However, the effects of the coronavirus and the bushfire recovery are going to have an effect. That is a fact. It had an effect in the December quarter and it's also going to have an effect in the March quarter of this year.

There are a number of issues. I haven't gone through final state final demand figures in a great level of detail, but there were a number of issues which specifically affected us in that December quarter. We know that the first of the fires began in the December quarter last year. In fact, the Kangaroo Island fire began on 13 December last year. There were many issues which I think helped to slow the South Australian economy and, more broadly, around Australia. We will be focused on doing everything we can to minimise the effects of the slowing economy to make sure that we can maintain jobs and continue to do everything we can to support optimism in this state.

#### STATE FINAL DEMAND

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10):** My question is to the Premier. Can the Premier explain why state final demand contracted for calendar year 2019 in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10):** My understanding is that the trend figures stayed exactly the same. I agree with the Leader of the Opposition in his assertion that this is unacceptable, and it's one of the reasons why we have put our Growth State plan in place. Last year, when we look at the circumstances that affected us, they were many and varied.

If we look at last financial year's results, for example, we see economic growth in metropolitan Adelaide at 3.2 per cent, which was actually above Australia at 1.9 per cent, but then, when we look at regional and rural South Australia, we see a contraction—a very significant contraction in some regional and rural communities in South Australia. It's one of the reasons why we believe unequivocally that we've got to be working hard every single day to broaden our economy and our resilience in regional South Australia.

With dry and drought conditions now affecting up to 70 per cent of regional and rural South Australia, there are some dire situations. Most recently, I have travelled to some of the areas that have been most adversely affected last year. I travelled to Cleve. I travelled to Hawker, Orroroo and Marree. I was joined by the Minister for Energy and Mining in South Australia, and I also met with the member for Flinders when I was over on the Upper Eyre Peninsula. It is fair to say that some of those communities have not just had drought for one season or two seasons, some of them are now in very significant conditions where they have had to destock and they have had to sell assets, and people in regional and rural South Australia have been doing it hard.

So the Leader of the Opposition asks the question can I explain the reason for the flat state final demand over 2019. Dry and drought conditions is certainly one of those, but we cannot remain immune from what is happening around the rest of Australia. I think it's pretty evident to anybody who picks up a paper or watches the television news that Australia has been in a contracting situation for a period of time and therefore we have seen movements made by the federal government and also by the Reserve Bank of Australia.

In fact, we had multiple official interest rate reductions last year with the Reserve Bank doing what they can to stimulate economic activity. We had tax cuts at the federal level and we had increased infrastructure spending at the federal level, and we did exactly the same—

*Mr Brown interjecting:*

**The SPEAKER:** Order, member for Playford!

**The Hon. S.S. MARSHALL:** —at the state level looking at our taxation rates and also looking at our infrastructure expenditure. We were criticised by those opposite when we decided to borrow more money to invest in productive infrastructure in South Australia, and people opposite were saying this was outrageous, that we shouldn't be putting the government into further debt. But we think on this side of the house that this is a good time for the state to be investing in productive infrastructure. It's countercyclical with the private sector at the moment—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —so we are not taking finite resources away from the private sector. It's a good utilisation of those finite resources whilst there are flat conditions in the private sector for us to be investing. Moreover, I make the point that interest rates—

**Mr Brown:** Not flat—they've gone backwards.

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

**The Hon. S.S. MARSHALL:** —are at a historic low here, certainly in my lifetime. The official rate yesterday that came out was at 0.5 of a per cent. I don't know how many people in this chamber can remember any time when the official rate in Australia has been at 0.5 per cent. If you believe the speculation in the media today, there are further interest rates coming. We are in unprecedented times in Australia at the moment, and globally, and we are taking the necessary action to do everything we can to have cause for optimism into the future.

*Parliamentary Procedure***VISITORS**

**The SPEAKER:** Before I go to the member for Colton, I welcome to parliament today the Hon. Mario Feleppa, a distinguished member of the other place once upon a time. Welcome to parliament today.

*Question Time***COST REDUCTIONS**

**Mr COWDREY (Colton) (14:14):** My question is to the Premier. Can the Premier update the house on how the Marshall Liberal government is lowering costs for South Australians?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14):** I thank the—

*Mr Brown interjecting:*

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

**The Hon. S.S. MARSHALL:** I thank the member for Colton for his excellent question. He raises the question of costs. We said very clearly that we had a strong plan for real change when we went to the election. One key component of that was lower costs, lower costs for families, individuals and businesses—

*The Hon. S.K. Knoll interjecting:*

**The SPEAKER:** Minister for Transport!

**The Hon. S.S. MARSHALL:** —in South Australia, and ever since we came to government—

*Mr Szakacs interjecting:*

**The SPEAKER:** Member for Cheltenham!

**The Hon. S.S. MARSHALL:** —that's exactly and precisely what we have been doing: lowering costs to make sure that we could maximise the economic activity and the job creation—

*Mr Hughes interjecting:*

**The SPEAKER:** Member for Giles!

**The Hon. S.S. MARSHALL:** —in South Australia. One of the major areas that we have put in place—

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader is warned.

**The Hon. S.S. MARSHALL:** —is to make sure that we can put more money back into the pockets of ordinary South Australians with the restoration of the rebate on the emergency services levy in South Australia. We know this is a massive economic stimulus in South Australia and without it the situation that we are in at the moment—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** —would be considerably worse than it is at the moment. We have also worked hard to put policies in place, some of them taking immediate effect, some of them longer term, in terms of putting downward pressure on energy prices in South Australia. I must say that in the last year of the former government, sir—and I know you allow a bit of compare and contrast—there was a \$268 increase in household electricity bills. I don't know how people could actually cope with that. Since we have come to government, there has been a \$62 decrease.

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

**The SPEAKER:** Member for Lee!

**The Hon. S.S. MARSHALL:** It is heading in the right direction and personally—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —I know that this has been very, very much appreciated.

*Members interjecting:*

**The SPEAKER:** Premier, please be seated for one moment. The member for Playford has been on two warnings for a little while. If he keeps interjecting, he can leave for the remainder of question time under 137A. Thank you.

**The Hon. S.S. MARSHALL:** So putting downward pressure on energy prices is extraordinarily important.

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

**The Hon. S.S. MARSHALL:** People told us in the lead-up to the last election—

**The SPEAKER:** You are not leaving? I have asked you to leave.

**Mr Brown:** You said 'if', sir.

**The SPEAKER:** Okay, you are on your last warning. If you keep doing it, you are going.

**The Hon. S.S. MARSHALL:** As I was saying, in the lead-up to the last election the people of South Australia told us that they wanted us to lower their costs. Energy was something that was really putting massive pressure onto household bills. People were finding it difficult to make ends meet. That is why I am very pleased that not only has there been some immediate relief but there is more relief on the way. I want to commend the Minister for Energy and Mining in South Australia for taking a sensible approach to look at every single component of what we are doing and put sensible, practical and non-ideological solutions into place to put on further downward pressure.

Of course, we also said that we would undo the rort that had been inflicted upon the people of South Australia over an extended period of time with the artificial inflation of the regulated asset base for SA Water. I note today that the ESCOSA commissioner has come out with his interim determination and we will see a final determination for water prices in South Australia to take effect from 1 July. The good news, the very good news for households, individuals and businesses in South Australia, is that as of 1 July there will be a very significant decrease in water prices. So we are bringing down energy prices, we are bringing down water prices, we have halved the emergency services levy and we have actually removed payroll tax—

*Mr Szakacs interjecting:*

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

**The Hon. S.S. MARSHALL:** —on all small business in South Australia, the engine room of the South Australian economy. Previously, the threshold for paying payroll tax in South Australia was just \$600,000. Now in South Australia, if you have a business with a payroll of up to \$1.5 million you pay no payroll tax in South Australia. We make all these decisions based upon what it will take to stimulate economic activity. We appreciate that there are very strong economic winds at the moment, but we will continue to make decisions in the best interests of all South Australians to stimulate economic activity—

*Ms Stinson interjecting:*

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

**The Hon. S.S. MARSHALL:** —to create more jobs and to keep more young South Australians here in our state.

**STATE ECONOMY**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is indeed to the Premier. Does the Premier accept any responsibility for the fact that the state's economy has gone backwards since his government's election in March 2018?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18):** For starters, I don't believe for one second that anybody in this state thinks it's gone backwards. I have read some of the spurious information put out by the Labor Party dream machine over there. Quite frankly, it deserves a greater level of scrutiny—

*Ms Stinson interjecting:*

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

**The Hon. S.S. MARSHALL:** —than is provided obviously coming out of the Australian Labor Party at the moment. I don't think people really believe a single solitary word—

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

**The SPEAKER:** The member for Lee is on two warnings.

**The Hon. S.S. MARSHALL:** —that comes out of the Twitter feed from those opposite. What they are concerned about is the spin, not the substance. I think most South Australians believe unequivocally that Australia—

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader continues to interject. He is warned for a second and final time.

**The Hon. A. KOUTSANTONIS:** Point of order: the Premier is debating constantly, sir.

*An honourable member interjecting:*

**The SPEAKER:** Wait. You are warned for a second and final time. The member for West Torrens has a point of order.

**The Hon. A. KOUTSANTONIS:** Yes, sir. The Premier is inducing—

**Mr Pederick:** Really? Twenty-three years, Tom.

**The SPEAKER:** Member for Hammond, you are warned. The point of order is?

**The Hon. A. KOUTSANTONIS:** Sir, the Premier, with his debate, is inciting the opposition to interject.

**The SPEAKER:** Provoking the opposition is definitely a bogus point of order. I will tell you how I am going to deal with this. I have the question: does the Premier accept responsibility (the way I caught it, leader) for the economy going backwards? Arguably, that contains some argument. In the spirit of a productive question time, I allowed the question to go, so I am going to give the Premier some scope. I assure the member for West Torrens that if he oversteps the mark I will pull the Premier back into line, but at the moment he has the call and I would like to hear his answer.

**The Hon. S.S. MARSHALL:** Thank you very much. As I was saying, sir, I don't accept for one second that South Australia has gone backwards. In fact South Australia, facing some significant headwinds, is moving forward. It is patchy, there is no doubt about that, and we are the first to admit it. With the answers that I have already provided to the house, both today and in previous question times, people should be in no uncertain terms about the level of stress that is felt by people in regional and remote South Australia with the dry and drought conditions.

So things are very tough. They are tough in terms of weather conditions in South Australia and they are tough in terms of what is happening in the national and global economy. That is why we are doing everything we possibly can to lower costs on businesses and households, to stimulate economic activity and to look at those sectors that exist within our Growth State so that we can invest into those to create as many jobs as we possibly can. There are some very green shoots that are emerging in South Australia. Only the week before last, we had the Prime Minister here in Adelaide opening the new space—

*Dr Close interjecting:*

**The SPEAKER:** Deputy leader!

**The Hon. S.S. MARSHALL:** —headquarters in South Australia. Later this year we should have the Mission Control and then later again the Space Discovery Centre opening in South Australia. I think these are great opportunities. When we look at some of these fast-growing sectors—

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

**The SPEAKER:** Member for Mawson!

**The Hon. S.S. MARSHALL:** —that exist in Australia and more broadly around the globe, we are investing in these areas to make sure we can create some real forward movement in these areas. I was very impressed recently when I looked at some of the key statistics for South Australia, particularly the statistic which existed for the net interstate migration. If there is ever a measure of the confidence of the next generation in South Australia and the policies of the government, you don't need to look any further than the net interstate migration. This is the measure of the difference between those people who are leaving South Australia and those who are coming back in.

I know you allow some compare and contrast, and for this purpose I will point out that under the previous government, under the previous regime for years in the lead-up to the election, we had increasing numbers of people leaving this state: 4,000, 5,000, 6,000, 7,000; we were heading towards 8,000 net—not gross, net—the difference between those leaving and those coming back in. If ever there was an indicator of people giving up hope for the future of South Australia under the previous regime, that was it.

I am happy to report to this house that since coming to government less than two years ago we have seen that net interstate migration figure plummet. In fact, it is now down to below 4,000, approximately half what it was under the previous regime. Are we satisfied on this side of the house? No, absolutely not. We know that there is much, much more work that needs to be done and that is why we are focused on delivering for this state. We want to get that number back to zero, and as soon as we get it back to zero we want to have a positive migration here to South Australia. That is our focus, that is our objective, and we will not move away from that objective any time we are on the treasury bench.

#### EMPLOYMENT FIGURES

**The Hon. S.C. MULLIGHAN (Lee) (14:23):** Can the Premier explain why employment growth has slowed under his government?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23):** You've got to go through this slowly and deliberately over an extended period of time. You never know whether it is absolute—

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

**The SPEAKER:** Could the Premier please resume his seat. I have a point of order. It is early on, but I will hear the point of order.

**The Hon. S.C. MULLIGHAN:** This is plainly debate, reflecting on the question rather than providing an answer.

**The SPEAKER:** I have the point of order. Premier, be seated for one moment. I have the question. I allow every member some preamble. It is a pretty specific question and I expect the Premier to get to the point relatively quickly, but I will listen carefully.

**The Hon. S.S. MARSHALL:** I refer the honourable member to my previous answers.

#### EMPLOYMENT FIGURES

**The Hon. S.C. MULLIGHAN (Lee) (14:24):** Can the Premier think of no reason why employment growth has slowed under his government?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:24):** It's not a matter of thinking. I have actually outlined—



*Members interjecting:*

**The SPEAKER:** Member for Playford, goodbye for 38 minutes under 137A.

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

**The Hon. S.S. MARSHALL:** I have actually presented comprehensively, since question time began today, the facts. These are not just thought bubbles like the opposition had when they were back in government: these are facts. Can those opposite deny—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —that there is a slowing in the national economy? Can those opposite deny that there is actually a slowing of the global economy? Can those opposite—

**The Hon. A. KOUTSANTONIS:** Point of order: whenever the Premier mentions the opposition, it is debate.

**The SPEAKER:** I have the point of order. Could I ask the lady in the gallery to please take a seat, thank you. I was distracted. I am listening to the Premier. Premier, please come back to the substance of the question.

**The Hon. S.S. MARSHALL:** I am just making the point that there are significant headwinds, and it's very difficult for those opposite to argue in any form that there are not significant headwinds which are facing South Australian employment and the South Australian economy. Governments are elected to optimise the position of the state relative to whatever conditions we as a state might find ourselves in. We are not immune. We do not operate in a bubble.

If we look at the start of this year, South Australia has been hit by further very significant impacts—impacts of the fires here in South Australia, impacts of the coronavirus. We still don't know the full effects of the coronavirus here on the South Australian economy or more broadly on the national economy. We know that the federal government is now considering economic stimulus in Australia due to the coronavirus. We saw yesterday the Reserve Bank governor and the Reserve Bank board reaching a decision to further lower official interest rates. This is in response to not what is occurring here in South Australia but what is occurring in the country and what is going to be happening around the world as we deal with these difficult and tricky issues.

But my assurance to the people of South Australia is that we will always put them first and foremost in our thoughts. This next budget, which is coming up, is going to be a tough budget. Those opposite would like to criticise us for further debt in South Australia.

**The Hon. A. KOUTSANTONIS:** On a point of order, the Premier just said: pointing out the levels of debt by the opposition. That is debate, sir, clearly.

**The SPEAKER:** I have the point of order. I believe the question was about 'no reason why' the economy may have slowed. I have given the Premier some opportunity to warm up. I will listen carefully, but I will ask him to respectfully come back to the substance of the question.

**The Hon. S.S. MARSHALL:** What I hope I have conveyed to the parliament today are comprehensive reasons why there has been a slowing economy here in South Australia, and more broadly across Australia, and some of the issues which are going to confront us in the future. We can't bury our head in the sand. We can't think that we are going to be immune from what is actually occurring, what has occurred and what is going to continue to occur, but what we can do is make sure that we are putting the strategies and the tactics in place as quickly as possible.

This next budget is going to be a very important budget for our state, making sure that we can optimise the situation that our state performs relative to the conditions that we are currently operating in. Thank you for the opportunity to again outline to the house some of the issues confronting our economy. We look forward to providing the house with further details regarding our response in the coming weeks and months.

**The SPEAKER:** That was the sixth question, so we are moving to the member for MacKillop and then the member for Lee.

**ENERGY PRICES**

**Mr McBRIDE (MacKillop) (14:28):** My question is to the Minister for Energy and Mining. Can the minister update the house on how the Marshall Liberal government is lowering energy costs for all South Australians?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:29):** Thank you to the member for MacKillop for this very important question. Yes, we are working very hard to reduce costs. We have a firm commitment: reduced costs, better services, more jobs. With regard to how we are reducing energy costs, the question about reduction in energy costs can really only be answered if you look at where we have come from.

As the Premier has already said, in the last year of the former government's term in office electricity prices went up \$268 for the average household in South Australia. In fact, for the last two years of the former government's time in office electricity prices went up \$477 on average per household—an absolutely disgraceful performance.

Not surprisingly, we have that as a key effort. We are not satisfied yet with what we have achieved, but of course we are very pleased that under a Marshall Liberal government energy prices have started to come down. We do this very clearly, with firm and non-philosophical practical policies, in partnership with industry. We know that we are trying to set a framework within which industry will be encouraged to support all South Australians. That is exactly what is happening. While those opposite—

**The Hon. A. KOUTSANTONIS:** Point of order: referencing those opposite is debate, sir.

**The SPEAKER:** I do not uphold the point of order.

**The Hon. A. KOUTSANTONIS:** Okay, sure.

**The SPEAKER:** I am trying to be fair and consistent in my ruling here. I have had regard to other Speakers who have ruled accordingly, and in a consistent practice that I have referred to from time to time there is a bit of a theme. I reiterate that theme. I do not accept that point of order.

**The Hon. D.C. VAN HOLST PELLEKAAN:** With respect, what I was about to say was that, while those opposite are talking among themselves, I think it's very important that everybody in this house is aware of the fact—

**The Hon. A. KOUTSANTONIS:** Point of order: personal reflections on members. Would you uphold that, sir?

**The SPEAKER:** The minister did not identify any person in particular, but what I ask the minister to do is to please get on with it.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Mr Speaker, I will assist you the very best I can. It is not only our government that is saying that electricity prices are going down: it is the ASX forward contracts.

**Mr Hughes:** It would have happened anyway.

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

**The Hon. D.C. VAN HOLST PELLEKAAN:** It would have, but it didn't. It is ESCOSA that is saying that electricity prices are going down. It is also the AER, the Australian Energy Regulator, saying that electricity prices are going down. We are doing the job that we said that we would do. Are we satisfied with what we have achieved yet? No, of course not, but under the Marshall Liberal government the tide has turned.

Very interestingly—and I hope nobody in this chamber takes offence at this—when I was a shadow minister there was a person who used to be quite prominent with regard to energy policy in this chamber who used to say that the ASX forward contract prices always actually turned out in reality to be lower when the time came round than they were predicted to be. I am encouraged by that person's comments because from that we can assume that the downward trend we are seeing in ASX forward contract prices will actually eventuate in even lower costs for South Australians.

That is what we are focused on: getting the cost of living down in every way possible, as low as possible for all South Australians. We are focused on this in many ways, including electricity costs, including energy costs more broadly. From the smallest household to the largest employer in this state, we are going to get cheaper electricity for them.

*The Hon. A. Koutsantonis interjecting:*

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

### ELECTRICITY COSTS

**Mr BELL (Mount Gambier) (14:33):** My question is to the Minister for Energy. Is the minister aware that AEMO is passing a \$93 million additional cost on to South Australian power users due to the failure of the interconnector between Victoria and South Australia, and what would the minister say to two businesses in Mount Gambier that are facing a combined increase in power costs of \$1.4 million next year?

**Ms Cook:** They would say prices are coming down.

**The SPEAKER:** The member for Hurtle Vale is called to order.

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:34):** The member for Mount Gambier asked a very important question. Am I aware? Yes. Am I aware exactly the way he stated it? No, because my understanding is that not the entire amount will be passed on, but I am certainly well aware of this. What would I say to two businesses in his electorate who are facing this cost? I would say to them that we need an interconnector between South Australia and New South Wales. We need the interconnector, which those opposite promised to deliver. We need the interconnector, which we are doing everything possible to deliver because if we had had that interconnector in place we would not have had these problems.

For the benefit of the member for Mount Gambier, in that genuine question he asked, there was weather damage in Victoria on 31 January which knocked out some transmission lines in Victoria and which meant that, not entirely but broadly speaking, we were cut off from Victoria, as was the Mortlake power station in Victoria and the aluminium smelter in Portland.

We, in partnership with industry and the regulatory bodies, found a way to support them, so South Australia looked after its own needs plus supported the Portland aluminium smelter, thus saving 3,000 jobs. Victorians have said to me that if we had not done that they would have lost 3,000 jobs and the smelter would have solidified and would not have been repaired and reopened. We do the very best we can to make sure we protect South Australians first and then help our neighbours—a very important principle.

Of course, during that time, while we were what is called 'islanded', AEMO had to require some generators to operate when they would not actually have chosen to do so for commercial reasons. The cost of that forced operation is estimated to be \$93 million—\$93 million that could have been avoided if we had that interconnector in place already, as those opposite said they would do years and years ago and as those opposite said they believed was an important thing to do until only about three years ago, when we said it was important. When we said it was important, they said it wasn't important.

The important question that you raise, member for Mount Gambier, is: could we have avoided those costs? Yes. Did we avoid them? No. But guess what we did do? We managed to operate, essentially as a cut-off, islanded state for two weeks without any blackouts. We all know that as electricity prices rose and rose over the last few years of the previous Labor government, so did the number of blackouts.

We also know that last summer was the first one for years that we did not have any load shedding in South Australia. We know that so far this summer we have not had any forced load shedding in South Australia. Do I rest on that? No, of course not. Every day, I worry about the prospect of how best to deal with the mess that we have been left with regard to energy. It could happen tomorrow; it could happen the next day. I never, ever take this for granted.

Let me tell you that so far, in the last two years since the member for Dunstan became Premier and since we came into government, we have gone through two summers without any forced load shedding. That is a record.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** That is a record I will compare to my predecessor's any time—

*The Hon. A. Koutsantonis interjecting:*

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

**The Hon. D.C. VAN HOLST PELLEKAAN:** —and simultaneously the cost of electricity is going down.

*Members interjecting:*

**The SPEAKER:** The member for Lee was on two warnings and interjected. He has the call.

**The Hon. S.C. Mullighan:** The member for Florey was on her feet, sir.

**The SPEAKER:** You are not seeking the call? The member for Florey.

#### FRUIT FLY

**Ms BEDFORD (Florey) (14:38):** My question is to the Minister for Primary Industries and Regional Development. Are you now in the position to inform the house if you or anyone from any of your offices or your department have waived any fines or have any knowledge of any fines being waived in relation to the new regime for fruit fly zero tolerance?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:38):** I thank the member for Florey for her question and, yes, I have asked a few questions as to just what the impact has been. What I might say is that the zero tolerance approach has been implemented. It was implemented on 4 January 2019, and what we have seen since then has been a remarkable change. The support to the horticulture industry here in South Australia has been met with applause.

We have seen the implementation of the zero tolerance approach and, yes, people coming into South Australia through Yamba and people coming through random roadblocks have been met by biosecurity officers. Those who are bringing fruit in illegally have been given fines. Those who have been let off have had dockets, and those with receipts of fruit purchased have been given consideration and those people have been let go.

What I must say is that the amount of host material seized at Yamba for 2018, before the zero tolerance, was 27 tonnes. That is more than a semitrailer load of fruit that was confiscated at the border. Since the zero tolerance has come into play here in South Australia, we have reduced that to 13 tonnes. That shows you that the zero tolerance is working. That shows you that people are now more considered coming into South Australia, bringing in host materials and putting the horticulture industry at risk.

What I would say is that the zero tolerance approach is working and will continue to work. But what I am alarmed about is particularly the member—

**The SPEAKER:** Could the minister be seated for one moment. Point of order.

**The Hon. S.C. MULLIGHAN:** The question was specifically about fines that may have been waived.

**The SPEAKER:** I have the question. I am listening to the minister's answer and, if he is starting to drift, minister, I would advise you to come back to the substance of the question. But I will listen carefully.

**The Hon. T.J. WHETSTONE:** Thank you, sir, and I am sure that the member for Lee has never bitten into a peach and had maggots because that is what happens when we have fruit fly infested fruit.

**The SPEAKER:** That may be so, minister, but that is irrelevant. That is completely irrelevant and a personal reflection, so I ask you to come back to the substance of the question, please.

**The Hon. T.J. WHETSTONE:** What I can say to the member for Florey is that this government is being reactive, it is being proactive and we are dealing with the issue that you raised. To date, 146 roadblock fines have been waived out of 2,223 requests for review. My office has not waived any fines. The department of biosecurity is the authority to assess and waive those fines.

But what I can say is that the zero tolerance approach is working. It is further protecting the \$1.28 billion horticulture industry. We are being proactive; we are not being reactive. In a previous regime, we continue to pick up the pieces after a fruit fly outbreak. A declared outbreak means job losses and reputational damage. What it means now is that we can get on with exporting our fruit and we can protect our horticulture industry. Currently, every time there is a biosecurity breach with Queensland fruit fly it is costing taxpayers millions of dollars.

We are making sure that we do everything we can as a government to negate the pressure at our borders, making sure that we look after our horticulture sector and making sure that South Australia's reputation of being fruit fly free is upheld. I am very, very proud to say that as a government we continue to strengthen our borders, to strengthen our biosecurity here in South Australia, and that we are relentless with making sure that people don't bring fruit into South Australia.

#### FRUIT FLY

**Ms BEDFORD (Florey) (14:42):** Supplementary: minister, does that mean I should have written to the office of biosecurity rather than you when I drew your attention to my constituent who went to Yamba with a docket? What was different with her docket to the docket where the fine was waived? You have just said a docket fine was waived, so I am not sure how that docket is more superior to my constituent's docket.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:43):** To the member for Florey, I am very happy to look further into that, but the relevant docket would be for the purchase of that fruit—

**Ms Bedford:** It was.

**The Hon. T.J. WHETSTONE:** —that was purchased in South Australia. So if the purchase is made in South Australia, with a docket of proof of receipt for that fruit, then it is used as a defence at the border or it is used as a defence at the random roadblock. What I would say is that the biosecurity officers, as I understand it, would wave through any person bringing fruit into South Australia or into the fruit fly free areas of the Riverland with a docket and they would not receive an on-the-spot fine. If they did receive a fine, I am very happy to look at that and sit with you to work a way through that. But I have not heard of any dockets that have been produced and then a fine being issued upon the issue of that receipt.

**Ms BEDFORD:** If I may ask a second supplementary, Mr Speaker—

**The SPEAKER:** Final question, member for Florey.

#### FRUIT FLY

**Ms BEDFORD (Florey) (14:43):** So I should have written to the office of biosecurity rather than to you?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:44):** I am the minister responsible for biosecurity, so I am very happy for you to write me the letter and then I deal with it within the department of biosecurity from there.

#### EMPLOYMENT FIGURES

**The Hon. S.C. MULLIGHAN (Lee) (14:44):** My question is to the Premier. Can the Premier explain why South Australia has lost nearly 10,000 full-time jobs over the past year?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:44):** I don't have that information in front of me. What I do know is that we have approximately 848,000 South Australians employed at the moment. As I outlined to the house yesterday, there are a large number of people who are now taking up the opportunity for apprenticeships and traineeships in South Australia. I am not 100 per cent sure how they are reflected in those statistics, whether they are full time or part time, because they are studying. I am happy to take a look at that issue in detail.

As I said previously, we are working very hard to deliver on one of our key issues in the lead-up to the election, which is to create more jobs in South Australia. Despite the issues that are confronting us at the moment, we will never resolve or resile—what's the word, Vickie?

*The Hon. V.A. Chapman interjecting:*

**The Hon. S.S. MARSHALL:** —resile from our position to stay as focused as we possibly can on creating more jobs in South Australia. This is absolutely fundamental to what we were elected to do.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Member for West Torrens!

**The Hon. S.S. MARSHALL:** It is absolutely fundamental, and that is one of the reasons why we have put more than \$200 million now into new apprenticeships and traineeships and building up TAFE in South Australia—to create the skilled workforce that we need to meet those future expectations. The statistics move around. They are subject to effects, some of which are within our control and some of which are beyond our control.

We try to focus on all those that are within our control on a daily basis: reducing costs to employers, making sure that we can provide adequate training for those people moving forward and making sure that we can put more money back into the pockets of ordinary South Australians so that they can spend that money in the economy. They can spend it how they want to stimulate economic activity. These are just some of the strategies that we have put in place, and we will continue to look at all plausible strategies to continue to stimulate economic activity during these difficult times.

#### **VOLUNTEER SCREENING CHECKS**

**Mr PEDERICK (Hammond) (14:46):** My question is to the Attorney-General. Can the Attorney, representing the Minister for Human Services, update the house on how the Marshall Liberal government is lowering costs for volunteers through free screening checks for volunteers?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:46):** I would be delighted to. I want to commend the member for Hammond for his work as a volunteer, which we have most recently seen across the state when the Coomandook CFS truck was out there firefighting. I think you were rescuing koalas and all sorts of things. We really do appreciate that, and I thank the people of Hammond for their contribution.

In 2018, we made a commitment as a new government as we came into government that we would make sure that we reduced the impact for South Australians on their out-of-pocket expenses in dealing with the fee payable to become a volunteer and the clearances that are necessary. As members are aware, we have this critical balance between ensuring that our most vulnerable in the community—namely, our children particularly but mature age, etc.—are protected, and that we maintain accessibility by our volunteers to be able to pursue that and support children, vulnerable persons and others.

It's a fine balance, but we decided on coming into government that it was important to recognise the volunteers as the lifeblood of our community in sporting clubs, schools, community centres and the like. Members may well be aware that we now have more than 900,000 volunteers each year. This is approximately 66 per cent of the population aged between 15 and 84 contributing to an estimated 1.73 million volunteer hours per week. Knowing the importance of this and the cost impacts, the government abolished those screening fees, which was effective from 1 November 2018. This reform, is also enshrined in the law. Previously, under the Labor government volunteers were charged \$59.40 per screening application, that is, an application—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: I didn't move a point of order with the question, which was full of comments, but now the Attorney-General is debating the answer.

**The SPEAKER:** The member would know that the point of order should be taken up at the time of the alleged infringement. I rule consistent with my earlier ruling, but I will listen to the Deputy Premier and make sure she doesn't overstep the mark.

**The Hon. V.A. CHAPMAN:** To identify the saving that is made, I confirm that under the previous government the fee that was charged was \$59.40—

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

**The Hon. V.A. CHAPMAN:** This is what we have provided—

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

**The Hon. A. KOUTSANTONIS:** Every time the Deputy Premier mentions the former Labor government it is debate, sir.

**The SPEAKER:** I ask the member for West Torrens to depart the chamber for the remainder of question time under 137A, and that is not open to debate or dissent.

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

**The Hon. V.A. CHAPMAN:** When we came into office as a brand-new government the fee that applied in South Australia that volunteers had to pay was \$59.40 per screening application, that is, an application to allow those volunteers to work with children, vulnerable persons and others. So, while the screening checks are crucial, as I have outlined, we made that commitment and we undertook to change the law to make it effective since November 2018.

This government by that action, reinforced by this parliament, has saved South Australians \$3.4 million since making those screening checks free for all volunteers. This is a saving directly into the pockets of families in exchange for people giving up their valuable time. I am advised that a total of 56,690 South Australians have applied for more than 71,000 free volunteer screening checks through the Department of Human Services Screening Unit. The majority of these applications have been received from those applying for working with children checks, with the Department of Human Services approving over 366,000 volunteers for free.

These are volunteers who are volunteering in our schools, on excursions, at local attractions, museums and as bus drivers. These are people giving up their time to give back to the community. As we can all appreciate, any amount of money saved is good for South Australians and good for our state. It simply means that the money previously allocated by families for volunteer checks can be directly injected into the economy and into the sector to help organisations such as the sports clubs, etc., emergency services, charities, etc., to deliver the vital services for their local communities.

We are very proud of that. Just in my own electorate recently I attended a local tennis club at Kensington Gardens. Their volunteers work behind the bar at the canteen, they teach children how to play tennis and they volunteer on game days to get the kids involved in sport. Most of the members here in this house, I am sure, would recognise the significance in their own electorates of the benefit to those local communities.

In our local area, the local council, the City of Burnside, provides a free bus service to operate for those in the area. It is a transport operation that is made available—again, free checks. The local kindergarten at Wattle Park I recently visited provides services to the children. People come in and volunteer, read to children, play with plasticine and all the other things they do—a fantastic effort.

Only under this government are SA volunteers better off. I reiterate that the volunteer screening checks remain free for all South Australians, and the fee continues to be waived for all five screening types, including working with children, vulnerable people and in the aged-care sector for people who use the checks as a volunteer. I look forward to more people taking up this opportunity, and I am proud to have been part of a government to provide it.

### EMPLOYMENT FIGURES

**The Hon. S.C. MULLIGHAN (Lee) (14:53):** My question is to the Premier. Can the Premier explain why the employment participation rate is now lower than when he took office?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:53):** Well, I don't have those statistics in front of me. I do note that in the most recent statistics there was a small fluctuation in January. We know that the January figures in terms of—

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** Member for Light!

**The Hon. S.S. MARSHALL:** —participation can move around as people come out from being school students or go into being university students, but we will take a look at those issues. Obviously, our goal remains exactly and precisely the same: to create more employment in South Australia. That is why we put the strategies in place, but I am happy to look at those matters and come back to the house.

### WOMBAT CULL

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:53):** My question is to the Premier. As the minister responsible for Aboriginal Affairs, has the Premier discussed the culling of wombats with the Aboriginal Lands Trust.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:54):** The Aboriginal Lands Trust?

**An honourable member:** The culling of wombats with the Aboriginal Lands Trust.

**The Hon. S.S. MARSHALL:** Yes, thank you very much. I thank the deputy leader for her question. My understanding is that there was an application to the Department for Environment and Water for the Point Pearce Aboriginal community to manage the wombats on one of their cropping properties near Maitland on Yorke Peninsula. This is owned by the Aboriginal Lands Trust. They made the application to the Department for Environment and Water.

Currently, the population of wombats on that property is around 1,200, and they have made an application for the humane removal of 200 of those that have been affected by disease—mange. My understanding is that the mange has been transferred to the dog population in the local area and that is now having a significant effect on the local population at Point Pearce. We take these applications extraordinarily seriously. We don't approve many of these destruction permits, but in this case the department saw fit to provide that approval.

### WOMBAT CULL

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:55):** My question is to the Premier. Can the Premier describe the humane practices that will be used to destroy these animals?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:55):** I don't have those with me. This is an area which is not in my portfolio, but I'm very happy to get details of that and come back to the house.

### TAFE SA PORT PIRIE

**The Hon. G.G. BROCK (Frome) (14:55):** My question is to the Minister for Education. Has the minister had the opportunity to get a response to my question on 19 February when I asked whether there were any plans or:

...the development of any plans by your office, your department or any member of your staff in your office or the department that would involve a reduction in the current space available at the Port Pirie TAFE for teaching and, if so, how would these impact upon education services available for Port Pirie and surrounding [areas]?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:56):** I thank the member for the question. I have had some advice which I was, I believe, in the process of responding through the standard question on notice procedure. So perhaps rather than go through that, I can just provide what I understand to be the case.



Following the initial inquiry received in 2017, I understand that TAFE and the Department of Planning, Transport and Infrastructure have been finalising an agreement for the DPTI Facilities Services regional office to relocate into a small portion of a long-term underutilised building on the Port Pirie campus. The advice, as I understand it, suggests that the office in question is underutilised and, if the member has any information suggesting that it is not, then I would certainly welcome that.

**The Hon. G.G. Brock:** Supplementary, sir.

**The SPEAKER:** Sorry, I am moving to the member for Heysen.

### SPORTS VOUCHERS

**Mr TEAGUE (Heysen) (14:57):** Thank you, Mr Speaker. My question is to the Minister for Recreation, Sport and Racing. Can the minister update the house on how the Marshall Liberal government is lowering costs for households and SA families through the Sports Vouchers program?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:57):** I thank the member for—

**The SPEAKER:** One moment, minister. I think the member for Playford is supposed to be out for another six minutes.

**Mr Brown:** I apologise, Mr Speaker.

**The SPEAKER:** As I try to be a fair Speaker, I will pretend that the member for Playford—

**Mr Brown:** You nodded at me as I walked in.

**The SPEAKER:** Yes. Thank you, member for Playford, if you could take care of that. Can we have the question again and the answer.

**Mr TEAGUE:** My question is to the Minister for Recreation, Sport and Racing. Can the minister update the house on how the Marshall Liberal government is lowering costs for households and SA families through the Sports Vouchers program?

**The Hon. C.L. WINGARD:** I thank the member for Heysen for his question—and, can I say, he is the king of the Hills. I was up with him just last weekend, travelling around the beautiful countryside in the Adelaide Hills visiting a number of sporting clubs up there. I tell you what, they think this bloke is doing an outstanding job, and they are 100 per cent right. They know how important it is that we are lowering costs for families. We went around to the different sporting clubs, we spoke to the community, and that was exactly what they spoke about—the great job the member for Heysen is doing.

We went to the Strathalbyn Cricket Club, the football club and the softball club as well as the tennis club, and they were all just singing his praises. It really put me back in my box, I must say. The way that they were talking about the great job this man is doing was awe-inspiring. They were talking about what this government is delivering and what the local members are delivering. One of the great policies we have is our Sports Vouchers program, which is lowering costs for families. That's what families want to see and that's what we are delivering.

Being able to put \$100 back in the pockets of families when they have a junior primary school-age child playing local sport is absolutely well received. It means they have a bit of extra money in their pocket to help pay the fees, to help buy the uniforms, to help buy the boots or socks or shoes, or whatever it is they may need. Families appreciate that because it means that when they are looking at their budget and they have a bit of a tough decision to make, sport is not being ruled out. We are keeping young kids active and we are keeping them playing sports in our local community.

As you know, Mr Speaker, we have increased the Sports Vouchers program to \$100. Under the previous government, it was \$50. What isn't talked about too much is they actually had no money in the forward estimates for that, so there was no money in the forward estimates going forward when they ended their term of government. We put up the \$100. We put the money up-front because we know how important it is to make sure that families are being helped out.

Going through the Hills, we know that run-of-the-mill sports—tennis, lacrosse, hockey, football and cricket—appreciate the \$100, but now we have added dance and swimming lessons to the Sports Vouchers program and it has been so well received it is not funny. It is getting more kids active and giving more kids an opportunity to get out there and play sport.

By adding swimming lessons to this program, at the Unley Swimming Centre we have had 221 vouchers claimed; at the SA Aquatic and Leisure Centre, 350 vouchers were claimed; at the YMCA SA, 628 vouchers claimed from across the state; at the Town of Gawler, 141 vouchers claimed; at BlueFit Aquadome, 560 vouchers have been claimed; and at the ARC at Campbelltown 177 vouchers were claimed through swimming.

In total, 2,077 vouchers have been claimed by South Australian families wanting to get their kids into swimming. That's \$207,000 back in the pockets of South Australians. More importantly, though, it is 2,077 young people learning how to swim. We hope some of them might go on to become Olympic athletes and swimming superstars, but more importantly we hope they keep swimming long into their future lives and make sure they stay fit, healthy and active in our community because we know that also brings down the cost of our health budget.

As we look across the board, from January 2019 to January 2020, 74,443 vouchers were redeemed with over \$7 million back in the pockets of South Australians. This is a great program, making sure that we are delivering on the cost of living. Bringing that down is what people want to see. The increase between 2018 and 2019 was 27.6 per cent, a 27.6 per cent increase in the usage of these vouchers.

In the member for Heysen's electorate, 3,397 vouchers claimed; in the member for Flinders' electorate, 2,102 vouchers claimed; the member for Black, 2,060; the member for Elder, 1,925; the member for Florey, 2,245; and the member for Frome, 1,848 vouchers claimed.

*Members interjecting:*

**The Hon. C.L. WINGARD:** I can go on, Mr Speaker, but they don't want to hear the good news. We are delivering.

### CORONAVIRUS

**Mr ODENWALDER (Elizabeth) (15:02):** My question is to the Minister for Police. Now that the minister has had 24 hours, has he met with the Police Association to brief them on the government's proposed new laws regarding the coronavirus, and what plans does he have to address their concerns?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:02):** I thank the member for the question and note my answer yesterday that I had not met with the Police Association or Mark Carroll, noting that my staff had spoken with him and the police commissioner had spoken with him. As we know, the bill is before the house and that is being consulted through.

The police commissioner is working through the regulations of how this will work and the protocols in place. The Police Association will be taken along that journey. We know this is a very important piece of legislation that has come through very, very quickly. We appreciate the support of those opposite. If they are withdrawing their support, I think the police commissioner would like to know and so would the health commissioner.

*Members interjecting:*

**The SPEAKER:** Order! I would hate members to miss grievances.

**The Hon. C.L. WINGARD:** But, as I said, that is being worked through, the process is being worked through and the protocols are being worked through. The Police Association will be included in that journey.

*Grievance Debate***STATE ECONOMY**

**The Hon. S.C. MULLIGHAN (Lee) (15:03):** Mr Speaker, 2019 was the first full calendar year that this Marshall Liberal Government has been in office. Today, of course, the verdict is in. What has happened to the state's economy throughout 2019? Well, it is unambiguous: it is beyond doubt now that the South Australian economy has screeched to a halt under this Marshall Liberal government. Their policies, which they have brought down amongst much fanfare in their two state budgets, have now caused not only the state's economy to grind to a halt but also the growth in jobs in this economy.

There is no dancing around the figures. As much as the Premier likes to claim that between 1 January 2019 and 31 December 2019 the state was experiencing the impacts of coronavirus and bushfires, that is not the case. Unfortunately, these economic figures relate to a period of time before South Australia started experiencing the impacts of these two issues. Of course, they do not like hearing it opposite, but the state's economy in state final demand terms contracted over calendar year 2019.

The annual employment growth on trend terms grew, but barely so—by 0.03 per cent. Nearly 10,000 full-time jobs were lost from the economy and, troublingly, 18,000 fewer men now have full-time employment than they did at the beginning of 2019. Why has this happened? Well, do not believe the bogus spin from the Premier that it is bushfires or coronavirus. This has occurred throughout the course of calendar year 2019 because the South Australian community has started experiencing the worst impacts of this government's two budgets—the cuts, the closures and privatisations of the first budget.

Particularly, for example, if you live in the north-eastern suburbs, in the member for King's electorate, or if you live in the member for Newland's electorate, you would be suffering the cuts to the Service SA centre, you would be suffering the closure of the TAFE up there and you would be suffering the axing of the park-and-ride facilities being delivered, which had not only been committed to but funded by the former Labor government. But it has got worse because not only have we had one state budget full of cuts, closures and privatisations but we had a second state budget that imposed a half a billion dollar increase in state taxes, fees and charges on South Australians.

These included \$50 million a year in additional revenue from motor vehicle owners, higher registration costs and higher transaction costs, including a new higher charge on South Australian households through a massive increase in the Marshall Liberal government's bin tax, a 40 per cent increase in the solid waste levy that all councils have had no choice but to pass on to ratepayers. If you are a hospital worker or visiting someone in hospital or you have to take yourself to hospital, perhaps for day treatment or as an outpatient, of course hospital car parking fees have gone up.

So, with all those impacts and all those uncertainties, it is no wonder that those contributors to that economic measure of state final demand have started contracting. Engineering construction work is down by 15 per cent throughout 2019 and confidence has fallen through the floor. Is it any wonder when they look for leadership from this government and they see the bungled handling of the land tax reform that completely paralysed the South Australian property market and housing construction industry? The South Australian construction industry, I should say, has gone from having over 70,000 people working in it to having barely over 60,000 people working in it.

Those are the impacts of this government's failed economic policies. When you ask the Premier, 'Where to from here? What's the big plan?' well, there is no plan. Other than hopefully getting a couple more public servants to work in the Space Agency, he is doing nothing about rescuing the 700 jobs we stand to lose to Western Australia for the Collins class submarines sustainment works, and there is no big plan in the pipeline to stimulate jobs growth. Our economy is going backwards and this Liberal government has nothing to say or do about it.

**CHAFFEY ELECTORATE**

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:08):** I would like to rise today to speak about some of the achievements this government has brought in to the electorate of Chaffey. It all comes on the back of jobs for Chaffey,

better services in Chaffey and, of course, reducing the cost of living in Chaffey—and how important that is. Over the two years that the Marshall Liberal government has been governing South Australia, particularly in Chaffey we have seen the reinstatement of the community legal services. Sadly, the previous government withdrew the community legal services in Chaffey, reduced services, and if anyone wanted any community legal help they had to go down south of Adelaide—absolutely outrageous. It is a great initiative, a \$600,000 commitment from the Marshall government that has allowed the reinstatement of this service, providing better services into Chaffey.

We have seen the PsychMed Matrix drug rehabilitation centre, a pilot program opened through a \$580,000 grant. This is about rehabilitation of victims of crystal methamphetamine, the ice addiction that we know is the scourge of modern-day society and the impacts it is having, particularly on small regional communities. It is a real bugbear. This program has been great. In the first 12 months, 44 clients have been referred to it, 29 of whom have been assessed and inducted into the program and 26 of whom have actively engaged in it.

The permanent quarantine bins around fruit fly and the zero tolerance approach to fruit fly have been an outstanding success, and I must say that I am very proud. It is an issue that I have dealt with and experienced in a previous life, having had my business impacted by a fruit fly outbreak. It costs a lot of money, it costs jobs and it also slurs the reputation of South Australia and the Riverland being fruit fly free.

The Mobile Black Spot Program is a \$10 million commitment by the Marshall government to regional South Australia. What we have seen, as the member for Stuart would know all too well, as do I, is the importance of digital connection into regional South Australia. The previous government walked away—there were never any blackspots in regional South Australia—and that is why the Marshall government has put \$10 million on the table.

It has been a great outcome for Chaffey. We have seen towers at Murtho, Murtho South, Mount Mary, Bower and Wunkar. Recently, we switched on the Murtho South tower and the Wunkar tower. That is giving them digital connection and competitiveness and safety on their properties, using all that technology on their equipment and in their plant to make sure that they can provide cost of doing business benefits—a great outcome.

We have expanded the chemotherapy services at the Riverland General Hospital. That is a great outcome where those who sadly have been impacted by cancer do not have to do all their travel to Adelaide for low levels of cancer treatment. We now see that that is being dealt with and serviced by those health professionals up in the Riverland at the general hospital. It is a great outcome for Chaffey, as is the MRI machine and the surrounding capital works at the Riverland General Hospital, made possible by \$4 million of funding from the Marshall Liberal government. The project will see the installation of the new \$1½ million state-of-the-art MRI machine. It is just a great outcome for health in the Riverland.

The state-of-the-art localised Mesonet automatic weather station will be connected to the Mid North weather station network. That is a great outcome, helping our farmers to understand, when they go out to spray, whether they have weather conditions coming, whether they have inversion layers that will impact on their business, on their spray, saving chemicals and saving the impact on their neighbours.

There is the \$28½ million cooperative loan for the expansion of Almondco's Renmark processing facility that will create 50 extra jobs on top of the already 170 that Almondco employs. It is just a really good outcome, and what I am saying is it means more jobs, better services and reduced cost of living in Chaffey.

Also over the weekend, the Riverland hosted the South Australian Carp Frenzy. Well done to Kym Manning and his team. There were 690 competitors and \$14,000 was raised for the bushfire appeal. That really is good. The 5RM sportsperson of the year was Andrew Hume for golf. Paul Othams won the award for contribution to sport, Carolyn Martin was the coach of the year and Tia Dahlitz was the junior sportsperson of the year—a great outcome for Chaffey.

### KANGAROO ISLAND BUSHFIRE RECOVERY SUPPORT

**The Hon. L.W.K. BIGNELL (Mawson) (15:13):** I rise to warn every South Australian that if something bad happens in their area this Marshall government does not turn up to help. I am getting daily calls from people on Kangaroo Island, and when I am over there, as I was all last week and again on Monday this week, people are outraged by the lack of action from the Premier and all his cabinet.

When a disaster strikes, like the bushfires that burnt for more than 40 days on Kangaroo Island, the people of a state and the people of a nation expect their leaders to turn up and take action. What we have seen from this Premier and this cabinet is a total lack of care for people who have elected them into this place to represent them at government level. It is an absolute disgrace—an absolute disgrace.

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

**The SPEAKER:** Minister for Primary Industries, please.

**The Hon. L.W.K. BIGNELL:** The people of Kangaroo Island have had enough. They are at the end of their tether with the lack of action. The Premier still has not responded to 16 letters that I wrote to him, the first of them on 23 December, the fourth day of this bushfire emergency. Does any South Australian think that that is acceptable? Does anyone on the Liberal backbench think that that is acceptable, that the Premier of this state refuses to engage with the local member of parliament who is representing people who are hurting? People in this state have seldom hurt more before.

I do not think it is good enough. I have come in here. I have offered in letters to work in a bipartisan way. I have offered in here to work with the Premier and the cabinet in a bipartisan way, and this Premier does not give two hoots about the people of Kangaroo Island. In fact, I am hearing from people in the Hills that he has done no better up there. What this Premier is all about is one square kilometre on North Terrace in Adelaide. Do not worry about the other million square kilometres in the state. It is all about Lot Fourteen and his future space station.

I have to say, there are people in agriculture and tourism over on Kangaroo Island who are going to go out of business. Two hundred people have left the island already because they lost their job. If you lost your job in a suburb of Adelaide, you would go to the next suburb, or you would go into the city and get a job. If you lose your job on Kangaroo Island, you have to leave the island in most cases. What does that do to the five sporting clubs that have netball teams, cricket teams and football teams? What does that do to the three campuses of the schools on Kangaroo Island? What does that do to the small businesses that are struggling to survive as it is?

What did we see from this Premier? This egotistical move to make himself the tourism minister. He flew over to Kangaroo Island and said, 'I am the tourism minister.' He spent an hour and 45 minutes on the ground. He spoke to an invitation-only group of tourism operators, and guess what he told them? 'I don't have a plan, but I am the tourism minister now.' That was six or seven weeks ago and we still do not have a plan from this Premier, this tourism minister.

At Penneshaw, the Kangaroo Island visitor centre has been closed for a year this month. Do you know what the people of Kangaroo Island are really upset about? The Premier and all his ministers keep coming over and making speeches, saying Kangaroo Island is the jewel in the crown of South Australian tourism, yet they will not even put any money in to keep the visitor information centre open. They will not get some of those people who are unemployed now, who have had to leave Kangaroo Island because their tourism job does not exist anymore, and hire them to get into the visitor information centre and run it.

I was talking to a hotel provider on Kangaroo Island yesterday whose bookings in June are usually around 37 per cent occupancy. She has 3 per cent bookings. There are some nights when none of the 84 hotel rooms in her hotel have a booking. What is the Premier, the tourism minister, doing about this? You have to do more than come up with a hashtag: #BookThemOut.

I will tell you what people on Kangaroo Island are doing. They are coming up with a hashtag—#VoteThemOut—because they have had it up to here with the lack of action from the Marshall government. The clean-up has been a disaster because for two months the state

government would not come up with some money to match the federal government. They finally have, but still the clean-up is going at a snail's pace and meanwhile the mental health of people on the island is suffering. So wherever you live in South Australia, take a look at what is not happening on Kangaroo Island and take that as a warning of how incompetent and uncaring this government is. They lack empathy, they lack know-how and they lack generosity. It is a disgrace.

### KING ELECTORATE

**Ms LUETHEN (King) (15:19):** In the lead-up to the March 2018 state election, we took our strong plan for real change to the people of South Australia and locally to my King community. Our plan is delivering more jobs, lower costs and better services. If you have any questions on how we are doing this in my King community, please contact me.

At people's front doors, at shopping centres and at my coffee catch-ups, I am listening intently to what is most important to you. Your ambitions are reflected in our plans and our policies, and if they are not then that is precisely what I am focused on: championing, advocating and delivering for the King community. At the two-year mark of this term, I thank everyone who has shared their hopes with me over the past two years. Our shared ambition for our local area and for our state excites me and energises me. I take my role as your strong voice in parliament very seriously.

Everything that I promised to you locally at the March 2018 state election is being delivered. Stage 1 of the \$20 million Golden Grove Road upgrade is underway, with the upgrades and the expansion of our local Modbury and Lyell McEwin hospitals on track too. We have fixed the undulation on Black Top Road near One Tree Hill and we have added a safe slip lane on Skyline Drive at Hillbank.

Golden Grove High School will benefit from \$15.5 million in upgraded facilities so that our young people are provided with the best education and training opportunities they need to gain employment in South Australia. The South Australian Districts Netball Association received \$320,000 for an upgrade of car parks and traffic flow and stage 1 is already complete. The Golden Grove Tennis Club received \$369,800 towards brand-new club rooms that they have been waiting for for over a decade.

We are lowering your cost of living with savings on your power bills, a reduction in the emergency services levy bill and savings in CTP. Water bill savings are coming in 2020 and we have abolished payroll tax for small businesses. Land tax has been reformed with a great deal of input from the community to help mum-and-dad investors get ahead. Our Sports Vouchers program and free volunteer screening checks have also been delivered, saving people money, and major safety concerns along Golden Grove Road are being addressed.

It is our Marshall Liberal government that is delivering. The Marshall Liberal government is delivering a \$97 million expansion of Modbury Hospital. The Marshall Liberal government is delivering a \$58 million expansion of the Lyell McEwin Hospital emergency department, which includes \$7 million for more car parking at the hospital.

The Marshall Liberal government is creating more jobs and training opportunities, with 13,000 more people being employed in apprenticeships and traineeships, leading the nation with an increase of almost 20 per cent. Over the past year, 700 SA businesses have taken on an apprentice for the first time. TAFE has been reaccredited for seven years, the highest possible accreditation. Our road infrastructure spend is creating thousands of jobs across South Australia, with a \$12.9 billion pipeline of infrastructure projects.

Our plan is delivering in a practical and sustainable way for our environment. South Australia is leading the nation on tackling climate change and we are leading the nation on renewable energy with the most ambitious plan to slash emissions. We are the first state to progress banning single-use plastics. We have listened to you and our strong plan is people focused because we care deeply about people. I will champion for every person to have the opportunity to live the best life possible.

Our government has released a new \$550 million housing and homelessness strategy. The new strategy will deliver more than 20,000 affordable housing outcomes over the next decade. Since I have been elected, we have been helping person after person in Housing SA to get their homes up to good living standards.

There is so much more to report on the progress we have made, but I have only five minutes today. Once again, thank you for this opportunity to serve you and I look forward to hearing from you. Please remember that I am here for you and King matters.

### GENERAL MOTORS HOLDEN

**The Hon. A. PICCOLO (Light) (15:24):** When the last Holden rolled off the assembly line on 20 October 2017, it marked the end of an era for people living in the Gawler area and the northern suburbs. The closure was more than the loss of thousands of jobs: it was the end of a way of life for the whole community. As part of the Holden family, I am personally aware of the important role the plant has played in the lives of many families, including many 1950s and 1960s migrants to the country.

My family arrived in South Australia on 13 March 1963 and the very next day my late father, Raffaele, started work at Holden, and he did so for over 20 years until he retired. There were many other stories like this. For example, Brigitte Bassanese started at Holden in 1994 as an assembly operator and moved through to spray painting, cutting and finally plastics. She was at Holden for 23 years until she was retrenched during the wind-down in Holden's final weeks. For her, her work represented her house, her car and helped her put her daughter through school. Holden was very important to her.

Coming to Australia from England in his early 20s, Adris Salih started a 30-year career at Holden in the paint shop. He progressed to become a team leader in the plastics plant and remained in that role for 20 years. Mr Salih was shocked when the closure announcement was made. He said at the time, 'I thought I'd be there when I retired.'

Graham Hill began his career at Holden on 4 March 1968 at the age of 19. Starting in plant 1, he worked as a press operator before becoming a die setter and moving to the vehicle assembly plant in 1975, where he stayed for the remainder of his time at Holden. After nearly 38 years at Holden, Mr Hill retired in 2005 after being diagnosed with prostate cancer. He said, 'It was a good job. It had its ups and downs, but it was a good income, a safe income.' He said that Holden still plays an important role in his life. He was so proud of his time at Holden that he still has his very first payslip, going back to 1968.

Fritz de Bruin was born in Holland and moved to Australia in 1960. Mr de Bruin started at Holden on 6 October 1992, initially in the body shop as a spot welder. He said that Holden's closure had been a huge upheaval for his family. 'Holden gave us a house, a car, a good lifestyle,' he said.

Keith Hamilton worked at Holden for 36 years, commencing when he was 19 years old. Mr Hamilton ended his long career with Holden as a team leader in the warehouse, and he was honoured with the task of turning out the lights on the final day. He said, 'It has been my life; it has given me my house and helped me provide for my family. Without Holden's, I would've been on the streets.' He was there at the very end when he turned off the lights at the plant.

Craig Carmody summed up the importance of Holden to the local area when he said that generations of workers in the area relied on Holden for their livelihoods. He said, 'We expected it to always be there for the next generation. It offered young people the opportunity to learn the trade and provided them with a foundation for their adult life.' He added, 'So important was Holden to the community that everybody knew someone who worked there.' As you can see, Mr Deputy Speaker, Holden has played an important role in the lives of individual people, their families and the community.

It was very sad to hear recently that after 160 years the Holden era is over, after the parent company General Motors announced it will cease the car brand in this country at the end of this year. It is unfortunate, too, that the Holden plant was closed down under the watch of the federal Liberal government, and now the brand is also leaving Australia under the watch of the federal Liberal government. You may recall that famous comment by former treasurer Joe Hockey, who dared Holden to leave. They did, and now they have actually taken their brand with them. This is the legacy of the federal Liberal government: the loss of jobs and the loss of an industry in the Gawler and northern suburbs.

Not to be outdone, the state Liberal government in its first budget cut a number of programs to support the transition of Holden workers into other employment areas. While the former state Labor government, with the Amalgamated Metal Workers' Union and Holden, worked hard together to help displaced workers to retrain and transition to new jobs in the region, in their first budget the Marshall Liberal government cut this scheme, along with other investments, which has actually led to a decline in the economy.

### REGIONAL BANKING SERVICES

**Mr ELLIS (Narungga) (15:29):** I rise today to speak about country towns and the services that are required in order to sustain those towns and the people who live within them. Recently, ANZ announced that they would close the Maitland branch, which is the last remaining bank branch in the town of Maitland. Maitland itself is a wonderful town about 170 kilometres north-west of Adelaide, with a recorded population of over a thousand people at the 2016 census. It is the most central town on the peninsula, servicing one of the richest, if not the richest, farming areas in the state.

Reliable rainfall and fertile soil have seen land prices rise by some 20 per cent in the last five years, bringing land sale prices to over \$12,000 per arable hectare. As well as that, the latest data from rural financial services provider Rabobank records the YP as the fastest regional growth area in Australia between 2013 and 2017. It is clear that Maitland is an important regional centre in an affluent, growing region, yet somehow over the years it has gone from multiple bank branches to none.

In this short speech, I do not intend to reflect on the wonderful local employees that ANZ have had on the books on the YP. They do an exceptional job, they have done an exceptional job, they will do an exceptional job, and I would like to thank them all personally now for the contribution they have made to the community. Special thanks also should go to Amanda Schultz, the regional manager, for keeping me apprised of the goings-on throughout this process. I would, however, like to bemoan the fact that ANZ and other banking institutions have been removing branches from our wonderful regional towns. The Maitland community itself is understandably very upset at this latest development.

There will be impacts for business in Maitland, which includes a busy hospital, a major Toyota dealership, ag machinery and marine support businesses, a large nursing home, two pubs, an IGA, a hardware store, a newsagent, a post office, the principal YP council office, two growing schools, vital sporting facilities, op shops, a museum, a bakery, a cafe, a police station, a gym, a hairdresser, etc. It is a busy town with plenty going on. Thankfully, though, the Maitland post office remains open and offers agency services for people who bank with BankSA, Commonwealth Bank, Westpac and NAB.

Thirty per cent of this state's population live outside metropolitan Adelaide and they are just as deserving of equal services and support as those who live in the city. I am pleased that on this side of the house we are part of a government committed to increasing regional populations because regions do matter on this side of the chamber. We must keep our regional towns alive so that they can support our important primary industries and agribusiness sector, which just two weeks ago in this state was reported to have reached a record level, generating \$15.2 billion in revenue in 2018-19, an increase of 2 per cent on the previous year despite the challenging conditions.

Support for small business, ag technology, on-farm innovation, more processing in our regions and tourism initiatives are all important to boost jobs growth in our regions in order for our towns to survive and grow. A third of people in South Australia currently live in country areas, and we cannot afford for all people to flood to the city to use their services. As I said, the Maitland community is most upset with the decision that on 12 August this year ANZ will close the last bank branch in the town. Today, I voice their concerns in this place on their behalf.

Whilst we are all aware of the changing times associated with technology, institutions have a responsibility, in my view, to provide a service to those who need it, and 11 per cent of people in Maitland did require face-to-face banking services. I am pleased that ANZ have agreed to leave their ATM in place following the branch closure and have worked with the employees of the Maitland branch to find alternative employment.



ANZ made the decision to close the Maitland branch because the figures to keep it open just did not stack up, despite announcing last October a statutory profit after tax for the full year ended 30 September of \$5.95 billion and a cash profit of \$6.47 billion. Such decisions make living in our regions less attractive. In response, we as a government must continue, as we have been doing, to incentivise against further decline in population numbers in rural towns. I look forward to continuing to work with the Maitland community to make sure that they have the services required in their town.

### *Bills*

## **TEACHERS REGISTRATION AND STANDARDS (MISCELLANEOUS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:34):** Obtained leave and introduced a bill for an act to amend the Teachers Registration and Standards Act 2004. Read a first time.

### *Second Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:34):** I move:

That this bill be now read a second time.

The Teachers Registration and Standards (Miscellaneous) Amendment Bill 2020 will amend the Teachers Registration and Standards Act 2004 to modify the size and composition of the Teachers Registration Board (the board) and expand its functions. It will support the implementation of relevant recommendations from national reviews related to teacher registration, it will improve oversight of persons granted special authorities to teach and it will address various other technical and operational issues with the act.

The education and the development of children and young people in our society are essential to that society being informed, productive and well functioning. The success of our society will in many ways depend on the quality of our teachers. The purpose of the Teachers Registration and Standards Act is to ensure that every teacher working in South Australia is appropriately qualified, that they are competent to teach and that they are a fit and proper person to have the care of children. This is so important.

The act establishes the board and provides it with the functions and powers it needs to administer and oversee the registration of more than 35,000 teachers in both government and non-government schools, preschools and early childhood services around South Australia. Since the commencement of the act, there have been significant changes to the regulation of the teaching profession across Australia, including through the introduction of the National Framework for Teacher Registration and the Australian Professional Standards for Teachers.

In more recent years, the Education Council has commissioned substantial reviews into teacher education and registration, including a review of the preparation of student teachers by higher education institutions in Australia undertaken in 2014 and the National Review of Teacher Registration undertaken in 2017. The findings of these reviews supported the need for changes to the education and regulation of teachers across Australia to improve teacher quality, to strengthen child safety and to streamline registration processes.

In addition, the findings of both the Child Protection Systems Royal Commission here in South Australia and the national Royal Commission into Institutional Responses to Child Sexual Abuse have prompted significant reform of child protection here in South Australia, including substantial changes to the screening and oversight of registered teachers. While these reforms have introduced increased child safety measures in respect of teachers, the government believes more can be done to improve child safety and to respond to the outcomes of these royal commissions.

The bill will address these issues and ensure the act continues to provide a sound framework for the registration and the oversight of teachers in this state. In particular, the bill will amend the act to provide that the welfare and best interests of children are the paramount consideration in relation to the operation, administration and enforcement of this act. The bill will provide a number of new functions to the board. It codifies and strengthens some existing activities the board undertakes. This includes functions for the board:

- to accredit initial teacher education programs
- to undertake or support reviews of research and data collection
- to develop and maintain a code of conduct for registered teachers; and
- to recognise quality teaching and leadership in the teaching profession.

The bill updates provision for the membership of the board to provide improved flexibility in the size and composition of the board. Members of the board are currently appointed on the basis of nominations by particular stakeholders. The government is introducing changes to ensure that members of the board are appointed on the basis of the knowledge, skills and experience the board needs to carry out its functions effectively.

Importantly, the bill will ensure that the board's membership includes practising teachers in the areas of preschool education, primary education and secondary education, the expertise of a legal practitioner and I think very importantly—and I know that the shadow minister shares this view—the perspective of a parent representing the community interest. The board, through amendments to provisions for committees of the board, will also be able to draw on the expertise of persons who are not members of the board. The bill will clarify the current arrangements for the employment of staff of the board and make it easier for a member of the staff of the board to be appointed to act for the registrar in the registrar's absence.

The bill will introduce a number of amendments to the requirements for teacher registration to improve administrative efficiency in the board's operations and improve the registration and renewal process for teachers. This includes, for example, extending the term of registration from three years to five years and providing an option for the annual payment of fees for registration. This annual payment measure will assist those registered teachers who might have had difficulty paying registration fees up-front for five years.

The bill includes various amendments to improve the oversight of persons granted a special authority to teach to ensure that, as far as possible, they are subject to the same rigorous requirements as registered teachers. The bill also includes various amendments to improve provisions of the act that enable the board to deal with unprofessional conduct, incompetence, incapacity and issues of fitness and propriety in the teaching profession. This includes, for example, providing the registrar with the power to suspend a teacher's registration where the registrar forms a reasonable belief that the teacher poses an unacceptable risk to children.

The bill will make a number of amendments to the act to improve information sharing where necessary for the protection of children. In particular, the bill provides for the board to disclose information to an appropriate person or body if the board is of the opinion that to do so is reasonably necessary to prevent harm being caused to a child.

The bill will further provide for the sharing of information between the board, other teacher regulatory authorities, employers and state authorities relevant to the health, safety, welfare and wellbeing of a child or class of children, or to manage risks to a child or class of children. These changes, among others in the bill, support recommendations of the National Review of Teacher Registration and the Royal Commission into Institutional Responses to Child Sexual Abuse.

The development of the bill was subject to a significant amount of consultation, including an extensive consultation with teachers and other stakeholders on potential reforms to the act and targeted consultation on a draft version of the bill. The feedback from stakeholders has directly helped shape the final form of the bill, and I thank everybody and anybody who has contributed feedback to this important reform.

While I am giving thanks, I also want to thank the chair of the Teachers Registration Board, the Hon. Dr Jane Lomax-Smith, for the extensive work that she did in leading the public consultation on this bill, and I want to pay a special tribute to Dr Peter Lind, who was our teachers' registrar for some 5½ years up until last Friday when he determined that retirement—taking some time to see our beautiful state before eventually moving to New Zealand, from whence he came—was preferable to continuing to act in the service of the people of South Australia. For his service, I give him thanks.

I give him particular thanks for the work he did along with Jane Lomax-Smith in their public consultation in relation to this bill, the advice given to government in its development, and his extensive work to ensure that the interests of teachers, children and schools in South Australia were served well by the Teachers Registration Board over the period of his tenure. We wish well Leonie Paulson, who has taken on the role as Registrar of the Teachers Registration Board, effective on Monday just passed. With that, I seek leave to insert the explanation of clauses into *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 Teachers Registration and Standards Act 2004

###### 4—Amendment of section 3—Interpretation

This clause consequentially amends terms defined in section 3 of the principal act.

###### 5—Amendment of section 6—Functions of Teachers Registration Board

This clause adds the specified functions to those of the TRB set out in section 6 of the principal act.

###### 6—Substitution of section 7

This clause inserts a new section 7 into the principal Act, expressly providing that the welfare and best interests of children is the paramount consideration in relation to the operation, administration and enforcement of the principal Act.

###### 7—Substitution of section 9

This clause substitutes the following new provisions for current section 9 of the principal act:

###### 9—Membership of Teachers Registration Board

This clause provides for the membership of the TRB, including a requirement that the minister call for expressions of interest before nominating members for appointment.

###### 9A—Presiding member

This clause allows the governor to appoint a presiding and deputy presiding member of the TRB.

###### 8—Amendment of section 10—Terms and conditions of membership

This clause amends section 10 of the principal act, placing a cap on the maximum period a member of the TRB can hold office and limiting the number of deputies that can be appointed in respect of members.

###### 9—Amendment of section 14—Procedures of Teachers Registration Board

This clause amends the quorum and other procedures of the TRB consequent upon this measure.

###### 10—Amendment of section 15—Registrar of Teachers Registration Board

This clause repeals section 15(3) of the principal act.

###### 11—Amendment of section 15A—Appointment of acting Registrar

This clause repeals section 15A(2) of the principal act.

###### 12—Insertion of section 15B

This clause inserts new section 15B into the principal act, providing for the employment of staff by the TRB.

###### 13—Amendment of section 16—Committees

This clause amends section 16 of the principal act to allow the regulations to make provisions in respect of committees.

###### 14—Amendment of section 17—Delegations

This clause amends section 17 of the principal act to make consequential changes to the power of delegation provision.

15—Insertion of Part 3A

This clause inserts new Part 3A into the principal act, which empowers the TRB to accredit courses of initial teacher education provided they comply with prescribed accreditation standards.

16—Amendment of section 22—Application for registration

This clause makes a consequential amendment to section 22 of the principal act.

17—Amendment of section 24—Conditions of registration

This clause inserts a new condition of registration into section 24(2)(a) of the principal Act, requiring a person who is dismissed from employment as a practising teacher in response to allegations of incompetence, or resigns from employment as a practising teacher following allegations of incompetence to give written notice to the TRB.

18—Amendment of section 24A—Automatic cancellation of registration of prohibited persons

This clause amends section 24A of the principal Act to clarify when a cancellation of a teacher's registration under that section has effect.

19—Amendment of section 26—Term of registration

This clause amends section 26 of the principal Act to extend the term of teachers' registration to 5 years (up from 3 years).

20—Insertion of section 26A

This clause inserts new section 26A into the principal Act, requiring registered teachers to pay an annual fee and providing regulation making powers in relation to such fee.

21—Amendment of section 27—Requirement for provision of information

This clause amends section 27 of the principal Act to extend the meaning of 'registered teacher' to include a person who was, but is no longer, a registered teacher.

22—Amendment of section 28—Register

This clause amends section 28 of the principal Act to require the Register to contain details of any highly accomplished or lead teacher certification held by a person.

23—Amendment of section 30—Special authority for unregistered person to teach

This clause amends section 30 of the principal Act to expressly require that persons granted a special authority to teach be fit and proper.

24—Substitution of section 31

This clause substitutes section 31 of the principal Act to set out the requirement that the TRB keep a register of persons granted a special authority to teach, and makes procedural provisions related to the register.

25—Insertion of section 31A

This clause inserts new section 31A into the principal Act, empowering the TRB or Registrar to require certain persons to provide information. It is an offence to fail to comply with a requirement.

26—Insertion of Part 6A

This clause inserts new Part 6A into the principal Act as follows:

Part 6A—Codes of conduct and professional standards

31B—Codes of conduct and professional standards

This clause allows the TRB to publish or adopt codes of conduct and professional standards for the purposes of the principal Act.

31C—Recognition of quality teaching and educational leadership

This clause allows the TRB to accredit, certify or recognise certain attainments by teachers and others.

27—Insertion of section 32A

This clause inserts new section 32A into the principal Act, setting out the constitution of the TRB for the purposes of Part 7 of the principal Act.

28—Amendment of section 33A—Suspension of teacher's registration if working with children check not current etc

This clause amends section 33A of the principal Act to enable the Registrar, rather than the TRB, to suspend the registration of a teacher where a working with children check has not been conducted in relation to the teacher within the preceding 5 years.

29—Amendment of section 34—Registrar may conduct investigation

This clause amends section 34 of the principal Act to allow the Registrar to require a teacher to submit to a medical examination, and provide reports, in specified circumstances. The clause also empowers the TRB to suspend the registration of a teacher who fails to comply with a requirement under the section.

30—Amendment of section 34A—Suspension of registration where teacher charged with certain offences or unacceptable risk to children

This clause amends section 34A of the principal Act to extend the circumstances in which registration can be suspended under the section to include where the Registrar reasonably suspects that the teacher poses an unacceptable risk to children.

31—Substitution of section 37

This clause substitutes a new section 37 into the principal Act, setting out requirements for employers of practising teachers to notify the TRB of certain matters. A number of the requirements have simply been relocated from sections repealed by this measure.

32—Repeal of section 39

This clause repeals section 39 of the principal Act, its content having been relocated to new section 37.

33—Amendment of section 40—Notification by Registrar of action or suspension etc under Part

This clause amends section 40 of the principal Act to extend the circumstances in which, and the persons or bodies to whom, the Registrar must give notice on certain action being taken under the Act.

34—Insertion of Part 9A

This clause inserts new Part 9A into the principal Act as follows:

Part 9A—Information sharing

49A—Disclosure of information to prevent harm

This section authorises the TRB to disclose information obtained in the course of the administration or operation of the Act to an appropriate person or body where the TRB is of the opinion that to do so is reasonably necessary to prevent harm being caused to a child.

49B—Sharing of information between Teachers Registration Board and certain persons and bodies

This section authorises the exchange of certain information between the TRB and other relevant persons or bodies.

35—Amendment of section 50—Provision of information by Commissioner of Police

This clause extends the operation of section 50 of the principal Act to include persons holding a special authority to teach.

36—Amendment of section 51—Arrangements between Teachers Registration Board, DPP, and Commissioner of Police for reporting of offences

This clause extends the operation of section 51 of the principal Act to include persons holding a special authority to teach.

37—Amendment of section 52—Notification of offences to employer etc

This clause amends section 52 of the principal Act to include in its operation notification of employers etc of persons holding a special authority to teach.

38—Amendment of section 61—Regulations

This clause modernises section 61 of the principal Act to reflect current drafting practice.

39—Insertion of Schedule 1

This clause inserts new Schedule 1 into the principal Act, setting out persons and bodies that are designated entities for the purposes of the principal Act.

Schedule 1—Transitional etc provisions

This Schedule makes transition and saving provisions for the purposes of the measure.

Debate adjourned on motion of Mr Picton.

**SOUTH AUSTRALIAN PUBLIC HEALTH (CONTROLLED NOTIFIABLE CONDITIONS)  
AMENDMENT BILL**

*Second Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:43):** I move:

That this bill be now read a second time.

Public health officials around the globe are currently dealing with the COVID-19 outbreak, known to many as coronavirus, and South Australia is no exception. As the world prepares for the possibility of the situation escalating, this bill that is being today introduced into the House of Assembly, having passed the Legislative Council in rapid order yesterday, seeks to amend the South Australian Public Health Act 2011 to allow the Chief Public Health Officer additional powers to pre-emptively control the spread of notifiable conditions, such as COVID-19 (coronavirus).

The proposed amendments will provide the Chief Public Health Officer greater capacity to rapidly respond and contain public health risks related to infectious diseases, while maintaining appropriate protections for individuals, such as case reviews and the capacity to appeal to the courts. The proposed amendments include:

- allowing a more timely and rapid process for the Chief Public Health Officer to detain a person engaging in conduct that presents a risk to the public;
- allowing detention, in urgent circumstances, where there have not been prior breaches or noncompliance, or the service of a direction;
- expanding the application of controls under the act to people who could have been exposed to a controlled notifiable condition, previously limited to people who have or have been exposed to a case of that controlled notifiable condition;
- where necessary, allowing verbal orders or directions to require testing, counselling or actions to prevent the spread of infection or detention to be followed with a written notice; and
- clarifying that an order to remain at a specified place could include a hospital or quarantine facility.

Yesterday, in the course of the debate in the other place, the Minister for Health and Wellbeing took on notice a series of questions by the Leader of the Opposition in that house, all relating to potential quarantine facilities. In response to those questions, I am advised that SA Health's planning for a potential outbreak of COVID-19 is ongoing and includes discussion with relevant South Australian government agencies as well as other Australian jurisdictions. The specific details of the plan to be implemented will depend on such factors as the severity and timing of the outbreak.

I understand that the member for Kurna has also asked for a comparison with other Australian jurisdictions of new powers for the Chief Public Health Officer in regard to the category of people who could be exposed to a controlled notifiable condition. I will undertake to come back to the house at a later date with a detailed response to that inquiry in the usual manner for a question taken on notice. I commend the bill to the house and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *South Australian Public Health Act 2011*

3—Amendment of section 73—Power to require a person to undergo an examination or test

This clause amends section 73 to enable a requirement under the section to be given by oral order where the Chief Public Health Officer considers that urgent action is required in the circumstances of the particular case. When such an order is made the Chief Public Health Officer must confirm the order by notice in writing served on the person as soon as practicable, but in any event within 48 hours, after giving the order. A failure to serve a notice in accordance with the section will not affect the validity of the oral order.

#### 4—Amendment of section 74—Power to require counselling

This clause amends section 74 to enable a requirement under the section to be given by oral order where the Chief Public Health Officer considers that urgent action is required in the circumstances of the particular case. When such an order is made the Chief Public Health Officer must confirm the order by notice in writing served on the person as soon as practicable, but in any event within 48 hours, after giving the order. A failure to serve a notice in accordance with the section will not affect the validity of the oral order.

#### 5—Amendment of section 75—Power to give directions

This clause amends section 75(1)(a) to add to the circumstances in which the Chief Public Health Officer may make a direction under the section. The additional circumstance is where the Chief Public Health Officer has reasonable grounds to believe that a person could have been exposed to a controlled notifiable condition. In order to make a direction the Chief Public Health Officer must also, under the current section 75(1)(b), consider that an order under the section is reasonably necessary in the interests of public health.

This clause also amends section 75 to enable a direction under the section to be given by oral order where the Chief Public Health Officer considers that urgent action is required in the circumstances of the particular case. When such an order is made the Chief Public Health Officer must confirm the order by notice in writing served on the person as soon as practicable, but in any event within 48 hours, after giving the order. A failure to serve a notice in accordance with the section will not affect the validity of the oral order.

This clause also amends section 75(4)(a) so that a person may be directed to remain at a specified place including, without limitation, a hospital or quarantine facility.

#### 6—Amendment of section 77—Power to require detention

This clause substitutes section 77(1) which provides the circumstances in which the Chief Public Health Officer may make an order under the section. The substituted subsection is in the same terms as the current subsection (1) with the following amendments:

- (a) subsection (1)(a) of section 77 may additionally be satisfied under proposed section 77(1)(a)(iii) if the Chief Public Health Officer has reasonable grounds to believe that a person could have been exposed to a controlled notifiable condition;
- (b) subsection (1)(b) of section 77 may additionally be satisfied under proposed section 77(1)(b)(iii) if the Chief Public Health Officer is satisfied that urgent action is required in the circumstances of the particular case such that a direction under section 75 is not appropriate.

Amendments consequential to the substitution of section 75(1) are included to provide that where an order is made under proposed section 75(1)(a)(iii), on the basis that a person could have been exposed to a controlled notifiable condition, the maximum period of detention that may initially be imposed will be 48 hours with periods of extension up to 30 days. Further, where an order is made on this basis and the Chief Public Health Officer considers that an extension of the order will be necessary, the Chief Public Health Officer must, before the expiration of the 48 hour period, apply to the Magistrates Court for a review of the order. Once an application is made the order may be extended and the Magistrates Court should seek to hear and determine the application as soon as is reasonably practicable at which time the Court may confirm, vary or revoke the order.

This clause also amends section 77 to enable an order under the section to be given by oral order where the Chief Public Health Officer considers that urgent action is required in the circumstances of the particular case. When such an order is made the Chief Public Health Officer must confirm the order by notice in writing served on the person as soon as practicable, but in any event within 48 hours, after giving the order. A failure to serve a notice in accordance with the section will not affect the validity of the oral order.

Section 77(4) is proposed to be amended to simply state that an order under the section will be that the person 'be detained' at a specified place while the order is in force rather than 'submit to being detained.'

#### 7—Amendment of section 79—Warrants

This clause adds to the circumstances in which the Chief Public Health Officer may apply to a magistrate for a warrant of apprehension under section 79. The proposed new circumstances in which a warrant may be sought are as follows:

- (i) in respect of a person who is the subject of an order that has not been served on the person despite reasonable efforts to do so;
- (ii) in respect of a person who—

- (A) has a controlled notifiable condition, has been exposed to a controlled notifiable condition or could have been exposed to a controlled notifiable condition; and
- (B) is engaging in, or has engaged in, conduct that creates a risk to others in respect of the controlled notifiable condition.

8—Amendment of section 101—Service of notices or other documents

This clause amends section 101 as follows:

- (a) to provide that, in the event that personal service of an order under Part 10 is not reasonably practicable, such an order may be served on the person in the additional manners contemplated by sections 101(1)(a), (b) and (c) which are that the order may—
  - (i) be served on, or given to, an agent of the person; or
  - (ii) be left for the person at their place of residence or business with someone apparently over the age of 16 years; or
  - (iii) be sent by post to the person or an agent of the person at their last known address;
- (b) to provide that subsection (4) (requiring personal service of an order under Part 10) does not apply in respect of a written notice confirming an oral order made under Part 10.

**Mr PICTON (Kaurana) (15:46):** I rise to indicate that I am the lead speaker for the opposition and indicate the opposition's support for the South Australian Public Health (Controlled Notifiable Conditions) Amendment Bill 2020. This piece of legislation updates the South Australian Public Health Act 2011, which the minister and the Chief Public Health Officer have said a number of times over the past few weeks still remains a very effective piece of legislation and a very strong element in our armoury to combat a public health emergency.

It is something that, as a parliament, we should be proud of. Certainly, it was something that was passed and worked on back in 2010-11 under the previous health minister, John Hill. It really brought us a lot further in terms of our management of public health issues generally, both from preventative public health actions that need to happen in the community, which are very important, right to this pointy end that we are talking about here in terms of a public health emergency.

Unfortunately, at the moment across the world we are dealing with a public health emergency in relation to this new strain of coronavirus, or COVID-19 as it is now being referred to, which of course started in China but now there are cases in over 60 countries around the world with some significant outbreaks, including in Iran at the moment. We have had a number of cases in Australia and we have had a small number of cases in South Australia, including an additional one that has sadly been reported today. In other states of Australia, some infections are now happening person to person, which is concerning.

I do not think anybody can exactly outline where this is going to end, how serious, how difficult, how deadly and how invasive this disease is going to be. Of course, we believe that everything that can possibly be done should be done to ensure that we as a state are prepared to manage any eventuality. Where the government is taking steps to better prepare ourselves as a state for this, then they will have the complete support of the opposition.

We want to make sure that our state is prepared. We want to make sure that everything is done that could be done to prepare ourselves. It may well be that it is not as bad as some of the projections and discussions point to, but if it does turn out to be a significant pandemic across the world and in South Australia, then it will have paid off to be as prepared as possible. We will continue to both support any measure that the government has to better prepare ourselves and advocate for as much preparation as possible to make sure that we are well prepared here in South Australia.

In that vein, that is why this piece of legislation has our bipartisan support. Since it was announced by the government late on Monday, we have indicated our support for the legislation and also its swift passage through parliament, which we have done through the other house of parliament and will do so within the next hour, I am sure, through this house of parliament. I think that goes to the point that when we combat an emergency, when we combat serious issues facing our state, we need to come together and work quickly as a parliament to deal with these matters, and I am glad that that has happened in this case.



While the original act is regarded by both the government and the opposition as still a strong piece of legislation that will enable us to be protected, the government has undertaken some work in the past few weeks drawing on the work of public health officials over the past year or so looking at whether any modifications could be made to this act in the event of an outbreak such as we may face with coronavirus or in regard to any other potential outbreak that could happen, to make sure that those powers that the government has can be used as expeditiously and as appropriately as possible.

There has been a lot of media discussion about this. From going through the bill and getting briefed on the bill, I think the changes being proposed here might not necessarily be quite as dramatic as some of the media discussion about it. The legislation as it stands already has very significant powers for public health officials, as I think the community would expect in such a situation. However, what is being done here will improve and extend some of those powers for particular situations that we might face.

Firstly, it gives the Chief Public Health Officer the ability to respond quickly by issuing verbal directions in time-critical situations, allowing for rapid and decisive action to be taken where justified to prevent the further spread of coronavirus. It also extends the powers to allow for the detection of individuals the Chief Public Health Officer suspects could have been exposed to coronavirus where the situation necessitates swift action.

It also provides for the Chief Public Health Officer to seek warrants in circumstances where a person has been exposed or could have been exposed to coronavirus, which is one of the key changes in this legislation. Whereas previously it related to people who were infected, who were likely to have been connected to somebody who had been infected, this now raises a third broader category of people who could have been potentially infected.

As we were briefed by public health officials, an example was used of somebody who had come from a particular infected region and travelled to South Australia. That person would potentially need to be isolated to make sure that they had not come down with this particular virus or something else in the future, which seems reasonable in the circumstances.

There are examples from previous issues that have faced our state, and I have to say that the vast majority of people are compliant and want to do the right thing for the good of public health and will listen to those authorities when they are asked to do something. But it is important to have some strong powers in the act to make sure that, if somebody is not compliant, there are steps available to the Chief Public Health Officer to take action.

I think it is also important to remember that section 66 of the act gives the Chief Public Health Officer quite a wide range of powers to deal with a public health emergency of a notifiable disease and is quite non-specific in terms of a range of different things that the Chief Public Health Officer could do. We as a parliament, through both sides and whichever political persuasion has been in office, have always been minded to pass legislation that allows for some powers to be available in emergencies where you could never exactly predict what eventualities are going to come.

When you are dealing with an emergency, it is important to make sure that a legal basis is there for what might need to be very swift action in those circumstances. When we look at the Emergency Management Act or at the Essential Services Act, there is a range of emergency powers that are in place there that we hope never have to be used but that might have to be used, and in those circumstances the parliament would not want to be too prescriptive about the circumstances in which they would.

This is where both sides of parliament over generations have seen the need for those powers and have trusted our chief officers—whether it be the Chief Public Health Officer, the police commissioner or other emergency services officials in those roles—and whom the state would want to trust to deal with what would be some dangerous circumstances.

I thank the government for offering a briefing on Monday afternoon, rapidly after their decision to progress this in cabinet. We have worked well with the government on progressing this. A number of matters have been raised in the Legislative Council and we will have a number of other issues we will be raising in the committee stage today about how this will be implemented and some of the

details of the legislation. I think it is important to note that the legal basis of this is one tool in the armoury. This is not the be-all and end-all of how we will respond to coronavirus.

We need to have in place a wide range of things and we need to be preparing now to ensure that we are doing everything that can be done. Most of those things are not legal matters. Most of those things are about the provision of health services and making sure that supplies are available and that coordination is happening between agencies, both within government and agencies and organisations outside government that might need to be called upon. Some are about making sure that our clinicians are consulted and aware of their roles and responsibilities. It is a good time to organise these things right now. We do not want to be doing this in the midst of a crisis later.

Our encouragement to the government is that the law should not be the be-all and end-all, that there is a wide range of things that need to be in place, particularly in relation to pathology services and making sure that the staffing is sufficient. We also need to make sure that the staffing is sufficient in our hospitals, and obviously there are some reductions in staffing happening at the moment that are of some concern. It is also about making sure that our paramedics are as equipped as possible, and there are obviously some concerns about the pressure they are under at the moment.

We would call on the government to make sure that all these measures are in place, and any steps that they take to appropriate funds, to take measures, to improve those services and to make sure that additional measures are in place will have our full support. We will continue to encourage the government to take factors of those matters.

Lastly, on behalf of the opposition I would particularly like to give our thanks to all those people within SA Health and in the broader health and emergency services community for the work that they are doing right now in terms of the preparedness work and for the work I am sure they are going to do in the future as well. The people who I am sure are flat-out busy at the moment would be particularly the SA Health teams, the Communicable Disease Control Branch, and the broader public health teams in SA Health. I have worked with a number of those people in previous working lives, and they are very professional and very committed to their task. I know that they would be flat out at the moment, and I hope that they are getting all the support and resources they need to undertake that work in what would be very difficult circumstances.

I would like to pass on our thanks to the Chief Public Health Officer, Dr Nicola Spurrier; Dr Chris Lease, the Executive Director of Health Protection; Dr Louise Flood and Dr Ann Koehler from the Communicable Diseases Control Branch; the people who work in the SA Health emergency branch; and the people who work in the DPC emergency area, who I am sure will be busy coordinating responses as well. It really stems from there.

All our hospitals will hopefully be busy planning their responses, as will the police, our emergency services, our ambulance services and then, outside government, our GPs, our aged-care facilities, our disability facilities, all these areas that provide care to people and that handle issues in an emergency. This is the time to prepare now. We wish our best to them in that work. We hope that they get everything they need to prepare and make sure that we can keep South Australians as safe as possible. In closing, I commend this bill. I thank the government for bringing it forward and hope that it helps keep our state as safe as possible.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:01):** I am very grateful to members on both sides here and in the other place who have contributed to second reading debates to this point. I think that this sort of work is what the public expects of us as a parliament, that when we are confronted by a challenging issue politics is not remotely a relevant consideration in the work we do and that we work together as a parliament to get the best outcome for our community. It is really important. Across the world, there are a lot of people who have been impacted very significantly by COVID-19. Here in South Australia, and in Australia of course, there have been those impacts as well.

There was a brief period this morning when we did not have anybody identified as currently having the COVID-19 disease, but unfortunately we had the notification that there had been a positive test. I think that it is really important to reflect that the situation we are in in South Australia is one where we need to be, as the Premier said, alert but not alarmed. We need to be making preparations

and doing this hard work. As others have done, I want to particularly commend all those fine public servants who work within SA Health, within all the realms of the Public Service, who are working towards that preparation.

The bill that we are debating is important. The Chief Public Health Officer has identified the reasons for which it is important. As I think the shadow minister, who previously worked in this area when in government, and members of the crossbench in the Legislative Council in the debate yesterday have identified, the original bill that was put through the parliament some nine years ago was one that had significant support, that took significant work. It was never meant to be, I think, the final step in the process.

There was always an understanding that in these public health matters, when the circumstances change sometimes you need to look at that. The nature of the COVID-19 outbreak has been particularly identified as one where its transmission prior to the presentation of symptoms has put us in a situation where, as has been seen overseas, these extra measures are required to make it potentially workable if we end up in a situation in South Australia that is significantly worse than it is now. We want to be alert but not alarmed, but we must prepare for what might be.

I thank all members who have indicated their support for this bill, and I particularly commend the Minister for Health in the other place, who worked with the Chief Public Health Officer, with SA Health, with public health officials and, indeed, with our draftspeople to get this bill into place in a very rapid period of time. I thank the opposition, and indeed the crossbenches, not just for their support for the bill but for their willingness to have it move through the parliament as quickly as possible.

As I think the shadow minister might have identified, or at least one of the members in the other place might have identified, the use of the new measures in this bill may not be necessary on a regular basis, but we want these powers to be available if they are necessary. Having this preparatory work done in preparing this legislation and having it available, I think will significantly assist public health officials in the delivery of response to any future needs. I commend the bill to the house.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1

**Mr PICTON:** I would like to ask a question in relation to the connection between the powers under this act and the federal powers under the Biosecurity Act. There was some discussion yesterday about those powers being enacted federally whereby the federal government might be able to detain people. Can the minister outline the differences and connections between those acts and how they might be coordinated between those two pieces of legislation at the state and federal levels?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. My understanding is that fundamentally the state laws and the powers that we are talking about are very much about containment of cases that present within South Australia and those risks. The federal laws apply very much more to what is happening at the borders and are more to do with dealing with the risks of people as they are coming into the country.

Inasmuch as there is a connection and coordination, the Australian Health Protection Principal Committee I understand is meeting regularly, and I believe that this is a topic of conversation and that the question the member has asked in relation to particularly connections between the legislation is one of the matters for discussion in that body.

**Mr PICTON:** My understanding is that under this act there is a public health emergency plan for the state. That includes a number of triggers that would happen, one of which would be the declaration of a public health emergency. I am wondering if the minister can outline whether any consideration has been given to such a declaration; if not, what would the triggers need to be for such a declaration to be made?

**The Hon. J.A.W. GARDNER:** Has consideration been given? As has been discussed, public health officers are obviously aware of the triggers as described by the member opposite. The current focus of their work is on containment, and my understanding is that the requirement to do that work is capable of being met within existing resources. The member asked what would potentially trigger it. Out of an abundance of caution, I am going to double-check with my adviser. Yes, if extra resources were needed over and above what is currently capable of being met then that would be, for example, a trigger to deal with the management in that circumstance.

**Mr PICTON:** I appreciate that the minister in his second reading speech said that a table or comparison of state jurisdictions will be provided. Bearing in mind that the full information will be provided, is the minister or his adviser aware of any other state that has the power to detain somebody or to issue orders for somebody who could potentially have been exposed in the way that this act is now extending that?

**The Hon. J.A.W. GARDNER:** I will try to describe the information as best I understand it. Effectively, different public health legislation around the country describes these types of risks in different sorts of language. In effect, it is not written up in other law in exactly the same way as it is in South Australia. I think what the member is trying to capture in the question that he asked is: are the people who are captured by the new category of people for whom these powers would then apply—the 'could have' group—captured by similar legislation in any other states? The answer is yes, but it is potentially described in different ways.

As I mentioned in the second reading speech, I will provide further information to the member by taking the question on notice. Perhaps to satisfy the form of the house, I will take this question on notice formally here in order to fulfil the commitment I gave earlier to provide full information to the member and to the house.

Clause passed.

Clause 2 passed.

Clause 3.

**Mr PICTON:** In relation to the powers that the Chief Public Health Officer has under this clause and also in relation to other clauses in the bill, can those powers be delegated to other people and, if so, how many current delegations are in place for the Chief Public Health Officer's powers?

**The Hon. J.A.W. GARDNER:** The answer to the first part of the member's question is, yes, they can be delegated. In relation to how many current delegations are in place, I would like to take that question on notice and we will bring back a response to the member and the house.

**Mr PICTON:** There was some discussion in the other place, in relation to this power for somebody to undergo testing and also in relation to the other sections, about no longer requiring a written notice. An oral notice could be provided, which would then be followed within 48 hours with a notice in a written form, but the act says that the failure to serve the notice does not affect the validity of the order. If this clause says that we do not need to follow up with a written notice and it does not affect the order, can the minister outline why we have the section saying that we do need to follow up, if it does not matter anyway?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. The advice I have received is that this is a standard way of expressing a clause around an oral order. The caveat in relation to the oral order still standing—not just in this legislation, I believe, but potentially in others—is necessary to mitigate against a risk if there was some sort of interruption to the conduct of the written direction. Even with this savings provision, as I would probably characterise it, it is certainly the intent that a written order be provided. That is important to remove any ambiguity and remove any doubts so that the person who is receiving the order has every understanding of why the oral order has been given.

**Mr PICTON:** To clarify the government's interpretation or definition of an 'oral order', would that involve an order issued by telephone or some other sort of carriage or internet service?

**The Hon. J.A.W. GARDNER:** The advice I have is that it is certainly our intent. The intent is focused on it being a direct instruction. That said, it is likely, according to advice, that a telephone

instruction or potentially a Skyped oral order would be allowable under the law, but it is certainly intended to be in relation to a direct instruction.

Clause passed.

Clause 4 passed.

Clause 5.

**Mr PICTON:** In relation to the new definition under section 75(4)(a) of a 'specified place' now involving a quarantine facility, has the government given any thought to what quarantine facilities could be used in such a situation? I presume there is nothing that the government currently houses as a quarantine facility; in fact, I think the minister asked his adviser during our briefing if there was any quarantine facility, and I think the answer was no; therefore, some other facility might need to be used. Is it part of the plan that there are contingencies in place, or would there have to be a rush to try to find something?

**The Hon. J.A.W. GARDNER:** I thank the member for the question in relation to this matter. The question started, 'Has the government given thought to what might be used?' Obviously, consideration has been given to this as part of the whole preparation process. As I said earlier, the planning for a potential outbreak of COVID-19 is ongoing. It includes discussion with agencies and other jurisdictions, and the specific details would depend on factors including the severity and timing of the outbreak.

Clause passed.

Clause 6.

**Mr PICTON:** Yesterday, the minister undertook to provide for consideration what facilities outside our metropolitan hospitals are identified as quarantine facilities in the event of an outbreak. Can that information now be provided? My understanding is that the government is saying that generally it would be looking towards hospitals being used, but my understanding from a number of pandemic plans, etc., is that there have been discussions about what for a pandemic flu would be flu clinics, or in this case respiratory or fever clinics. Have those sites been identified as well?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. Obviously, the Minister for Health in the other place provided some response yesterday, and I think that the answer to this question is probably, from my point of view in this place, similar to my answer to the direct previous one, in that it depends on the factors involved. To the extent that I will be able to provide any further information in the not too distant future, I will bring that back if it is appropriate to do so.

**Mr PICTON:** Thank you very much. Has the minister had feedback in relation to the bill from the Australian Medical Association, and, if not, then I am wondering whether he could respond to the feedback they have provided, through the opposition, in relation to this bill?

I think that on the whole it is fair to say that they have given cautious support and hope that it be carried out in a calm and depoliticised manner, which I believe we have all agreed has happened. However, they do raise some suggestions, including a suggestion that the defined situations in which control measures be applied be tightened to a controlled notifiable condition with a pandemic potential.

Obviously, there are some controlled notifiable conditions that do not have a pandemic potential. They have said that a panel should be required to invoke such a power with at least two suitably qualified medical practitioners, and that the period for which the individual is detained should be clear and for the minimal time to ensure effectiveness. They also say that there should be a robust, streamlined resources appeals process which should be accessible to all, including the socially disadvantaged, and which can be practically managed in the situation when an individual is detained.

They go on to say that the need for respect for the individual and the manner in which they are treated should be emphasised and that the practical manner in which detention is to be enforced should be clear. I am wondering whether you have had that feedback, and, secondly, what is your response to those suggestions from the AMA?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. We appreciate what I think the member described as their support for the legislation, and indeed I express, if it has not already been done, the appreciation that we always have for constructive feedback. Obviously, as the member himself identified in the second reading speech, the bill does deal largely with existing powers in terms of some extensions to those, but we will obviously be very respectfully looking at the suggestions from the AMA and other stakeholders as to how laws or regulations and our practices and policies can be enhanced. It is really important to note in relation to the specific point that the member has raised that, in the existing arrangements, significant appeal provisions do exist and, indeed, will continue to.

**Mr PICTON:** Obviously, in the case where somebody is being detained, health workers and the police, etc., who would be undertaking that work would be potentially exposed. There was discussion in the other place yesterday about how to do that, including the need for personal protective equipment, making sure that staff were looked after, making sure that people were appropriately detained and making sure that they were doing what they were meant to do. Can the minister outline what steps are being taken to enhance our capability in terms of personal protection for staff who might be doing this work?

Secondly, has any thought been given to any monitoring devices, etc., presumably similar to what we would use in the corrections system at the moment, that could be applied to people to make sure that they are following the orders? I understand that the minister said that he would seek more advice and come back on that today.

**The Hon. J.A.W. GARDNER:** I am advised that people involved in the management of cases of training have the necessary personal equipment. SA Health is obviously well and truly in a position where, if there are further measures that need to be taken, they will be able to provide that advice. I think the minister traversed some of this area in the Legislative Council yesterday.

**Mr ODENWALDER:** I have some questions on clause 6. Has the minister received any direct feedback from the Police Association, and can that feedback be tabled?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. SA Health continue to be in discussions with SA Police. I am advised that the police commissioner has conducted a briefing with the Police Association. I do not have intimate details of that discussion.

**Mr ODENWALDER:** My next question then is about the nature of detention itself. It may be my lack of understanding of the original bill, but obviously an oral order or otherwise is made and then certain people are empowered with the authority to detain people, including SA Police. That is my understanding. Certainly, that is the public statement, even though it is not mentioned specifically in this clause.

I understand that there are powers of detention that SA Police have in relation to warrants and I understand that there are powers of detention in relation to the Summary Offences Act. I just wonder what their specific authorities are, and are they the same in the original Public Health Act as they are under this amended section, if you understand my meaning? Are they in the original section 77?

**The Hon. J.A.W. GARDNER:** Since 2011-12, these powers have existed. The current legislation before the house extends the number of people to whom these powers might be applied or, indeed, the opportunity for the direction to be more easily applied. Potentially, theoretically, there could be more people to whom it would be applied. The principle, as I understand it, is the same.

I think as the member for Kurna said in his second reading speech, and I am sure the Minister for Health has said, most people overwhelmingly would respond to that oral direction in a sensible way. We are talking about people who are being given advice that is not just for the community's safety; it is for their own safety, their own health and their family's health. Most people in our community you would expect would overwhelmingly comply with an order from the Chief Public Health Officer or the Chief Public Health Officer's delegate.

**Mr ODENWALDER:** To clarify, SAPOL have been included in that list of delegates since 2011-12—not to make an order, but enforce an order?

**The Hon. J.A.W. GARDNER:** I direct the member's attention to the existing act, where section 79(10) provides:

In this section—

*authorised person* means—

- (a) a police officer; or
- (b) a person authorised by the Chief Public Health Officer to act as an authorised person under this section.

**Mr ODENWALDER:** That is very helpful, thank you. While we are here perhaps you could clarify for me, when there is an arrest made or a detention made under a warrant, as in section 79 and in clause 7, there are stipulations about the use of force, the police can use any force, an authorised officer can use any force, I assume that the same rights and protections afforded by that kind of clause exist in section 77? We are not talking about the vast majority of people, as you say, who will comply with an order. Perhaps we are talking about some people who may, for whatever reason, not wish to comply with an order.

**The Hon. J.A.W. GARDNER:** Obviously we trust that the vast majority of people behave in a rational fashion and we make laws to deal with those who do not sometimes. I think the answer to the question was: my advice is yes.

**The CHAIR:** Member for Kaurua, you have had three questions on this clause.

**Mr PICTON:** I thought I had two on this clause.

**The CHAIR:** I have you down for three.

**The Hon. J.A.W. GARDNER:** I am happy to have another one.

**Mr PICTON:** Look at the spirit of bipartisanship.

**The CHAIR:** Given the minister's amenity to this, you have the call.

**Mr PICTON:** I thought I had kept one up my sleeve.

**The Hon. J.A.W. GARDNER:** You did ask a couple in one go.

**The CHAIR:** It might have been a point of clarification.

**Mr PICTON:** That's right. It was very strategic. I do not think you answered the second one. In any case, understanding what you were saying in terms of the people authorised to order the detention and carry it out, obviously there would be an issue in terms of making sure that those people are appropriately detained. One of the issues that the Police Association have raised is: is it going to be the police who have to monitor these people and make sure they are where they are meant to be in this quarantine facility, or would you bring in security guards to do that? What is the plan for who would be looking after those people?

One of the concerns of the Police Association is that, if it is the police who have to guard these people, it is a lot of police officers you are taking off the beat to do that and what is the impact upon their resources. Likewise, if it is security guards who are doing it, then that might be something that needs to be planned ahead of time to make sure that they are appropriately trained and appropriately protected, PPE, etc., to undertake such a role.

**The Hon. J.A.W. GARDNER:** As I understand it, the intention would be in a general situation to detain in a healthcare facility, so who is responsible in this situation would depend on the individual case. I do not want to make a big issue out of it, but the member has himself acknowledged that we are not going to be talking about a significant number of people. The power in itself, we would anticipate, would be responded to by the vast majority.

When the member says that it would take a significant number of police officers off the beat, as I say, it would be in a health facility and we might not be talking about police officers, and I do not think we are going to be talking about a large number of people. Authorised officers under section 43 of the act may use their existing powers under section 47 of the act to be accompanied by assistants, which may involve security. There are also powers under the emergency officers provision of the act

(section 48) to be appointed by the chief executive of the department. This may be individuals or a class of people, so there is some flexibility there.

Clause passed.

Clause 7.

**Mr PICTON:** As of today, who are authorised officers under the act? You have mentioned police, but who else is there?

**The Hon. J.A.W. GARDNER:** I am advised that there are state authorised officers, who are essentially SA Health employees who fall under this category, and also local authorised officers, who are essentially council-employed environmental health officers and who tend to fall into this category.

**Mr PICTON:** Essentially, they are the same authorised officers for health inspections as for dealing with these notifiable conditions?

**The Hon. J.A.W. GARDNER:** For the sake of clarity, can I have the question again, please.

**Mr PICTON:** You mentioned in your answer before that authorised officers are various SA Health people and environmental health officers from councils.

**The Hon. J.A.W. GARDNER:** Yes.

**Mr PICTON:** Essentially, is it the same authorisation for exercising powers under this act to deal with food inspections as it is to deal with these notifiable conditions? There are not different categories.

**The Hon. J.A.W. GARDNER:** There are two different types of authorisations.

**Mr PICTON:** Have any warrants ever been issued under this act in terms of section 79?

**The Hon. J.A.W. GARDNER:** Not that are coming to the mind of anyone in the room, but we will take that on notice to ensure that, if there have been, we will provide that information.

**Mr ODENWALDER:** I have one question and it harks back to the member for Kaurna's question on clause 6 about resourcing and about the levels of police that might be involved, particularly police who might be involved in the detention, and the impact that would have on their resourcing. I want to put the question to you again because I think it is a good question. When police detain people under the Mental Health Act, for instance, or when they are present when suspects are hospitalised, for instance, if they are injured and the police have to stand by that does take them off the road for a shift or two.

I think, perhaps to clarify what the member for Kaurna was saying, what I am asking about are not lengthy periods of detention. What I am asking about is the initial detention. An order is made; the detention is made. If we are talking about a large pandemic—the reason we need to bring this in so urgently is that we have to anticipate something like that, or we have to acknowledge the possibility of it—then what discussions have gone on with the Attorney-General's Department or with the police about resourcing in the case of a significant pandemic, or whatever the correct word is, when there are large numbers of people being detained simultaneously? Are police expected to control those, and has there been any discussion about extra resourcing?

**The Hon. J.A.W. GARDNER:** This bill is not to address that apocalyptic pandemic worst-case scenario that the member just described. This bill is focused on meeting our current and immediate potential needs. If there were the sorts of circumstances which the member has described, then that would trigger the issue that we were talking about before, an emergency management arrangement, which would be a different set of circumstances.

Clause passed.

Clause 8.

**Mr PICTON:** This is a clause that looks sort of minor and obviously on the weight of the other clauses probably has not had as much attention. I am just wondering if you could explain what the rationale behind this clause is. My reading of it is that currently the legislation says if I am serving



the Deputy Premier a notice saying that she needs to be detained, then she needs to be given that personally, whereas we are now saying that—

*Mr Odenwalder interjecting:*

**Mr PICTON:** I would not entertain such thoughts, member for Elizabeth. We are now saying that it could be served on an agent of the person, so presumably a lawyer, etc., it could be left with the person at their place of residence as long as they are over 16, or it could be sent by post to the agent of the person at their last known address, which, in the circumstances in which we are talking, does not seem a reasonable approach given the immediacy with which we would want that person to have the information, having to rely on Australia Post as good as they are, to get it there within three or four days.

**The Hon. J.A.W. GARDNER:** I thank the member for the question. As with a number of other things, we are referring to the provisions that already exist in the act. Obviously, the first preference is always to serve it directly. The experience of communicable diseases staff, I am advised, is that there are occasions when that is not possible and that is why the act anticipates and contemplates such a circumstance.

**Mr PICTON:** I hope nothing has to be relied upon the post to deal with this outbreak. Last question from me—

**The Hon. V.A. Chapman:** Isn't Trish White on the Australia Post board?

**Mr PICTON:** I do not think she is anymore. Even if she was, that does not mean that they are not slow. You mentioned before that the authorised officers include the council's environmental health officers. What steps have been taken over the past month and a half since this issue of coronavirus has been brought to the public light and world attention to engage them in this process and also to educate them on what the additional changes are that the government is seeking to make through this legislation? Obviously, given they would have an important role, I would have thought it important that they know what the new powers and responsibilities would be under the act.

**The Hon. J.A.W. GARDNER:** I thank the member for the question. Directly to it, SA Health has been in regular contact with both the Local Government Association and, indeed, the specific officers the member has identified, as COVID-19 and our understanding of it have developed over the last little period. While that will continue, and in relation to these specific powers the information and the support will continue, we expect that it will be the SA Health authorised officers who would be the key parts of the government's response and support for our community in this space. These officers are also obviously identified, but it is the SA Health staff who will be the key players in this space.

Clause passed.

Title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:46):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## **THE WYATT BENEVOLENT INSTITUTION INCORPORATED (OBJECTS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 20 February 2020.)

**Mr TEAGUE (Heysen) (16:47):** It is my pleasure to rise and support the speedy passage through the house of The Wyatt Benevolent Institution Incorporated (Objects) Amendment Bill 2020. This bill would amend and update a 1935 private act of the same name. That, in turn, makes subject

to legislation the institution tasked with implementing the objects of trusts established under the will of Dr William Wyatt.

The story of the philanthropic generosity of Dr Wyatt really is extraordinary. Before I address in a moment the principles that will be applied in the amending of the objects of those trusts that are the subject of this amending legislation, it is an occasion to reflect upon the extraordinary gift of Dr Wyatt and his wife, Julia, in circumstances of considerable personal tragedy on both their parts during the course of their lifetime, coupled with a lifetime of service in the early decades of the colony of South Australia.

Dr Wyatt and his wife, Julia, arrived at Holdfast Bay in February 1837, early on in the establishment of the colony. As soon as March 1837, Dr Wyatt commenced acquiring property, including property within the square mile of the City of Adelaide, which is the primary cause for the acquisition of the considerable wealth that he attained in the course of his life. At the same time, through his life, Dr Wyatt was a considerable contributor to the medical profession and to medical administration. In the period he was living and practising in South Australia, up until his death in 1886, he made extraordinary contributions to the medical profession and its administration, but his wealth was acquired by real estate investment in the very early days of the colony.

I adverted to the considerable tragedy that he and his wife experienced: of their five children, only one survived childhood and that child died at the age of 34. So when Dr Wyatt died, there were no children to pass his estate on to. That may have played a significant role in his determining to give generously, as he has by the establishment of the institution. I also note that, apart from making a significant contribution to the medical profession, Dr Wyatt was a founder of St Peter's College and Pulteney Grammar School, among others. He is a celebrated foundation contributor to St Peter's College and I recognise that.

At the date of his death, his estate was valued in the order of £50,000. Subject to certain specific bequests that were made and that had certain annuities that were the subject of his will, he dedicated the vast bulk of his estate to the trusts that are the subject of the act for the benefit of those in need, particularly South Australians in need. I will come in a moment to the particular words that were used to describe it—those that we are updating by this amending bill—but it was an extraordinary gift in those terms and for those purposes at that time.

Perhaps the best way to illustrate that is that as of recently the value of the assets that are subject to the institution's control is in the order of \$90 million. The Premier was only just recently the guest of honour at an occasion to recognise the amount of \$50 million having been provided pursuant to the trusts in the course of the lifetime of the institution. Clearly, it is a gift that has kept giving over the course of the decades and the generations and one that is no less relevant, needed or applied in today's modern circumstances.

While recognising the achievements of the trust up to the present day, I note that in 2005, as I understand it, the sculptor Jeremy Herbert was commissioned to produce a sculpture of the leaf that represents the Wyatt institution. The leaf recognises that philanthropy inspires people to grow, so that important symbol of the Wyatt institution was prepared at that time. In 2018, the Wyatt leaf was, appropriately in my view, transferred to have a place of honour at the entrance of the new Royal Adelaide Hospital.

That connection to Dr Wyatt's life and contribution to medicine, as well as his very generous philanthropic gift, has been recognised in recent times in those two very significant ways, as well as in the ongoing legacy of his gift. In the language of the day, Dr Wyatt's will expressed the objects of the trusts in somewhat antiquated ways. It might bear repeating that the objects, as described in the will, were expressly:

...to benefit persons above the laboring class who may be in poor or reduced circumstances by supplying them with dwelling houses at a moderate or nominal rental or without payment of any rent or to benefit such persons by any other means and in any other way that my Trustee shall deem expedient and the qualifications for participation in the benefits of the said trusts shall be that the recipient of such benefits shall belong to a class above that of laborer and that he or she shall be in poor or reduced circumstances and of good moral character and conduct and preference shall be given to persons who shall have been resident in the said Province—

that is, South Australia—

for a period of five years and upwards.

As is readily apparent on the face of those words, such a stipulation is barely recognisable let alone applicable in the modern day, so it is desirable for there to be clearer, plainer and more modern language with respect to the objects of the trusts. Indeed, as clause 3 of the bill describes, in substituting those modern provisions for what had found voice to those old objects in section 5 of the act as it presently stands, this bill would amend the objects of the institution so as to be for the provision of assistance to persons in poor and needy circumstances, so considerably simplifying that test.

Secondly, it is noted that the amendment does away with references to the good moral character and conduct test. I would suggest, for want of certainty apart from anything else, that the simpler substitution of objects, as is described in clause 3 of the bill, makes the task of the trustees both certain and practical. The preference in the private act, which is carried on in the words of the bill, that is to be given to people who have resided in South Australia over recent years is retained. The objects of the institution as amended, the subject of the 2020 amending bill, will be both modernised and considerably simpler, and they will retain that special connection to assist South Australians.

I might pause there to note the somewhat unusual circumstances of the amendment of an act in order to deal with an amendment to the objects of a trust. Were it not for the legislation, there would be possibly two routes available to the trustees. One would be pursuant to the *cy pres* doctrine at general law, the doctrine that provides for a trust, where its express objects no longer effectively make any sense or cannot be applied directly, to be amended so that they can be so as to avoid the possibility otherwise that the trust might fail and be rendered incapable of administration. The *cy pres* doctrine would be an alternative open in the ordinary course.

Secondly, if the trustees were requiring to make amendment absent this legislation, there may be a procedure available under the Trustee Act for the trustees to apply to the Supreme Court pursuant to that act. While it is these days and in any event a particularly unusual situation that a private trust of this kind has found expression in legislation, it provides another means by which the objects can be amended and updated so that they can be applied in modern circumstances.

Having adverted to the doctrine of *cy pres*, I think it is also important to note that the legislature, in taking these steps to move these amendments, the subject of the bill, will do so with a clear eye to the objects that are expressed in the will. I think the people of South Australia would do well to look carefully at what we do in this place in making these amendments.

While there may be power, in theory, to go ahead and amend the objects of the institution considerably to depart from what is expressed in the will, in my view this is a very good example of circumstances in which the modern world has moved on considerably from the world of the 1880s when Dr Wyatt's will was drawn and the late 1880s when the trustees first met and commenced to apply those objects as Dr Wyatt had expressed them. I do not think for a moment, and I do not think there is any suggestion in this amendment process, that anything of this kind is expressed by the parliament.

I do not think for a moment that there is any reflection on Dr Wyatt's intent. I think my remarks at the outset I hope amply illustrate both the practical effect that the institution has had over many decades—indeed, over what is well in excess of a hundred years—and the fact that the institution is still responsible for funds approaching \$100 million speaks both to its good management and to the considerable success that the institution has had in helping South Australians. Some practical illustrations of that also bear perhaps putting on the public record together with these remarks. Those works are well documented, and I certainly encourage people to look closely at the work of the institution. It is remarkable.

I would simply note briefly that the institution has as its priority four key areas—those of employment, education, financial wellbeing and housing—as the objects suggest. In the 2018 financial year alone, the institution made grants of \$3.4 million and, perhaps as importantly, the institution partnered with more than 80 partner groups and delivered support and assistance to more than 5,000 individuals. If the 2018 experience serves as a guide of the work of Dr Wyatt so many

decades after his death, it might also serve to endorse the sentiments he expressed at the time in articulating what he was endeavouring to do by his extraordinary gift.

The amendments that are the subject of the bill are made with the express consideration of the governors of the institution. It is a work in which the government takes this relatively rare step of assisting a private organisation to regularise its affairs in that way, and so I endorse the amendments, I commend the work of the institution and I wish that it will continue for many more decades ahead.

**Ms STINSON (Badcoe) (17:08):** I rise as the lead speaker for the opposition on The Wyatt Benevolent Institution Incorporated (Objects) Amendment Bill of this year, and it pleases me greatly to be able to indicate that the opposition intends to support this bill.

As members may be aware, this is a hybrid bill, or at the time it was called a private bill, as it delivers a benefit to a discrete group of people, being the recipients of the grants from the trust, as well as providing a broader public benefit. Owing to that, the bill must be considered by a select committee of the House of Assembly, and I look forward to putting my nomination forward to be included on that committee later today, which will in fact be my first select committee in this place.

This amendment bill seeks to amend and remove archaic and restrictive definitions and language from the act to enable The Wyatt Trust to grant funds to more people in need and, in particular, people with difficult or even criminal histories. The Wyatt Benevolent Institution, which is better known more colloquially as The Wyatt Trust, I understand was created in 1886 upon the death of Dr William Wyatt, which I think was in 1883.

The trust's operation was formalised in 1935 with the passage of The Wyatt Benevolent Institution Incorporated (Private) Bill. That act governs the objects and operation of the trust. I had some fun in recent weeks in the parliamentary library looking up the records of the original debates. I will read a passage from the *Hansard* of one of those original debates because it sheds a bit of light on why legislation was even needed in 1935, even though the trust had been in operation for several decades before that.

The Hon. H.D. Young, who was the member for Southern at the time, told the house that Dr Wyatt's whole estate was really intended as a benefit to schoolteachers. He said:

His will stated that the estate should be formed into a trust for the benefit of clerical workers, school teachers, [and so forth], and the trust has been carried on ever since for that purpose. The amending Bill—

this is the bill in 1935—

is to provide, firstly, that the trustees can invest money by building. The Trust has made a considerable sum by building properties, as that has proved to be the most profitable investment. I think most of the Wyatt Street properties—

which I was privileged to be in the other day; Wyatt Street is across the road from where The Wyatt Trust now has its offices—

belong to the Trust, and those properties are let, and the proceeds paid out in cash to enable the beneficiaries to exercise their own choice in spending the money. Until now—

that is 1935—

the trustees have had to appeal to the court for power to do various things.

It was really interesting to read through those old debates. It was also encouraging to be able to see that, even back in 1935, support for The Wyatt Trust was bipartisan. Of course, that is maintained to this day.

The act currently stipulates that the trust may only allocate funding for people in 'poor or reduced circumstances' and to people of 'good moral character'. That has caused some difficulty for the trust in more recent times in providing programs to people who, for example, may have criminal convictions, as that definition would tend to exclude the trust from assisting people who found themselves serving custodial sentences in the past or who may have had other things happen in their life that may see them fall foul of that rather archaic definition and stipulation in the act.

The amendment bill varies and removes that language to enable a greater range of people to benefit from the grant programs, and that is a great thing. In my view, there is not enough done to support people who have served their time or, indeed, are midway through serving their time. In my

experience of working with victims of crime, victims are too acutely aware that almost always one day the person that offended against them will be released.

Victims have frequently said to me in the past that they want to be as sure as they possibly can that people who have offended against them, who have served gaol time and come out the other side, have learned something from it and are in a better position to contribute positively to the community and, of course, will not be a risk to anyone in our community. That does not happen in isolation. That can only be achieved when we support people both while they are within the justice system and, very importantly, as they are preparing to leave and then leave the justice system.

An organisation like The Wyatt Trust has some serious runs on the board when it comes to assisting disadvantaged people in our community. It is exceptionally well placed to continue and expand its work to assist people either in custody or leaving custody, as well as their families, to be able to build a better life for themselves and be able to contribute more fully to our community.

The Wyatt Trust was established from the will of Dr William Wyatt. Dr William Wyatt and Mrs Julia Wyatt travelled from Plymouth in the UK, arriving in Holdfast Bay in South Australia in February 1837. In fact, when they arrived the colony was only a month old, so they were certainly pioneers in every sense. Dr Wyatt was the first—

**The Hon. V.A. Chapman:** A month or seven months?

**Ms STINSON:** I am told it was a month according to the book that they gave me. I will check that before we get to our third reading speeches, thank you, Attorney. Dr Wyatt was also the first colonial surgeon. That is recorded in the *Hansard* from 1935. During his life in Adelaide, Dr Wyatt held a number of significant official positions.

He was a visionary who was committed to public life and was amongst the founding leaders in this state. He certainly saw a value in establishing institutions that would contribute to the public good. He was a founder of many institutions, including the Royal Adelaide Hospital, St Peter's College, Pulteney Grammar School, Holy Trinity Church, the gardens, the public library and even the Adelaide Club. He was also the inspector-general of schools and clearly was very passionate about education and the work of teachers, considering what he decided to do with his will.

He set up his first home in Grenfell Street and later at his home named Kurralta, which is in Burnside. His son William was the only one of his five children to survive childhood. As we heard from the member for Heysen earlier, William passed away at the age of 35, which of course left Dr Wyatt with no heirs to his extensive property portfolio and wealth, most of which was derived from his purchase of land in those early days of our colony, both in the city and in metropolitan areas.

Dr Wyatt wrote his will in 1881, naming the first governors of his institution. Having witnessed some of the early South Australian settlers struggle through adversity and poverty, he decided to leave his estate for the benefit of South Australians in poor or reduced circumstances. Dr Wyatt died in June 1886, according to these notes. The first meeting of the governors of The Wyatt Trust was held soon after, commencing a practice of making regular grants to assist individuals in need. That practice certainly continues to this day.

The bequest of Dr Wyatt was valued at approximately £50,000 on his death. Last year, the trust distributed \$3.4 million in grants. It recently celebrated the milestone of contributing a total of \$50 million in grants to South Australians, which is a truly wonderful achievement and something that really should be celebrated. Currently, the trust is worth a whopping \$100 million because of that original money but also because of the very wise investment decisions of the board and others connected with the trust since it was established so long ago.

The Wyatt Trust and the James and Diana Ramsay Foundation are two of the most notable public benefit trusts in this state. I think it is really important that we in this place acknowledge the work of The Wyatt Trust and other organisations and the huge difference that they make in the lives of South Australians. The general public are largely unaware of the work and the huge sums of money that are contributed through philanthropy in this state.

I think those of us here have a duty to draw attention to that and to celebrate it when the opportunity arises. Often, the people who are behind these trusts do not want any great attention on

their work. Modesty is certainly a rare attribute in this day and age, but the donors themselves, as well as their families, the boards and the staff who carry out this important philanthropic work, should be thanked and recognised for what are truly life-changing contributions that they are making.

Today, The Wyatt Trust focuses on improving opportunity and the quality of life for South Australians experiencing hardship. They do that across four priority areas: increasing employment opportunities, improving the retention of young people in education, promoting financial wellbeing and providing appropriate and sustainable housing options. I am sure everyone here would agree that, much like in 1935 when this was written, those are still key concerns in our community and areas of some focus for all governments. To achieve those objectives, the trust administers three major grants programs.

Its small grants program is probably the best known and that program assists individuals directly with items to assist them in a time of crisis or to help them deal with and hopefully overcome poverty. That can include grants for things like white goods, removalist costs and skip bins. There are a few examples of all too common circumstances in which those goods are needed. For example, this fund also funds computers and other technology equipment for children who need that assistance in order to get a good education. That is a great use of these funds.

We know that there is increasing pressure on children and on families to have technology in our schools and higher institutions, and that is incredibly expensive. I did not have a computer in my home when I was a kid. There are still many families these days who simply do not have the funds to be able to afford even what might be considered quite basic technological education aids. This fund goes a long way to making sure that those children are included and have everything they need to get a good education.

Another example is, families fleeing domestic violence. Sometimes you do need help in a hurry and it is comforting to know that The Wyatt Trust is there and can disburse funds quite quickly in situations of emergency and great need. The second grant program is the partnership grants, which are run in association with 90 not-for-profit organisations in South Australia—90 organisations is quite a lot. Basically, that money is provided to reputable non-government organisations and then they are able to disburse those funds to people. Lastly, the major grants run both not-for-profit programs and government department programs. For example, there is the Yunga Nungas program with Department of Human Services, which I might discuss in a bit more detail in a minute.

Some of those NGOs that work in partnership with The Wyatt Trust operate in the area of child protection and address the wider contributing factors to family breakdown, child neglect and abuse. Certainly through my work as the shadow minister, I have come across the incredible contribution of The Wyatt Trust more than a few times. They are working on issues such as drug and alcohol abuse, domestic violence, poverty, homelessness, unemployment and access to education. Not-for-profit organisations such as Lutheran Community Care, Anglicare, Centacare, Wesley Mission, Time for Kids and one of my favourites, Grandparents for Grandchildren, are also beneficiaries and work closely with The Wyatt Trust.

With key assets, The Wyatt Trust helps to provide funds for the camps it runs for children and assists with taxi vouchers for the Family by Family program. They are all great beneficiaries of The Wyatt Trust and really are empowered to do more of what they do so well in our community with the support of The Wyatt Trust and those wise investments that have been made over a long period of time and the generosity of the trust. Another great program it is involved in is Bolta Wiltja, which is an Aboriginal program in which schools can use money provided to them by The Wyatt Trust as they see fit to assist Aboriginal students to engage fully with education and to provide the best possible employment opportunities for them in future.

As I mentioned, Yunga Nungas is a program that is run through the Department of Human Services and has been for some time now. That program is targeted at young Aboriginal men who have been in and out of the justice system. It offers 24/7 support to the people who are involved with that program. There is a five-year funding commitment there and it is based at Regency Park.

The trust has also done some work with SAHMRI, including diabetes research, and in the past they have also invested in funding research around resilience, which is a topic that I am quite interested in. Some people can go through quite difficult circumstances and experiences in their lives,

particularly in their young lives, and for some it makes them stronger and it makes them achieve great things in their life, but for others it leads to quite the reverse. I find the work that is being done in that area of resilience particularly interesting and particularly pertinent to the work of child protection as well. They also support our Operation Flinders and Youth Opportunities.

I would like to conclude by thanking the Chief Executive of The Wyatt Trust, Stacey Thomas, who has been kind enough to give me her time and knowledge as I have assessed this amendment bill and sought to learn more about the work of the trust. Stacey has been fantastic in answering all my questions to really just satisfy myself and those on this side that the amendments that are being sought to be made to this bill will actually help them achieve the objectives they need and that we will not have to come back here and further amend it anytime in the near future, and that what this parliament seeks to do will ultimately benefit them in their work so that they can continue to contribute in such a significant way, as they already do.

Again, my sincere thanks goes to Stacey Thomas. She has also been kind enough to give me this fantastic book, which is rather thick. I cannot claim to have finished it yet. It is by Carol Fort and it is called *Keeping a Trust*. It is all about Dr William Wyatt and The Wyatt Trust. If anyone wants to read through it, there is a really fascinating passage on pages 44 and 45 about Dr Wyatt's time as the Protector of Aborigines.

It is fascinating because essentially it recounts a horrible incident in which an Aboriginal man was accused of murdering one of the British settlers and how Wyatt advocated for Aboriginal witnesses to have their views considered in the subsequent pseudo-legal process that happened. Obviously, that would have been a very difficult thing to do at the time. I think that really marks him out as someone of great standing and impressive moral fortitude in our community. I look forward to finishing reading that and I thank Stacey for that.

I would also like to thank The Wyatt Trust board and all the staff for their work; they have a very big job. I think the philanthropy that they are administering and continuing so long after Dr Wyatt first had the idea of supporting people who are less advantaged than himself really pays off for our state every day, and they should be commended for that. I look forward to hopefully joining the committee to examine this bill and to returning to the house at a later stage. I indicate again that the opposition certainly, at this stage at least, supports both this bill and, of course, the work of The Wyatt Trust.

**Ms COOK (Hurtle Vale) (17:27):** I would like to make a brief contribution on this really important bill. First of all, I would like to declare an interest in The Wyatt Trust in relation to the Sammy D Foundation, which is the organisation that I established with my husband. I am no longer affiliated at all with the Sammy D Foundation, but my husband is a director and an employee, so he does indirectly receive some funds from The Wyatt Trust, so it should be declared that that actually happens.

However, I do not believe that my supporting the work of a non-government organisation in the very broad space should be prevented in terms of being able to contribute towards the amazing ongoing work of Dr William Wyatt, which today focuses on opportunities to improve the quality of life for South Australians who are experiencing hardship across the four priority areas of the trust: increasing employment opportunities, improving the retention of young people in education, promoting financial wellbeing and providing appropriate and sustainable housing options.

Members have already spoken about the connections that The Wyatt Trust has with many not-for-profit organisations and the state government in terms of providing really good evidence-based and sustainable programs. I just want to contribute and say that I hope that this happens in a speedy way and that this fantastic organisation is able to do the work with the group of people who are currently, partially at least, excluded due to the wording. I support the passage of the bill while clearly outlining a small interest in the matter.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:29):** I wish to thank all those who have made a contribution to this debate. It is most pleasant to hear of the high regard across the chamber for The Wyatt Benevolent Institution Incorporated. It is a body that clearly has a high level of respect and appreciation across the board, not just in this parliament but of course in the community, which would attest to the extraordinary breadth of contribution that has been made

for support in the community during the lifetime of this trust. I thank members for that and for an indication from the member for Badcoe of the opposition's support of the bill.

I just wish to make one comment before I move to refer the matter to a select committee, on the basis that the bill is a bill to amend a private act, which was established to provide for the perpetuity of this entity. The private act was assented to on 12 December 1935. We have a bill to amend that. A bill to amend a private act, on the face of it, would have good reason to be treated as a hybrid bill and therefore have the extra process that our standing orders demand of the scrutiny of such legislation.

I say that in the context of that being the broad parameter. What we are doing in this bill, however, is amending the charter of this entity, essentially to move away from the restriction that this trust currently affords distribution under to a more limited class, particularly to benefit the persons who are termed 'above the labouring class' or 'belong to a class above that of a labourer', to anyone in the community, and we are moving away from the need to determine whether a prospective recipient is 'of good moral character and conduct'.

There is equally an argument that in fact the effect of this bill is indeed to provide a primary and chief objective to promote the interests of the broader community, not The Wyatt Benevolent Institution. However, it is a matter for determination of this house, and we have a certain process that our standing orders require if we do do that.

I am advised that when the parliament determined the amendment to the Lady Kintore Cottages Act back in 2014, at that time legal advice had been obtained to suggest that that bill was not a hybrid bill; however, on the other hand I am advised that the house decided, notwithstanding that, that the bill be treated as a hybrid bill, and it was therefore the will of the house to refer it to a committee. I am immensely grateful to the staff of the parliament—what is your official position David?

**The CLERK:** Deputy Clerk.

**The Hon. V.A. CHAPMAN:** Aren't you the keeper of the rod or something as well?

**The CLERK:** No.

**The Hon. V.A. CHAPMAN:** No? I thought you had some other grand title; sorry—to the Deputy Clerk. He probably deserves a much more grand title because he does such wonderful work. I am immensely grateful to him and his indication of two things: firstly, some work has been done to undertake the assessment of this bill being a hybrid bill; and, secondly, his commitment to look into some other areas of reform, particularly our universities, which, as members may know, have their statutory base by acts of this parliament. I do appreciate that.

As small comfort to the house, I think it is fair to say that we have also had the benefit of someone who has been a very valuable aid to this parliament in the past—that is, Mr Richard Dennis, who was the former parliamentary counsel for many years. He now sits as a director of the Wyatt Benevolent Institution, and I am sure that he is a very valuable asset to them, and I understand that he was also the author of the letter of request to the parliament to make the amendments consistent with the contents of the bill we are discussing.

It is apparently his view that this could be treated as a hybrid bill and, with that weighty support, I assume it may be on that basis that there is an acceptance that, whilst the act deals with a certain class and the primary and chief object (if we use that sort of phraseology) is to promote the interests of the WBI, it could well be argued that in fact broadening the base upon which someone might be eligible for a benefit under this entity has a primary chief objective to the broader community. Be that as it may, I doubtless will have some further advice from the Deputy Clerk, and obviously we will try to make sure that we have some consistency.

Members may be aware that there are very many of these private acts and, indeed, entities that were established to basically set the structure around many of our educational institutions, churches, charities and trusts. Just so that members do not think there is going to be an explosion of these, the fact is that in the last hundred years they have very much diminished because the practice of coming to the parliament to seek the umbrella of a statute is a fashion that has passed.



Probably the reason that is most likely is that the work of the parliament in dealing with public legislation has certainly expanded. Secondly, by virtue of the establishment of corporations law, associations law and the like, we have set up the structural umbrella within which many of these entities, churches, schools, trusts and the like, can set up and have all the protections, legal sanctions and entitlements via those structures and not have the inconvenience of coming back themselves and begging the indulgence of the parliament to change their own rules.

The autonomy and the protection of these entities now have a different crucible, and long may that reign. Nevertheless, we have the legacy of them, and of course we are more than happy to deal with them. I am happy to indicate in due course, if it has not already been conveyed to the parliament, the names of a potential membership of a hybrid select committee. I will do that whenever you suggest I do so.

Bill read a second time.

**The ACTING SPEAKER (Mr Cowdrey):** This bill amends The Wyatt Benevolent Institution Incorporated Act 1935, which was introduced into the Legislative Council as a private member's bill to provide, furthermore, effectual incorporation of The Wyatt Benevolent Institution Incorporated and to facilitate the carrying out of the trusts of the will of the late William Wyatt and for other purposes.

In accordance with joint standing order (private bills) No. 2, I rule that this amending legislation's chief object is to promote the interests of one local body—namely, The Wyatt Benevolent Institution Incorporated—and not those of local bodies generally. As it has been introduced by the government in accordance with the precedence established by the house in the application of joint standing orders, The Wyatt Benevolent Institution Incorporated (Objects) Amendment Bill is a hybrid bill within the meaning of joint standing order (private bills) No. 2.

*Referred to Select Committee*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:39):** I move:  
That this bill be referred to a select committee pursuant to joint standing order (private bills) No. 2.

Motion carried.

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

That a committee be appointed consisting of Mr Ellis, Mrs Power, Ms Stinson, Mr Szakacs and Mr Teague.

Motion carried.

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

That the committee have the power to send for persons, papers and records, to adjourn from place to place, and that the committee report back by 25 March 2020.

Motion carried.

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

That standing order 339 be and remain so far suspended as to enable the select committee to authorise the disclosure or publication, as it sees fit, of any evidence presented to the committee prior to such evidence being reported to the house.

**The ACTING SPEAKER (Mr Cowdrey):** An absolute majority not being present, ring the bells.

*An absolute majority of the whole number of members being present:*

Motion carried.

## **PLANNING, DEVELOPMENT AND INFRASTRUCTURE (COMMENCEMENT OF CODE) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 20 February 2020.)

**The Hon. A. PICCOLO (Light) (17:43):** I indicate that I am the opposition's lead speaker on the bill. I did not expect that this bill would be debated in this chamber at this time. When we learned that the government would prorogue parliament, I did not expect that this bill would be restored in this house, having already been passed by the other chamber. At least I did not expect that the bill would be restored following the Hon. David Ridgway's emphatic rejection of it in the other place.

Given the state we now find ourselves in, it is worth recalling what Mr Ridgway said in the debate in the other place on behalf of the Marshall Liberal government. Mr Ridgway implored members in the other chamber that, because of the reputed improvements to the planning system contained in the Planning and Design Code, the code should be 'introduced without undue delay' and 'as quickly as possible'.

**The Hon. J.A.W. GARDNER:** Point of order, Mr Acting Speaker: I seek your advice as to whether it is appropriate to quote from *Hansard* the debate on the bill in the other place.

**The ACTING SPEAKER (Mr Cowdrey):** I will caution the member that, while you may potentially reference it, generally standing order 120 requires that a member not refer to any debate in the other house of the parliament or to any measure impending in that house.

**The Hon. A. PICCOLO:** It is not impending. It has been there already.

**The ACTING SPEAKER (Mr Cowdrey):** I am advised that you cannot reference directly a debate in the other house.

**The Hon. J.A.W. Gardner:** You can describe it.

**The Hon. A. PICCOLO:** I can describe it, I can paraphrase it—

**The ACTING SPEAKER (Mr Cowdrey):** But not directly quote. Proceed, member for Light.

**The Hon. A. PICCOLO:** A certain member in another place—whom I will not name and I will not mention the place—implored those members, who do not have names, in the other place—

**The Hon. V.A. Chapman:** That is why we call it 'the other place'.

**The Hon. A. PICCOLO:** That is right. I can paraphrase the general tone of the discussion in the other place.

**The ACTING SPEAKER (Mr Cowdrey):** That is permitted under standing orders.

**The Hon. A. PICCOLO:** Generally speaking, the member in the other place suggested that the bill should be introduced without delay because it was so important, and that perhaps it should happen as quickly as possible. The member in the other place explained that this government did not support such a proposal because it would provide uncertainty around the time frames for the delivery of the code. The member in the other place also, I understand, without quoting—

**The ACTING SPEAKER (Mr Cowdrey):** Please do not.

**The Hon. V.A. Chapman:** Led to believe.

**The Hon. A. PICCOLO:** —I am led to believe, could perhaps have spoken about the rigorous process of public consultation, which allegedly took place in the process of the code's preparation, and potentially argued that the code would not necessarily need to be well designed when implemented as it would be improved over time.

**The Hon. V.A. Chapman:** Are you opposing this bill?

**The Hon. A. PICCOLO:** No, we supported the bill. We supported the bill in the other place. It was a Greens bill.

**The ACTING SPEAKER (Mr Cowdrey):** Please do not respond to interjections, member for Light. Continue.

**The Hon. A. PICCOLO:** In the other place, the bill was moved by the Greens, supported by SA-Best and the Labor Party and opposed—I understand, allegedly—by the Liberal Party in the other place. We had to deal with it very quickly, so the matter was not advanced in this place. It is my view

that this sort of cavalier approach is responsible for so many of the problems the code has encountered, and I will have more to say in a moment. The first thing I would like to point out is that, when debating legislation in the parliament, it may be customary to point out specific flaws a bill features before perhaps suggesting amendments and ultimately supporting the bill's passage through parliament.

We would generally support this bill but, as I have indicated to the minister already, we will be seeking to move an amendment to the bill as well. This type of debate reflects well upon a healthy legislature and demonstrates our ability to refine bills and remove from them potentially damaging unintended consequences. It is rare that a political party, especially the party of the government, outright rejects a piece of legislation in the other place only to support it and champion its passage in this place in less than three months.

It is interesting to note that, when speaking to this bill in this place only a couple of weeks ago when he introduced it, the minister said that he had received information from a number of sources over the last five months and feedback indicating the widespread concern about the introduction of the code by 1 July. It is interesting to note, though, that he knew about this five months ago yet only three months ago, when the bill was actually considered in the other place, he was still opposing it.

How did it get here? Why has the Marshall Liberal government performed this humiliating backflip on this matter? Why has the minister been dragged kicking and screaming to support a bill which was always sensible and supported by us in the other place and also SA-Best but opposed by the government? The answer is that the government's Planning and Design Code, its ePlanning system and the public consultation process, which is meant to support both, are in disarray.

The government may not have wanted to admit it when the bill was debated in the other place in December last year but, as the implementation dates grew nearer and nearer, the minister was forced to face the reality and the facts before him, which are damning. The facts are that the draft Planning and Design Code is still not finished; and that the ePlanning system is still not finished. As it stands, the draft code features thousands of separate errors and omissions, which have been discovered by councils, concerned residents, community organisations and other stakeholders where the application of planning policies from the development plans and other planning instruments have not accurately been translated into the draft code.

There are also many unanswered questions. We have been inundated with a number of questions by different community organisations. These include whether the large volume of local policy content not transferred from council of development plans into the draft code will be included in the final version of the Planning and Design Code. This is no small matter. In fact, a number of councils have raised this matter. Only a few weeks ago I was speaking with the cities of Mitcham, Unley, Marion and West Torrens. They all raised concerns about the loss of potential character in their councils' area because of the removal of council-wide planning objectives.

I am advised, for instance, that the code's exclusion in the Mount Barker region of the explanatory policy necessary to bring the concept plan for the Mount Barker growth area into effect will likely have the consequence of not requiring developers to fund the ring road featured in strategic planning for the area. The long-term consequence could be elaborate roads to nowhere, where patches of the ring road exist, but the project remains unfinished. Other questions are:

- Will those areas currently zoned for residential development accommodate large (potentially multistorey) commercial developments under the code?
- Will the code allow excessive out-of-centre commercial developments away from main street precincts in regional towns and cities?
- Will council staff receive the effective face-to-face training for the ePlanning system, which has been previously promised by the minister, or will it only deliver online training?
- Does the department have an ongoing budget to continue to develop the Planning and Design Code and ePlanning system to support the system which it says is a live document and, therefore, can be updated on a regular basis?

- What specific information will be available on the planning portal to support and assist development applicants and interested members of the public?
- How will the process operate for code variations, both minor and significant?
- How will development application fees be raised and distributed?

Perhaps most telling of all is that we have learnt that several high-profile members of the department's planning and reform team have resigned in recent months, including those specifically employed to develop and implement the ePlanning system.

On top of these concerns, there is also widespread community concern and anxiety regarding the draft code's inadequate protections for heritage, character and local streetscapes—and, in particular, the government's refusal to transfer contributory items to the Planning and Design Code when they begin advice by a number of councils, including legal advice, on what could be done to achieve that.

There are many problems with the Planning and Design Code and the ePlanning system, but there is one simple reason why the government is supporting this bill and had it restored to the *Notice Paper*: their code and their planning systems are not ready as promised. I do not begrudge allowing ministers to acknowledge when they have made mistakes, but at least when you make a mistake and you change your policy course, have the character to be honest about it.

When the minister announced that he would move to delay the implementation of the code, he again passed the buck. He did not acknowledge that the code and the ePlanning system had to be delayed because they were not ready. He said in this place that the advice from the State Planning Commission is that stakeholders, councils and the community are asking for more time to understand the code and become familiar with the new planning system.

As I said earlier, people have been saying that for five months—at least five months—yet the minister opposed this proposal in the other place less than three months ago. According to the minister, councils and other stakeholders are to blame for the code's delay, not him. The minister was not honest; he did not admit that his department was running behind schedule. He said that the councils needed more time to familiarise themselves with the draft code and the ePlanning system, and that he had been told for at least 12 months.

We agree that councils and other stakeholders will require more time to familiarise themselves with the finished code and ePlanning system, something which should have occurred during a public consultation process. As foreshadowed, I will be moving an amendment to ensure that councils are provided with sufficient time, at least one calendar month, to familiarise themselves with the finished code and the ePlanning system before it goes live.

During the committee stage, I will be asking a number of questions because there is lack of clarity of this process, despite the bill being introduced, on when the matters will (a) be gazetted and (b) go live. In fact, the minister attended a regional meeting only last Friday where he indicated that the phase 2 elements of the code would be gazetted in April and then would be introduced or go live on 1 July. That was a change in policy again. None of the councils were aware of it. I have tried to find out from the department whether they were aware of it. It certainly was some policy on the run.

However, this is not the intent of the government. I understand that it is important to note that, while the government is moving to delay the implementation of the Planning and Design Code, it did not intend to extend the public consultation process, nor will it conduct another round of public or stakeholder consultation. There is still too much uncertainty surrounding the Planning and Design Code and the ePlanning system. Uncertainty undermines business investment, as the Housing Industry Association has been warning.

There are too many unanswered questions regarding the code and the ePlanning system. The minister himself acknowledges that this is a generational reform of the state's planning system. We need to get the policy detail of the Planning and Design Code right because bad planning decisions have long-term consequences. Bad planning decisions can take years and a lot of money to rectify and sometimes take generations to rectify. For this reason, the Labor Party will support the bill but propose minor amendments to improve it. With those comments, I support the bill.

**The Hon. D.G. PISONI:** I move:

That the debate be adjourned.

The house divided on the motion:

Ayes ..... 22

Noes ..... 22

Majority ..... 0

**AYES**

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Ellis, F.J.	Gardner, J.A.W.
Harvey, R.M.	Knoll, S.K. (teller)	Luethen, P.
Marshall, S.S.	McBride, N.	Murray, S.
Patterson, S.J.R.	Pederick, A.S.	Pisoni, D.G.
Power, C.	Sanderson, R.	Teague, J.B.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

**NOES**

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

**The SPEAKER:** There being 22 ayes and 22 noes, we have a tie. I cast my vote with the ayes, so the ayes have it.

Motion thus carried; debate adjourned.

*Parliamentary Procedure*

**ADJOURNMENT**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (18:04):** I move:

That the house do now adjourn.

The house divided on the motion:

Ayes ..... 22

Noes ..... 22

Majority ..... 0

**AYES**

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Ellis, F.J.	Gardner, J.A.W.
Harvey, R.M.	Knoll, S.K. (teller)	Luethen, P.
Marshall, S.S.	McBride, N.	Murray, S.
Patterson, S.J.R.	Pederick, A.S.	Pisoni, D.G.
Power, C.	Sanderson, R.	Teague, J.B.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

## NOES

Bedford, F.E.  
Bignell, L.W.K.  
Brown, M.E.  
Gee, J.P.  
Koutsantonis, A. (teller)  
Mullighan, S.C.  
Picton, C.J.  
Wortley, D.

Bell, T.S.  
Boyer, B.I.  
Close, S.E.  
Hildyard, K.A.  
Malinauskas, P.  
Odenwalder, L.K.  
Stinson, J.M.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Hughes, E.J.  
Michaels, A.  
Piccolo, A.  
Szakacs, J.K.

**The SPEAKER:** Again, we have a tied vote: 22 ayes and 22 noes. I cast my vote with the ayes; therefore, the ayes have it.

Motion thus carried; house adjourned.

At 18:08 the house adjourned until Thursday 5 March 2020 at 11:00.