

## HOUSE OF ASSEMBLY

Tuesday, 28 April 2020

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

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

*Parliamentary Procedure*

### SITTINGS AND BUSINESS

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (11:01):** I move, without notice:

That Private Members Business, Bills, Notices of Motion Nos 2 and 3 and Orders of the Day Nos 1 to 19 and Private Members Business, Other Motions, Notices of Motion Nos 10 to 36 and Order of the Day No. 1, set down for Wednesday 13 May, be now set down for consideration on Wednesday 29 April, and Private Members Business, Committees and Subordinate Legislation, Notices of Motion Nos 1 to 12 and Order of the Day No. 1, set down for Thursday 14 May, be now set down for consideration on Thursday 30 April.

Motion carried.

### *Bills*

#### **GENETICALLY MODIFIED CROPS MANAGEMENT (DESIGNATED AREA) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 18 February 2020.)

**Mr HUGHES (Giles) (11:02):** My get-out-of-gaol-free card has been withdrawn, so here I am back in parliament. It certainly has been an interesting few weeks. It is great to see South Australia do so well when it comes to COVID-19. It is a credit to all parts of the state, to all those people who have followed the good advice provided by the medical experts. I rise today to speak on this bill. I would like to acknowledge that there has been a significant degree of constructive engagement when it comes to arriving at a compromise that I believe will benefit South Australia in the long run.

As members would be aware, the opposition have a series of amendments to the bill. Those amendments represent that compromise of listening to those people who believe that the GM moratorium has generated a marketing advantage and listening to those people, especially broadacre farmers, who have been very clear that they want to be able to exercise the choice when it comes to whether they use GM or not. It will be interesting to see how many avail themselves of the use of herbicide-resistant canola in the first instance, and there might well be other GM attributes to come that will benefit our farmers in this state.

In summary, I will flag the amendments we are seeking. We believe that we need to give a voice to communities that might well want to retain the GM moratorium and that the way of giving voice to those communities is through their councils. We flagged that councils would have to consult with primary producers and food manufacturers in their council area, in addition to the broader community.

A council that goes down that track, and then comes to a conclusion based upon those recommendations of those deliberations, would recommend to the minister of the day—and I am assuming it will have the same minister—that that particular area wants to retain a GM moratorium. As part of that recommendation, not only would the minister consider it but the Genetically Modified Crop Advisory Committee would also play a role. Of course, that committee was set up under the previous regime when the moratorium was introduced.

I think that it is fair to say that when the moratorium was introduced a number of questions needed to be resolved, not the least of which was: can the state get a marketing advantage through having a moratorium? I think that it is interesting when you look at the evidence. I believe that the balance of the evidence does indicate that, in comparison to other states, there has not been a significant marketing advantage for South Australia. I could go into a lot of detail on that, but I do not intend to do so at this stage.

When it was introduced in 2004, I think that it was worthwhile to do. Obviously, it has continued since then, with a number of bills before the parliament. I think that it is worthwhile that this has now been seriously looked at. There were a number of reviews last year and a lot of voices have been heard. Those councils that choose to attempt to opt in need to realise that this is not opening a whole debate about the environmental issues or the health issues: the federal government has jurisdiction over those and we have a federal regulatory framework that covers them.

When councils engage in consultation about GM crops or non-GM crops in their area, they have to do so taking into account that this is about putting an argument up that there will be a marketing advantage for producers in that particular area. I would imagine that a lot of councils in this state are not going to engage in that process and are not going to attempt to opt in to retain a moratorium.

I believe that that would certainly be the case when it comes to many of our broadacre farming areas in South Australia. I cannot imagine a council on Eyre Peninsula availing themselves of this opportunity, and I think that it would be the same in the Murray Mallee and other parts of our state. There might well be a number of councils that will decide to opt in, but, at the end of the day, the decision-making authority is not at that local level. The capacity to make a decision in relation to GM is not devolving to 68 councils.

The decision-making should be at a state level, and our amendments clearly flag the role of the minister and, as I said, the role of the Genetically Modified Crop Advisory Committee. When it comes to addressing those health impacts and environmental impacts, it is within the commonwealth jurisdiction. It involves Food Standards Australia and New Zealand as part of that process at a federal level. It is worthwhile reflecting on the fact that only a handful of our GM crops have been approved for use in Australia. I think that indicates the degree of rigour around this.

The Anderson report last year indicated that the cost to this state as a result of the GM moratorium is approximately \$33 million over the length of the moratorium. You could well argue that, in the context of a multibillion dollar grain industry, that is fairly small beer. Nonetheless, I do believe that farmers should have the opportunity to make those choices within the framework that has been established at a federal level. If the bill in an amended form gets through, farmers will have a choice about what they do on their property but, as I said, within a framework.

Bringing a GM crop to market is not a cheap process, both in relation to the research and development and the regulatory frameworks that have to be negotiated. As a result, you do have that bigger company involvement. The global average to bring a GM crop to market is 13 years in terms of time and approximately \$130 million in terms of expenditure. It is not a cheap undertaking, but that might change in the not too distant future with the advent of CRISPR technology.

Some people have said that this technology is akin to democratising the investment in GM. It will be a lot cheaper and, when it comes to GM modification, there might well be the capacity to adapt plans to very particular geographic and climatic circumstances in a very nuanced way. CRISPR might well be the direction that we pursue in the future, though time will tell whether it lives up to the promise that exists.

There are some concerns with CRISPR, though they are not so much in the agricultural sector. We have seen COVID-19, which, contrary to the conspiracy theories, is from a wild animal and has not been engineered. One of the issues with CRISPR and with technologies like CRISPR, and it is something that all governments globally need to treat with extreme seriousness, is that in future it might well be a lot easier for people to adapt and modify pathogens. That is something of deep concern and needs strong global regulation, but that is not what we are here to talk about today.

When you look at South Australia, we have an incredibly variable climate, as does Australia as a whole, so the issue of adaption is going to be incredibly important to climate change. We know

that Goyder's line is shifting south and we know that the ratio of precipitation to evaporation is going to generate real challenges for the primary industries sector in South Australia and in the nation as a whole.

When I came to look at GM, and I came to it relatively cold, I probably had a range of the prejudices that someone on the left might have about big companies, but I thought, 'Well, no, I have a responsibility here to actually sit down and go through as much information as I can.' I have read a lot, looked at quite a few research papers, gone to the usual credible sources of information and talked to scientists who are working in the field here in South Australia. Most of them were on the pro side, but there were one or two on the anti side. I met with farmers around the state, some of whom were agnostic but believed there should be a change, while others indicated that they supported a change but that they would not be adopting GM canola.

I think it would be fair to say that the majority of broadacre farmers in this state are supportive of lifting the moratorium. Certainly the peak bodies that represent those farmers were very clear that they wanted to see the moratorium lifted. So, when it comes to adapting to the challenges we are going to be facing, and are already facing in this state, GM might well be one of those tools that, in conjunction with traditional breeding methods, will give our farmers that capacity to just go that bit further. It is clear that farmers in Australia are often at the forefront of adopting and adapting technology to their circumstances.

I know that here the University of Adelaide is doing a lot of work on wheat and barley for both yield and frost tolerance and looking at GM, and also looking at drought tolerance, our salt tolerance and metal tolerance and increased iron levels and nitrogen use efficiency, and some of those studies are not far off concluding. If they were to be successful in developing some of those GM strains, it could make the difference between getting a crop in one year and not getting a crop, or a greatly diminished crop.

Chickpea drought tolerances have been looked at; we do grow chickpeas here in this state, and over the years legumes have become more popular, and that is good because there are huge markets for legumes. Chickpea frost and salinity tolerance have been looked at, and the Queensland University of Technology is doing that work and it is anticipated that, come 2024, they may have some results.

The CSIRO, our premier science organisation and an organisation that provides a lot of very useful information when it comes to the GM debate, is looking at rust and mildew resistance in wheat. They will have field trials running until 2023, so it is another potentially great attribute that might come as a result of genetic modification. The University of Melbourne is looking at increased iron levels in wheat and looking at the fixing of micronutrients. So a whole smorgasbord of things is going on.

Kangaroo Island gets mentioned a fair bit: there is obviously the livestock industry on Kangaroo Island. A number of different organisations are working on improvements to ryegrass for stock feed. Omega-3 canola has already been approved, which from a health impact and attribute viewpoint is worthwhile. As a state with a significant aquaculture industry, we need to do anything we can do to reduce the wildcatch fishery as the basis for feed stock when it comes to aquaculture; omega-3 canola might well provide something of an advantage.

Over the Christmas break a number of changes happened globally in relation to GM. Some people are point blank opposed to GM in whatever form, and I guess one opposition has been to golden rice. It has been incredibly strong internationally from some western-based organisations. Some of the early criticisms about the attributes of golden rice were accurate in terms of the bioavailability of the vitamin A precursor that GM golden rice could produce in an enhanced form. Those issues were addressed to the point where a number of countries approved golden rice. I think it is approved here in Australia and a number of other western countries.

The point was that those western countries did not need golden rice; the countries that need golden rice are those countries where there is a very serious vitamin A deficiency in the make-up of the food that people eat. This is where you get some irresponsible counterarguments. The number of children under the age of five who die each year as a result of vitamin A deficiency is estimated at 670,000 children a year, and there are over 500,000 cases of irreversible blindness.

In my view, for western organisations to put a block on this—once the science had developed and some of the initial deficiencies had been addressed—did not border on irresponsible: it was irresponsible. It is good to see that the Philippines has now supported the use of golden rice. I am sure other South-East Asian countries will follow.

Just after the Christmas period, an individual from Bangladesh was over here talking about Bangladesh. There is a lot of very low lying land in Bangladesh where rice is cultivated, and they have a major challenge when it comes to global warming, rising sea levels and the infiltration of salinity into what was prime agricultural land. As a result of that, they have been working on more salinity-resistant rice crops in Bangladesh.

This is all a long way away from South Australia, but it is just a way of illustrating the importance of GM products and the increasing role they are going to play, and it is good that Australia, through science, is making some contribution to some of those worldwide efforts to increase food supply in what is going to become an increasingly challenging global environment.

At times we have approached this with argy-bargy, but we have now reached the point where we have an incredibly significant overlap between the opposition and the government when it comes to furthering what I believe is in the best long-term interests of our state. We are giving a voice to councils and their communities, but those councils are going to have to put forward a cogent argument, one that stands up to scrutiny, one that demonstrates that there is a real marketing advantage and a price premium for non-GM cropping in their areas.

It is clear that non-GM crops can attract a premium, and there are parts of the world that have a very strong preference, in some cases a mandated preference, for non-GM crops. A lot of the emails sent to me focus on that, but they do not focus on them making a comparison with the other states, because despite the fact that moratoriums were lifted in different states at different times, the non-moratorium approach has now been in place for a long time.

All those states are able to exploit non-GM markets and have done so very successfully, so the argument is not whether you have a moratorium or a non-moratorium; it is about what your farmers see as an advantage. Where can they get a commercial advantage? Where can they get a return? Some farmers will choose to be strong on growing non-GM crops and some, for reasons to do with the management of their farms, will choose to go down the GM track. As I indicated, there are a lot of other attributes that are coming down the track that we need to be aware of.

With those few words, I will come to a conclusion. Once again, in politics it is always worthwhile if people are willing to listen, if people are willing to evolve when it comes to positions adopted, and it is good when we can find common ground. It is one of what has now become those perennial criticisms of politics, that it is a winner-take-all approach, the constant pointscoreing. What that does to the listening public over time, the public that does take an interest, is alienate them.

What they do then is drift to the minor parties, and often to minor parties that, if they ever held any real power, would be of great concern for the future of our nation and state. I am not necessarily reflecting on any of the minor parties here in South Australia, but there are some minor parties out there that are very scary indeed. When the major parties come together to work on a compromise, to see if we can get a bipartisan approach, I think that is something the public applauds.

Not everyone is going to get everything they want out of what we are proposing; as I said, there is compromise and there is some trade-off. Some of the policy purists are not 100 per cent fans of the amendments we have put forward, but they are political realists and acknowledge that this is a genuine step forward for our state and that there is a political process. Some of those who are strongly opposed to GM are not going to be happy with this compromise. That is the nature of the political process, but both the major parties, in a principled fashion, have tried to come to a constructive agreement.

Of course there is the issue of Kangaroo Island, and there has been some movement there as well. The position of our party is that any change in the status quo on Kangaroo Island should be a change that ultimately, come 2025, should be a decision of the parliament of the day. They say that a week is a long time in politics; well, five years is a long time when it comes to primary industries and some of the changes that are occurring, and when you speak to some of our farmers on Kangaroo Island they express various interesting views.

We have a way forward here, a way forward that will benefit the state, and a way forward that I believe is in the long-term interests of our state.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:28):** I rise to speak on the bill in respect of genetically modified crops and note the foreshadowed amendments by the member for Giles as well as an indication from the government that they will be agreed to. Essentially, it is to set up a program of allowance for various councils to seek the approval of the minister, after having consulted with their communities, for their area of jurisdiction to be a designated area for the purposes of the continuing moratorium on the use of genetically modified technology.

The debate on this matter has been a very interesting one to watch. In a way, it reminds me of a time when I had discussions with my mother about radioactive waste and her fear of the unknown, and with my great-grandmother about the use of electricity, which she refused to allow in her house, notwithstanding raising 14 children, because she also feared its danger. It is hard to imagine in this day and age how we would live without electricity, but she did. She had her gas lanterns and her candles and she had her outdoor toilet. She survived well into her 90s and bore seven sons and seven daughters.

It is the fear of the unknown that I have seen evaporate over a period of time in relation to this debate. I am pleased to see it because the more we have become educated about genetically modified engineering organisms and the GM and GE debate the more we have become familiar with significant benefits of genetic engineering and, indeed, learnt a history of Australia, and South Australia in particular, being at the forefront of science advancement in this field, and we should proudly look at that history.

That has required us to become informed about circumstances that have exaggerated that fear, and with that I talk about the whole Monsanto debate and the enormous number of presentations which are given to us, and of which we have received a diet, which were to lead us to believe that there was some, effectively, carnivorous commercial conspiracy going behind the advance of companies such as these and their capacity and power—empire building—in the world of seed production that was designed to scare us.

I think it is important that we give this some critical analysis. Minds greater than mine of course have looked at these issues, and one by one there has been a development of understanding not only what has happened, what potentially could adversely occur, but also how we ensure that we go forward with benefits of GM genomics generally and have the advances without the perils of the disadvantages.

I thank the minister for bringing to full circle, I suppose, the consideration of genetically modified crop management in this state. It is a very important part of the history. It has had a long gestation period just within this parliament, and I think of people like the Hon. Anne Levy and her committee in assessing what her committee recommended years ago now in this space. I do commend the minister for bringing it full circle and to a close, and with that amendments which are presented and which I suppose allow it to limp along—I do not mean that disrespectfully—and allow a continued consultation and a model which could bring about some differences in application of this in our state.

With that comes the complication of having designated areas. Kangaroo Island, frankly, is easy because it is geographically isolated, and we all understand that. In other council regions or, indeed, the outback authority (I cannot remember its full name now; the member for Giles will remember, as it certainly covers parts of his electorate) there are added complications, probably no more than we have to deal with already on the borders of our state, for example between South Australia and Western Australia. Nevertheless, it adds to the complication. Be that as it may, it is important that we recognise that there is a very significant advance by this being progressed.

What I would like to record from my perspective is two things; one is that over the course of the last 30 years there has been some significant conversation about the development of this area of research and application. It overlaps a time when, as an adult, I watched it with interest, and I have not seen it in any other area, perhaps, except climate change, where there is an ever-growing education of the general populace in relation to how we address, live with and, if necessary, modify

our lifestyle to deal with climate change. Similarly, there has been a maturing of public education and understanding of the GM issue.

One of those is a book called *Seeds of Science* by Mark Lynas, which I was provided (and I think probably other members were too) by Mr Matthew Cossey from CropLife Australia in 2018. Members who might have read this book will remember that Mr Lynas was very active in the anti-GM movement in Britain about which, I suppose two decades later, he had a view that changed in relation to his approach to this area.

In the book, he outlines his activities as an activist in in fact destroying GM crops that were in trial cultivation, culminating in, I think, a mature development of what benefits there are. He fairly critically analyses at least the literature on GM crops, where they have applied in the world, whether they have fed the world and all those sorts of questions, and he has come to an understanding of the benefits of genetic engineering. In fact, I remember a reference in the book (although I could not find the quote as I was bringing it into the chamber) which really stuck with me—that is, that without genetic engineering we would not allow our children to be near dogs today, which of course with genetic engineering have evolved from wolves, as they would be too dangerous to live with our children.

I think it is important that we at least listen and embrace and be prepared, like Mr Lynas has, to work through and I suppose receive what is a sensible maturing of that education, exclude what is obviously not without sound scientific basis and also be prepared to say that perhaps the seeds of science, as he has identified, do have a benefit and that we need to be able to say, 'Let's move forward.' The passage of this legislation is not just symbolic; it is, in a very pragmatic way, I think, going to lead to a foundation of extra financial support in the recovery of our state, which, of course, like the rest of the world has been wounded in recent times with the COVID-19 circumstance.

It is of course not the first difficulty we have had in relation to pest management. All those in parliament who have a background in agriculture and horticulture, which this so significantly affects, would understand that pests and disease can be the biggest enemies in relation to the economic viability of those industries and therefore our state. I agree with the member for Giles: I think there is an opportunity, especially for South Australia, to be able to develop that.

The second area I want to talk about is Kangaroo Island itself. Members know my grandchildren are eighth-generation Kangaroo Islanders and we are proud of it. The development of livestock as an industry—mostly sheep and cattle but some pigs and other enterprises, and some horticulture and viticulture—has been an important part of the agrarian base of the economic underpin of the island. We have tried mining and a few other things over the years, but they have been hopeless failures. Nevertheless, it is still a very significant underpin.

With that is the provision of pasture, and members who have any familiarity with the island would understand that there is well-documented research in relation to the trace element deficiencies in soils on Kangaroo Island. This was a major impediment to the soldier settlement development after World War II, as were the difficulties a number of the new residents on the island took up with that challenge and had to deal with, along with the usual vicissitudes of the sometimes unreliable commodity price and obviously water, which has been difficult in some areas on the island, and pest and disease management.

There are a lot of things that already come with weather, price and disease, but when you are dealing with a trace element deficiency as well, superphosphate is not enough and, obviously, there have to be some other additions, but that is something that has been learnt and addressed. If we have the capacity on Kangaroo Island to ultimately look at genetically modified production, whether that is in pasture for livestock (as the member for Giles mentioned) or whether it is to deal with genetically modified crop production for export, for example, then we need to address that down the track.

It is not as if Kangaroo Island does not have other attributes for an economic base—namely, tourism, for example, which will need a bit of rebuild, and there is no question about that. However, we will need to appreciate the significance of the agriculture and horticulture, and particularly the livestock industry continuing there. Of the several hundreds of thousands of stock on the island, I

think something like 60,000 were as lost in the recent bushfires, so the community over there needs all the help it can get to make sure that we rebuild that economic base for Kangaroo Island.

Right back from the recommendation of Ms Levy's committee, it was identified as a geographically isolated area by virtue of its natural boundary and, therefore, something that we are hopeful will be able to assist us in maintaining the benefits of that. If there was ever an example, it is that we have saved the Ligurian bee from Italy from extinction. Whilst I have never been all that excited about the koalas that were taken over to Kangaroo Island and bred up, again the isolation has actually allowed some of those koalas to be brought back to the mainland, and although they might never return to Kangaroo Island they will be important in a breeding program both here on the mainland and, hopefully, even overseas, to enable us to be part of the insurance for that species.

With those words, I would like to say that I appreciate the extraordinary work that has been done by the minister and his department, and I appreciate the contribution made by the opposition, and the member for Giles in particular, in coming to a resolution of how we might advance this. I think the parliament will be recognised for it and our state will be rewarded with it.

**Mr TRELOAR (Flinders) (11:43):** I rise today to speak to the amendments to the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020—it is quite a mouthful—and it is a pleasure to finally be here. I have lost track of the number of times I have stood to contribute to the GM debate in this place in my time here. Our moratorium extends back to 2004, when the then Rann Labor government imposed, for whatever reason at the time, a ban on growing genetically engineered crops in this state. Despite recommendations to the contrary, that same government decided to maintain that moratorium again in 2008, if my memory serves me correctly, and here we are in 2020, finally having reached a compromise between the government and the opposition to be able to allow the growing of genetically engineered crops across the majority of South Australia.

I need to declare an interest here, Mr Speaker. For 30 years I was an active grain grower on Eyre Peninsula and for the last 10 years, during which I have been a member of this place, I have retained an interest in that grain growing operation. I do not come to this debate without an interest and I do not come to this debate without also some experience, I might add, on this particular subject.

I was introduced to GM crops way back in 2002 when I was fortunate enough to visit the United States as part of my Nuffield Scholarship travels during that year. It was in the very early stages of GM crops being grown in the US—baby steps at that time—and certainly Monsanto was a company that was on everybody's lips at the time and probably still is. I might add that I am not into conspiracy theories; I concur with the Deputy Premier in regard to that. I do not think there is any conspiratorial intention by any of these major companies to control the world's food supply. I just do not buy that as an argument at all.

I digress. I visited the Monsanto factory in St Louis and was briefed on what were the very early days of Roundup Ready corn. Within a very short period of time, much of the corn and the vast majority of soybeans grown across the American Midwest—that huge grain belt, that food bowl of North America—was actually Roundup Ready or glyphosate tolerant.

At that same time, experiments were being done, and slowly but surely introduction into Australia came, in other states initially and particularly around Bt cotton. I think that was probably the first crop that gained any real foothold here in Australia. I understand cotton is grown in northern New South Wales and southern Queensland. What it really gave those cotton growers and that cotton plant was resistance to insects. I was told at the time that growers were able to reduce the application of pesticides significantly. They had been spraying up to seven times with pesticides—chemicals being applied to the crop—and this inherent resistance bred into Bt cotton meant they only had to have one spray. It was a significant saving and a significant benefit to the environment.

The shadow minister talked about golden rice, and of course that too is one of the great success stories, and I think that is an incredibly responsible thing for us as a world community to pursue—to be able to feed the masses and have an addition of vitamin A into a very limited diet across vast areas of the world. We are talking very much about Roundup Ready canola in this state at the moment. There will be other opportunities very soon probably, in relation to canola—that is the addition of omega-3. Of course we all know the health benefits of having omega-3 in our diets; hence the recommendation for us to eat more seafood than we are to gain those benefits.

I mentioned the shadow minister, the member for Giles, and I am going to congratulate him and our Minister for Primary Industries on the negotiations they have had. They have been able to reach agreement on some amendments that will allow, after all this time, our grain producers the opportunity to plant and grow genetically engineered canola, in this instance, at this point in time, and have the benefits of that. It will be their choice to do so. Not all will, I might add.

So it has been very much about choice for us as a government, and we have reached an agreement. It is great news for our farmers and regional communities who for a long time have been calling for the opportunity to have that choice.

I will just spend a little bit of time talking to the agreed amendments under this bill, which will establish a time-limited, six-month period whereby the Minister for Primary Industries may, upon application from a council—that is, a local government area—designate that council area as being an area where it is prohibited to cultivate GM crops. In other words, we are giving local government areas, local councils, the opportunity, after required consultation with their communities about whether they may wish to apply to the minister, to seek to have their council area remain GM free.

The minister would be required to consult with the GM Crop Advisory Committee prior to designating a council area and must take into account any advice provided by that committee. Ultimately, the decision will be left with the minister. It will be interesting to see how this plays out. I am sure there will be some councils which might want to consider taking this position, after suitable consultation. There will be many which will not. Many across the broadacre farming areas of the state will be pleased to give their farming ratepayers the opportunity to do that. It is a compromise position but it will ensure that our farmers have the management tools they need.

I want to talk a little about farming systems because I have seen incredible change and evolution in farming systems over the last 40 years. My father, who is 84 now, has seen incredible changes in his lifetime, as his father did before him, so my point here is that farming systems are continually changing and evolving. They are never perfect. We never come to a perfect system. In fact, often just when we think we are getting it right, something changes. Mother Nature will throw something at us or we will discover that we have pushed a particular part of the system too far and we have to make adjustments. This is part of the next change to those farming systems.

In this place before, I have traced through South Australia's history of changes in farming systems. It began with the Ridley Stripper in 1842. That single development allowed larger areas of wheat to be harvested in a day. We go through the development of superphosphate, the introduction of traction engines, lay farming systems, and trace elements, as the member for Bragg mentioned, which were critical in large areas of the state, up to what was called the green revolution in the 1970s. There were new varieties which gave a significant yield increase at that time. It was all about plant breeding at that stage, and in a way this is as well. We move on to the current day where we have specific applications for fertilisers, chemicals, varieties and rotations, which are long considered to give the best result, not just financially but also to the production across areas of South Australia.

There was an independent review undertaken which supported the government's position in relation to lifting the GM moratorium. The independent review found the cost to canola farmers of South Australia's GM crop moratorium was estimated to be \$33 million over the period from 2004 to 2018. My quick maths tells me that that is a cost of about \$2.5 million a year. I am going to stand here and say that that is not a whole lot of money in the grand scheme.

But my point is, and I go back to my experience as a farmer, I want to talk about how grain producers make a decision in relation to crop varieties and crop systems. Their goal, our goal, is to make money; it is to make a profit on every single acre on one's property. Profit is derived by multiplying yield by price achieved and subtracting the cost of production. It is a very simple formula but it works.

Much has been made about the so-called price premium that is available for non-GM canola to growers here in this state and elsewhere. The evidence is that there is not really a premium, but even if there is, that is a consideration for the farmer to make, not for the parliament. The farmers themselves, the growers themselves, have to decide whether an increased yield and lower cost of production make up for a lower price or otherwise. These are really serious considerations and they



are considerations that our grain producers and farmers need to be able to make themselves and not have such things dictated to them by the parliament in South Australia.

Of course, we need to respect our growers and their choice and their responsibility in managing vast areas of South Australia's landscape and production. There will be other benefits for our farmers. We will have more varieties to choose from to suit specific environments and seasonal weather anomalies.

I can see that the area assigned to canola may extend a little bit further north in this state. The further north we go, the drier it gets. There may be the opportunity now to sow canola prior to the break of the season, so in those areas that have a shorter growing season they can sow earlier and they can sow dry. The crop comes up. The weeds come up at the same time—that is a reality. We cannot farm without weeds and an application of Roundup or glyphosate would take out the weeds and not the crop. That will allow growers to make full use of the growing season.

There will be environmental and health benefits from reduced farm chemical applications. Roundup has had a bit of bad press in recent years and it is seen by some as a big ogre. I am going to put to you, Mr Speaker, that the development and introduction of glyphosate, often known by the trade name Roundup, is the most significant development in broadacre farming in this state, across the country and around the world since the introduction of the tractor—it is that significant. There is no shying away from that. We should not be frightened of that.

Farmers often worry about crops and weeds developing resistance to chemicals such as Roundup, but that is something we should be managing anyway. That is all part of this whole farming system package whereby we make decisions about rotations and systems to manage that very resistance that we talk about. It is not just resistance to Roundup that we should be considering, there are other chemicals as well, so we need to balance that out.

There is likely to be a boost to the value of farmland whose productivity and profitability is raised. Remember that formula: yield by price, less cost of production, equals profit. I think that our farmers deserve the regulatory certainty and confidence to know they can invest in GMC and plant GM crops if they want to. Now, it is not going to be for this year, or this coming season.

For those grain growers who have not had rain yet they are about to get rain, given the forecast for the coming week, and that is an exciting time. It means that our growers will be on their tractors planting, or cultivating if they are not, or direct seeding if they choose to. It gives them some certainty. We are already in the 2020 cropping season, so this will carry over to the 2021 season.

All foodstuffs containing GM crops must be labelled so that we are considerate of consumer choice. I talked a lot today about what growers are looking for and what grain producers are requiring and expecting, but ultimately consumers play a role in this as well. I suspect that, as we go forward and the functionality of some of these crops and some of our foods through genetic engineering is developed, we will have people actively seeking out that functionality for health benefits and otherwise.

I have had emails, as we all have had, urging us to consider carefully the impact of lifting this moratorium, which I have dutifully done. As I said, I come with an interest and some experience. Often, those emails come from producers who describe themselves as being organic producers. I do not have a problem with that. If they choose a production system that is defined and described as organic then so be it.

Ultimately, I am sure they are profitable at the end of it and that will allow them to remain in business, but I did put a question to the organic growers association at a presentation here in Parliament House. I put to them that I did not feel that genetically engineered crops and organic farming are necessarily mutually exclusive. It just did not seem to fit with my concept of farming.

The answer I got was that the association itself had decreed that organic farmers must not grow genetically engineered crops. Of course, there is no doubt that many of them will be growing varieties of cereal and other things that have been developed and bred using traditional means. There is a bit of an anomaly there that still exists for me. As I said, I am not being critical of that; it is just that questions need to be answered.

It will be interesting to see how the situation evolves on Kangaroo Island. Obviously, that part of the state is geographically isolated and has chosen to be. It has indicated to us as parliamentarians that it wants to be dealt with separately in this legislation and it will be interesting to see how the situation is in 2025. We are talking very much about just Roundup Ready canola at the moment, as that is the crop that will be available to South Australian growers. There is no genetically engineered wheat available commercially to growers, but that may come.

My question for Kangaroo Island and the other grazing areas of the state is, if and when genetically engineered fodder crops become available, whether they will come under the same jurisdiction. A large area of our state cultivates improved pastures that contain such things as ryegrass, lucerne, sub clover, medics and all those things that potentially could have their production enhanced by genetic engineering. It will be interesting to see how that evolves over time.

As I said earlier, farming systems are continually evolving and no system is perfect. This, too, will take us to the next level of production. I mentioned earlier that my father still believes at 84 that the greatest developments in his farming career were the introduction of cabs on tractors and hydraulics. We need to put these things in perspective. This is just simply the next development in our farming system.

Congratulations to the minister and the shadow minister on being able to reach agreement on this. There has been a lot of work over a lot of years and I appreciate now being able to stand up and contribute to a debate where, hopefully, we will be able to deliver a good result for the grain growers of South Australia.

**Ms BEDFORD (Florey) (12:02):** I am grateful for the opportunity to contribute to the second reading of this bill. Last year, the government introduced a bill exactly the same as this in the dying days of the last session. It was brought on after the disallowance of a regulation in the other place, without notice and through a suspension of standing orders.

At the time, I expressed my disquiet with the treatment of this house, and it is a concern shared among a number of my colleagues in this house and in the other place. As I predicted at the time, the government went on to remake regulations to allow GM crops despite the fact these very same regulations had already been disallowed and despite the fact a subsequent bill had been defeated. Now, only a day after the government's regulations were again disallowed in the other place and while this bill remains listed for debate in this house, the minister in what can only be described as a stunning act has remade the regulations. In his press release of 3 March, the minister said, and I quote:

We will negotiate with Labor and willing crossbench MPs to seek agreement to pass our GM legislation and provide long-term certainty for the industry.

This sentiment is, of course, the right one, but it has not happened in any true sense. As I indicated in my contribution on the same bill last year, this is an abuse of the democratic system. In my Address in Reply speech, I indicated political shortcuts can lead to political headaches, and there are a few recent examples. All these political tactics serve to achieve is to erode public faith in our democratic system and cause damage to the conduct of good government in our state. That is why I have just this week given notice that I will be introducing a private member's bill to amend the Subordinate Legislation Act to prevent this from ever happening again.

When regulations are disallowed, no minister should have the power to remake them. Indeed, I know but for the prorogation of parliament the government would not be able to reintroduce this bill now, given it had been defeated in the other place. Had time been taken to examine the issue properly, had the traditions and conventions of this parliament been adhered to and had there been proper respect for the democratic system parliament embodies, it is quite possible there may have been a policy win by now.

I, for one, have always been open to revisiting the moratorium if there is evidence that it no longer works or it no longer offers an advantage, although to be clear nothing presented to me to this date has shown this. Rather, my office continues to be inundated with requests to hold the current line, and I ask: can all these people be wrong?

Because of this, I will not support this bill in its current form. Instead, I have moved separate legislation to enshrine the notion that, once a regulation has been disallowed by either house, the government cannot make the same or similar regulation within a period of six months. This applies to the commonwealth parliament, and I refer members to my prior speech on this topic. I can assure you, sir, I and my colleagues on the crossbench will have more to say about how this parliament should better operate for the interests of the people of our state in future.

**Mr BASHAM (Finniss) (12:05):** I rise in support of this legislation and the potential benefits it can deliver to the farming community of South Australia and the economy of South Australia generally. Genetically modified crops have been around since 1996, and GM-ready canola was introduced in Canada in 1996, 24 years ago. So we have been at a disadvantage here in South Australia competing with countries like Canada in the canola space for 24 years, as they have had access to these new technologies.

GM is such an important technology and allows for gains in productivity that other methods just cannot achieve for the community. As the member for Flinders outlined in his address moments ago, agriculture has certainly been great at taking up new technologies and delivering that proactivity gain to the economy. In the industry I come from, the dairy industry, we have seen one of probably the biggest things in my lifetime, having started before my lifetime, namely, the introduction of artificial insemination of cattle.

This allowed the dairy industry to fast-track the genetic gains that can be made by finding the appropriate genetics to allow greater milk yields, etc., while requiring less input. It also allowed greater selection tools to improve the animal welfare issues, such as making sure the feet and legs were able to carry the animals to the best of their ability, giving the animals the most robust legs and feet possible to carry them through their productive life.

Those changes have been steady in that genetic space over my life in agriculture, to the point where in recent years we have seen the mapping of the genetic make-up of cows and working out what can actually be achieved by particular bulls by placing over certain cows to lead to a particular outcome. All that helps with those productivity gains, and agriculture has been great at taking advantage of those technologies to deliver returns and greater food for the world as required for our ever-growing population.

I have had some personal experience with glyphosate Roundup in the very early days. I very much remember my father, I think in 1978, conducting a trial with one of the representatives of Monsanto at the time coming out and doing a trial on spraying reeds in a paddock to selectively remove those reeds from a pasture, allowing the clovers, etc., to grow underneath them. That was very much in the early days of glyphosate being available in Australia, and we have seen that progress over my lifetime.

People have joked that if anyone is going to die of glyphosate poisoning, it is going to be my father with the amount he has used it over the years spraying weeds around trees, as well as broadacre applications to make sure our farm was as productive as it could be. All these technologies are very important, and we need to continually look for these new technologies.

I very much thank the opposition and the minister for reaching this compromise. I think there will still be some interesting debates at council level going forward, but I think it is very much going to be an opportunity for farmers themselves to be the ones making the decision whether they want to go down the genetically modified plant line in their operation. It is a fantastic outcome for our community. It now looks like we are going to see this legislation pass, which will bring South Australia into the fore with all the other jurisdictions around Australia and finally catch up to Canada, which has been there since 1996.

We also heard from the member for Flinders that he sees glyphosate as being the biggest improvement in agriculture since the tractor. I am not sure that it is more important than the tractor because, in a lot of cases, you can actually put the tractor back in the shed, because we no longer need those tractors out there working the fields. We have seen enormous environmental improvements in the management of soils and pastures as well as cropping ground from the use of products like glyphosate, which is a key part of the reason we have headed down this genetically

modified path, particularly in the use of canola. I think there are also enormous benefits coming into the future in this space, particularly around pastures.

Certainly one of the key debates going around in my roles with the South Australian Dairyfarmers' Association and Australian Dairy Farmers over the years from the early 2000s, was whether the industry should be allowing genetically modified feed stuffs to be used in the production of milk. The industry has very much come to the conclusion that yes, it must allow these into the future, and very much must allow the use of genetically modified plants. It believes that the system we have in Australia at a federal level to assess each of those plants as they are developed is certainly one of the best in the world, if not the best in the world to make sure we are managing the system correctly.

I think we are heading into the right space, and the further we go the better we are getting at it. I guess one of the concerns I had, certainly in my roles at Australian Dairy Farmers, was that we had to send a lot of our research overseas to be done, particularly in developing the genetically modified organisms in ryegrass. We could not bulk up any seed, etc., in Australia and then grow it in trials here; we needed to send it across to South America. Certainly I do not think that is the best way for us to manage and give robustness around the development of those things. I think we need to do it here and understand what is going on.

I think it is a very important outcome for the industry and I very much support the passing of this bill. Likewise, I would like to see local governments support it in not seeking applications to keep moratoriums in their particular councils. I do not think we are going to see a lot of applications but there might be some out there. Certainly, I have three different councils that the seat of Finniss sits over: Yankalilla council, the City of Victor Harbor and Alexandrina Council.

Victor Harbor sits wholly within Finniss, but it is very much based around the city of Victor Harbor itself. It does not have a lot of agriculture, so I do not see it being a big issue for that council to be looking at. I have a very small section of Yankalilla council—probably about 30 of my constituents are in the Yankalilla council area—and it is interesting to see that it is very much an agriculture-based council area with very productive, high rainfall country. It will be looking to the development of pasture-based, genetically modified organisms rather than the cropping-based areas; there is not so much cropping in the Yankalilla council area.

Alexandrina is a much more complicated council area in this regard. Most of the cropping areas in this council area are not actually in the seat of Finniss; some are, but most of them are probably in Heysen and Hammond. However, it is a very large council and I would imagine there are very different views, in this space, from one end to the other. There would be some very township-based views around some of the major settlements in Alexandrina—Strathalbyn and Goolwa, Port Elliot and Middleton—right through to farming-based views around Finniss through to Langhorne Creek, etc., and that would very much influence where that council might head.

It is going to be an interesting journey, and we will need to support councils in that journey if they decide to go along the path of seeking an extension of the moratorium in their particular regions. However, I am thrilled that an agreement has been reached with Labor and the minister in this space to get to this point. It is going to be a very big gamechanger for agriculture as we move forward and see the development of things beyond canola; canola is certainly the one that is here and now, but other things are coming forward.

So thank you very much to all those involved, and thank you very much to the minister for all the work he and his staff have done to get to this point. With those few words, I commend this bill to the house.

**Mr TEAGUE (Heysen) (12:17):** I am glad to take this opportunity to rise to speak in support of the passage of the bill, now in its amended form. I had the opportunity to speak in support of the bill when it was first introduced in the last session. I will not repeat my remarks from that occasion, except to say that when I spoke on 3 December last year in support of the bill the emphasis in my remarks was very much that the importance we placed on our ability to continually enhance our productive capacity and our care for the environment over the course of decades was with a view to staying in tune with technological advances, in tune with the capacity to apply improvements and, in so doing, make the best use of the natural resources our wonderful regional areas provide.

That has led to extraordinary change in agricultural practices and productivity over a long period of time, and these reforms take it that next step further. That they would remove a longstanding impediment that has stood in the way of our local farmers relative to those in the rest of the world stands, perhaps, as a cautionary note: when we let indulgence in ideology get in the way of demonstrated scientific capacity to do things better we not only risk going down a blind alley but we also impose very real disadvantages on those who derive their livelihoods in this area.

I could not, Mr Deputy Speaker, express it better or anywhere near as eloquently as you did just now in reflecting on some of the dramatic changes that have been applied over recent decades, particularly in the area of pesticide introduction and the use of chemicals to increase productivity, not to mention mechanisation all that time ago.

I am very pleased that we have come to a position—and I am sorry it has taken as long as it has—where there is a bill that has the support of the two major parties in South Australia. I am conscious and recognise the observation of the member for Giles about that because it is true and it is important: there are major parties in this state that are parties of government that are responsible for implementing reform which makes changes that are of real consequence in the state.

Sometimes, it does take those major parties, those responsible parties of government, getting together and working through these matters in order to have responsible reform passed through the parliament. I think in that respect the contribution of the member for Giles is important not only in the work he has done in working towards this series of amendments that will permit passage of the bill but also in his observations just now about the importance of effective parliamentary process. I note them and I recognise his work and contribution to this.

I also recognise and acknowledge contribution of the member for Florey in relation to the proper place of regulations and processes within the parliament. In that regard, having spoken as emphatically as I was able in the last session on 3 December in support of passage of the bill, I note that it was very much in the context of both a degree of urgency and, importantly, the need to provide both timely and clear certainty to farmers that were needing to make decisions and are needing to make decisions about how they go about sourcing product that they would put in the ground.

So I note those remarks of the member for Florey. I think there is certainly something to be said for the notion that regulations have a particular role in the ordinary course, and I am glad we are now legislating in the form of this bill. The key amendment that I would refer to, and perhaps just by some more specific remarks, is that set out in amendment No. 5 of the member for Giles that would insert a new section 5A. As others have noted, following a process that is set out in that clause, this would provide a process for individual councils within South Australia to apply for the designation of a particular council area within which it may be prohibited to grow GM food crops.

The process by which that application would be made, which is set out in section 5A, importantly, in my view, is preceded by the requirement that the council (if there is any council that would embark on this path) must go about the process of consultation with their communities prior to making the application and that that consultation would include—and, relevantly, this will be populated in different ways in different council areas—those primary producers and food processors and manufacturers within the council area.

Secondly, I note that where an application were to come to the minister following such a process, then the minister would be required to go about a process of consulting with the relevant advisory committee, the GM Crop Advisory Committee, before going ahead and so designating a council area, and that the minister is further required to take into account advice that may be provided by the advisory committee before making a decision.

I think both of those steps are important because they provide the capacity for there to be, to a certain degree, a socialisation of any such consideration by a council—and I hasten to add that I am not aware of any and I certainly do not anticipate any, nor would I seek for that to occur as I stand here—a certain thoroughgoing degree of socialisation as well as the seeking out of inputs from those who might be directly impacted by any such designation, and I refer to my remarks at the outset that the responsibility that we have for applying technology so as not to put our South Australian producers and processors and manufacturers in a position of relative disadvantage relative to the rest of the world. So that process of consultation is important.

Secondly, and I suggest equally if not more importantly, the minister is then obliged to seek out expert advice to ensure then that any such designation would be on some sort of expert footing that may be more specifically applied to the relevant council area. I say that that is important, having emphasised in my contribution back in December and again today the important role that the scientific experts have in bringing us to this point and in assessing decisions that might be made under this proposed process.

That is because we want to make sure that if producers, manufacturers or processors in a particular area are to be considered as different from the rest of the state and the rest of the world that get the benefit of these technological developments, then there ought to be some basis in terms of that more scientific and technology-based assessment.

I also take the opportunity on this occasion to say that in South Australia we have the benefit of a number of very well-credentialed, well-developed and expert industry bodies. In South Australia—and it is one of our strengths relative to the rest of the world—we are fortunate to have a whole range of institutions that serve us tremendously well, and we have seen that no better demonstrated than in the recent weeks of this extraordinary global pandemic, as we see the world-leading work that is being done by health authorities in the state, and they are to be commended.

In this context, I want to make particular mention of the industry body that leads in relation to grain production, that is, Grain Producers SA (GPSA). It is a body well known to members in this place. It is an industry body of long standing and with a strong reputation throughout the industry and the rest of the state. As we have seen in a range of areas where grain producers are affected by regulation, that body has demonstrated its capacity to contribute to the policy debate and to the implementation of reform in the state.

Having an industry body such as GPSA, with its proven stewardship programs to manage the introduction of GM crops in South Australia, is no small advantage, might I say. The capacity of GPSA to be there as a relevant leading body to assist in the implementation of this reform is one that should give both producers and members of the broader community a high degree of confidence that growers, processors and manufacturers can be well assisted as the process is implemented.

That is no different, I expect, in terms of the navigation of any process that might be embarked upon pursuant to new section 5A, the subject of amendment No. 5. I commend in particular the leadership in that respect of the GPSA CEO, Caroline Rhodes, who has led a team of very able and engaged people at that body.

In the context of a bill that was first introduced in the last session and that has been the subject of concerted endeavours by the government to act on the science and to implement reform, when the science has demonstrated emphatically that it should be implemented, I am pleased to have made a contribution to this debate and supported the bill prior to these amendments. I acknowledge that the amendments will provide the capacity for individual communities within the state to navigate these reforms within their council areas in a perhaps more localised way.

I come back to the primary driver for this reform—and that is that, absent ideology, it is a process of change that we embrace with the benefit of all the knowledge we have and with a view to improving the way in which we interact with our natural environment, improving the way in which we value scarce resources and minimise the use of scarce resources in the production of our food and ensuring that in doing so we continue to lead the way globally in our capacity to export very large volumes of food to feed the rest of the world and demonstrate to the rest of the world that, where there is evidence that supports how we can do things better, we have the capacity to implement those measures to improve the way we do things. With those words, I commend the bill in its amended form to the house.

**Dr HARVEY (Newland) (12:37):** I rise today to speak in support of the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020. In the lead-up to the 2018 state election, the South Australian Liberal Party, the Marshall Liberal team, made a very clear commitment that we would establish an independent review on the moratorium to address what is the key point from the state's perspective—that is, whether or not the moratorium provides an advantage to our state for market or trade purposes.

On coming into government, that is exactly what the Minister for Primary Industries and Regional Development did, and within six months he established an independent review led by Emeritus Professor Kym Anderson. The reasoning for pursuing this issue via an independent review was to ensure that any decision the government made was not to be based on ideology but instead based on the best available evidence. It would not be a decision based on the vibe or some unsubstantiated fears about the unknown; this would ensure that we made a decision based on facts rather than fears.

The review was thorough and, importantly, made a number of clear and unambiguous findings. The review found that not only did a statewide moratorium not provide an economic advantage to South Australia but it actually left our state worse off by tens of millions of dollars and put our farmers at a disadvantage compared with their counterparts interstate. In fact, our farmers are worse off even compared with interstate farmers who opted to grow non-GM canola, thus demonstrating the idea that somehow overseas markets were discriminating between states based on state boundaries was not supported by evidence.

Consistent with what we had committed to do, the minister initiated the consultation period as prescribed in the current act and then introduced regulations to lift the moratorium from mainland South Australia. Unfortunately, these regulations were subsequently disallowed in the other place. There were a number of varied reasons for this but one of the reasons that was cited was that this moratorium should have been lifted via legislation rather than regulation, so that is then what we sought to do.

We introduced a bill to achieve, through legislation, not only what we had sought to achieve by regulation but to do exactly what we said we would do all along which was to support the evidence. Unfortunately, once again, our efforts to lift the moratorium—an outcome that was supported by farmers, scientists and economists—was blocked again for a number of different reasons, often process arguments and continuously shifting goalposts.

We landed, once again, at a position where the experts and key stakeholders were ignored and instead had caved in to unsubstantiated fears, but we have refused to give up on our farmers and ignore the science and economics. I would like to commend the Minister for Primary Industries and Regional Development for continuing to prosecute the case to where I am hopeful for a much more positive outcome. The minister has also sought to be constructive and, credit where it is due, the shadow minister has also been able to bring his party on board and has landed a number of proposed amendments that both the government and the opposition can agree on. I thank and give credit where it is due to the shadow minister for that achievement.

The agreed amendments under this bill include establishing a time-limited six-month period whereby the Minister for Primary Industries and Regional Development may, upon application from a council, designate that council area as being an area where it is prohibited to cultivate GM food crops. Councils would be required to consult their communities prior to making such an application, including with primary producers and food processors and manufacturers. The minister would be required to consult with the GM Crop Advisory Committee prior to designating a council area and must take into account any advice provided by the GM Crop Advisory Committee.

Once again, I stress the point that from a state perspective what the state is interested in is the economic benefit that is being claimed to be gained by having a ban in that council area and, importantly, that will inform the decision that ultimately the minister has. Also, the transport of GM products and the conduct of research licensed under the Office of the Gene Technology Regulator will be permitted in any designated council areas. What is also important to note is that these proposed amendments do not place an additional unnecessary regulatory burden on our farmers in the way that proposals put forward by others would.

This is certainly a pleasing position to reach as it allows South Australia to finally move forward on this issue and give our farmers the choice. I also think it demonstrates something the vast majority of South Australians like to see us do, which is work together to achieve an outcome for our state. In recent days I have received emails, not so much from my local electorate but from around the state, and I imagine they are the same emails going to everyone. Some individuals are expressing concerns about GM crops in a general sense and, for that reason, while I have spoken about some

of these things here before, I think it is important to remind the house and those in the community who have concerns of the substantial regulation that already exists in respect of genetically modified organisms, over and above what is done at a state level.

Federal legislation is responsible for dealing with the protection of the health and safety of people and regulates all dealings with genetically modified organisms in Australia through the Office of the Gene Technology Regulator. This includes research, manufacture, importation, production, propagation, transport and disposal of genetically modified organisms. As someone who has worked in a laboratory in the past and has dealt with genetically modified organisms, not plants but dealing with bacteria, I can assure you that the OGTR is very studious and thorough in its work and not the kind of regulator that you would want to have breathing down your neck. It is a very robust system.

In terms of GM crops, the OGTR is responsible for the approval of field trials and the commercial release of GMOs. When it comes to food and the consumption of genetically modified foods, it is Food Standards Australia New Zealand that is responsible for regulation, including any safety standards and labelling. Both agencies, the OGTR and Food Standards Australia New Zealand, are tasked with administering regulatory regimes. They both provide very strong protections and, importantly for our state, provide a national consistency.

As I mentioned before, the state government is responsible for the regulation of GM crops for trade and market purposes. Since the passage of federal legislation, shortly followed by legislation in the states in the early 2000s, different states varied in their timing, in terms of implementing moratoria and the eventual lifting of moratoria, but South Australia is now the only mainland state to still maintain a statewide ban on GM crops.

To provide a bit of perspective for South Australia, what is important is that, at the moment, the only GM crop that is really considered for growing here is canola. Looking at canola, the Anderson review estimates that the moratorium on GM crops cost South Australian canola farmers \$33 million between 2004 and 2018 and it would be expected to cost a further \$5 million if the moratorium is left in place until 2025.

What is important to note here too is that there is a great deal of work underway right now right around the world, importantly including right here in Adelaide at the Waite Institute, that will very likely provide many new varieties that will have enormous potential for improved benefits to the economy, human health and also the environment. Some of these benefits will include increased yields, which has an environmental benefit in that those increased yields can reduce fuel consumption, reduce greenhouse gas emissions and also reduce the amount of land that is required.

There are other varieties where the end goal is to reduce the use of pesticides, reduce the demand for water and increase tolerance to salinity, which of course is very important, particularly in parts of South Australia, as well as many other areas. In the absence of allowing GM crops, these potential benefits would not be achieved by our farmers. This also hampers their own research efforts here in South Australia. One of the things the Anderson review identified was that, without a clear pathway to market, it is difficult to attract investment into our local research to produce those kinds of varieties that are relevant to the climate that exists here.

As the member for Giles also alluded to, the research effort in this area has a potential international benefit. There are many parts of the world that would benefit greatly from gene technology and growing crops that may provide additional vitamins that are deficient in those populations and improved yields where they may not have access to some other kinds of nutrients or whatever to try to achieve that the way that we might. I believe that there is also a humanitarian argument for ensuring that we do whatever we can to support research into plant science because there are a lot of people in the world and we are very lucky in Australia.

One of the things that the recent crisis has pointed out and made us make the case very strongly is that in Australia we are not likely to run out of food. I am trying to remember the numbers, but it is around about 75 million people we can feed with food from Australia, which is clearly three times what we need. There are plenty of places in the world that do not do that and rely on the importation of food. Anything we can do to make the growing of food more abundant and less susceptible to environmental stresses and puts less pressure on the environment is undoubtedly a good thing.



Another thing worth mentioning, in terms of some of the future benefits of allowing GM crops within South Australia and also the research that can come with that, is some of the recent amendments to the commonwealth Gene Technology Regulations that have provided greater clarity around whether the products of some newer gene editing technologies are classified as genetically modified organisms.

It is important to note here, and I often have this conversation with many people who do come to me concerned about GM crops, that if you use random eugenesis, you use some kind of chemical mutagen or gamma radiation and you randomly mutate the genome of a plant to then achieve a particular outcome, that is not classified as a genetically modified organism. Interestingly, if you compare that to gene technology, where you are going in and making a targeted change, then that is. That is fine, but in the latter example we know what we did. In the first example, we know what we have, but you actually have to go in afterwards and sequence the whole thing to know what it is you have changed to achieve that outcome. It is actually less defined.

These are newer technologies that are collectively described as gene editing, and these can include the CRISPR-Cas9 systems. These can make very small changes to the sequence that may alter gene products directly or may alter the regulation of those products that will achieve a particular outcome. These are different from some of the older technologies that generally replace or insert whole genes or chunks of a sequence, so these changes are much more discreet and much more targeted.

The amendments to the federal regulations have had to really grapple with the question of whether something is classified as a genetically modified organism due to the fact that it has gone through a particular process, i.e., having used technology to achieve an end, or whether something is a GMO because of what it has become. In other words, if you could take a gene out of one organism and put it into something else, you have a different outcome, whereas you might use a CRISPR-Cas9 system where you insert something to make a change and then take it back out again and really all you are left with at the end are a small number of base pair changes. Is that a genetically modified organism or not?

In the end, where the federal regulations landed was to say that for the most part, yes, they are still GMOs, except for the most basic forms of gene editing, which have been left out of that sort of regulatory regime. I guess the important point, though, is that these technologies are incredibly powerful and the sorts of varieties or things that can be constructed by them greatly open the opportunities there through very discreet changes to the actual sequence.

I have more or less made these points before around the importance for research and some of the arguments for why that research is very important, but also in Adelaide I think we really want to be a leader in this area. Innovation is where many of the jobs of the future are going to come from and plant science is something where historically we have had a competitive advantage in Adelaide. A GM moratorium only serves to hold that back.

In closing, it is really important—and I am very pleased we have landed on this position without having to pre-empt what is going to happen; there is at least agreement, which is a good thing—for governments and parliaments to make decisions based on evidence, rather than be driven by emotion, particularly in those areas where we are not talking about moral judgements but are actually talking about a decision on an issue that has a large scientific base behind it.

Given the current environment and the world we live in at the moment, I think this highlights how important that really is. Governments around the world are asking their citizens to now accept expert advice, to dramatically change the way they live and to change the way our economies work. They are basically saying to people, 'You don't have a job now because we are concerned about the health risk of your business operating.' That requires governments to make decisions based on expert advice. They are very difficult decisions to make.

I think something we as South Australians should all be very proud of is the fact that, for the most part, that is exactly what South Australians have done: they have taken on the expert advice and they have done it. They have actually taken a pragmatic approach rather than an ideological approach.

We have seen some of the anti-expert rhetoric in other jurisdictions around the world, which is incredibly damaging. We have not really seen that here, and I think that is something we should all be really proud of, as it shows not only that, for the most part, South Australians and Australians are quite pragmatic, and not really driven by ideology but by practical outcomes, but also that what we are trying to achieve from a health perspective will actually work.

There are lots of things governments are doing to increase capacity within our hospitals, to increase the testing regime and to implement directions to affect people's behaviour. But, ultimately, if people do not comply, then there is a limit to how effective all that will be. We need everybody to buy into this, and I think people have. I think something we should be very proud of is the fact that South Australians have taken on the expert advice and have dramatically changed their behaviour. So far we are seeing the benefits of that.

To finish off in relation to this bill, it is pleasing to see that we have landed on a position where there is agreement between the government and the opposition, a position that will allow us to finally move forward on this issue, one that means the facts are winning out rather than the ideology. I would like to commend and thank the minister for all his work in and persistence with this and commend the bill to the house.

**Mr McBRIDE (MacKillop) (12:55):** I rise again, not for the first time, to speak in support of the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020. First, I congratulate the Minister for Primary Industries and member for Chaffey for all the hard work he has done in the background working with the opposition and the crossbenchers in both houses—the upper house and the lower house—trying to get this bill through over the last six months perhaps, if not longer. All credit to him and his staff for getting to this position, and hopefully it has a good transition through both houses. Also a special thank you to the member for Giles in gathering his troops and to the opposition for being on board with this bill.

Our state is now the only mainland state to still maintain a statewide ban on GM crops, and under the arrangements left to us by the former Labor government without change the moratorium is set to continue until 2025, with no evidence of any benefit to our state. This bill is an important one for our state's farmers and our state's primary productivity bottom line. It is a bill that offers the opportunity for farmers to grow genetically modified crops and to capitalise on the benefits of these crops for the enterprises on the mainland of South Australia.

The bill has been drafted in response to the evidence from the independent review that identified that the moratorium has cost the farming industry many millions of dollars, which has unfairly impacted on our ability to grow our agricultural sector. It has been estimated that the moratorium has cost the state grain growers at least \$33 million since 2004, and would cost at least a further \$5 million if extended to 2025. Genetically modified canola is one of the varieties of interest; however, we know more broadly that the genetically modified breeds offer a range of benefits.

The bill provides an important reform that will activate a range of benefits for our cropping sector: increased competitiveness in the market is one of those benefits. It will put our farmers on an even footing with that of the rest of the world. It will enhance the ability of our farmers to compete on the world market. Our farmers cannot do that with one arm essentially tied behind their back, not having a full suite of cropping options available to them like farmers in the rest of Australia or around the world.

The view that our GM free status provides better prices for our cropping commodities was also refuted by the independent review. The review also concluded that there was not a compelling argument that any current price premium or that market access for non-GM crops grown in South Australia would be diminished if GM crops were allowed to be grown in the state, as long as there was careful segregation of products.

I note that the Minister for Primary Industries at the time of the last debate on this matter highlighted a range of figures in relation to the market at the time for grains, in which he highlighted that other states that allow GM crops are benefitting: Western Australia has a \$60 premium over South Australia; New South Wales has a \$30 premium; and, Victoria has a \$10 premium over that paid in South Australia.

Our farmers need a range of tools to help them deal with the ever-increasing costs and environmental pressures. Allowing for the use of genetically modified crops can enhance and support better yields. Enabled by the genetic selection of appropriate attributes, genetic selection can result in enhanced attributes for the management of diseases and opportunities. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Sitting suspended from 13:00 to 14:00.*

### **COVID-19 EMERGENCY RESPONSE BILL**

*Assent*

His Excellency the Governor assented to the bill.

*Condolence*

### **SHANAHAN, CHIEF SUPT JOANNE AND MCNEILL, MS TANIA**

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:01):** I seek your indulgence to make a statement about the tragic deaths, last Saturday, of police Chief Superintendent Joanne Shanahan and Ms Tania McNeill, who was one of my constituents in Dunstan. On behalf of all South Australians, I express my deepest sympathies and condolences to the families and friends of Joanne and Tania. The outpouring of grief following their deaths affirms how highly they were regarded and how much they will be missed by those who knew them.

They died on ANZAC Day, at a time when we were remembering the service and commitments of others to protect their fellow citizens. That is what Joanne Shanahan did during more than 38 years of distinguished service as a member of the South Australian police force, confirmed last year by the award of the Australian Police Medal. She became just the third woman to be appointed chief superintendent in our police force. She saw service as an acting assistant commissioner. She exemplified all the reasons why the South Australian police force has long enjoyed a reputation for being the most highly regarded in our nation by the people it serves.

As Commissioner Grant Stevens has said, Joanne had a passion for helping people and she cared about people. Her care and concern for her fellow South Australians was reflected in public statements that she made last year about the rising road toll. 'As a state and as a community, we can't go on like this,' Joanne said. It is therefore all the more tragic that Joanne died in circumstances she worked so hard to prevent. The deaths of Joanne and Tania serve as the strongest possible reminder to us that we owe more care to others when we are driving on our roads.

To the husbands of Joanne and Tania and to their children and other family members, we trust that it is of some comfort to know that the people of South Australia are grieving with you. We also thank all police, ambulance and other emergency services officers who attended the accident scene.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:04):** I also rise to speak about the tragedy that occurred on Saturday afternoon. South Australia's police family was genuinely hit by the crushing loss of Chief Superintendent Jo Shanahan APM and, equally, the South Australian community was shattered to learn of the news of Ms Tania McNeill.

Jo Shanahan commenced her career with SAPOL in 1981. She graduated from the academy in 1983 and was designated as a detective by 1992. Chief Superintendent Shanahan held a number of roles during her time in SAPOL, including in the Licensing Enforcement Branch, the Internal Investigations Section and also as the officer in charge at the Elizabeth CIB. It was during her time at the Elizabeth CIB that she managed and led the complex investigation into the state's largest criminal neglect and child abuse matter, otherwise dubbed by local media as 'the house of horrors'.

Her leadership in this field saw her hold the role of officer in charge of a local service area, the domestic violence investigation unit, as well as taking on a lead role in the Multi-Agency Protection Service, otherwise known as MAPS, arguably becoming one of the greatest achievements in her policing career and has served South Australia incredibly well. Her leadership role in this field saw her take responsibility as the officer in charge in other capacities as well.

Chief Superintendent Shanahan was integral to the establishment of the MAPS agency, playing a pivotal role in its development from an across-government project team in its concept through to its implementation. It is a fitting tribute that in this work she was appointed as an inaugural officer in charge of the Family and Domestic Violence Branch.

Chief Superintendent Shanahan's leadership was encouraged and recognised within South Australia Police, ultimately achieving Acting Assistant Commissioner level in recent months before recently receiving the Australian Police Medal, as referred to by the Premier. Jo Shanahan was also the recipient of the Most Outstanding Female Leader Award at the Australasian Council of Women and Policing Excellence in the policing awards in 2003.

I had the great privilege to meet Jo Shanahan during my time and tenure as the police minister. She was well regarded within SAPOL as being not just razor sharp but also incredibly committed and passionate about the work that she undertook. This is undoubtedly a devastating loss to the South Australian police force and her family.

On behalf of the South Australian Parliamentary Labor Party, I would like to pass on to Joanne's husband, Peter, and her two children our sincerest condolences. Similarly, for the family of Tania McNeill. No-one expects their family members to die in such a tragedy and in such sudden circumstances. This is truly a great loss to the people of South Australia. We thank Tania for being an outstanding citizen and particularly Jo Shanahan for her incredible service to the South Australian community. Her legacy lives large.

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:07):** I rise to join the statement of condolence at the passing of Detective Chief Superintendent Jo Shanahan and Tania McNeill.

Tragically, this ANZAC Day just past, Joanne's life was suddenly taken in a horrific crash at the intersection of Cross and Fullarton roads. Another woman, Tania McNeill, a mother aged 53, was also a victim of this accident and leaves behind grieving loved ones, including her husband, Cary, son, Bailey, parents and a sister. Detective Chief Superintendent Jo Shanahan leaves behind her husband, Peter, a former detective and now SA Police General Counsel, and two children, Nicholas and Eleni.

The shock felt by all is immense. For those members of her family, her husband and children, her friends and many colleagues at SAPOL, the pain must be overwhelming. The life of a woman who served her community with distinction as a proud member of the South Australian police was taken all too soon. A wonderful woman, wife, mother, friend and colleague, tributes have been flowing and flowers now lie at the site of the awful accident.

At times like these it is important to remember the things that matter, such as family. Joanne was the daughter of Greek immigrants. Her family was reportedly as proud as punch when she was accepted into the police force. The *Greek Herald* recently ran a story on Greek-Australian essential workers who are helping the country amid the COVID-19 crisis. In the article, Joanne urged people to follow the official directions and guidelines of the government for the good of the wider community. When asked how she copes with a stressful situation, she said:

The secret to coping in stressful and busy situations is to surround yourself with good people. I have a wonderful dedicated team around me and we all look out for each other. In tough times we all have a responsibility to be even more considerate of those around us and make sure they are supported.

I also have a wonderful Greek family to supply love, vegetables and eggs, all from the garden. We also share toilet paper when the need arises!

It is clear Jo had a great sense of humour. Jo touched the lives of so many in so many ways. Not too long ago, I stood alongside Jo when she was acting assistant commissioner and we pleaded with drivers to be safe on our roads. It is devastating that just a few months later she and Tania would become the victims of exactly the kind of dangerous behaviour that Jo was trying so hard to change. I would strongly urge again today that this message be heeded. Life is too precious.

Jo was a role model and a mentor to those she worked with at SAPOL. Joanne had a distinguished career, joining SAPOL in 1981. During nearly 40 years of her career, her work spanned

multiple areas of policing, including patrols, the Sexual Assault Unit, the Criminal Investigation Branch, the crime training section, the Licensing Enforcement Branch, and Internal Investigations. In 2014, she became the inaugural officer in charge of the Family and Domestic Violence Branch. She was promoted to Chief Superintendent in 2017. Joanne was also just the third woman in the state's history to be appointed to that position.

Last night, in her memory, blue lights illuminated a number of venues across Adelaide, including the Entertainment Centre, Adelaide Oval, the Convention Centre, Town Hall and here at Parliament House. Saturday's crash came just days after four Victorian police officers were killed because of reckless driving. It is with the deepest sadness that we now farewell one of our own. As police minister, I would like to pay my respects and pass on my condolences to police commissioner Grant Stevens and the entire SAPOL family. May Jo's light shine on; may she rest in peace.

**Mr ODENWALDER (Elizabeth) (14:11):** Detective Chief Superintendent Joanne Shanahan was one of SAPOL's finest officers. Indeed, she was a woman who personified all that is good and famously good about South Australia Police. Our paths crossed many times and I knew her well enough to know that Joanne was a very good person and that she was an exemplary police officer. The best police officers I know have both a cool head and a big heart and Joanne Shanahan exemplified these traits, using her compassion and clear thinking to drive her work and contribute huge positive changes in policing.

Like most of us perhaps, I knew Joanne Shanahan best through her work in family violence, particularly her role in the implementation of the Multi-Agency Protection Service. Joanne took me through the MAPS several times in my capacity as a backbencher and then again as the shadow minister. She was always forthright and focused and, most of all, passionate about her work.

When I look back to my own time in the job and the general attitude towards the policing of family violence, things have changed a great deal in those 20 years and those changes were driven in very large part by Joanne Shanahan. It is impossible to quantify, of course, but I have no doubt that the changes driven by Joanne and others, including the current commissioner, have saved the lives of many, many women and children across this state, and will continue to do so.

I know how tight-knit the police family is and on Saturday evening, as news started to emerge about this terrible crash, it became clear to me just how respected and loved Joanne was. I now know that the police family are gathering around the Shanahan family and doing all they can to soften the blow. The President of the Police Association, Mark Carroll, was quoted in *The Advertiser* yesterday as saying

'Look after my family' is the simple but heartfelt request Joanne would have made of us and we will not fail her.

There are other voices, particularly across the domestic violence service sector for whom she did so much. I had a long conversation with Maria Hagias from Women's Safety Services this morning, who many of us here will know. Maria worked very closely with Joanne, knew her very well and I know she will not mind me conveying her thoughts; in fact, she wanted to be clear, as she said:

We need to all be committed to continuing Jo's legacy.

Her legacy was one of action: underpinned by partnership and compassion...and by one simple question—how can we make our state safer for women?

We do not know all the details yet and every new revelation paints a sadder and sadder picture. We now need the cool heads of major crash investigators to do their job thoroughly before we draw too many conclusions. But we need to harness our sadness and anger and say loud and clear, as Joanne did, that we cannot go on like this. My heart and my sincerest condolences go out to Peter and all of Joanne Shanahan's family and all those who knew and loved her. My condolences also go out to the family and friends of Tania McNeill, who also lost her life in this tragic crash on Saturday. May they both rest in peace.

*Petitions***SNAPPER MANAGEMENT SYSTEM**

**Mr BELL (Mount Gambier):** Presented a petition signed by 379 residents of Mount Gambier and surrounding districts requesting the house to urge the government to cease the proposed snapper management system.

*Parliamentary Procedure***ANSWERS TABLED**

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

**PAPERS**

The following papers were laid on the table:

By the Speaker—

Police Complaints and Discipline Act 2016 (SA)—Gordon Barrett QC—  
Report on the operation of the 2020  
Public Works Committee Reports  
Report 60—Golden Grove High School Redevelopment  
Report 61—Kapunda High School Redevelopment  
Report 62—Seaton High School Redevelopment  
Report 63—Seaview High School Redevelopment  
Report 64—Port Lincoln High School Redevelopment  
Report 65—Aberfoyle Park High School Redevelopment  
Report 66—Brighton Secondary School Redevelopment  
Report 67—Charles Campbell College Redevelopment  
Report 68—Henley High School Redevelopment  
Report 69—Underdale High School Redevelopment  
Report 70—Unley High School Redevelopment  
Report 71—Main North Road and Nottage Terrace Intersection Upgrade  
Leases made under the following Acts  
Adelaide Park Lands—Park Lands Agreement—Adelaide Archery Club Inc.

By the Premier (Hon. S.S. Marshall)—

Remuneration Tribunal—  
Determination No. 1 of 2020, Salary of the Governor of South Australia 2020  
Report No. 1 of 2020, Review of Salary of the Governor of South Australia 2020

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

Regulations made under the following Acts—  
Cost of Living Concessions—COVID-19 JobSeeker Household Payment  
COVID-19 Emergency Response—  
Commercial Leases—General  
Schedule 1—General  
Section 16—Requirements relating to documents  
Section 17—Meetings in person etc. may occur by audiovisual or other means  
Freedom of Information—SACAT Principal Officer  
Rules made under the following Acts—  
Magistrates Court—Criminal—Amendment No. 83

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

Regulations made under the following Acts—

Development—  
Public Health Emergency  
Schedule 9—Public notice categories

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

Department for Education—Annual Report 2019  
SACE Board of South Australia—Annual Report 2019

By the Minister for Innovation and Skills (Hon. D.G. Pisoni)—

Training and Skills Commission—Annual Report 2019

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

Guardian for Children and Young People—South Australian child protection expenditure  
from the Report on Government Services 2020

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

Regulations made under the following Acts—  
Correctional Services—Drug and Alcohol Testing

By the Minister for Environment and Water (Hon. D.J. Speirs)—

Regulations made under the following Acts—  
Landscape South Australia—Transitional Provisions (No. 2)

#### *Question Time*

### **CORONAVIRUS RESTRICTIONS**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20):** My question is to the Premier. Can the Premier advise what criteria will need to be met for the lifting of COVID-19 restrictions in South Australia?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:20):** As the parliament would be aware, directions are put in place by the State Coordinator (that is, the police commissioner) in South Australia. He will be liaising with not only representatives of SA Health but also a broader group to understand the social, the economic, as well as the health implications of the restrictions that he has in place.

It is fair to say that the restrictions and the directions that he has put in place so far have served South Australia well. We have a very good performance as a state at the moment. We particularly commend his decision to put very strong border protection in place in South Australia back towards the end of March. I think this was a decisive action taken by the State Coordinator. Now, of course, with South Australia heading closer and closer to eliminating the coronavirus in South Australia, people are naturally asking, 'When are the restrictions going to be lifted?'

The answer to that is that we must stay the course. We must do everything we can to protect lives in South Australia. The national cabinet met the week before last and talked about the road back: how we effectively lift those restrictions that have been put in place, especially those that have been put in place above the base level that the national cabinet agreed to.

Already South Australia enjoys the lowest level of restrictions anywhere in the country, and I am very grateful to the people of South Australia for their compliance with not only the directions but also the strong advice that has been provided to the people of South Australia from the government, from the Chief Public Health Officer and, of course, from the State Coordinator.

We will continue to listen to that expert advice. We will continue, of course, to participate in the national cabinet. We will be meeting again this Friday, and we will be presented with further detail

regarding progress towards the elimination—or at least the suppression—of the COVID-19 disease in Australia.

The Prime Minister, post last week's national cabinet meeting, and the week before, said that there were three critical issues that we need to have in place in Australia before further restrictions could be lifted: testing, tracing and rapid response. In terms of testing, we have a very high level of testing in South Australia. In fact, we lead the country in terms of the number of tests per head of population, and we are already well into our 14-day testing blitz, which will conclude later this week.

Tracing is, of course, critically important, and this work has kept South Australia ahead of the game. This is an area led by the Communicable Diseases Control Branch, headed up by Dr Louise Flood and her very dedicated team, which started off as a small team, expanded to 140, then 290 with another 150 flex capacity and capability ready to be engaged when they are needed. Of course, now the COVIDSafe app is the one that we are asking people to download so that we can, if you like, automate or speed up that contact tracing.

The third area, the rapid response capability, I hope we never have to use. They have had to use part of that capacity down in north-west Tasmania in recent times, but it is a capacity for the country to jump on top of an outbreak when it occurs.

As these things are put into place, the national cabinet will make further announcements regarding the lifting of these restrictions. In South Australia, we will continue as we started by always responding to the expert health advice that we have received.

**The SPEAKER:** Please be aware we have an accredited still photographer in the gallery today. Leader.

### CORONAVIRUS RESTRICTIONS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:24):** Thanks, Mr Speaker. My question is to the Premier. Can the Premier advise what restrictions will be the first to be lifted?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:24):** I thank the Leader of the Opposition for his question. As members would be aware, this week we are already lifting restrictions in South Australia. There was a ban put in place for all category 3 and non-urgent category 2 elective surgery in South Australia some weeks ago. This has been essentially lifted, and it will be progressively implemented starting yesterday and continuing for the next two weeks when the national cabinet will again have a chance to review our ability to keep that lifted restriction in place.

This, of course, is a restriction being lifted that many South Australians are very excited about—many people who have been waiting for what might be referred to as non-urgent category 3 or category 2 elective surgery. It is, nonetheless, very inconvenient for those people who are on a waiting list. So we are delighted that we are making some progress there. I would like to thank Dr Chris Bagley, who is chairing the group of health professionals in how we manage that increase in our elective surgery by 25 per cent—so our grateful thanks to him for that.

There are other things that the Chief Public Health Officer and the State Coordinator are continuing to consider. I don't expect there will be any significant lifting of the restrictions in the coming weeks until the national cabinet has a chance to look at that detailed modelling. I would, though, just emphasise again that the restrictions that we have in place are significantly lower than many other jurisdictions across the country.

I was inundated with phone calls and texts on Sunday night saying, 'Queensland are lifting their restrictions and Western Australia are lifting their restrictions. When is South Australia going to follow suit?' So I took a look at what they were actually lifting, and they were lifting restrictions that we had never put in place in South Australia. I think that created a lot of expectation that all of a sudden everything in Queensland or Western Australia would be lifted. In fact, in Queensland you are now allowed to go for a picnic outdoors, which was a liberty that had never been taken away from us here in South Australia.

Likewise, we have been encouraging people to visit the beach, get outside, enjoy our national parks and spend time exercising as long as people do this in a socially distanced or a physically distanced way. I've got to say that I am extraordinarily proud of South Australia. I think every South



Australian can feel very proud of the contribution they have made to keeping their fellow citizens safe. It says something about the character of South Australians that we have had the lowest level of restrictions but the highest level of compliance. In other states, we have a situation where the government have moved to ease some of the restrictions, only having to put them back on days later when they don't have that level of compliance that we enjoy here in South Australia.

I genuinely thank the police commissioner, in his role as the State Coordinator, and Dr Nicola Spurrier for her wonderful advice to the police commissioner for the restrictions that they have put in place. I think they have also explained very clearly to the people of South Australia why they need to be in place and, because there is this trust relationship, I think there has been wonderful compliance.

I do, though, look forward to the time when we can start to ease some of the restrictions here in South Australia and get back to the way of life that we enjoyed before coronavirus, but we will be doing that in accordance with the very best expert health advice.

### **CORONAVIRUS RESTRICTIONS**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:28):** Again, my question is to the Premier. Will the Premier publish his strategy for lifting COVID-19 restrictions to allow businesses, such as those in the hospitality or tourism sectors, time to prepare for the return to normal trading?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:29):** Thank you very much. I wouldn't say there is a government strategy. I have outlined the methodology and the mechanism by which this is achieved. The State Coordinator puts the directions in place, but he does that on the advice of other people; so he consults. Ultimately, it is his decision. He does take into account, in particular, the advice of Health but, as I was saying earlier, the expanded advice now both from a social perspective and an economic perspective.

I have tried, as much as possible during the term of this COVID-19 crisis to date, to speak on a very regular basis with people from different sectors across South Australia, whether that be the arts sector, the creative industries, the IT sector, mining, defence, broader industry in South Australia, major events. These are sectors which have been hit very hard by the coronavirus, and at every opportunity I have said it would be good for the industries themselves to start thinking of the restrictions that are in place at the moment and what a preferred option to see those restrictions lifted would be because I think this is very important input to Health.

This is very important input to Dr Nicola Spurrier and her public health administration team. They do not have depth knowledge of every individual sector in South Australia, so as much as possible if sectors come up with their own risk assessment, the types of things that they could put in place, then this goes some way to helping prepare the options that Health can consider. I must say that I have been very happy with the diligence with which different sectors have applied themselves to consider this, to consider where the risks exist.

I've got to say there is a much higher level of knowledge about the coronavirus, the transmission of the coronavirus, right across industry sectors in South Australia than existed two, four, six or eight weeks ago. As we learn more, and as we monitor what options there are here in South Australia and what options are being considered in other jurisdictions, then we put ourselves in a much better position to know how we can apply those.

As I was saying earlier, this Friday morning, 9.30 Adelaide time, the national cabinet meets. We'll again be looking at updated modelling in terms of the coronavirus, new cases here in South Australia, the origin of those cases, and then we will start, over the coming weeks, to look at the different risk and benefit profiles, if you like, of each of the restrictions that we have. I think this will provide even more information and background for the commissioner and Nicola Spurrier and their teams to be making advice to the commissioner with regard to those directions.

### **ECONOMIC STIMULUS PACKAGE**

**The Hon. S.C. MULLIGHAN (Lee) (14:32):** My question is to the Premier. How much of the government's announced stimulus spending is new money and not reallocated funding that was already budgeted over the forward estimates?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:32):** I don't have that detailed breakdown but I am happy to bring that back. There are two tranches, if you like, of money that we have announced so far, and they total around \$1 billion. The first tranche of \$350 million focused on projects that we could bring forward, so some of those projects did exist in the forward estimates and so we did bring those forward and, of course, some of them were brand-new projects.

This was broadly in line with the advice that we received at national cabinet and before that at COAG from Dr Philip Lowe, who is the Governor of the Reserve Bank of Australia. He was very keen to emphasise that we shouldn't be at this point in time trying to bring down balanced budgets. We shouldn't be trying, if you like, to correct those automatic stabilisers that exist within our budgets. What we should be doing is making sure that we can provide economic stimulus during this time, rather than take away economic activity by cutting budgets to key capital projects in particular.

It is very difficult in some cases to bring forward major capital projects very quickly. That is why we looked at projects which are already within the forward estimates, things that we were ready to go with that we could bring forward, and that was exactly and precisely what we were encouraged to do. Secondly, we looked at maintenance-type projects where we could spend money very quickly. Again, you could argue that some of those did exist in forward estimates, and I think that most people would appreciate that was the very best quick response that we could put into place to create jobs and keep jobs during this critical period when we know that tens of thousands of South Australians have lost their jobs.

The second tranche of \$650 million was, if you like, looking at the ability of our state to respond to some of the market failures. The vast majority of the \$650 million in the second tranche was dedicated to two funds: an industry jobs rescue package and a community jobs rescue package. There was \$300 million in the first and \$250 million in the second. We put together a board that would make rapid decisions, and of course we have worked very diligently through those applications. We have received dozens and dozens of them and we have responded as quickly as we can.

One area where we were being inundated in the early days was from the small business sector. They were saying, 'We are really running out of cash very quickly. We now have accounts from February and from March which need to be paid. We don't have the ability to pay because our revenue has been turned off. We have been able to hibernate our business or recalibrate our business, but we are left with, if you like, this cash crunch.' That's one of the reasons why we announced our support package of \$10,000 grants to small businesses in South Australia.

My understanding is that we have had close to 20,000 businesses in South Australia that may have registered for that so far. Of course, already money is flowing out to those businesses, and I think this is addressing one of those areas. I think we allocated \$190 million to this in our estimate, and this is just one example of the way that we have been supporting businesses through this tough time. We were the first state in Australia to come out with our first rescue package and the first state in Australia to respond with a second stimulus and support package. I am very proud of the way that we have been able to get on the front foot during this very difficult time for business in South Australia.

## CORONAVIRUS

**Mr PEDERICK (Hammond) (14:36):** My question is to the Premier. Can the Premier update the house on how the Marshall Liberal government is supporting South Australians during the COVID-19 crisis?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:36):** I thank the member for Hammond for his excellent question and, in fact, all the excellent questions today. People tuning in must wonder whether they have the right channel, but anyway it is good to have you on board.

Can I first of all say how proud I am of every single person in South Australia for the way they have responded. We haven't seen this universally. In fact, we have seen quite a lot of civil disobedience around the world, people who are really not responding well to this crisis. As I said earlier, it does speak to the character of South Australians that we are responding in a practical, considerate and considered way to this crisis which is enveloping the world at the moment.

We now know that we have had five consecutive days of zero new cases in South Australia. We look forward to Professor Nicola Spurrier's update this afternoon at about 3.30, when she will be giving today's result, and we hope that it continues in that direction. Despite these very good results, we can't become complacent in South Australia. It is a nasty disease, and we already have had four very tragic deaths in South Australia and we have four people, as of last night anyway, still remaining in hospital, with two of those people in a critical condition in the intensive care unit.

I am very much encouraging people to download the COVIDSafe app. This is very important so that we can play our part in protecting our own lives, our families' lives and those people who are in our immediate vicinity. I am really keen to see people download that app as quickly as possible. I am also very grateful to see the level of expenditure in SA Health in training and retraining nurses and midwives in our hospitals.

Today, we can report that more than 400 nurses and midwives in South Australia have completed their training to upskill their services and be ready for the COVID-19 pandemic. Of course, we also announced today more than 500 new training programs, which will be available in the coming weeks for nurses and midwives in the public sector as well as in the private sector in South Australia.

As I was saying before, we continue to implement measures from our plan to support businesses through this sector and employment through this crisis with \$10,000 cash grants. Last week, we announced \$50 million in land tax relief, which will benefit both landlords and tenants here in South Australia; a rent relief package for some of those businesses that are leasing premises from the South Australian government; and also the fast-tracking of many construction jobs in South Australia.

This is not going to be a crisis that we come out of very quickly. This is not going to be a crisis that is not going to have a lasting effect. But our goal in South Australia unequivocally is to come out of this stronger than before. We are all working hard to make sure that we as a state come out of this crisis stronger than before, and cabinet continues to work diligently to make sure that we do everything we can to protect the health of the people of South Australia but also to maximise employment and enterprise out the other side.

#### **ECONOMIC STIMULUS PACKAGE**

**The Hon. S.C. MULLIGHAN (Lee) (14:40):** My question is to the Premier. How much of the government's announced stimulus funding has actually been spent out in the community so far?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:40):** I don't have those details, but I am happy to find out and come back to the house.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:41):** My question is again to the Premier. How many of the \$10,000 emergency cash grants have been paid to small businesses struggling under the impacts of restrictions?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41):** No, I don't have that detail either but, as I said, they have started to flow. A huge number of registrations have been put in place, but I am happy to come back to the house on that matter.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:41):** My question is to the Premier. If grants have already started to be paid, why are applications being received by the government up until 1 June?

**The Hon. S.K. KNOLL:** Sorry, Mr Speaker, that question, using the phrase 'if', is hypothetical in its construction.

*Members interjecting:*

**The SPEAKER:** I believe the Premier had an appetite to answer the question. No? Can we remove the word 'if' and have the question again, and then I will allow the Premier to answer. Thank you, minister.

**The Hon. S.C. MULLIGHAN:** Why are applications open until 1 June if grants are already being paid to the community?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42):** I think our focus has always been on—

*Dr Close interjecting:*

**The Hon. S.S. MARSHALL:** Sorry, if you've got something to say.

**The SPEAKER:** 'As' would be better.

*Members interjecting:*

**The SPEAKER:** No, the Premier has the call. I think the deputy leader was trying to assist, so I will give the Premier the call if he likes.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** I have seen the deputy leader before, so I won't be asking for any assistance, sir.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** The question again, sir.

**The SPEAKER:** Can we have the question one more time in silence. The member for Lee.

*Members interjecting:*

**The SPEAKER:** Members have been very cordial in the first 22 minutes; I would ask for that to continue. Member for Lee, let's have the question.

*Members interjecting:*

**The SPEAKER:** Deputy leader, I am trying to help you. Member for Lee.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:42):** My question is to the Premier. Given grants are already being paid, why are applications open until 1 June?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:43):** I don't really understand the question—why the Labor Party would want to be stopping people from applying for a government relief package.

*Members interjecting:*

**The SPEAKER:** Order, leader!

**The Hon. S.S. MARSHALL:** Why are they still open if you're starting to pay the money? Well, we are really keen to—

*Members interjecting:*

**The SPEAKER:** Minister for Environment!

**The Hon. S.S. MARSHALL:** —get money into the hands of people who desperately need it in South Australia. I would have thought that was pretty obvious. People are hurting in South Australia. They are hurting really hard from this coronavirus and we're keen to get that money to them. Some people will still have to determine their eligibility, and this will be a function of whether or not they have seen a reduction in their revenue to that 30 per cent level, which is the acceptable level that has been agreed on at the national cabinet level for the access to the JobKeeper package, and we are using that same criteria here in South Australia.

So I presume that some people would not have been in a position to determine that at this stage, and there are some complexities around the eligibility of types of businesses that don't have very equal revenue month-by-month receipts. Some people have very lumpy receipts and so there are different ways that they can prove that. That has been the experience at the federal level; it has certainly been the experience at the state level. We would like to provide the maximum opportunity for businesses in South Australia to avail themselves of support from the state government.

This is an extraordinary time, this is an absolutely extraordinary time, and it calls for extraordinary measures. We went to the last election saying, quite clearly, that we favoured having balanced budgets in South Australia. We said that because—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader! The Premier has concluded his answer.

### **CORONAVIRUS, EDUCATION**

**Mr COWDREY (Colton) (14:44):** My question is to the Minister for Education. Can the minister update the house on the progress of our schools and students returning for term 2?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:45):** I thank the member for Colton for the question. I know that he cares, as members across the chamber do, very deeply about ensuring that our students and young people in South Australia get the best possible start in life. Education is an essential service. It is absolutely critical and foundational to the successes that our young people are able to have in life.

I think it has been reduced sometimes in some elements of the public debate in recent weeks to a manner of being able to look after children so they are not preventing parents from being able to work. That is an impact of education—schools being open for the economy—but the main purpose is to ensure that our young people get the best possible start in life. The best possible education gives them the best opportunities for job outcomes, for health outcomes, for mental health outcomes, for success and happiness in life.

Education is so important and the best place, the best environment, if possible, if it complies with health advice, for our students to get that education is in a school where they have access to teachers and where they have access to the specialist learning environment that our schools are set up to provide. Our teachers are providing that critical, that essential service to our community and most importantly to our young people every day. I think never more importantly than when the young people are dealing with the enormous challenges and upheavals that the coronavirus presents, it's a great opportunity for them to get their education, and when they're at school it is also a wonderful opportunity for them to re-engage with their other friends, the other young people who are in school.

I met some young people at the Westport Primary School yesterday, who were coming into school and who were just beside themselves with joy that some of them who had not seen their friends in six weeks face to face were going to be able to get that opportunity. They joined with 63 per cent of students in the schools that were open yesterday. I caution the house that that figure does not include, of course, schools in the Barossa, which have been closed as part of a cluster according to our protocols. Those schools have been following the health advice and they are reopening tomorrow, which is very exciting for those schools.

There are also a number of schools that had one of their regular scheduled pupil-free days yesterday, as indeed a number of schools had at the beginning of term. We had 63 per cent attendance at our schools, 25 per cent learning at home and 12 per cent absent. That 12 per cent absent figure is a figure of some concern, not to be necessarily unexpected, not to be alarmed by at this stage, but it is a figure that we are keeping a very close eye on. Of course one of the reasons it's so important for our schools to be open is because there are too many vulnerable children in our community and for many of those vulnerable children being at a school is often the safest place they can be. It may be an opportunity for them to get a breakfast and potentially even a lunch as well. So, of course, a number of those students we would be very keen to look out for and ensure they don't fall through the cracks.

The face-to-face learning opportunity experienced by those 63 per cent of students is great. This is going to be a complex week. Of course, it's an environment that four weeks ago we could have only been dreaming of as a state, that we would see such little levels of community transmission. But, of course, we were preparing for something else. It's great news for our state that we have such low levels of the coronavirus, it's great news for our health, but it is a significant challenge for our teachers.

We know the first thing is the health advice. The health advice is clear that schools are safe, they are a low risk environment and that's something the government has been consistent on. The second issue is how do we best deliver that education. In a school like Westport, where 90 per cent of the kids were there, it's easier than in some other schools where it's more even. This week, I am asking all parents to be patient with schools, patient with their teachers as we transition through this complex environment, but I pay tribute to our teachers and our principals, who have worked their guts out over the last month and who will continue to do so because they care, as do we all about the best interests of our children.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:49):** My question is to the Premier. Is the Premier aware of applicants being advised grants will not be paid to them as applications remain open?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:49):** I stand by my previous answer. Some payments have been made and some payments, on my understanding, will be paid next week.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:49):** My question is again to the Premier. If a business submits a complying application for the \$10,000 small business grant, how quickly can they expect it to be paid?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:49):** I don't have the details of that, but I'm happy to come back to the house.

#### **SMALL BUSINESS GRANTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:49):** Is the Premier concerned by reports that applicants are being advised that their applications won't be paid as application periods remain open?

**The Hon. S.K. KNOLL:** Under standing order 97, that question contained fact and argument.

**The SPEAKER:** Would the member for Lee like to seek leave to insert any fact?

**The Hon. S.C. MULLIGHAN:** Yes, sure—perhaps I will rephrase, sir.

**The SPEAKER:** Please.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** Six, actually.

**The SPEAKER:** Member for Lee, let's get on with it.

**The Hon. S.C. MULLIGHAN:** My question is to the Premier. Will he now instruct the Department of Treasury and Finance to process these applications more quickly?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:50):** I feel very confused by the questions that we are receiving from the opposition today. At one stage—

**The Hon. S.C. Mullighan:** Businesses need help. You're not helping. Get on with it.

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

**The Hon. S.S. MARSHALL:** —they were encouraging us to close off the applications. I would have thought people would want to keep the applications open for as long as possible. My understanding is—

**The Hon. S.C. Mullighan:** Perhaps if you spent less time on your phone and more time listening you would keep up.

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

**The Hon. S.S. MARSHALL:** —that those applications stay open until 1 June. As I indicated, my understanding is that there have been some payments that have already started to be made.

*Members interjecting:*

**The SPEAKER:** Member for Playford! The Premier has concluded his answer. The member for Flinders has the call.

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

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

### STATUTORY DECLARATIONS

**Mr TRELOAR (Flinders) (14:51):** My question is to the Attorney-General. Can the Attorney-General update the house on how the Marshall Liberal government is providing relief to South Australians by expanding the range of people who can witness statutory declarations in response to COVID-19?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:51):** It is with pleasure that I answer this question from the member for Flinders, who probably like very few others in this chamber understands the tyranny of distance and the challenges that brings about when we have legal requirements for the face-to-face witnessing of documents—and there are plenty of them.

Members would be familiar, when they have prepared their wills, that they need two adult witnesses, preferably of sound mind, to witness the document, across, too, a number of other documents, including statutory declarations which require a signatory on a face-to-face meeting and the documents being witnessed by a commissioner for taking affidavits in the Supreme Court of South Australia, a justice of the peace, a notary public or a proclaimed member of the police force.

Sadly, proclaimed bank managers have fallen off the list over the years. I don't think we actually have any proclaimed bank managers anymore. In any event, it's a very short list and it means that it is necessary for their presence for the statutory declarations to be undertaken. It's also fitting that we re-look at the criteria and what is necessary for some of these documents.

A common example is in respect of an expiable offence where a registered owner of the vehicle can complete a statutory declaration to prove that they were not the driver at the time of an expiable offence having been committed. It might be handy for some members of this house to actually note that. There are a number of JP services as a result of COVID-19 that have been withdrawn. Some of them have been from CBS, others have been from local councils that are of course wanting to protect both JPs in their area and also members of staff—

**Ms Bedford:** That doesn't help the public.

**The Hon. V.A. CHAPMAN:** Well, in fact, I was just going to commend one of our members of the independent group who had raised in the parliament the issue of her concern for some in the electorate. Indeed, she was absolutely right—in fact, probably for the last men and women standing who were providing those services via their electorate offices. I commend those members who kept—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** I just said that some of the last group in the state that were the last men and women standing were us, here in the parliament, who are providing those services in our electorates.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** That's all of us. I think some of you slowly closed off but, in any event, we maintained that service probably longer than any other, so I thank you all. However, I make the point that to try to deal with these issues—especially as our justice of the peace cohort in South Australia, of which we have many thousands of men and women who serve this area, is often of mature age and therefore COVID-19 has been an extra challenge for them to provide those services.

Under the COVID-19 emergency response regulations that we have promulgated, in particular section 16 for those who are following this, we have expanded the list of people who are available to lawfully provide witnesses to signatures under the Commonwealth Statutory Declarations Act. We have looked at their list and we have replicated that to be consistent here in South Australia, so we now have a much longer list.

For those of you who might recall the advance care directive debate in this house, that list of available signatories was replicated. There are a number of other threshold obligations in relation to advance care directives, such as having received advice to make an informed consent and the like, but we have expanded those and we are proud to have done so.

#### **CORONAVIRUS RESTRICTIONS**

**The Hon. S.C. MULLIGHAN (Lee) (14:55):** My question is to the Premier. Under what criteria does the government believe it will be acceptable for restaurants and hospitality venues to reopen?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:55):** I refer the honourable member to my first three answers.

#### **CORONAVIRUS RESTRICTIONS**

**The Hon. S.C. MULLIGHAN (Lee) (14:56):** Supplementary: who will be making that decision when it is made?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:56):** I refer the honourable member to my first three answers.

*The Hon. D.J. Speirs interjecting:*

**The SPEAKER:** Minister for Environment and Water, be quiet.

#### **CORONAVIRUS RESTRICTIONS**

**The Hon. S.C. MULLIGHAN (Lee) (14:56):** Does the Premier expect that restaurants and hospitality venues will remain viable with social distancing restrictions in place?

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

**The SPEAKER:** Member for Hammond, then Florey and then Lee.

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

**The SPEAKER:** I have given you three, member for Lee, with all respect. Member for Hammond.

*Members interjecting:*

**The SPEAKER:** Order! The leader does not have the call; neither does the Premier. The member for Hammond has the call.

#### **RENT RELIEF**

**Mr PEDERICK (Hammond) (14:56):** My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!



**Mr PEDERICK:** I'm going to start again. My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on how the Marshall Liberal government is providing relief to South Australians through rent relief for business tenants in response to COVID-19?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:57):** I thank the member for Hammond very much for his question. This is something that I know is dear to us all here in South Australia as we witness what is a very difficult time in South Australia for businesses that have had to shut or substantially close as a result of COVID-19. How we provide relief for commercial tenancies has been the subject of much discussion at national cabinet. It has been subject to discussions through this house and was one of the early tranches of legislation that the government sought to bring in to help deal with commercial tenancies.

What was announced last week by the Premier and the Treasurer was essentially land tax relief to help incentivise private landlords to provide relief to commercial tenants. We believe that this is important because we know that it is one of those high fixed costs that sits on businesses' books regardless of whether those businesses are open, so the ability to ameliorate that cost is important. It is why the government took the step of putting in place land tax relief measures that will help, encourage and incentivise private landlords to provide relief.

It is also incumbent on government to practise what it preaches. In this regard, we have also come to the table as part of our billion-dollar stimulus package to provide rent relief to non-residential businesses that have been forced to close where the government is essentially the landlord. Significantly, there are quite a few of these businesses across a wide range of different portfolio areas, both under my purview as well as under the Minister for Environment and Water's purview, where government essentially is a landlord for a whole host of tenants.

We have put on the table as part of our billion-dollar stimulus plan \$4½ million to help provide rent relief for affected businesses where the government is the landlord between here and 30 June. We believe that this provides strong leadership to show the private sector that the government is prepared to do what it is asking the private sector to do and is putting money back into the hands of those small businesses that we know at the moment are doing it so tough.

It is a measure that complements a whole series of other measures that this government, as well as the federal government, have taken in relation to the \$10,000 grant in relation to JobKeeper/JobSeeker programs, as well as myriad other forms of relief that the government is seeking to provide to businesses in different industries. This package will help hundreds of businesses across South Australia and, importantly, is going to help put those businesses onto a surer footing through this hibernation period so that they can come out the other side.

We know how important cash flow is at this time as revenues take a hit, and to have the ability to be able to deal with these fixed costs is a way that, as a government, we can help these businesses not only to hibernate during this time but also to come back stronger than they were before. That is very much the aim of this government. The aim of the Premier is to be able to bring these businesses back in a way that makes them more innovative and more open and more financially strong to be able to deal with what comes next as restrictions are eased across South Australia.

This is an announcement which was made last week and which pulls together a whole series of things that our government is doing as part of our broader plan to help South Australia through this crisis, not only dealing with this period that we are in now but also helping to make our economy and our business community stronger for what comes next here in South Australia.

#### **FUEL PRICE MONITORING**

**Ms BEDFORD (Florey) (15:01):** My question is to the Attorney-General. When will the government release the report of the South Australian Productivity Commission into fuel price monitoring? With your leave, sir, and that of the house, I will explain my question.

Leave granted.

**Ms BEDFORD:** I believe releasing the report would better inform members and enable the parliament to proceed with debate on legislation to ensure South Australian motorists have true real-time information on where the cheapest petrol is available, notwithstanding the remarkable prices for petrol we are seeing at the moment.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:01):** I thank the member for her question who is ever vigilant in this space and who has made the observation that, if there is one advantage and only one out of COVID-19, we have had very much cheaper petrol prices.

The Productivity Commission report that has been referred to by the member is indeed reportable to the Premier, and that has been received. I just remind members that they were given the express request to investigate options for fuel price monitoring services—including around Australia—to see how we could best come up with a contemporary and effective service, bearing in mind there have been a number of these reviews. There have been a number of different models represented around the country.

The member herself has been proactively promoting the Western Australian model and indeed has put a sort of hybrid of that to the parliament for our consideration. I think that's a great interest to have because this is a very important service and cost in the household budget to everyone in South Australia, whether they own their own car, they are using someone else's or indeed they are using public transport. Fuel is a very necessary part of that.

It has been provided. We have considered it. It has put a recommendation that is under review by the department of Consumer and Business Services, which has the responsibility for this, and we hope to have something to present to the parliament in the very near future.

#### **JOBKEEPER PAYMENT**

**The Hon. S.C. MULLIGHAN (Lee) (15:03):** My question is to the Premier. Will the Premier request that the commonwealth ensure that JobKeeper payments continue until after all social distancing restrictions have been lifted?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:03):** That will be something that the national cabinet might consider, but the JobKeeper payments are something which are not determined by the national cabinet: they are determined by the federal cabinet. In a way, as I was saying earlier, there is a sort of divvying up of responsibilities, and the responsibility in terms of the JobSeeker payments and the JobKeeper wage subsidies are more in the federal area, and we are dealing with the issues that we talked about earlier: stimulus, some support for businesses to get them across this bridge and, of course, some of the areas where there is considerable market failure. They are the things that we are doing at the state level.

The federal government has, I think, now announced at least three major packages since the coronavirus was known to us. It is looking at different ways of assisting the Australian economy on a very regular basis. One of the things that is, if you like, a hallmark of the national cabinet is that we are receiving briefings from not only Professor Brendan Murphy, the Chief Medical Officer of Australia, but also Dr Philip Lowe, who is the Governor of the Reserve Bank of Australia, and Dr Steven Kennedy, who is the Treasury secretary, because we have this dual crisis in Australia, if you like. We have the health crisis and I think, quite frankly, Australia is doing extraordinarily well. I know that we have had to postpone the Beijing Olympics but, quite frankly, if this was—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Which one?

**Mr Pederick:** Tokyo.

**The Hon. S.S. MARSHALL:** They didn't? Alright, that's good. That one went ahead; I don't think Australia did particularly well at that one. They have had to delay the Tokyo Olympics, but I think, quite frankly, we have already won our gold medal. Australia has done extraordinarily well, although it is sometimes a bit macabre to wake up in the morning and one of the first things you do is try to look at how we are going on that tally. It is extraordinary. Today, we have only had 12 new cases in the country, which is extraordinarily low. Many states are posting zero new cases, including

some of the larger states, such as Queensland. Today, I think they have already reported no new cases. So we have done very well on the health side in Australia. We can't be complacent, but we have done well to date.

On the other side, we should feel very fortunate that we live in a country that has had strong fiscal discipline over many decades that has put us in a position to be able to respond to the economic crisis—not once the pandemic is ended but along the way—so we have been able to put this support under the economy. It's not going to save every single business and every single job, we appreciate that, but I think what we are in a position to do is to provide as much support as possible to the economy to get us over this period of time.

The member asks about the period of time and the period of support. The Prime Minister originally talked about September and putting that wage subsidy scheme in place through to the end of September, and he has made some public statements that he wouldn't see that wage subsidy scheme going beyond that period of time. I think most people are now feeling more hopeful that the health crisis will be over before the end of September, but we've still got a long way to go.

One thing is for sure: the hard work Australia has done over a long period of time gives our country a lot more options to support business, while many other countries around the world are on the back foot just simply trying to fund the health emergency.

#### **ECONOMIC AND BUSINESS GROWTH FUND**

**The Hon. S.C. MULLIGHAN (Lee) (15:07):** My question is to the Premier. How many businesses have received funding from the Economic and Business Growth Fund as part of the government's initial \$350 million stimulus package? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. S.C. MULLIGHAN:** The Premier publicly stated on 11 March that his economic stimulus package would include increased funding for the state's Economic and Business Growth Fund to support key industry sectors.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:07):** That additional expenditure still goes through the normal processes of the Budget Cabinet Committee and the cabinet. We are considering a range of options, and of course we are most interested in those that can create immediate stimulus. I don't think we are in a position to announce those, but that work is going on. The parliament would be very pleased to know that the normal processes for considering the use of taxpayer money must go through a process, and must go through a very considerable process, to make sure that we are making good investments on behalf of the people of South Australia.

I would like to thank all members of the Budget Cabinet Committee, who have worked very diligently, and also all members of the cabinet. This is an extraordinary time. There was one week two or three weeks ago when we had six cabinet meetings in seven days. Every member of the cabinet understands our responsibility during this period of time to make sure that we are working as quickly as possible to provide that stimulus, but there are prudential constraints. We need to make sure that, when we do spend a cent of taxpayers' money, we are doing that in accordance with our objectives as a state, and I am quite sure that that is taking place.

#### **ECONOMIC AND BUSINESS GROWTH FUND**

**The Hon. S.C. MULLIGHAN (Lee) (15:09):** I have a supplementary. Is the Premier receiving updates on how much stimulus funding is actually being spent out in the community?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:09):** Yes, cabinet considers those on a very regular basis.

#### **CORONAVIRUS**

**Mr TRELOAR (Flinders) (15:09):** My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is assisting creative industries in response to COVID-19?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (15:09):** I thank the member for Flinders for his question and his support for the creative industries here in South Australia, one of the fastest growing industries around the world and here in South Australia up until the COVID-19. It was one of the biggest hit industries in Australia; 53 per cent of businesses operating in creative industries have stopped operating or are in hibernation since COVID-19, so live performances, festivals and events have been cancelled, venues closed and screen production put on hold.

The Marshall/Morrison governments are working together to support small business and to save jobs. The federal measures include, for example, the JobKeeper, \$1,500 per fortnight, which will assist many sole traders in the creative industries. Of course, adjustments to the Newstart program, to be rebadged as the JobSeeker program, enable people who are operating a business but aren't earning income from those businesses to also apply for that JobSeeker payment. The Premier and I have hosted several round tables with the creative industries and they will continue so that we can understand the impacts of COVID-19 on the industry and options for support as we move through the recovery stages.

The Marshall government has put together measures to support small business in general. As the Minister for Transport spoke about earlier, there are payroll tax waivers and deferrals for 2,400 businesses in South Australia, land tax relief, JobKeeper will be exempt from payroll tax calculations, and there is a waiver of liquor licensing fees, very important for the creative industries sector, particularly the music sector. There are many hotels. As a matter of fact, members of the Hotels Association are the biggest supporters and employers of musicians in the state, and I thank them for that. And, of course, there are emergency cash grants of \$10,000 for small business. Many creative industry businesses will benefit from these measures.

The specific initiatives include Arts Organisations Collaboration Grants of up to \$100,000 to achieve employment outcomes and create and develop work to engage audiences; the Innovating Practice grants, \$5,000 to \$10,000 for the purchase and hire or upgrade of technology and equipment; and the Creative Endeavour grants, \$5,000 to \$10,000 to undertake professional development or creative practice.

To further support the music industry, the Music Development Office has repurposed \$200,000 to establish new grants: the Creative Development Support Grants of \$5,000 for developing or releasing new original music; the Music Business Project Support Grants for up to \$20,000 to support managers, promoters and venues for the production and performance of original music; and the Music Industry Initiatives Support Grants, up to \$20,000 to support individuals or organisations with a proposal to support or stimulate the music sector.

In screen, the SA Film Corporation has launched a second round of the Games Innovation Fund of up to \$25,000 per application. Other measures include Business Resilience Training, the Targeted Development Grant and the Matched Market Development Grant, and they have teamed up with the Media Resource Centre to develop the Master/Apprentice Program. Creative industries is a sector particularly affected by COVID-19 and we will continue to work with the sector so it can bounce back even stronger.

### **ECONOMIC STIMULUS PACKAGE**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:13):** My question is to the Minister for Infrastructure and Transport. How many infrastructure projects under the government's initial \$350 million stimulus package announced by the Premier on 11 March have commenced?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:13):** I thank the honourable member for the question. I want to outline how it is that we came to the list of projects the government sought to put as part of their first \$350 million stimulus package. Keep in mind, this package, the first in the nation, was put together at a time when this government was looking at what was coming forward. We knew that COVID-19 was going to impact our community but the exact restrictions that were going to be in place in the community at the time, or the ramifications on our economy, were not yet known, but we sought to act immediately because we knew that there was going to be an impact.

That first \$350 million worth of stimulus was all around finding projects that could be done within a defined period of time. In fact, prior to putting that stimulus package together I think I spoke to a question from the opposition in this house around what demands we had had from the federal government around stimulus projects. In fact, I know that the Premier had discussions with the Prime Minister and I had discussions with my federal counterpart, minister Tudge, in relation to what projects could be put on the table.

When it comes to infrastructure, projects often have long lead times. We know that previous stimulus packages in response to previous crises—and I am thinking now about lessons learned from the GFC—really help to inform us about what types of projects we would undertake. In order to get this work out within the time frame in which it is needed, and that is as soon as possible but certainly whilst there are restrictions in place and our economy isn't in this hibernating state, we focused on projects that required no land acquisition, very little design work, little community consultation, as well as truncated procurement processes, all designed to shorten the time frame that it normally takes to get a project from its idea through to its design, to its funding—

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

**The SPEAKER:** Minister, there is a point of order. Please be seated. The point of order is for—

**The Hon. A. KOUTSANTONIS:** May I ask the minister how many have commenced?

**The SPEAKER:** —debate.

**The Hon. A. KOUTSANTONIS:** Debate, sir.

**The SPEAKER:** Relevance, debate. With respect to the minister, I understand that he is providing relevant preamble background; however, I have let the minister go for about two minutes. The question was very specific so I ask him to come back to the substance of the question. He is talking about lead times and he is getting close so I will ask him to come back to the substance of the question.

*Mr Brown interjecting:*

**The SPEAKER:** Member for Playford, be quiet. The minister has the call.

**The Hon. S.K. KNOLL:** As I was saying, the projects that we chose were designed very much around those that could be delivered as soon as possible. In fact, as we announced this road maintenance portion of the stimulus package—road maintenance being an activity that can be undertaken and ticks all the boxes that I have just outlined—it helped to form the package of works we put together. Road rehab, reseal, maintenance projects and shoulder-sealing projects are ones that fit all of those criteria. We have already put out tenders for two of those projects. One is—

*The Hon. A. Koutsantonis interjecting:*

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

**The Hon. S.K. KNOLL:** One is in relation to a 28-kilometre capping project on Adventure Way in the member for Stuart's electorate, and the second is in relation to a midlife cycle refurbishment of the Heysen Tunnels. Those tenders have already gone out but, in addition to that, what is also being worked through at the moment—although I don't have the complete detail of it—is our desire to use existing procurement processes that have already been undertaken in regional South Australia and be able to extend those to include existing contracts and put into those the projects that are part of that first stimulus package of \$350 million.

There is considerable work underway and we will see that work get out into the community as soon as possible. In fact, the work that we have done in conjunction with the federal government shows that South Australia as a jurisdiction has actually responded faster with its capital projects than any other jurisdiction around the country.

#### **ECONOMIC STIMULUS PACKAGE**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:18):** My question is to the Minister for Transport and Infrastructure. How many significant tourism infrastructure projects have been funded

and works commenced as part of the government's initial \$350 million stimulus package as announced by the Premier on 11 March?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:18):** The tourism projects that we are discussing fall broadly—and apart from my department undertaking the building management processes for a number of those projects—within the Minister for Environment and Water's portfolio, especially as they relate to national parks, especially as they relate to essentially bushfire recovery works, especially on Kangaroo Island.

There is already work underway on a number these projects, getting them out there into the community and enabling that work to be undertaken on the ground. I expect those projects are rolling out as of now and will be over the course of the coming months. Whether it be tourism-related infrastructure, whether it be the bringing forward of maintenance in our hospitals, whether it be the bringing forward of maintenance across our housing sector and work that the South Australian Housing Authority is undertaking, or whether it be work within my own department, work has already been very significantly progressed to get these projects out there on the ground.

But there is another side to this equation and that is, as the Premier outlined, the fact that we need to spend this money properly and diligently. Again, we are the first jurisdiction in the country—

**The SPEAKER:** Point of order.

**The Hon. A. KOUTSANTONIS:** The minister is debating. I asked for how many.

**The SPEAKER:** I have the point of order and I am listening carefully. Minister.

**The Hon. S.K. KNOLL:** It is important that we spend this money wisely. We were the first jurisdiction in the country—

**The Hon. A. Koutsantonis:** You haven't spent anything yet.

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —to put money on the table for accelerated capital infrastructure projects. We are the jurisdiction across the country that is going to get work and is getting work onto the ground more quickly than anybody else, and this is all part of our plan to bring back South Australia stronger than it was before so that we can help our economy and help our community recover from this crisis.

#### *Grievance Debate*

#### **CORONAVIRUS**

**The Hon. S.C. MULLIGHAN (Lee) (15:20):** Here we are only five weeks on from when the number of new coronavirus cases in South Australia was doubling every two to three days, and we have just recorded five days in a row of no new cases. That is an outstanding effort, and we must take some time to thank all those involved: the medical professionals who have so carefully guided the community through this period, South Australia Police and, most of all, the public of South Australia.

The resilience of the South Australian community at this time has been exemplary. We have collectively made decisions to stay at home and to stay distant from our families, our friends and our work colleagues, at the very time that all the fibres of our being are encouraging us to gather around those very people, when we face fear and uncertainty. But there is a new sense of hope and optimism in the community that perhaps soon we can again see our families, friends and loved ones in the way in which we were so fond of doing: up close and in person again—that is, if we keep up the good work.

But many people are hurting. There are tens of thousands of workers in South Australia who have joined the unemployment queues in recent weeks. This is devastating for them financially and also mentally and emotionally. There are thousands upon thousands of businesses here in South Australia that have closed or that are just desperately trying to hang on: the local shops, the

takeaways, the cafes, the restaurants and the pubs. Many other types of businesses are also struggling to survive with reduced trading and social distancing.

It is clear that the big splurge on retail, as many unfortunately hoarded food and groceries, was largely confined to that specific area of the retail industry. Transaction data is showing that this trend is now slowing and there are fears that local supermarkets, particularly those that we are most proud of—the South Australian owned and operated supermarkets—may now experience the quieter trading that all others in retail are experiencing. Spending across the economy is down both as people lose jobs and have less income and as others who remain in employment choose to spend less money.

We should also pause now to thank the government for its support of people and businesses at this time. The additional JobSeeker payments and the new JobKeeper payments are something that we have never needed before, but we certainly need them now. The announced spending from the state government, of course, is welcomed too. We may quibble about whether South Australia has gone big enough, hard enough and whether we have supported the right areas in the stimulus announcements, but the willingness to act is important and the government should be recognised for its efforts.

But what also needs to be recognised is that time is of the essence. In most cases, businesses have just come through the worst six weeks of their trading lives. They have at least another week or more until they can access the promised JobKeeper payments. The JobKeeper scheme requires businesses to pay staff up front the entitlement, to later be reimbursed by the federal government.

A large number of businesses I have been speaking to, particularly the small businesses in my electorate, simply do not have the spare money lying around to meet this cost. This means that they and their employees cannot access the JobKeeper payments, because they cannot afford them up-front. Without these JobKeeper payments, though, they cannot keep their staff, and without their staff they cannot see that they can re-emerge on the other side of the restrictions with a viable business.

Likewise, it is a welcome move that the South Australian government will pay \$10,000 to small businesses to try to help them through these restrictions. Applications are open for another five weeks, and it is not clear, despite what the Premier tells us, when the grants will start getting out to businesses. Most applicants in my electorate have not yet received a grant, and indeed some are being told that they cannot expect to receive the grant for some time while other applications are being made and processed. These grants could be the difference between a business surviving and not surviving.

It is clear for many businesses that they need this support right now—not in two weeks' time and not in a month's time or more. They need this support right now. The state government here needs to do whatever it takes to get this money out into the community immediately. We have only just heard from the Minister for Transport and Infrastructure that, of the \$350 million of government support that was announced nearly seven weeks ago, the only activity to have happened on projects is for two tenders to be issued. Meanwhile, an extra 44,000 people have been reported by the Australian Bureau of Statistics as out of work. This government needs to get cracking to support the community as quickly as possible.

#### **SMALL AMOUNT CREDIT CONTRACTS**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:25):** I rise today to raise an issue regarding the effects on constituents in all our electorates of payday lending and consumer leases, also known as small amount credit contracts. As COVID-19 affects many South Australians' employment and financial affairs, it is expected that the demand for finance will rise. That is why it is important that the payday lending industry is properly regulated and that governments have sufficient support for those affected during this unprecedented time.

For the benefit of members, a very predatory example provided by ASIC relates to a small amount contract involving a washing machine that cost \$769 and was offered on a three-year lease,

which ultimately cost \$4,517. There is no justification for consumers, many of whom are vulnerable, to face these costs.

I last updated the house on this issue on 12 September last year, when I informed the house that, at the Consumer Affairs Forum, state and territory governments called for urgent action by the commonwealth on this issue. Indeed, in taking on this responsibility, I indicated to the former member for Enfield my commitment to pursuing what had been his five-year quest to try to have this matter brought to fruition.

The national Assistant Treasurer had said that he was hopeful that a draft bill would be released for consultation by the end of last year but was not willing to commit to that time frame. I understood that. However, my office has contacted his office to request an update or clarification as to timeliness, regrettably without any success. Indeed, I received a letter from minister Sukkar in March that was a response to one I had sent him nine months earlier. So things still move at a glacial pace in Canberra, let me say.

I want to remind members that the commonwealth caused a review into small amount credit contracts back in 2015. Since that time, frankly, it has gone nowhere, but the pressure is on. There have been exposure drafts, private members' bills introduced and, most recently, the establishment of a Senate committee. I foreshadowed, at the Consumer Affairs Forum in New Zealand and in this house, that I would act if the commonwealth did not. It is not my preference, in fact, for the state to operate outside a nationally consistent model; however, urgent action was already required long before COVID-19 hit, and none is forthcoming from the commonwealth.

I have therefore instructed Consumer and Business Services to provide me with advice on state-based legislation, about which I have already had legal advice, as to the protections to include a cap on the total repayment amount, amending the affordability provisions based on gross earnings to net earnings, requiring that there be equal amounts paid at equal intervals, not charging additional fees for the ordinary life of the loan in cases of early repayment and preventing these lenders from making unsolicited invitations to current or former customers to apply for credit.

All these protections align with those of the 2015 review. I look forward to returning to the house and providing you with a further update to ensure that we do protect vulnerable citizens. May I conclude by saying that, since the forum in New Zealand, the New Zealand minister has progressed his bill through the New Zealand parliament. Well done to the minister and the New Zealand government for doing so. We will have one here in South Australia if it is not done by the commonwealth.

## YOUTH UNEMPLOYMENT

**Ms COOK (Hurtle Vale) (15:29):** Today, I would like to talk about a very important group in our community and it is a group we have not heard very much about throughout the COVID pandemic, apart from perhaps the discussion around schooling and education from a primary and high school point of view.

Really, young people are severely and significantly affected by the crisis we are currently facing, and it is them I fear for most in respect of the long-term problems they may face as a consequence of some of the actions that necessarily have been taken in order to protect the rest of the community. I fear that most certainly young people in Australia will be the long tail of a big recession going forward, to quote somebody I heard today.

From ABS data, we know that young people struggle significantly in terms of employment and secure employment. They feature highly in the unemployment data, and well before the pandemic was declared here in South Australia the numbers of young people unemployed in Australia had again risen, I believe to about 14.1 per cent. Remembering that the definition of employment is as little as an hour of work a week, the underemployment data is well in excess of 20 per cent for young people.

Moving forward, as these young people who work in some of the hardest hit sectors, such as retail, hospitality and tourism, we are going to see that tens of thousands of them have been laid off work, stood down and will not qualify for any kind of payment, be it JobSeeker, JobKeeper or job



anything. They are suffering and they are struggling, and many of them are in a position that is unfamiliar to them.

In that position, going forward, where unemployment is going to continue to rise and underemployment is going to rise even worse, what we will see is a reflection of similar practices or similar patterns that occurred in the eighties, when I was a youth, when there were unemployment rates well in excess of 17 or 18 per cent, when interest rates were really, really high and we saw a rise in the underemployment rate during that period.

Then, when we had the GFC in the last decade, we again saw the unemployment and the underemployment rate rise. I encourage members to go and look at the ABS data and see what happens over time not just to unemployment but to underemployment of young people. The unemployment numbers will come down gradually because of the way it operates, but underemployment will remain high and will continue to climb for a long period of time.

At the same time that we put these restrictions in place, young people have had so many disruptive elements to their social patterns and their relationships. It is a misnomer that governments spruik that young people are so well connected on social media, that young people have the internet at their fingertips. I speak to so many people and have done over the past few weeks who are working in the youth sector who say the most at-risk group of young people are those in their late teens— young adults who are not able to access data, their households do not have access to good internet and they do not have devices they can use. These are the hidden victims of the COVID crisis.

The recovery for these young people moving forward must be planned now. This is not like saying we have this announcement seven weeks ago that we are going to put some money in and we are going to start to do some work. If we do that now, exponentially we are going to see that young people are going to fall off the cliff and we are going to see a whole generation of youth who are unable to secure work.

The truth is that in relation to young people we see a massive digital divide, we see a massive problem with them being able to access data, access devices, and we see enormous problems with them seeking employment going into the future. The announcement of devices for schoolchildren is going to do nothing for these young people because they are doing vocational education, they are doing other types of work and they are simply not able to access it.

### SCHUBERT ELECTORATE

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:34):** It gives me great pleasure to stand in this place today to be able to talk about the fact that the Barossa, a place that over the last 4½ weeks has been subject to a different kind of COVID-19 reality, as of tomorrow is now able to go back to being part of the rest of broader South Australia and essentially have the same situation and experience as the rest of the state. It is a fantastic day and one that I know my community has been looking forward to for weeks and weeks.

It all started on 29 March, when parts of the Barossa were identified as a higher risk area for COVID-19 after two separate clusters were recognised. The first of those was in relation to a tour group from the US who were staying in a prominent accommodation facility locally and visiting cellar doors and the like around the community. The second was a group of tourists from Switzerland who were staying at a second venue and also were at a series of events over the course of that. We are home to international tourists, so I think the fact that this came to the Barossa before it came to many other places was inevitable, given how open we are to international tourism.

The restrictions that were put in place were largely around the decision to close schools and limitations on cellar doors and local businesses, but those directed restrictions also came with strong advice to the Barossa community to stay home to be able to stop the spread. My community responded in a way that makes me so proud to represent it: by doing exactly what we were asked, not necessarily because we were forced to but because we wanted to do everything we could to really knock this cluster on the head.

As a community, as we always do, we banded together and we looked after each other. The countless stories I have heard of families, friends and neighbours leaving care packages at the front

doors of our most vulnerable or those who were in self-isolation, just because people can, really did lift people's spirits. The Easter weekend was a very different Easter for people in the Barossa. Certainly, everybody I spoke to was doing what they were supposed to do: staying at home, helping to contain the spread of the virus in the Barossa but also depriving themselves of being able to see loved ones and family. Especially at this difficult time, it resonated even more, but that we did.

As somebody who had a care package left at my front door, it was certainly a time to be grateful for the beautiful community we live in. A series of other things was done in our community. The Southern Barossa Alliance worked with The Barossa Council to develop the Barossa Cares platform to connect vulnerable community members with the services they needed most during this crisis. We also saw people busy at the grassroots level simply showing that they care, helping our local businesses to adapt.

Rather than sit back and accept the fate that existed, the Barossa has evolved to our new normal, whether that be hardware stores offering home delivery of materials or whether that be the myriad new options for takeaway across our different cafes and restaurants. In fact, if there is one silver lining to this crisis, it is the fact that a lot of these restaurants, which I have loved to visit over the course of my time as the local MP and before, are now offering their menus for me and my family to be able to eat at home. I think it is a fantastic innovation and one of those silver linings from what is a very difficult period.

I would also like to thank the Attorney-General and her team for their hasty delivery of short-term liquor licences, which significantly helped our local hospitality industry to implement these changes to the new regime, the new way we need to operate to survive. We have seen significant changes in the way we live, the way we work and the way we socialise. It has certainly been challenging, but through it all the Barossa community has stood strong and united and determined to get through this together.

The fact that this restriction is being lifted tomorrow is in large part because of the very strong health response that was put in place, but it is very much in large part because the Barossa community came together, did what they were asked, helped each other out, did the right thing and saw a massive reduction in the number of cases; in fact, in the end, there was only one case of community transmission in the Barossa. The result of our good work over the past 4½ weeks culminates in the fact that as of tomorrow we can go back to taking our place as just a normal part of the broader South Australian community.

### **MODBURY HOSPITAL**

**Ms BEDFORD (Florey) (15:39):** As South Australia continues to grapple, thankfully successfully, with the COVID-19 global pandemic, it is timely to reflect on our state's overall health policy—the no doubt well-meaning at the time but often piecemeal and haphazard initiatives taken over recent decades and their impacts.

The folly of privatisation, outsourcing and competitive tendering, the constant rounds of cuts and closures and the imagining that delivery of health services can be turned into a for-profit market where the provision of universal health care—a hard-won principle that emerged as part of the postwar settlement—has been under sustained attack for decades. Universal health care belongs in government hands because only government is accountable to the public, not to shareholders, and nationally the irrational extraordinarily generous subsidies enable the private health industry to remain where it is when it is clear that consumers are already voting with their feet.

Members will know that I have been and remain a constant advocate for publicly managed, publicly outsourced and publicly accountable health care. I have always opposed privatisation, starting with the failed experiment inflicted on my community when Modbury Hospital's administration was privatised or outsourced decades ago. Equally, I have always opposed the constant erosion of services through cuts and closures.

The former Labor government learned the strength of my resolve when it came to downgrading services at Modbury Hospital. I fear, however, that the current Liberal government is yet to fully appreciate how important this issue is to the people of the north-east. I am, of course, pleased the government has commenced renovations and building works at Modbury Hospital and

is moving to restore a high dependency unit. That was a key election promise, and it is a promise they must keep and keep in full, not just in time for the next election.

The works are already budgeted and no doubt form part of shovel-ready projects, so necessary to keep our construction workers in jobs, but what will this mean for the displaced medical workers who are victims of the early closure—and here I acknowledge the early opening of the theatre suite is the carrot—of Modbury's operating theatre suite, day stay and overnight wards?

Reports have recently reached me relating to the state's preparedness for its COVID-19 response. On the Thursday afternoon prior to Easter, Modbury staff were told that the entire level would be closed for 12 months to allow 16 beds to remain idle until the anticipated explosion in COVID patients required their use. In the interim, the response of the government and the population has seen overwhelmingly great results in containing the coronavirus spread.

As a result, it is not unreasonable to think there could be an opportunity to review the plan to shut the surgical level at Modbury Hospital; however, NALHN, and in turn the government, appear unwilling to do this, but where is the truth? I understand there are some advantages to the length of the redevelopment program if the entire floor is closed, yet the displacement of over 100 staff, including medical, nursing, clerical and ancillary staff, local patients who use the service and the economic climate we are facing, may now be a more important factor in the final decision.

By keeping the two theatres at Modbury working, the number of patients who might be outsourced, including elderly vulnerable patients requiring eye and urology services, would be considerably reduced with a corresponding saving in expenditure. Additional to the savings that occur by not outsourcing patients would be the staff who may be displaced by the closure and who continue to receive an income despite not participating in clinical or other productive work, they will not be draining the public purse unnecessarily.

The economic argument in the current climate is the most compelling to keep the theatres and ward open. I am told NALHN identified efficiencies at the Lyell McEwin Hospital that would allow a portion—and I repeat 'a portion'—of work currently performed at Modbury to be moved there. If Modbury theatres close, where would the remainder of the Modbury work go? Would it need to be outsourced to private facilities and practitioners at an inflated cost to the service that a public hospital can provide?

I was obviously originally pleased to hear recently the intention of government to start the theatre works earlier than scheduled, but I am now worried, as are staff at Modbury Hospital, that their jobs will not be protected and that case flow between hospitals has not been well planned. For instance, I understand the sterilisation staff at Modbury Hospital—all highly qualified workers—are the only such staff in hospitals in this state whose work is outsourced to a private company, and that the closure of the theatres will result in their displacement.

Where will they be left when the theatres close early? If true, this would be very concerning and makes me wonder how many other parts of our public health system are riddled with outsourced, quasi-privatised or contracted out work roles. Indeed, I worry that, given the concerns I have heard from staff, we are returning to the bad old days of ambulance transfers shuttling patients in between hospitals. To me, any move like this would be privatisation by another name.

The threats from outsourcing, contracting out and privatisation to health service delivery and the jobs of the workers who provide them must stop. When talking about the amazing response to the health service here in South Australia to the COVID threat, a huge accolade must be handed on to all, and particularly to all at SA Pathology. Their work in this current threat to public health is nothing short of amazing, and SA Pathology should be no longer facing any threat to its existence within the public health service.

To this end, I will be introducing two bills this week: one to ensure SA Pathology has its own standing within the public health system and another to enshrine the right to parliament to examine any move by any further government to privatise any part of our public health system.

## CORONAVIRUS

**Ms LUETHEN (King) (15:44):** In this unprecedented time, I am so proud to see how the South Australian community have adapted their lives so together we can save lives. Social isolation, social distancing, flattening the curve, live Zoom meetings, bears and rainbows in windows, ANZAC Day at home, grandparents saying hello to their grandchildren across driveways and camping in our own backyards are all part of our everyday life now. Collectively, we are all doing what we have never done before, and together we are saving lives. I emphasise that everything our government is advising and our community is adhering to is being based conscientiously on best scientific and health expert advice.

My community's health is my top priority, and that is why for many weeks now I have been phoning people living in King, checking to make sure that people are informed and that they have the essentials they need at home to keep healthy and safe. Our current environment is so challenging because we are facing a dual crisis. We have the health crisis which collectively and as a community we are nailing right now with the fifth day of no new cases, and also, critically, we have an economic crisis. We are all seeing those soul-destroying line-ups out the front of Centrelink. Tens of thousands of South Australians have lost their jobs as a consequence of this virus through no fault of their own. It is devastating for those businesses and individuals.

We are very fortunate in South Australia and Australia that, because of the fiscal discipline that we have in this country, we have the capability to implement an economic stimulus and support packages. The Premier has told us that very few countries around the world can do this. It has broken my heart to hear that in many countries they are struggling just to supply immediate health needs to their citizens and even allow people to be tested for free.

I want people in King to know that, while the health emergency is unfolding, our government is setting up a platform underneath our economy so that South Australia can come back stronger than before. There is still much work to be done but we are applying ourselves every day to this task. We have all made radical changes to our lives because no-one deserves to die, no student deserves to lose their education and no business deserves to go bust.

There are so many people to thank for their efforts and sacrifices at this time and so many acts of kindness we could talk about. Because our communities have so strictly adhered to the restrictions, this week our 277,000 schoolchildren had the choice to return to school. I can only tell you how happy my own son was to be back amongst his friends. It was a very happy time. I wish to specifically thank the educators in our local schools. They have enabled our children to return to school but also, at the same time, to have the choice to stay home and learn from home. Thank you so much to our schools.

To every person impacted and adapting to this extraordinary challenge, I really do say thank you. Thank you for your kindness and for taking this disease so seriously. Together we are getting through this. Together we are saving lives. Well done, everyone. You can feel very proud of the part that each individual and business has played. Thank you.

*Parliamentary Procedure*

## STANDING ORDERS SUSPENSION

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:49):** I move:

That standing orders be and remain so far suspended as to enable the introduction of a bill without notice forthwith and passage through all stages without delay.

**The DEPUTY SPEAKER:** An absolute majority not being present, ring the bells.

*An absolute majority of the whole number of members being present:*

Motion carried.

*Bills***COVID-19 EMERGENCY RESPONSE (BAIL) AMENDMENT BILL***Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:51):** Obtained leave and introduced a bill for an act to amend the COVID-19 Emergency Response Act 2020. Read a first time.

*Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:51):** I move:

That this bill be now read a second time.

I am pleased to introduce the COVID-19 Emergency Response (Bail) Amendment Bill 2020. The bill seeks to protect prescribed workers, including front-line emergency workers, hospital workers and others employed in retrieval medicine, through amendment to the recently passed COVID-19 Emergency Response Act 2020. The bill also promotes general community safety as it seeks to protect private property from intrusion.

Section 10 of the Bail Act 1985 currently provides that if an eligible person applies for bail, the bail authority should release the offender on bail having regard to a number of different factors. Accordingly, in most cases there is a presumption that bail should be granted. The presumption of bail is reversed in particular circumstances which are set out in section 10A creating a presumption against bail. This section provides that bail is not to be granted to a prescribed applicant unless the applicant establishes the existence of special circumstances justifying the applicant's release on bail.

A prescribed person is someone who has committed a particular class of offences and therefore does not have the presumption of bail. Members would be aware that one of the prescribed parties already in that list is a person who is a member of serious and organised crime and has offences in that regard.

What constitutes a prescribed applicant will be temporarily broadened during the COVID-19 pandemic by clause 3 of the bill to include those charged with the following offences: firstly, serious criminal trespass in residential and non-residential premises and criminal trespass in a place of residence; and secondly, any offence against the person that is aggravated due to the victim falling into the category of a person who was acting in the course of a prescribed occupation on a paid or voluntary basis for the purpose of section 5AA(1)(ka) of the Criminal Law Consolidation Act 1935 and the victim was acting in the course of their duties.

This includes emergency workers, those employed to perform duties in a hospital, and those employed in retrieval medicine—that is, medical practitioners, nurses, midwives, security officers or otherwise—and medical or other health professionals attending out of hours, on an unscheduled callout or assessing, stabilising or treating a person at the scene of an accident or other emergency in a rural area. It also includes passenger transport workers, police support workers, court security officers, bailiffs under the South Australian Civil and Administrative Tribunal Act 2013, protective security officers, and inspectors under the Animal Welfare Act 1985.

Thirdly, an offence against either section 20AA or 20AB of the Criminal Law Consolidation Act 1935 provides for causing harm to or assaulting certain emergency workers, and the further offence involving the use of human biological material. Members will note that was frequently referred to as the spitting and biting provisions.

The COVID-19 pandemic has placed property, particularly commercial and small business premises, at greater risk of exposure to crime due to the necessary policy of requiring people to remain at home as much as possible. South Australia Police have recently stated that there has been a spike of 28 per cent in non-residential break-ins compared with the same period last year—that is, 1 February to 20 April—where businesses have needed to close their doors during the virus.

The Commissioner of Police who is, of course, our State Coordinator under the State Emergency Management provisions, noted that we are now seeing businesses that are unattended and not being managed in a way that they were previously, and therefore at a higher vulnerability.

As a result, the presumption of bail is to be temporarily reversed for those who commit serious criminal trespass in residential and non-residential premises and criminal trespass in residential premises in order to protect public safety, which includes private property.

Further, the safety of emergency service and front-line personnel is paramount. In light of the current enforceable restrictions placed against the community, front-line emergency service workers may encounter members of the public who do not accept these restrictions. The imposition of specific bail conditions that protect these workers—for example, by preventing offenders from contacting emergency services workers such as medical practitioners—is at the discretion of the court.

Instead of relying on the imposition of such conditions to ensure their safety during this time, the bill makes it clear that the presumption should be against bail in these circumstances. To ensure that these provisions only operate for the period already agreed to by the parliament, these amendments are to schedule 2 of the COVID-19 Emergency Response Act 2020 and will therefore only operate while that act operates. This aligns with the request of the State Coordinator for these changes to be only in operation for the period of COVID-19.

That act will expire on either the day on which the relevant declarations relating to the outbreak of COVID-19 within South Australia have ceased, provided that I am satisfied that there is no present intention to make further declarations, or six months from commencement of the act, whichever is the earlier. The government is focused on the safety of all South Australians and is taking decisive steps to stop the spread of COVID-19 in SA. Like all measures, we are acting on the advice provided by experts, including the State Coordinator, the Commissioner of Police.

As shown through swift action, such as the introduction and passage of the COVID-19 Emergency Response Act, we have seen remarkable results so far in our South Australian fight against the COVID-19 pandemic. I commend the bill to members and I propose to insert a copy of the explanation of clauses.

In concluding, I want to thank in advance members of the opposition for indicating their cooperation in the consideration of this matter in an expedited way. Again, we are not in normal circumstances. We do not ask for there to be consideration except in these types of situations of emergency, but we do appreciate their cooperation and understand that we are bridging a process not just in time for the consideration of the parliament but, indeed, in direct response to the submission to me from the Commissioner of Police on 9 April, that we deal with this matter.

There are some other matters in his list which he has been advised we are looking at for the May sitting of the parliament but they will, as best we can, go through the normal consultation process. I can say quite clearly that this has not been a matter that has gone through any extensive consultation, but certainly we have received advice from the police commissioner and the Crown Solicitor's Office to ensure that we are doing all this properly, of course, as well as Legislative Services and parliamentary counsel, both of which are attached to myself as Attorney-General. It has limited consultation for the reasons already stated, but I commend the bill to the house.

**The DEPUTY SPEAKER:** Attorney, are you seeking leave to insert the explanation of clauses?

**The Hon. V.A. CHAPMAN:** Yes.

Leave granted.

#### EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of COVID-19 Emergency Response Act 2020

3—Amendment of Schedule 2—Temporary modification of particular State laws

This clause amends the Schedule of temporary modifications of particular State laws to include temporary modifications to section 10A of the *Bail Act 1985*. The temporary modifications specify a number of additional offences against the *Criminal Law Consolidation Act 1935* that will attract the presumption against bail during the COVID-19 period.

**Mr ODENWALDER (Elizabeth) (16:00):** I do not need to indicate the opposition's support because the Attorney has already indicated the opposition's support for the bill.

**The DEPUTY SPEAKER:** Member for Elizabeth, you are also the lead speaker?

**Mr ODENWALDER:** I am indeed the lead speaker and, I believe, the only speaker on the bill. We do support, certainly through this house anyway, the COVID-19 Emergency Response (Bail) Amendment Bill 2020. Last year, of course, we saw the passage through this place of Labor amendments to the Criminal Law Consolidation Act, which gave emergency workers, police officers, ambos, transport workers and others far greater protections under the law than they previously had.

Members will recall that the new provisions made it very clear to the courts and to the crooks that attacks on our front-line workers were not only reprehensible but essentially constituted an attack on the rest of us, on society, and should be punished properly and appropriately. Of course, COVID-19 has changed everything. It has amplified the need for protection for our front-line workers, which is why the opposition has offered to work cooperatively with the government on any measures that might provide such protection.

That is also why in our last sitting we supported the government on a whole range of measures that effectively enhanced the powers of the police commissioner acting as State Coordinator and gave him the tools that he needed to protect the rest of us. In fact, we supported the initial COVID act, as it is now, despite being given very little notice of any of its measures, as well as its very speedy passage, because we recognise that these are extraordinary times and we should all be striving to work together, on the advice of experts, in order to protect our community.

In that spirit of cooperation we support this bill. I do note the Attorney's comments about consultation and I take on board her explanation of the need for some urgency for this bill. I was certainly advised through *The Advertiser* on Monday morning, and I sought and received a briefing—which was a very good briefing and I appreciate it—at 1.30 yesterday. I appreciate also the Attorney's comments that any further emergency measures related to the COVID emergency will be better consulted, that the police commissioner has already made some submissions to her in regard to the next round, if you like, of the COVID emergency measures that he sees as necessary.

As I said, we do support this bill, and I want to thank the Attorney's staff, etc., for providing me and the shadow attorney with that briefing yesterday. In supporting this bill, we of course maintain our right, and our obligation indeed, to interrogate the bill, and if necessary to discuss any changes or amendments between the houses, but we have absolutely no intention of unnecessarily hampering the progress of the bill.

As I understand it, the bill reverses the presumption of bail for offenders who commit certain offences, but only during the COVID-19 pandemic. It does this by temporarily modifying the list of applicable offences in section 10A of the Bail Act. Members will be aware that such offences that are mentioned in section 10A of the Bail Act are very serious offences indeed, ranging from murder to serious drug offences and terrorism offences, as I think the Attorney mentioned. While we support it, it has to be recognised that to include assaults on all front-line workers is a very serious move to protect these workers.

The workers it applies to are the same workers as those in the changes to the Criminal Law Consolidation Act that we saw last year. It includes people like police, emergency workers, medical and health practitioners in a range of settings, passenger transport workers, court security officers, bailiffs, protective security officers and animal welfare inspectors. As the Attorney said, it also specifically includes offences charged under 20AB, which concerns the use of human biological material.

The Attorney has advised that the State Coordinator has requested these changes in light of the increased risk posed to front-line emergency workers during the COVID-19 pandemic. In short, it means that anyone arrested for any of these types of offences would ordinarily not be entitled to

bail; that is, their usual presumption to bail is reversed, unless there were very special circumstances. This is entirely appropriate, given the COVID-19 emergency, and the opposition of course supports this measure.

The bill goes on to apply the presumption against bail to people charged with serious criminal trespass in residential and non-residential premises and criminal trespass in a place of residence. The Attorney advises that there has been a spike of 28 per cent in non-residential break-ins, compared with the same period last year. The assumption is that so many businesses are currently left unattended for longer periods or entirely.

It has to be said that the need for a presumption against bail is perhaps not so clear here. The policy intention is not as clear as the protection of emergency workers. Is there evidence, for example, that the same people are consistently involved in these offences? Are they committing them while on bail? I would appreciate it if the Attorney could flesh that out a bit, either in her closing remarks or in the committee stage. As I said, of course we will not delay the measures in this place, particularly if the State Coordinator has asked for them to be enacted. But I do ask the Attorney to make the case for those other changes around serious criminal trespass, etc.

I came into this place two weeks ago with a proposal to significantly increase penalties for the types of assaults we are talking about, particularly the spitting, coughing and biting types of offences that we have discussed so often here and that are just so dangerous to our front-line workers and, by extension, to all of us during this panic. It has to be said that the government's response to the increased risk posed to front-line workers should and could have been much stronger and much quicker in coming. Perhaps tomorrow morning will get some answers on the record to why the Attorney does not believe that these other types of new protections are warranted.

As I said, we have worked cooperatively on every measure so far and offered to work with the government on our own initiatives. It is a pity the government has not chosen to take up that offer. However, as I have previously indicated, we will not be opposing this bill. I look forward to asking a few questions in the committee stage.

**Mr TEAGUE (Heysen) (16:06):** I rise briefly to make some observations about the temporary changes that are the subject of the bill. We are living in extraordinary times. We are living in the course of a public health emergency, the result of the global COVID-19 pandemic. Extraordinary times call for extraordinary measures, as they say, and the temporary measures that are the subject of this bill are in that category, in expanding, as they do, the range of charges for which there will be a presumption against bail. They will be included in the list of offences that are set out in section 10A(2)(d), in particular, of the Bail Act.

I want to make clear, first of all, that in the way that bail works—and this is the subject of section 10 of the Bail Act—there is no such thing as automatic bail. However, for the majority of offences, someone who is charged has an opportunity to apply for bail, and the bail authority will exercise a discretion after considering a range of factors. Section 10A of the Bail Act provides for special circumstances in which there is a presumption against bail.

I hasten to add that one important feature of the machinery of section 10A is not so much that the presumption against bail operates according to the gravity of the offence but rather according to its nature, its character. Those offences that are the subject of section 10A are by and large of a common character. There are some very grave offences indeed that are not caught by section 10A, perhaps chief amongst them is murder itself: there is no presumption against bail in relation to murder. The relevant point, though, is that the bail authority in section 10 will have regard to the gravity of the offence in deciding whether or not to grant bail in those circumstances.

The reason why there is a presumption against bail in relation to certain specific offences is that those offences, by their definition, are of a character that includes violence, particularly in domestic circumstances, urgent protection and perhaps the repetition of such behaviour, and those offences, by their nature, are threats to the public, to public authorities or to public processes and the granting of bail in circumstances of charges of that nature might, therefore, run a particular risk to either individuals or public authorities in those circumstances.

Just to underscore that point, the offences that are presently listed, set out in section 10A(2)(d), that are added to by those that are the subject of this bill, are five in number. They



are, firstly, an offence against section 20A of the Criminal Law Consolidation Act, which is choking or strangulation in domestic circumstances; secondly, an offence against section 85B, which is the offence of riot; thirdly, an offence against section 172, which is blackmail; fourthly, an offence against section 248, which is concerned with threats or reprisals in relation to a criminal or a judicial investigation; and, fifthly, an offence against section 250, which is concerned with threats or reprisals against public officers.

In rising to make those observations about the way in which section 10A works, and highlighting the character of the offences to which it applies, I am wanting to emphasise both the very special circumstances of emergency in which the offences that are peculiarly within the scope of heightened public concern in the course of an emergency are all the more brought to attention in terms of necessary police powers to prevent the occurrence of those particular offences, and, as it were, put the charged person out of commission in a more certain way. They are very special and particular circumstances indeed.

I would say particularly the group of offences that are the subject of part 6A of the Criminal Law Consolidation Act relating to serious criminal trespass in a residential or a non-residential context in ordinary times would not come to any particular attention or consideration, in my view, relevantly in relation to a presumption against bail for the reason that in ordinary circumstances those offences are not of the character that is otherwise common to those that are the subject of section 10A(2)(d), but they are right now, and for reasons that the Attorney has described. They are right now because people are staying at home. They are not tending to their farm or holiday home, which is remaining vacant.

We are told that businesses are substantially less attended and monitored at this time also, with the result that there is a special superadded vulnerability to those who would, much like a looter might in circumstances similar to this—and I might say, it is an extremely low act—take advantage of the public emergency, take advantage of people in this state acting on the advice of our health authorities and staying home, take advantage of that particular vulnerability and act therefore contrary to the public interest in engaging in conduct that might attract charges of serious criminal trespass in a place of residence or a non-residential building.

As the Attorney has indicated, we are advised by police that there has been a significant increase particularly in non-residential trespass in the order of a third on that front, just short of a 30 per cent increase, and that this is a measure that will considerably assist police in these present circumstances. It is important that we do all we can in these particular circumstances to assist police in going about the work that they do in protecting the public. It is with those words, in particular highlighting the character of offences that are properly the subject of section 10A, that I commend these emergency measures, the subject of the bill, to the house.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:17):** I thank the member for Elizabeth for his contribution and of course the member for Heysen for his erudite contribution as well. A number of issues were raised during the course of this consultation, brief and abridged as it has been. Can I just place on the record some information that I have received, which has come from the Attorney-General's Department but, as I understand, largely relates to information provided by SAPOL.

Firstly, in relation to consultation on the bill, as I indicated, the usual suspects have not been consulted. We did send—by email, I think—copies of the bill last Friday to the Chief Magistrate, Chief Judge of the District Court, Chief Justice, the state courts coordinator, the Aboriginal Legal Rights Movement (ALRM), the Legal Services Commission, the Law Society and the South Australian Bar Association. I am not expecting for one moment that any of them were able to necessarily digest and have an opportunity to advise on this. They were really provided as a matter of courtesy.

Although it is a very short bill, it still requires some consideration for obvious reasons. Most particularly, this is a very short-term bill that is proposed. I have explained the reason we have done that. A question that was otherwise asked was: is there a criminal trespass offence, a non-residential offence, that has not been included in the bail bill? I am advised that there is only a serious criminal trespass offence in the Criminal Law Consolidation Act (CLCA) for non-residential premises. There

is no similar offence to 'Criminal trespass—places of residence' as set out in section 170A of the non-residential premises in the CLCA.

A further question was: what is the rationale for including residential premises in the bill and not just non-residential premises? The information I have been provided is that SAPOL requested these amendments; indeed, I was just rechecking my 9 April memo from the police commissioner as to making provision to help achieve a greater level of public safety during the emergency other than through reliance on strict bail conditions alone.

Can I add to that by saying that, although we do not have some of the data that has been sought, the question was asked: is there any information about who is committing the serious criminal trespass in non-residential buildings, and is it the same people reoffending? SAPOL has advised that it is currently running Operation Hurricane II, which probably the member for Elizabeth is more familiar with than I am, but I have lots of operations, of course.

This operation, I am advised, is aimed at reducing volume crime, including serious criminal trespass. The SAPOL intelligence function constantly looks at crime trends, and in this case has identified several instances where recidivist offenders have been involved in recent crime series, including serious criminal trespass on commercial premises. SAPOL cannot, however, provide an exact number on how many offenders are reoffending.

The next question was: why were the offences under section 5AA(1)(ka) included in the bill as it appears that the offence in section 20AA would adequately cover all those references in section 5AA(1)(ka)? The answer, I am advised, is that the offences that refer to section 5AA(1)(ka) of the CLCA and section 20AA are two different groups of offences. It was decided that there needed to be reference to both groups to ensure full coverage of offences against emergency workers in the bail bill. One relates to assault and the second relates to bodily fluids; and I hope that, when he has a look at that, the member can fully appreciate that.

The only other matter, which I think is a reasonable question, relates to any data of residential—that is, home invasion—as such for the purposes of causing looting, or damage or indeed even worse: if somebody is present in the home, that is, the family is sleeping or something of that nature. These types of examples carry different levels of penalty. But what is most important is that, at the moment, we do not have any extra data of increased serious criminal trespass into residential properties, but I do not think it would be unreasonable to take into account a number of things.

First, pretty much everyone has been confined to living in their own premises to the extent that our movement has been significantly restricted. For those who are not involved in occupations that are continuing, that is, employment or voluntary service, there is a large cohort of people, especially over the age of 70 years, who have been strongly advised to remain at home.

Obviously, as the Premier has outlined today, we have a much greater level of capacity and opportunity to go out, shop, have medical treatment, go to the local park, walk on the beach, take the dog for six walks a day, whatever we are doing to keep sane during this period, but also there are a large number of people who are still undertaking employment. I think that it is not unreasonable to extrapolate from that that obviously there are not a lot of empty houses that are the usual dwelling place of residents in South Australia.

But it is also not unreasonable to take into account that we have a lot of other homes that are empty other than for the purposes of seasonal or holiday occupation. As the member is aware, there has been a very strong recommendation from the State Coordinator that those of us living in our homes not go out to country regions during Easter particularly, and school holidays, and that we, for the want of a better description, holiday at home, and that we try to ensure as best we can that we minimise the transmission into regional areas.

With the Easter period in particular having come and gone and during which there has been an enormous amount of goodwill and compliance with this request, we have not moved to anywhere near the level of restriction or shutdown that has been experienced in other states. But it does leave a number of properties vulnerable, and if there was ever an example of where that has actually happened, can I use the most recent bushfire circumstances in South Australia where houses are

damaged or destroyed, property is left vulnerable and unsecured and in which there is no occupant to be able to assist in the security in relation to that property.

Unfortunately, properties have been accessed, particularly in relation to farm areas, and there has been occasional looting. More concerning, really, is that even when the new fencing materials arrive and they are put on the side of the road, sometimes people just come along and help themselves. These types of terrible situations—whether it is a bushfire or COVID-19—bring out the best in people and sometimes they bring out the worst. That is a very real and recent experience that leaves me in no shadow of doubt that the police commissioner's advice in relation to this issue for this period of protection is worthy of our consideration and support. On that basis, I thank members for their indication that they will do so.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The CHAIR:** We have just three clauses on the amendment bill. Do you have questions on clause 1, member for Elizabeth?

**Mr ODENWALDER:** I will begin by thanking the Attorney for some of the answers provided in her summing up of the second reading explanation; that has been very helpful. I also thank the member for Heysen. His explanation of the character of the offences to which 10A applies was very useful and answered some of my questions, so I want to thank him as well. I do have some questions, though, and I will be brief. As I said, it is not my intention to delay the passage of the bill.

I have a general question about the measures contained in the bill. Was any thought given to making any of them permanent? Was that discussed at all; and what is your view of making any of these measures permanent? I understand it is not possible with this bill.

**The Hon. V.A. CHAPMAN:** The State Coordinator—namely, the police commissioner—had not sought that they be permanent. That is the first thing. Secondly, he sought other measures that he thinks should be considered and hopefully, from his perspective, supported by the parliament. He did not identify that as being something that needed to be as pressing, if I can put it in that category, bearing in mind that, as the member would be aware, we are amending the COVID legislation that we passed only 10 days or two weeks ago.

The State Coordinator was given significant other clarifying and extended powers for the purposes of that legislation—and there was quite a list of them—that in his assessment were needed to ensure that his officers were fully able to undertake their duties. I do not need to repeat those; we have passed them. Parliament accepted that that was the case. The government of the day thought that they were appropriate, and we had all the advice in relation to them. So we are really adding on an extra interim measure.

Firstly, he did not ask for this to be permanent. Secondly, if he had sought that it be permanent, I think it is fair to say that the first thing the government would have done is to try to ensure that we look at this much more in the usual process, namely, that consultation occurs, that there is an opportunity for submissions to be presented and that the opposition and everyone here in the parliament has time to fully address that on the basis that it is a proposed permanent measure. Obviously, given the time frame, we have not been able to do that.

If we were to introduce something permanently, as distinct from an urgent matter which we expedited and where we shortcut things, which includes making all of us in the parliament have to address something quickly, then we would need to be very clear as to the narrowing of that and be precise in exactly what had been sought. As a government, we felt that there had been a case presented for this, for these particular reverse onus of bail matters.

I think, as I have indicated certainly publicly if I have not to the parliament, I mention that there are some other child protection matters the police commissioner has raised with us. They are matters which do require a little bit more work to be done and also for people to be consulted, and it

has not been suggested that they are so urgent that they need to be done at this stage. We have really relied on the judgement of urgency by the commissioner and, in light of that, we have accepted a very abridged and otherwise unacceptably short period for consideration by the parliament.

**Mr ODENWALDER:** By way of a supplementary, you mentioned in your second reading contribution this 9 April submission from the commissioner, so presumably that talks about the provisions in this bill and about the addressing of some child protection matters. Are you able to expand at this stage on what those measures might be and whether there are any other measures requested as part of what we might be considering in what would be the May session of the parliament?

**The Hon. V.A. CHAPMAN:** For obvious reasons, I have explained to the parliament before that we do not make provision of these minutes available, but I will try to indicate to you as best I can. I was just trying to find you another reference to exactly the words we used, which indicated that it was during the period of the emergency; I just cannot find it immediately, but it is there. The issue in relation to child protection matters relates to police powers under the Children and Young People (Safety Act) 2017 and also largely relates to the rank of the police officer under that act who can carry out responsibility.

In relation to other matters, he points out that there are provisions of the Summary Offences Act that set out good examples of how this temporary extension of powers might be structured, so he is even very helpful in giving us some advice as to where we might also find some precedent; otherwise, there is some advice in relation to those matters. Can I say, though, that in addition to this memo of 9 April, which covers the matters which are the subject of this bill, there are ongoing discussions with the Coordinator. I do not by any means suggest that what he is seeking for the May bill is exhausted by that memorandum.

One of the issues that I know has recently put been under consideration is how we process a notice from him to me as Attorney-General under the Emergency Management Act for a circumstance where he wishes to cancel the declaration period. He can give notice to me under the act of the intention to cease the declaration that puts him in the State Coordinator role, but there is no time frame on that.

In fact, today in question time in parliament some questions were along the lines of asking what sort of notice are we going to get as to changes of circumstances, hopefully as we are going to the upside of this event. One of the issues I am dealing with at present is what sort of notice he needs to give to me as the representative person under the act, who then, of course, would advise government of decisions to be made for public distribution of that.

They are the sorts of machinery things we are having to look at for the very first time because, as you know, this is the first time the Emergency Management Act has actually been exercised for the purposes of a state emergency. I give you that example because there are other things coming up from time to time that all the clever people in my department are working on as quickly as they can to try to make sure that we action what has been determined—and the determining party is the State Coordinator—and ensure that we bring into effect any regulatory obligation or legislative change consistent with things that are canvassed at the federal council level.

They are coming up with ideas all the time. For example, the Prime Minister announced on 29 March that we would protect tenants in commercial and residential tenancy arrangements. That was a great idea, Prime Minister, but we actually have to change the law. As you know, a couple of weeks ago we implemented the law that provides that protection. Some of these things obviously have to be actioned through us as a parliament to make sure that we can provide the protections that have been signed up to at the COAG level.

It is a moving feast. We are resuming the parliament in the next sitting week on 12 May, as I am advised, and the parliament has already determined that in fact. Although we have added this sitting week as a parliament, we will be back then and, although that is fairly soon, we are still working on what I call COVID bill No. 3 in my schedule. We will provide that as soon as we have it pulled together for consideration by relevant parties, including you, sir, as the member for Elizabeth, as you are an important part of the parliamentary process in progressing these matters.

**The CHAIR:** Further questions on clause 1?

**Mr ODENWALDER:** If you will be so generous, sir, there is a very quick one. This is just about consultation. I appreciate that the Attorney has been quite fulsome in her explanation about the consultation, or the necessary lack thereof. However, why was PASA or any other worker representative groups affected not consulted in the same way that whoever else was consulted? Why were those unions not consulted?

**The Hon. V.A. CHAPMAN:** I had not thought to consult PASA, given that it was a matter arising from the police commissioner himself, but I agree with the member that in the ordinary course of consultation they would be a logical group to consider matters. However, it seemed to me that the people most important to consult were in the Corrections division because they were the ones who were actually going to have to accommodate people who were going to be held in custody. That occurred—and I made that very clear.

I had a meeting with the minister for corrections, who also happens to be the Minister for Police, and the head of Corrections, the chief executive, Mr David Browne, to be satisfied that there is sufficient capacity. He also had conversations with the police commissioner. They are a key group.

Another key group is the courts, because if there is a presumption against bail and if there is going to be an increase in requests for applications for bail which might be more hard fought, then it is a matter for their advice or they are entitled to have some contribution to it. All I am saying at this point is that we gave notice on Friday.

Whether they have even read these, by the time we are actually looking at this, in any meaningful way to be able to consider it, I am not in any way expecting that they have really had an opportunity in the normal course to do that. It was really a matter of saying, 'Look, this is what we are dealing with and if there's some urgent matter that you need to address with us we are here,' but at this stage, unsurprisingly, I have not had any feedback on that. That is probably good and bad.

**Mr ODENWALDER:** You haven't had feedback from Corrections?

**The Hon. V.A. CHAPMAN:** No, I have met with Corrections directly and the minister, and I obviously had the material from the police commissioner, who is the State Coordinator. That is the extent of the direct consultation, but the Friday list, which I have read in, complements that.

Clause passed.

Clause 2.

**Mr ODENWALDER:** With your indulgence, I might ask something of a supplementary to the Attorney's previous answer since it is all interrelated. In your discussions with Corrections, has there been any increase in bailing by any bail authority in response to the COVID emergency? For instance, in other jurisdictions we have seen prisoners, remandees or whoever more easily bailed or more easily released in order to release pressure on the prisons. Has that been discussed or indeed has that happened at all?

**The Hon. V.A. CHAPMAN:** I am aware that there has been a release by the chief executive, who already has powers under the corrections law to release prisoners. There are certain restrictions on that as to the nature of prisoners. In fact, as the member may be aware, there is a continuing direction from the minister, which followed previous corrections ministers' directions, to the chief executive in respect of child sexual abuse offenders; that is, they do not get a chance to be released through that process.

Certainly, during the course of the COVID matter during March and this month of April there have been a number of initiatives in other jurisdictions. We have monitored those and there have been none that have been brought to our attention by Corrections here as being in need of them. At first blush, I must say a lot of them our Corrections chief executive already has, in the sense of the power to release, to effectively parole them out himself. So South Australia had fairly generous—if I can describe it as that—powers already.

Some have been released, consistent with his lawful powers. One of the other matters needing to be considered under the whole plan for the COVID-19 situation is how we as a state mobilise the circumstances of prisoners if COVID-19 gets into any one of our prisons or correctional facilities. That is a plan I have discussed at length with the chief executive, because we have a

number of facilities across the state. I am advised that each unit has, in the plan already set out by Corrections, an area in which they are able to be isolated in those circumstances.

Secondly, they have initiated a thing called a one single entrance policy—'policy' is my word but it probably has some other clever description. Essentially, it is to make sure that there is a very close eye on who comes in and out of a prison, more than usual, because—

**Mr Odenwalder:** That is a good idea.

**The Hon. V.A. CHAPMAN:** As I say, you would expect that in any event, but to make sure that there is a clear line of sight, or temperature or whatever is going to be used, to make sure that we minimise the risk of it coming into the prison. Obviously, there has also been some restriction on access by visitors to prisons, other than legal representatives and the like. I think even a number of rehab programs are being done by AVL and some have been suspended. I have had briefings on all those sorts of things and, in that context, a number of these are as a result of the chief executive of Corrections having weekly—it may be daily, actually, but certainly at least weekly—contact with his colleagues around the country.

I know that, only a week or so ago, New South Wales, for example, had to deal with I think two prisoners testing positive for COVID-19. I suppose we have had the benefit of learning what they have done in relation to their facilities, but if we are going to potentially impose an extra load onto Corrections, I certainly felt—and the Minister for Correctional Services certainly agreed—that we needed to consult with the minister about the capacity there. He confirmed to me that he had already had discussions with the police commissioner about this issue. For all of that, I was satisfied that he had not only comprehensively set up a good plan for his own departmental management and for the protection of both prisoners and correctional workers but also confirmed his capacity to be able to accommodate the commissioner's request.

**Mr Odenwalder:** By way of clarification, and I do not mean to be difficult, you are saying that there have been some releases that are related to the need to accommodate COVID, or have they just been ordinary—

**The Hon. V.A. CHAPMAN:** I have not inquired as to whether they specifically related to COVID. I had understood them to be in the ordinary course of the prison processes, of the chief executive being able to authorise the release of prisoners, but not in any enhanced way as a result of COVID-19. I had not understood that to be the case. I may be wrong, but that is the way I understood it.

**Mr Odenwalder:** I will take the opportunity to ask if the Attorney is willing to approach the Minister for Correctional Services or the CE of Corrections for a copy, or a precis, of that plan, so that we can all understand what may happen in our prison system over the next few months.

**The Hon. V.A. CHAPMAN:** I am happy to make the inquiry, whether it is available publicly or whether it is available in detail. I have indicated to you what I have had from a briefing, which led me to be satisfied that it would be reasonable to come to the parliament—or to cabinet first, and then to the parliament—with an urgent bill. I wanted to be satisfied that there was sufficient capacity in Corrections to be able to accommodate that. In the course of that, I indicated to the parliament what matters I have taken into account, and capacity was the most significant.

Quite frankly, if Corrections had indicated to me that they have no capacity and would it find completely untenable to accommodate any increase, then obviously that would need to be considered. But I got the reverse: I got an indication that Corrections understood what the police commissioner was seeking and expected that it may result in some extra persons being remanded in custody and that they would be able to accommodate that, bearing in mind that they have responsibility for adult prisons and the women's prisons, some of which facilities take the remandees.

It did not relate to children because obviously that is under the Human Services portfolio, but I am satisfied in relation to the capacity of that facility—that is, the Youth Training Centre—even though at present I think that there are still some works being done at the original Cavan youth training centre. The younger children under the age of 14—there are usually only one or two of them—and the girls have been temporarily located in a unit at the newer facility at Cavan. I forget which one is on Jonal Drive and which one is on Goldsborough Road, but those children are at either

one. But again there was no indication that there was going to be a problem there if a child happened to be required to be held on remand during this COVID time.

Clause passed.

Clause 3.

**Mr ODENWALDER:** By way of preamble, the Attorney in her summing up suggested—and this is only a minor matter really—that there is a need in the bill to include the professions listed under 20AA and the professions listed under the aggravated offences regulation, whatever that is. It is still my understanding, and I have had a good look at it, that 20AA specifically does include that 5AA(1)(ka) and so whatever regulations are made under that regulation 3(a) are automatically included in 20AA. So the question still remains why—and again it is not particularly important; it is just a question on the drafting—20AA is not sufficient. If you do not want to answer it now, perhaps I will leave it to the upper house.

That was by way of preamble. Was any thought given to broadening out the definition of 'worker' to include any other profession or were you satisfied that the definitions under 20AA and 5AA(1)(ka) were sufficient?

**The Hon. V.A. CHAPMAN:** Just to be clear on the record, the advice I have is very clear—that is, the reason both are listed is that they are two different offences. One relates to assault.

**Mr ODENWALDER:** I understand 20AB. I am not talking about human biological material.

**The Hon. V.A. CHAPMAN:** No, I am just saying that that is the reason that they are both there. So there is a legal reason why there is reference to both lists, as you described them. The second thing you ask is: did you consider any others? Presumably, members of parliament. I do not know, there might be other groups out there in the coalface looking after our people—

**Ms Bedford:** Being spat on.

**The Hon. V.A. CHAPMAN:** Well, hopefully not being spat on, as the member contributes. Nevertheless, in short, no. There has certainly been discussion in the general community, largely by the Australian Labor Party, about a criminal sanction around persons who work in supermarkets, I think food outlets—I cannot remember the full definition—largely to say that they are in the firing line for somebody who is angry that they cannot get toilet paper or unhappy that they have a restriction on what they are allowed to buy, on the quantity or whatever.

Firstly, there has been no request by the police commissioner for us to look at that group. I think it is fair to say—and again SAPOL has a role in this—that supermarkets introduced their own protocols for security in their precincts and good on them for doing that. Secondly, they introduced a separation policy, that is a social distancing arrangement, and limited numbers in and out of their supermarkets. Thirdly, as I understand it, SAPOL made themselves available at certain places to try to make sure that there was an orderly supervision of purchase.

Whilst during a period, there was what you would describe as a run on supermarkets for certain products, that seemed to have been handled. It may well have been that the police commissioner took the view that there was no need for us to proceed down that line and include a special list.

In relation to the groups that are already in the definition, a lot of time was spent in this house and in the other place working out who should be on the list, who were genuinely people at the front line. The obvious ones are easy: police, nurses in emergency departments, etc. But you might recall that that list was expanded during the course of debate because the AMA brought to our attention that they were concerned about doctors who might be called out to an accident on the side of a road in rural areas and we added them to the list.

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

**The Hon. V.A. CHAPMAN:** Surf lifesaving, the minister suggests. I cannot remember whether they were already in there, but they may have been added during the course of the debate. The third area I recall was the addition of inspectors under the Animal Welfare Act. It is fair to say that both houses of this parliament gave a fair bit of attention to who really should be in that list as

front liners. I suppose, depending on whatever emergency you have, there can be different ones. We tried to capture what we call the 'usual suspects', but we did not include MPs trying to do their job or shop assistants or any others. I have not had any submissions from any other group that needs to be included.

I did receive a submission from conveyancers that they should be included in the list of people who should be able to sign documents. I think they were a bit miffed that they were left off the list. In any event, I am open to consideration but we are here on this bill because this is what the police commissioner identified as the priority. I have to say, if he felt there was something else that was a priority that is not as urgent but we could put in a subsequent bill, then we will bring it to the parliament. If permanency or expansion needs to be looked at, we can look at these matters down the track.

It is fair to say that when we finish this whole exercise and we end up with some review of how the act has gone—and I have said this to the parliament before—we will need to sit down and do that and we will need to work out whether we need to make any amendments to that legislation and that model. Secondly, we need to work out whether there is anything that has come out of this horribly wicked sort of time that should be considered on a permanent basis.

One of those, for example, is the expansion of people who can sign documents—declarations—and another, which has been related to me by the Chief Justice, looks at the question of the use of AVL in court hearings. Some of that can be accommodated by the Supreme Court, District Court and Magistrates Court rules, but these are the sorts of things that I am asking certainly the divisions that are responsible to me to think about: what is something that we can translate to the longer term.

Meetings via AVL, where there was ordinarily a requirement of personal attendance, have been an absolute boon. The commissioner of business services (CBS) has the capacity to dispense with some of these matters under associations law, but groups such as the Royal Agricultural and Horticultural Society of South Australia have to have an annual general meeting. If they do not have an annual general meeting for the appointment of their board, it raises questions, obviously, as to the validity of decisions that the continuing board might make.

These are the sorts of things that come about when you think, 'Suddenly, we can't meet. We can't call on public meetings.' There are lessons like that that we have learned through this exercise, which I hope we can sit down and through some review process identify that might merit some permanent reform, but we are yet to get to that.

**Mr ODENWALDER:** I hope this will be my last question, and it goes to the serious criminal trespass and criminal trespass provisions. The member for Mawson actually raised this with me. He has a lot of holiday homes. We have already discussed the holiday homes and the fact that they are often sitting empty at the moment. Measures like this and indeed other penalty-based measures deal with it after the fact.

Perhaps this is a question you can take on notice. Have there been any moves or any thought given or any practical action taken in relation to better policing those homes? You would have a lot on Kangaroo Island, I assume? Has there been an increased police presence? Has there been any thought to any other security measures that could actually prevent these things happening in the first place, or any provision of CCTV funding or anything like that?

**The Hon. V.A. CHAPMAN:** I have not had any request in this area either by any group such as a residents association or, indeed, SAPOL themselves, in respect of seeking, I am assuming, financial support to add security doors, surveillance, cameras or dogs or whatever they might use for security in those areas. But I think you have added in something else that had not been raised before and that is: has there been some protocol or practise or operation of the police to issue a request to each of their outlying stations in coastal tourist towns, for example? And we have lots of them all across the state. I should not just say coastal; I am sure there are people who go up to Blinman and—

**Mr Odenwalder:** Kalangadoo—Kalangadoo might have some holiday homes.

**The Hon. V.A. CHAPMAN:** —Kalangadoo and other places—



**The Hon. D.C. van Holst Pellekaan:** Kalangadoo, Kimba, Kapunda.

**The Hon. V.A. CHAPMAN:** Exactly—who holiday in those regions. But, yes, there is no question that there are vacant properties—caravan parks where there is structure and so on—which are potentially able to be vandalised. I can make some inquiry with the commissioner as to whether there has been any action or whether it is part of his operation, whatever it was—operation something that we were briefed on.

*An honourable member interjecting:*

**The Hon. V.A. CHAPMAN:** Hurricane II, yes. It sounds like Katrina or something, but in any event he may have already alerted all his personnel across the state. Clearly, they were called to arms, so to speak, in dealing with transport, so there were some police officers at the ferry, at Cape Jervis, for Kangaroo Island in the lead-up to Easter. He may well have deployed a number of his officers to different regions, or he may have just sent out a message to all police stations and agents—and there are obviously smaller groups across the state—to say, 'Look, be alert. I want you to do extra patrols,' or whatever the process is as to instruction in that regard.

I am not familiar with it, but if there is anything else that I can get information on and provide, I am happy to do that, but I am not aware of any particular program that has been put in operation.

**Mr ODENWALDER:** Thank you, I appreciate any advice that you get; and not just the holiday homes, because it occurs to me that, obviously, there are a lot of empty businesses in the CBD, which would be another hotspot I imagine. If you can get any advice, that would be great. That is the end of my questioning.

**Ms BEDFORD:** My question is about the reversal of presumption of bail. I am wondering: are these provisions not already in there? For instance, I have been asked to clarify whether it is already in place, given that there is already discretion for the police to oppose bail.

**The Hon. V.A. CHAPMAN:** The Bail Act sets out the model and the law that is to apply to bail, and it starts with a general presumption in that law that bail will be given unless there are certain events. I think that even the member for Heysen identified a number of them: the severity of the charges, the fleeing from the region, and so on. There are lots of different factors, such as no fixed abode.

These are the sorts of things that counsel will often put in submissions on behalf of someone and say, 'Well, my client is not a risk and he'll turn up to court.' But the statute already says that there are certain areas, and I think I mentioned one of them, such as someone involved in serious and organised crime offences, that just do not get that presumption of bail.

They have to be able to go in there with the judge or the magistrate already making the assessment and say, 'Well, I'm not going to give you bail unless you can really convince me that there are some very special circumstances.' What are they? Well they could be all sorts of things. It may be that they are caring for a young child and they are breastfeeding or something.

There can be lots of circumstances where, if coupled together and that magistrate is satisfied that there are exceptional circumstances, they can then get bail. This bill is simply adding into the category of there being a presumption against bail and you have to show special circumstances for this temporary period. I hope that has made it clearer.

**Ms BEDFORD:** Yes, sort of. It is assisting magistrates to magistrate, basically. The case has been put to me of perhaps an 80-year-old person who might be taken away by an ambulance worker, for instance, and not understanding why. They could have dementia, who knows, and they strike out. Your bill is going to catch that person, surely, rather than leave it to the magistrate to use their discretion. You admit that your bill is immediately going to put that 80-year-old person with dementia away?

**The Hon. V.A. CHAPMAN:** I am advised that your adviser asked the specific question in the briefing, and so I will try to place it on the record for you because he asked what constitutes 'special circumstance'. Just in the last answer I was saying that it could be a number of different things, including the age of the person who is being charged. He was asking, in order to justify release

on bail, what was likely to occur in relation to an 80 year old who assaults an ambulance worker. Should they be granted bail?

The advice I have received, which I understand he has been given but I will repeat, is that the court takes a wide approach in determining any special circumstances, and an applicant will need to demonstrate that he or she does not pose a risk which parliament had contemplated in reversing the presumption of bail.

In the case suggested, the man may not be charged under section 20AA with assaulting an emergency officer unless it can be established that he knew that the person was an emergency officer—often they have to be in uniform, for example, to show that they are—as he would have the defence available to him in section 20AA(5). Assuming knowledge can be established, the court would have regard to the applicant's age, the seriousness of the offence and any medical condition he might have, such as dementia, which might cause him to suffer any unintended hardship or injustice whilst being imprisoned, in determining whether the applicant has established special circumstances in considering whether to grant bail.

That is the advice I have received and I understand your adviser had received. In any event, age and obviously the circumstances of his health can be presented to the magistrate. With that, the magistrate might need to be satisfied that he has a permanent place of residence and that he is prepared to sign a bond that he is going to stay within the South Australian jurisdiction. I am just adding these at this point, but all those things are taken into account by the magistrate in determining that. If the police prosecutor or the DPP opposes bail—which they can—then obviously those arguments have to be made and they have to be able to present that for a decision by the magistrate and/or judge.

One person did ask me, although I do not think it was in the briefings (it might have been on radio) what happens if the declaration of a state emergency ceases in the operation of this. I gave an example of when somebody might be arrested on Friday, the application for bail comes on Monday and, meanwhile, on Sunday morning there has been a cessation of the declaration and so the reverse onus of bail changes. Having being kept in custody, he then can apply back to the court to revoke the circumstance to enable the bail to take place because the law has changed—automatically.

**Mr Odenwalder:** On the Sunday morning?

**The Hon. V.A. CHAPMAN:** No, on the Monday. I have given an example of Friday to Monday: there has been a change in the meantime, he has been kept in custody, but he now says, 'This has changed, the declaration has finished, the operation of this bill lapses and it discontinues,' so he is back into the category of being in the presumption of bail. He can then go back to the court and say, 'I now want to be let out because I am no longer in this category. This law no longer applies.'

**Ms BEDFORD:** One last question: so you are satisfied that this is not a sledgehammer rather than a nutcracker?

**The Hon. V.A. CHAPMAN:** I am satisfied that it is a very small nutcracker, and it is almost like a plastic one. It is like a disposable one that only lasts for a certain time. It is designed to be for a temporary period and severe enough to deal with this particular cohort of offenders, covering abuse and misconduct toward front-line workers in addition to the issue of serious criminal trespass. We are not talking about all other offences; we are just talking about those that the police commissioner has identified as critical to this area but most likely to be a problem for him.

Clause passed.

Title passed.

Bill reported without amendment.

*Third Reading*

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

That this bill be now read a third time.

I place on the record my appreciation to both the Commissioner of Police as the State Coordinator for the work he is doing, and to my advisers during the course of the development of this bill, and particularly Kelly who has been here today. We have called upon these services in the Attorney-General's Department at all hours of the day and night and over weekends, and I appreciate their continued support to address the emergency that we are facing. I also conclude by thanking other speakers and the opposition for supporting the bill.

Bill read a third time and passed.

## **GENETICALLY MODIFIED CROPS MANAGEMENT (DESIGNATED AREA) AMENDMENT BILL**

### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**Mr McBRIDE (MacKillop) (17:10):** I resume my speech on the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020. In my speech prior to lunch, I finished off on the opportunities for better weed management. One of the things I have found with the little bit of research I have done regarding GM opportunities is that everyone talks about canola and everyone talks about canola being a Roundup Ready GM modified crop.

One of the things that you really need to understand, and it goes back in history to the nineties—and I am sure the Deputy Speaker in his electorate of Flinders would have a great appreciation of this, not only because there is a large cropping area in Flinders but also due to his age and experience—is that my recollection for croppers was that the ryegrass—

**The DEPUTY SPEAKER:** At least the nineties.

**Mr McBRIDE:** At least the nineties, Mr Deputy Speaker. Through that period, I remember that ryegrass was the curse of all croppers, particularly in the seat of Narungga where some of the best barley crops, particularly mulching barley, were pursued and ryegrass was another curse there, so much so that the export oat hay enterprise started through the nineties due to the lack of control of ryegrass in amongst barley and wheat crops. It is quite interesting that when we talk about cropping and the opportunities that GM canola may bring this state—and it is only 'may', it is not an absolute certainty but it certainly is a tool amongst the farmers of this modern generation of croppers—we always talk about a rotation of crops and we also talk about a rotation for many different issues that they have to rotate through on a yearly basis.

It is interesting to note that although we talk about canola and Roundup and the GM-type issue that it raises and obviously opportunities that may arise, on the flip side of that, the old canola crops use a lot of chemicals like simazine and triazine. A little bit of research has gone into those couple of chemicals from data to try to manage the weed control in other crops that the rotations are trying to manage for, and these chemicals are probably a whole lot more toxic.

Particularly, some of the researchers found that these chemicals are perhaps staying in the soil longer than people had anticipated, maybe finding their way into waterways, and even maybe water aquifers. The point here I am trying to raise is that some people may say, 'This Roundup Ready canola is the curse of the industry and we are going to lose our clean, green image.' Let me tell you that not every chemical is as good as Roundup, and the opportunity to use Roundup Ready canola is not the curse that some people may think it is.

The other thing that is really quite interesting is that when we talk about GM crops, there is also the opportunity to apply a whole lot less chemical. One thing that really comes to mind and one of the most genetically modified crops around Australia—not in South Australia—is the cotton crop. I remember during my little experience in New South Wales going through many a Riverina cotton-type area, there used to be talk of cotton requiring 12 sprays through the late nineties, early 2000s.

My understanding is that with the cotton crop grown now, they are back to five sprays. So the twofold benefit with the genetically modified cotton out there today is, firstly, it requires seven less sprays, it is less costly, there is less money being poured into these crops by the operators and farmers growing this crop, but not only that, there is less chemical going into our environment. That is the positiveness that GM may bring to our state across a wide sphere of crops, pastures and opportunities.

I want to talk about other opportunities that may arise from canola, such as access to varieties that are better able to withstand and work with climate variability. Our farmers are a resourceful lot. They work hard to extract the best from the land, the environment and the climatic conditions that are thrown at them. If we have crop varieties that are able to better cope with a narrower growing season and withstand frost and variable rainfall, it supports productivity, viability and the growth of the cropping sectors.

In this chamber everyone talks about a warmer and drier climate coming our way, and it is probably even more imperative that we look for varieties that can first of all be directly sown early to utilise any moisture that may be around, and then obviously return a crop at the end of the season or its growing period. I suppose what I am saying is that even though they talk about Goyder's line coming further south and the drier conditions that are creeping down into our cropping region, this has not meant that our croppers have given up on farming this marginal country.

I think it is understood that at least two out of five years may be failures or they may not make a profit; however, the other three years might make up for it. Again, this all comes back to technology, planting equipment, better varieties, timeliness and chemicals that work. I guess this is where another opportunity may come for perhaps all types of crops, including canola, in the fact that these crops will require less and less water.

Agricultural sectors are striving to advance their plant breeding and genetic selection for higher productivity and our farmers want to take advantage of these advancements. We have to ask ourselves: as we are surrounded by other states that allow the growth of GM crops, why would we continue a moratorium that takes the option of GM crops off the table for farmers in our state? This discrepancy is no clearer than in my electorate where a great length of its eastern boundary is shared with Victoria. On one side farmers have a choice to grow the crops they want, including GM crops, and on our side farmers sit constrained with many, quite frankly, shaking their heads over this discrepancy.

Several farmers have come to me, waiting in anticipation for this moratorium to be overturned. They are looking for opportunities to expand their cropping options. Obviously there are a number of crops out there that they are growing such as barley, wheat, canola, beans and lupins, but there will be other crops coming along, too, that there may be an opportunity to grow. We may not even know about them, but with GM modifications they may prove to be completely safe for human consumption, maybe even stock feed. We may not be growing those crops today but they might have a role in the rotation, they might have a role with soil types, they might have a role with the changing climate that we are trying to deal with today.

There were a range of key messages from the independent review which involved a community consultation process. A key message from this consultation documented in the independent report was that the majority of submissions supported the removal of the moratorium. As I have identified previously, our government is seeking to manage and govern for all producers and all the people in the state to make sure we are maximising our returns. The review identified that there is no evidence that we are asking for better returns for the majority of the cultivated area in South Australia.

The review has sought advice and, obviously, my electorate office has received some concerns from constituents. They have concerns that opening the moratorium will take away our marketing power and our clean, green image for the state. For some producers and perhaps for some businesses there may be a little bit of angst and concern out there, and it may be quite valid. One concern that has come to me, and I want to pick up on it, is the talk about GM canola in Victoria sitting in bunkers at \$30 a tonne less than the non-GM canola.

First of all, it describes an old way of thinking about productivity and profitability in farming. I liken it to the way that we used to go to the sale stockyards and sell our sheep, our prime lambs and our beef cattle, and top the market and get bragging rights to gloat about who topped the market for that day. If we had had the data back then, which we certainly do today, those farmers were usually the least profitable. Those were the farmers who had the least lamb, the least beef and probably the most feed in their paddock. Most of the feed was probably going rotten. Most of it probably did not even get eaten from one season to the next. It never came back to the profitability per hectare.

One of the drivers of profitability per hectare in livestock is the number of stock you have on it per hectare. There is no doubt that when we talk about canola being used—and if they do choose to use GM canola they may receive a discount for that canola—it is not the one-off year that is the hit, it is actually the four-year rotation. That GM canola crop rotation might be the way of cleaning up any resistant weeds that affect the maximum return of that wheat crop that was coming next, maybe the barley crop that will be coming after that or maybe the bean crop that would come after that.

It is no good just looking and saying, 'Canola is \$30 a tonne less over in Victoria. Why would you plant it here in South Australia?' These are tools that we probably do not fully understand about the mechanisms in the business, where the pitfalls are, what they are suffering in the business and where their answers lay. Just because you receive \$30 a tonne less for canola because it is GM does not even tell you what the yield of that canola was. They may have received a tonne per hectare more on that canola or perhaps there were two or three sprays less on that canola, which actually made that canola crop more profitable than the old varieties. No-one can know that, but to stand out there and say, 'Canola is worth a whole lot less if it is GM,' does not give you the right and the answer to say, 'Well, we shouldn't be growing it.'

Segregation is happening in other states, and identified preserved protocols and codes of practice are robust. These can and do ensure the successful coexistence of GM and non-GM crops. The Genetically Modified Crops Management (Designated Area) Amendment Bill is what the state needs to ensure South Australia is not continuing to suffer the opportunity cost to farmers, research facilities and agricultural productivity that is playing out under our current GMO status.

Again, I will say that I am really pleased that our minister has had the foresight to persist with this GM bill, to work with the opposition and try to work with the crossbenchers. He has been at it for many, many months now and obviously he has been under a great deal of pressure. I congratulate him on that. Another pitfall we have seen is that Kangaroo Island will be allowed to remain in the moratorium. If it is the wish of the island then so be it.

As I heard from other speakers, I think Kangaroo Island can still pick up on GM modified grasses and other products that are not for human consumption. They may also look at other options, but obviously the island thinks that it will have a better opportunity to be GM free, and good luck to them. Good luck to the member for Mawson, who is obviously managing his constituent base there. I hope he keeps them all on board.

Another point is that the bill establishes a long time period of six months where the Minister for Primary Industries and Regional Development may, upon application from a council, designate that council area as being an area where it is prohibited to cultivate GM food crops. He is basically giving local government the opportunity to question the GM moratorium and pick it up, but it has to go through a consultation process and get the approval of the minister.

I have heard from my constituents down in the region, and particularly from the seed companies moving seed around Australia, as they do, that due to the fact that South Australia has been GM free any seed from Western Australia would have to go right around the South Australian border to reach New South Wales, Victoria and perhaps even Tasmania, and vice versa. Any seed coming from Victoria and going to Western Australia had to go right around South Australia. This will now not be a cost to all businesses to navigate this impediment. I am really pleased that this has been changed and everyone is on board to change those rules.

The successful passage of this bill will mean that the parliament is no longer making decisions on what farmers can and cannot grow but will let farmers do what they do best and make the best choices for their businesses, as I described earlier. Also, there should not be an additional burden of red tape put on farmers growing GM in South Australia, as in the bill put forward by SA-Best in the other place. We need to support growers to use all the tools they can to get on with the job of producing food and contributing export earnings for the benefit of the state. Our farmers deserve regulatory certainty and the confidence to know that they can invest in GM seed and plant GM crops if they wish with the knowledge that our government has their back and will support them.

Coming to the end of my speech, I just want to touch on the fact that I also belong to a farming business, a business that is having its centenary year this year. I want to touch on a few of the hiccups that we have experienced in that business. We picked up a property that straddles the

border of South Australia and Victoria. When we bought it, it had around 4,000 hectares, I think, of canola. Not last season but the season before it was totally frosted. Our wheat crop was also totally frosted. We did manage to cut it all down for hay. Obviously, in a drought year we were very fortunate.

What I would say is that obviously technology moves with the times. Frost has always been a problem. Canola is probably one of those crops that has the highest risk from frost. I am looking forward to the day when those sorts of vagaries and costs are taken away or alleviated or lessened for those who are trying to grow canola and other crops in what is probably marginal country, with below 400-millimetre rainfall, probably getting down closer to 300 millimetres and maybe even less. Obviously, where it is sandy it is hard to wet that country.

I will finish off by saying that the Marshall Liberal government is seeking to grow our agricultural sector, enhance and expand the ability for our research facilities to attract funds and build our knowledge base for the future of the agricultural sector in South Australia. To do this, we need to remove impediments to growth. This bill is about removing impediments and enabling opportunities and choices for our farmers. I commend the bill to the house.

**Mr PEDERICK (Hammond) (17:26):** I acknowledge all the other speakers on this bill, the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020. As has already been indicated by other members, this Marshall Liberal government, which I am proud to be a part of, is committed to lifting the GM moratorium in South Australia and giving our farmers the same choice to grow genetically modified crops as other mainland states.

This has been a long and winding road since legislation way back in 2004, I believe, and moratoriums and, I will say from my perspective as a farmer, a lot of misinformation around genetically modified crops and genetically modified foods. Certainly, with respect to the food area, I hope everyone who sips on their soy lattes enjoys them, because that is genetically modified. It is absolutely genetically modified, and there would be hundreds of items on supermarket shelves that people unknowingly buy every day that are genetically modified foods.

I always think that it would have been better if from the start genetic modification was called accelerated breeding, because that is essentially what it is. It is accelerated breeding to take out all those lifetime crop cycles that people have to go through to get crossbreeding in. It is interesting when you go back and look at some of the historical breeds that go back to Egyptian days. I know some of the breeds in the grain part of the museum at Pinnaroo go right back to those times. Everyone was looking for yield improvement over hundreds and thousands of years, so that we could feed populations.

Essentially, what happens with genetic modification is the work is done to fast-track that process, so that we can get better results, not just for our farmers but for the population, so that we can feed an ever-growing population in the world. In some countries, years ago it would have been fine to grow, say, a three or four-bag crop per acre, and I am not going to do the hectare to tonne adjustment right now because it is too hard. Nowadays, depending on where you are, if you are not growing 12, 15 or 20 bags and you start talking about two or 2½ tonnes per hectare, or three, four or five tonnes—I am probably not getting close, but I might be getting into the realm of the member for Flinders' farm, which is in the beautiful grain growing area at Edillilie near Cummins—we have always had to try to find better production.

It has happened over time. My father saw it in the 67 crops he put in from the time he was 13 years old until the time he was 80—using technology instead of the plough and cultivators, and going over a paddock 15 times and potentially creating issues with drift. We have moved to a world of no till and direct drill, yet we get what I will call misguided evangelists who want to knock out the use of Roundup or glyphosate (which is the chemical name, and Roundup is the Monsanto brand name) because they think that it has a direct link to cancer.

I know there are people, and I have heard them at events, who go out of their way not to take a broad approach to whether there is a link to cancer. They have said that they want to prove that there is a link between the use of Roundup and cancer, and I think that is fraught. If that is their aim, it is absolutely fraught. We need to take a more rounded view of what is going on. Roundup is probably one of the safest chemicals in the world, especially when compared with things like Spray.Seed and a whole range of other chemicals.

Yes, you have to be mindful of it, but Roundup, as has been mentioned here in this place—I have mentioned it and the member for Flinders has mentioned it—is probably the best invention in the world for agriculture since the traction engine. If used appropriately, I certainly believe it is a great boon for agriculture. It cuts down on the environmental impacts in terms of paddocks blowing in the breeze, and it gets a far better outcome for not just the farmers but for the community as well.

In regard to genetic modification, we have seen it for decades in Bt cotton (genetically modified cotton), where they take out eight to 10 insect sprays that are not necessary anymore. I can tell you, if you are worried about chemicals hurting you, if you think you are going to die from something, that it will be insecticides that may help you on your way if they are not handled appropriately.

For barley grub, we used to mark for DDT spraying with the planes before they had GPS markers, and occasionally you would feel a couple of drops. Perhaps that is why I am the way I am now, but I am still alive. I can tell you that insecticides are very effective in killing other live organisms, but managed appropriately they are fine. I would think that it is a great thing to take all those chemical sprays out of growing cotton. Genetic modification brought about insulin for use in diabetes. There are many people not only in this state and in this country but across the world who benefit from using insulin.

In regard to this bill, we have reached agreement with the opposition. I will not do this every day, but I will commend the member for Giles, Eddie Hughes, for the work—

**Mr Hughes:** That's okay; I can do it every day.

**Mr PEDERICK:** No, it's not going to happen every day, mate. Eddie and I get on alright. It is great that we have come to an agreement. We have had to take a few hits on this and not get to exactly where we want to be, but we want to get an outcome for the farmers of South Australia and get away from this crazy ideological debate—and I will say that it is crazy—that GM canola is going to be harmful.

The stupidity, the absolute stupidity, that loads of canola seed cannot move across from the Eastern States through South Australia into Western Australia is just absolutely nuts. That will be fixed with this legislation so long as councils come to the minister with the appropriate business plan and other matters with their submission if they do not want to have genetically modified canola grown in their area.

That will be an interesting time. I am sure this bill will go through and become an act. It will be an interesting time for communities because councils will have to balance what they think is right for their community. I can tell you that even in communities like Kangaroo Island, where the moratorium will stay in place, and where I understand there will not be a review now or a lifting of this moratorium in 2025, there are people who want to grow genetically modified canola. It is a fact. We are the party of choice, so we have taken a few hits. I commend minister Whetstone for his work on this, and we are committed to getting an outcome for the farmers this state.

I note that Grain Producers SA have come out in support. It is validated support, but they recognise that we must do a deal with the opposition to provide legislative certainty to legalise the commercial cultivation of genetically modified crops. Their statement is correct. The statement comes direct from Grain Producers SA. Both the Greens and SA-Best refuse to consider commonsense reform to South Australia's genetically modified moratorium, clinging instead to a discredited anti-GM ideology or compensation regimes that have been found to be unnecessary. It is just crazy, crazy stuff.

We have to deal with the reality of feeding a burgeoning world market. As has been stated, there has been a lot of misinformation around, with the excitement of people stockpiling food and toilet paper during COVID-19. The toilet paper thing I am still coming to terms with. I want someone to write a paper on it later on—and it will not be me. We grow enough food for 75 million people, which is three times our population. I had a conversation with a friend of mine, and I said, 'We grow enough food to feed three times our population.' And they just said down the phone, 'No, we don't. No, it doesn't happen.' I said, 'Well, I'm about to send you a picture,' and I sent the full-page

advertisement that the National Farmers' Federation put in *The Advertiser* recently, which states that, and it is fact: we grow enough food in this country to feed 75 million people.

The simple thing is that there are a few nutters out there—more than a few nutters—who get on the net and tell people they are going to have to stockpile food and this and that, so supermarkets are trying to stock food and toilet paper to look after 50 million people, twice our population. It is just crazy, crazy stuff. Some of these people are wheeling out supermarket trolleys full of meat and do not even have a freezer at home. It is just crazy, crazy stuff.

As I said, perhaps John Weste in the library can do a full report on the toilet paper deal one day because I really struggle. It is good to see it back on the shelves, even in the roadhouses. I did note Drakes got a bit of publicity in *The Advertiser* when you could buy eight industrial roles of toilet paper, 2.4 kilometres, for \$50—and I saw it on the shelves in Murray Bridge—and people were purchasing it. They will not run out until about 2050.

Other claims have been made, and I know that we want to get on with the debate. I think it was around a decade ago in Western Australia that there was the Marsh v Baxter case about GM canola transfer. Michael Baxter was growing genetically modified canola and supposedly it blew onto his neighbour's farm, Mr Marsh's farm, between Katanning and Kojonup. I know this country very well. I have had friends there since the mid-eighties: the McFall family and Nick Chenoweth.

I went to Kojonup, where this was all supposed to have happened. What happened in this case was that this canola was windrowed. I know a little bit about windrowing canola. We used to do it not just for ourselves but as contractors in the local area of Coomandook. The reason you windrow is so it does not shatter. This was canola in windrows. Evidently, the aggrieved organic farmer thought that he had canola seed growing on his property, but it is interesting that these canola plants, which were windrowed plants—you could see that from the straight cut—had gone at least 1.2 kilometres without shattering a pod. Therein lies the question. It just does not happen, Mr Deputy Speaker, as you know.

This was a case that was thrown out of three courts. It went all the way. It had heaps of funding poured in by green activist groups—hundreds of thousands of dollars—to fight this case and sadly it blew a community apart. I believe it blew at least one marriage apart. I believe it is a disgraceful, fraudulent act. It just goes to show that people pushing an ideology will push it far too hard.

I instigated the select committee into Viterra's operations here and in Canada. We went to Western Australia and I remember being in the then minister's office and I raised the question about what had happened down at Kojonup and Katanning way and good credit to the minister for not saying this, but one of his lead advisers said, 'In relation to that case, all is not as it seems.' People in the real world had a fair idea of what happened there.

Let's be realistic: if people are going to mount an argument, mount a real argument, stick to the facts and do not make it up, whether it is about canola or whatever it is. I can tell you, canola does not miraculously fly 1.2 kilometres. With ripe canola in the swath, it would shatter all over the place and in the end, even with how it was placed on the guy's so-called organic farm accredited by NASA, I believe they only had eight plants that came through.

Giving that little bit of background reflects on some of the things that the ideologues will do to try to prove a point and use what I believe is certainly fraudulent activity to get to that point. I think today we have come to a place where we have a level of agreement and I applaud the parliament for that. I say to some members who wanted it one way or the highway that sometimes it does not work like that. Sometimes you have to give a bit to get a lot. Whether you say it is give a bit to get a bit, what we are going to give is people the choice to grow it.

I want councils to look at this really seriously and consult with their local members of parliament, whether they be Labor, Liberal or Independent, to make sure that they get the right idea of where we are going here, because we need to move into the future so that we can move not just with GM canola but with drought tolerance and salinity tolerance, to help our producers long into the future grow food for this state and this country. With those few words, I commend the bill.



**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (17:43):** I rise to thank all members in the chamber for their contributions. The member for Giles has acted appropriately. He has come to this chamber and debated this on its merits. I thank him for that.

For too long we have seen the ideology overrule the debate, the sensibility of what our grain growing industry has asked for. I commend the contributions of the Deputy Premier today, the member for Finniss, the member for Newland and the member for MacKillop. You, sir, the Deputy Speaker, a practising grain grower and a Nuffield scholar, have a very good understanding and I commend you for your contribution and your lifelong journey within the grains industry.

Of course the member for Hammond has just shared a few opinions with us, and fair enough, too; it is fair that we understand the myths and stories people like to pick up on. What I would like to say is that there are now opportunities for South Australia to work with the national agenda, work with grain growers, and make sure we can take advantage of the R&D funds that come our way, take advantage of the challenges with climate, take advantage of the uncertainty within prime production. The members for Heysen and Florey have also contributed.

I would also like to thank Grain Producers SA and Matthew Cossey, from another jurisdiction, for their leadership and tenacity with this issue. They are representing a very large cohort of economic drivers: they are farmers, grain producers, seed producers, who are a staple in small business but also, importantly, one of our largest exporters, one of our largest value-added commodities. Not only do they produce grain products but they also produce feed for our red meat sector, an ongoing need for the grain sector.

It has all been said: the issues around contamination and segregation have been proven and we have talked about certainty and choice for our grain growers. The lifting of the moratorium will address all of that, and I ask all the naysayers to please watch carefully. I say to local government that we will now be given an opportunity to potentially put in a submission and to listen carefully to their constituency.

The naysayers are one kettle of fish, but we have to understand that they are there on behalf of the grain growers, they are there on behalf of the state's economy, they are there on behalf of what matters most, and that is the prosperity of primary industries in the grain sector, making sure of that value add, making sure we can deal with the vagaries of being a grain grower in the primary sector, making sure everyone behaves appropriately with the huge responsibility they have of being a grain grower, a primary producer.

In this case it is about being given the choice of being a GM grain grower, of being given the choice to be part of a sector using the advancements of agriculture so dear to every primary producer's heart. It is about maximising returns while reducing the inputs of a farm practice. The management of our farms has never been more important or more scrutinised. We all want to grow clean, green, safe food not only for our families, not only for domestic markets but also for our international markets, and it is critically important that we do that responsibly and lead by example.

The government, working with the shadow spokesperson for primary industries, has come to a landing position that we will support the amendments in this bill, the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020. It is a great day for South Australia, and it has been almost 16 years in the making. The handbrake will be released on our grain growers, the handbrake will be released on our researchers, and it will be released on South Australia by and large to give us the opportunity to expand the technical aspect of growing GM grains, what it will mean for pastures in the future, what it will mean for a wide range of our primary producers.

I thank everyone for their valuable and important contributions. As I understand it we will go to the committee stage now, but the government has no concerns with the amendments. I look forward to a very swift passage through committee.

Bill read a second time.

*Sitting extended beyond 18:00 on motion of Hon. T.J. Whetstone.*

*Committee Stage*

In committee.

Clause 1 passed.

Clause 2.

**Mr HUGHES:** I move:

Amendment No 1 [Hughes-1]—

Page 2, lines 6 and 7—Delete the clause and substitute:

2—Commencement

- (1) Subject to subsection (2), this Act comes into operation on the day on which it is assented to by the Governor.
- (2) Sections 4, 5, 5B, 8 and Schedule 1 come into operation 6 months after the day on which this Act is assented to by the Governor.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

**Mr HUGHES:** I move:

Amendment No 2 [Hughes-1]—

Page 3, before line 4—Insert:

- (1) Section 3(1), definition of *cultivate*—after paragraph (d) insert:
  - (da) to transport a genetically modified food crop or any plant or plant material that has formed, or is to form, part of a genetically modified food crop; or

Amendment No 3 [Hughes-1]—

Page 3, line 6—Delete 'section 5' and substitute 'sections 5 and 5A'

Amendments carried; clause as amended passed.

Clause 5.

**Mr HUGHES:** I move:

Amendment No 4 [Hughes-1]—

Page 3, after line 10 [clause 5(1), after inserted subsection (1)]—Insert:

- (1a) A person who cultivates a genetically modified food crop on a limited scale under, and in accordance with, a GMO licence authorising the release of the relevant GMO into the environment for the purposes of an experiment is exempt from the operation of subsection (1).

Amendment carried; clause as amended passed.

New clauses 5A and 5B.

**Mr HUGHES:** I move:

Amendment No 5 [Hughes-1]—

Page 3, after line 12—Insert:

5A—Insertion of section 5A

After section 5 insert:

5A—Designation of council areas

- (1) The Minister may, on application by a council established under the *Local Government Act 1999*, by notice published in the Gazette, designate the area of the council as an area in which no genetically modified food crops may be cultivated.

- (2) Before making an application under subsection (1), a council must consult with its community, including persons engaged in primary production activities and food processing or manufacturing activities in the area of the council.
- (3) Before publishing a notice under subsection (1), the Minister must consult with the Advisory Committee and take into account any advice provided by the Advisory Committee in relation to the matter.
- (4) A notice under subsection (1)—
  - (a) must be published before the commencement day (and a notice published on or after the commencement day is void and of no effect); and
  - (b) takes effect from the commencement day.
- (5) The Minister may, by further notice in the Gazette, revoke a notice under subsection (1) on application by the council whose area the notice relates to.
- (6) A notice under this section may include any provision of a saving or transitional nature.
- (7) The Minister may vary a notice under this section in order to correct a minor error or remedy a defect.
- (8) A person who cultivates a genetically modified food crop on a limited scale under, and in accordance with, a GMO licence authorising the release of the relevant GMO into the environment for the purposes of an experiment is exempt from the operation of subsection (1).
- (9) A person is guilty of an offence if the person cultivates a crop in contravention of a notice under subsection (1).  
Maximum penalty: \$200,000.
- (10) In relation to a part of the State that is not within the area of a council, a reference in this section to—
  - (a) a council established under the *Local Government Act 1999* will be taken to be a reference to the Outback Communities Authority established under the *Outback Communities (Administration and Management) Act 2009*; and
  - (b) the area of a council will be taken to be a reference to the outback (within the meaning of the *Outback Communities (Administration and Management) Act 2009*).
- (11) In this section—  
commencement day means the day on which section 5 of the Genetically Modified Crops Management (Designated Area) Amendment Bill 2020 comes into operation.

## 5B—Amendment of section 6—Exemptions

- (1) Section 6(1)—after 'section 5' insert:  
or 5A
- (2) Section 6(2)(a)(i)—delete subparagraph (i)

## Amendment No 6 [Hughes–1]—

Page 3, lines 13 to 16—This clause will be opposed

New clauses inserted.

Clauses 6 and 7 negated.

Remaining clause (8), schedule and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (17:55):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**FIRE AND EMERGENCY SERVICES (MISCELLANEOUS) AMENDMENT BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

At 17:56 the house adjourned until Wednesday 29 April 2020 at 10:30.

*Answers to Questions***INFRASTRUCTURE PROJECTS**

**37 Mr MALINAUSKAS (Croydon—Leader of the Opposition)** (24 March 2020). With reference to the rollout of \$12.9 billion worth of infrastructure investment over the next four years:

- (a) What projects are included?
- (b) What is the total cost of each project and what is the funding profile for each project over the next four years?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised:

Of the \$12.9 billion of infrastructure investment over the next four years the following transport and infrastructure projects are included:

- \$354 million Regency to Pym Project;
- \$220 million towards Gawler Line Electrification Project;
- \$231 million Torrens Road (Ovingham) grade separation;
- \$171 million Brighton Road (Hove) grade separation;
- \$98 million to upgrade the intersection of Magill Road and Portrush Road;
- \$61 million to upgrade the intersection of Cross Road and Fullarton Road;
- \$60 million to upgrade the intersections of Goodwood/Springbank/Daws roads;
- \$35 million to upgrade the intersection of Glen Osmond Road and Fullarton Road;
- \$19 million to upgrade the intersection of Main North Road and Nottage Terrace;
- \$19 million to upgrade the intersection of Grand Junction/Hampstead/Briens roads; and
- \$13 million to upgrade the intersection of Main North, Kings and McIntyre roads.
- \$200 million Joy Baluch Bridge Duplication Project;
- \$122.5 million Port Wakefield Overpass and Duplication Project;
- \$250 million to upgrade the Princes Highway;
- \$143 million for road upgrades, including additional overtaking lanes and shoulder sealing;
- \$125 million for the Eyre Highway to upgrade South Australia's section from Port Augusta to Perth—including \$32 million to upgrade Eyre Peninsula roads;
- \$87.5 million to upgrade the Sturt Highway from Renmark to Gawler;
- \$62.5 million to upgrade the Barrier Highway from Cockburn to Burra;
- \$92 million Victor Harbor Road Duplication; and
- \$55 million Horrocks Highway Corridor Upgrade.

The remainder of the investments relates to schools, hospitals, and affordable housing which relates to other portfolios and for this reason you should refer your question to the relevant minister.

The funding profiles for major transport projects are provided in the budget papers.

**CORONAVIRUS, EMPLOYMENT**

In reply to **Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition)** (7 April 2020).

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education):** I have been advised:

Casual employees will continue to be employed on an as needs basis subject to the staffing and resourcing needs of the school.

Employees in temporary contracts will continue to be employed and paid according to the terms of their appointment.

**CORONAVIRUS, EMPLOYMENT**

In reply to **Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition)** (8 April 2020).

**The Hon. S.S. MARSHALL (Dunstan—Premier):** I have been advised:

The Department for Education's policy position, published on its intranet, is for temporary or casual employees impacted by COVID-19 to be paid for rostered or booked shifts where they:

- fall ill themselves;
- need to self-isolate due to SA Health or Australian Government protocol;
- are directed away due to site closure; or
- are required to care for a family member who:
  - has tested positive for COVID-19;
  - is required to self-isolate due to COVID-19;
  - is unable to attend school or preschool due to site closure.

In addition, the department has communicated that temporary contracts for school services officers and early childhood workers that if not for COVID-19 would ordinarily have been in place for term 2 will be extended.