

## HOUSE OF ASSEMBLY

Wednesday, 3 June 2020

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 10:30 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.

*Parliament House Matters*

### CHAMBER PHOTOGRAPHY

**The SPEAKER (10:31):** I would like to remind all members that the taking of photographs in the chamber, especially members taking photos of other members in the chamber, is contrary to numerous rulings of former Speakers. Speaker Atkinson referred to this matter on 26 September 2017 when the parliamentary broadcast system became operational. In fact, I remember him once asking me to remove a photo, which of course I did. I quote Speaker Atkinson:

In 2013, I [being he] permitted members of the public, staff and members...to photograph and film members in the chamber in all circumstances...As the house is now providing a high resolution video feed of [all] proceedings of the house...I think that photography and filming by individuals is now unnecessary and prohibiting them does not detract from transparency or accountability. That is my ruling, and signs to that effect will be erected outside the galleries accordingly.

I see no reason to deviate from this ruling. I also referred to this ruling on 29 September 2019. I am putting members on notice: if this happens again, it will be a naming offence.

*Bills*

### CONSTITUTION (PERMISSIBLE TOLERANCE) AMENDMENT BILL

*Introduction and First Reading*

**Mr BELL (Mount Gambier) (10:32):** Obtained leave and introduced a bill for an act to amend the Constitution Act 1934. Read a first time.

*Second Reading*

**Mr BELL (Mount Gambier) (10:33):** I move:

That this bill be now read a second time.

I am pleased to move the Constitution (Permissible Tolerance) Amendment Bill 2020. This bill amends the Constitution Act 1935 to modify the application of the permissible tolerance of 10 per cent for electoral redistributions. The bill does this by giving a weighting to electoral districts that have a land area of 100,000 square kilometres or more in the calculation of enrolment at the date of redistribution. This is modelled on a similar provision in the Queensland Electoral Act 1992 and Western Australia's Electoral Act 1907, although I point out that my bill is more restricted. I will return to this later. Because the provisions of the Constitution Act that are amended by this bill are constitutionally entrenched, a second bill enabling it to be put in a referendum to the people of South Australia will be contingently moved if this bill is passed.

Why am I moving this bill? I move it for very simple reasons: in the most recent hearings of the Electoral District Boundaries Commission, which has responsibility for conducting the periodic redistribution process, we have seen speculation emerge about another country seat in the Far North being abolished. The simple maths is that, in a 47-member lower house, if the population of the country does not keep up with a population of Adelaide country representation declines. Unsurprisingly, the Labor Party has made that point in its submission. I quote the submission of Mr Adrian Tisato made on behalf of the Labor Party:

16. Critically, 5 regional electoral districts—Flinders, Giles, Stuart, Frome and Chaffey—suffer from a problematic combination of extremely low (and likely declining) elector numbers and a very limited capacity to accommodate piecemeal adjustments, by reason of their geography and the fact they border one another.

17. A central question that the Commission must therefore consider is whether the numbers of electors in these regions are now so low that it is necessary or appropriate to consolidate them into four districts—and to alleviate the problem of significantly above quota metropolitan electorates by creating a new district or districts elsewhere.

It sounds like a principled argument, doesn't it? But we should not forget it is also an argument based on the Labor Party's electoral interests. It may be legally arguable, although we do not yet know what the redistribution commission thinks of it, but it is obvious Labor's motives are not those of a disinterested observer—and I will return to this point.

Still, assessed solely against the principle of one vote, one value, the abolition of a country seat and the creation of an additional metropolitan seat could seem to be the fair and right outcome. After all, it is arguably consistent with the parameters which underlie the redistribution process, a process which is designed to ensure that, as far as practicable, the voting population is evenly spread across the 47 seats in the House of Assembly.

The problem, of course, is that this means the country seats that are left will become physically larger and keep getting larger every time another seat is lost. Inevitably, this renders the necessary interaction between voters and their elected representatives and the democratic contest between candidates ineffective or of lower quality than that which is available in the city. With apologies to Geoffrey Blaney, this may be characterised as a contemporary manifestation of what he once described as 'the tyranny of distance'. For country voters, the tyranny sometimes feels all too real.

Too often, country voters feel not just ignored but as though they are second-class citizens in their own state. Losing another country vote on North Terrace will only reinforce this perception. Left unaddressed, this democratic deficit can only cause great damage to regional and metropolitan communities alike and to the good government of our state. The truth is that the regions and the city depend on each other.

Much of the export wealth of our state is generated through South Australia's country hinterland and outback. Agriculture, mining, tourism and renewable energy are all major wealth generators for South Australia. All of them rely on country workers and country businesses working with city workers and city businesses for supplies, logistics, services and all manner of other supports. South Australia's particular geography and population spread have made electoral redistributions a confounding issue for much of our political history, particularly as a rural share of the state's population has seen accelerated decline in more recent decades.

While the democratic deficit country voters confront in South Australia is not unique, it is particularly pronounced. South Australia is the fourth largest of Australia's states and territories. At 993 square kilometres, we occupy 12.7 per cent of the country's land mass. To put that into context, South Australia is larger in land area than 188 sovereign nations—roughly 97 per cent of the members of the United Nations—but of course much of the state is arid and sparsely settled. Our share of national population is considerably lower than our share of national territory, at only 6.9 per cent. That is just over half a percentage share of land area.

Unsurprisingly, this means overall population density is very low. On average, there are only 1.62 persons for every square kilometre of our state. Only Western Australia and the Northern Territory have a lower population density, at 0.89 and 0.16 persons per square kilometre. Nationally, Australia's population density is 3.3 persons per square kilometre.

To put that in an international context, no independent sovereign nation anywhere in the world has a population density as low as that of our state. The closest is Mongolia with 1.92 people per square kilometre. When you consider that close to 80 per cent of the population lives in the metropolitan area, this means population density outside Adelaide, particularly in the outback areas to the north, is much lower again.

Turning now to the operation of the bill, South Australia's redistribution process is set out in part 5 of the Constitution Act. This part was introduced following the passage of the Constitution Act Amendment Act (No. 5) 1975. From 1991 to 2017, the redistribution was required to attempt to ensure that the party with a group of candidates that won the majority of the two-party preferred vote would win enough seats in the house to form government. This was often termed the 'fairness clause'.

In practice, this clause proved extremely difficult to apply, as experienced by repeated reports of redistribution commissions and sustained academic and media commentary over the years. Given the relative frequency of minority governments in South Australia—six out of 13 terms since the redistribution process was first implemented—this is not surprising. Section 77(1) of the act sets out the basic requirements for each redistribution and provides:

Whenever an electoral redistribution is made, the redistribution shall be made upon the principle that the number of electors comprised in each electoral district must not (as at the relevant date) vary from the electoral quota by more than the permissible tolerance.

The electoral quota is calculated by dividing the total number of enrolled voters by the total number of seats in the House of Assembly (47) and rounding to the nearest whole number. The permissible tolerance is then calculated as 10 per cent either above or below the electoral quota.

The bill amends section 77 by providing that for electoral districts that are 100,000 square kilometres in size or larger the permissible tolerance is applied to a combination of the number of enrolled voters, together with a weighting of 1 per cent of the total square kilometres of the district. In effect, this means that exceptionally large seats may have fewer enrolled voters than would otherwise be required.

Before everyone starts freaking out, this only relates to two seats in South Australia currently—the seats of Giles and Stuart—although it is open to the redistribution commission to create other seats of this size by adjusted boundaries down the track. Giles is the largest electorate in South Australia, at 497,000 square kilometres, and Stuart has 330,000 square kilometres. The next largest electorate is Flinders, with 58,000 square kilometres. The bill is actually only trying to address two seats: the seat of Giles, which is currently held by a Labor MP, and the seat of Stuart, which is currently held by a Liberal MP.

While it is obviously a matter for the redistribution commission, on current projections all three of these electorates, including Flinders, which is not 100,000 square kilometres, are under quota. The bill would give the commissioner more leeway to address this. For example, the seat of Giles, which is close to 12 per cent under quota on current projections, would be within the permissible tolerance once adjusted on this basis. Indeed, it could shed some of its area to a neighbouring seat.

I know that the opposition will claim that this bill would water down the principle of one vote, one value that underlies our redistribution process. The fact is that this is modelled on current measures implemented by the Labor government in Queensland and Western Australia, both dismantling systems of malapportionment, which should give them cause to rethink. So this system is based on Western Australian and Queensland Labor governments introducing this system.

There are lots of other options that we could go by: one would be setting a higher tolerance level, such as the Northern Territory, which has a 20 per cent margin, although other areas have a lower percentage. We could do a proportional or top-up system, such as New Zealand, Germany, Scotland, Wales or Greater London, but of course there are plenty of other opportunities to debate those systems.

I want to be clear: I am not a defender of the so-called 'Playmander' and, contrary to the claims of some, this bill would not create a 'Bellmander'. The malapportionment of the Playford era was a distortion of democracy, and I pay tribute to those who fought for and led reform to have a fair system. But any comparison of my modest proposal in this bill to the malapportionment of the Playford era would be an overreach.

**Mr Pederick:** The 'Bellmander'.

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

**Mr BELL:** In wrapping up, this bill would seek to address the issues we see. It would only be addressing two seats currently: Giles and Stuart. It would give the boundaries commissioner more ability to take into consideration the large area—over 100,000 square kilometres—of those two seats and it recognises the difficulty and extra challenges that those two members, one Labor and one Liberal, have in maintaining contact with their constituents. It seeks a very modest approach in addressing the current system. I commend the bill to the house.

Debate adjourned on motion of Mr Pederick.

### **DISABILITY INCLUSION (COMMUNITY VISITOR SCHEME) AMENDMENT BILL**

#### *Introduction and First Reading*

**Ms COOK (Hurtle Vale) (10:49):** Obtained leave and introduced a bill for an act to amend the Disability Inclusion Act 2018. Read a first time.

#### *Standing Orders Suspension*

**Ms COOK (Hurtle Vale) (10:49):** I move:

That standing orders be so far suspended as to enable the bill to be taken through all stages without delay.

**The SPEAKER:** An absolute majority is not present. Please ring the bells.

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

**The SPEAKER:** An absolute majority is present, therefore I accept the motion; is it seconded?

**An honourable member:** Yes, sir.

**The SPEAKER:** Is there any debate? The member for Hurtle Vale wishes to speak to the motion on the suspension of standing orders.

**Ms COOK:** The reason I seek a suspension of standing orders is that the bill we have put before the house is extremely important, particularly given the public interest and the critical safety issues that have been highlighted over the past few weeks. The government has had ample time to consider the bill. On Monday morning, I provided a copy of the bill to the Minister for Human Services, the Leader of Government Business, the Attorney-General and their chiefs of staff. At the same time, I also provided a copy to all Liberal members of parliament, all crossbench members and their officers in each instance.

I foreshadowed that I would be seeking to suspend standing orders today so that these issues could be debated with the urgency they demand. The Leader of Government Business has spoken in this place before about wanting adequate time to consider urgent legislation. I can assure the house that I had those comments in mind when I took these steps to give members as much time as possible to consider the urgent legislation once it was finalised. Even if it is the intention of the government not to pass this legislation, we should at least be able to deal with it as a matter of urgency.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (10:52):** Can I indicate to the house that whilst the motion suggests a matter of urgency, our side of politics does not make any assertion on the genuineness of the proposer as to her concern about a matter that has been highlighted as a result of the Ann Smith death.

I think there is no question that both the public and the parliament have an appetite to have an answer as soon as practicable as to how we might address any gaps in any disability service system and/or watchdog service that goes with it. Notwithstanding that, I indicate that the government proposes that the bill that has been provided to us yesterday essentially proposes a further expansion of the community Visitor Scheme—more than what we had done last year in the original bill, which was to a new cohort of those under supervision—and that this is a model that ought to be extended to deal with a much larger group. The government have established a task force to look at this matter, jointly chaired by David Caudrey—

**The SPEAKER:** Deputy Premier, I would just like to caution you. I would like comments to please remain targeted towards whether the suspension be agreed to or not. I appreciate what you are saying thus far, but I am just cautioning the member.

**The Hon. V.A. CHAPMAN:** Thank you, Mr Speaker. I do not propose to traverse the merits or perhaps even inadequacies in relation to the operation that is proposed under the bill. I simply make the comment that it is, in its general content, to expand the application and implementation of a certain scheme, namely, the Community Visitor Scheme.

The proponent has argued that it is necessary that we deal with this urgently. The government's view is that although this has been quickly prepared and there have been some early identifiers of limitations in relation to this bill—as I said, I am not going into the merits, or otherwise, of the bill or its limitations—a task force has been established under Dr David Caudrey and co-chaired by the Hon. Kelly Vincent.

That is underway and it is the government's view that any meritorious application in respect of this bill ought to be presented to them before it is debated in this house. It would also give us a corresponding opportunity to be able to identify what have already been indicated to us to be weaknesses in this bill. We obviously need to employ our best endeavours as a government, and I think as a parliament, as to how we might identify and address certain aspects. This is not the way, in our view.

The urgency in relation to this application at brief first blush has some major problems but we will traverse those with the proponent. I would invite her to refer the matter to the committee if she has not already done so, but we will certainly be referring it to them.

The house divided on the motion:

Ayes ..... 21  
 Noes ..... 24  
 Majority ..... 3

#### AYES

Bedford, F.E.	Bell, T.S.	Bettison, Z.L.
Bignell, L.W.K.	Boyer, B.I.	Brock, G.G.
Brown, M.E.	Close, S.E.	Cook, N.F. (teller)
Gee, J.P.	Hildyard, K.A.	Hughes, E.J.
Koutsantonis, A.	Malinauskas, P.	Michaels, A.
Mullighan, S.C.	Odenwalder, L.K.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

#### NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

Motion thus negatived.

#### *Second Reading*

**Ms COOK (Hurtle Vale) (11:01):** I move:

That this bill be now read a second time.

In respect to now delaying the progress of this very important piece of legislation, I hope we do not see more loss of life in our community of vulnerable people who do not have access to community visitor schemes, which are much wanted by the community and people with lived experience, because of the inaction that we have seen today.

The bill has been a long time coming, and there has been much consultation about this. In fact, one of the things that I have been doing for the whole couple of years since being in opposition is talking to people with lived experience, people in the community, about the Community Visitor Scheme as it changed because of the transition to the NDIS. Those opposite have dragged their feet

on this scheme for two years. I was very disappointed to hear the Minister for Human Services yesterday firstly commit to attending a briefing and then not actually attend the briefing. It is very important that legislators are involved in the full process, and I found that disappointing.

For those who are not familiar, the Community Visitor Scheme aims to protect the rights of people living with disability within accommodation services and facilities, although in May 2019, due to the final changeover to the NDIS, the visitor was no longer able to visit non-government disability accommodation service providers, supported residential facilities or day-options programs. The claim it was the Labor Party who did not act in this regard is not true. In fact, the legal advice, which was published by the Budget and Finance Committee on 25 May, clearly shows that this advice from the Crown regarding the transition was not received by the Labor government until three days prior to the election, during a caretaker period.

There is no way in which the Labor government at the time could have acted to change the process or the laws around the Community Visitor Scheme. The government has had two years since then to act to make relevant changes, to speak with colleagues in other states who have made changes, but, no, that has not happened—for two years. Unfortunately, the death of Ann Marie Smith must be a catalyst for change in this state. The community visitor has not had the ability to enter NDIS-provided services or facilities for the past two years.

The previous principal community visitor, Mr Maurice Corcoran, wrote twice to the minister and in his annual reports stating that this was an issue, highlighting that to the government, and the minister did not act to change this. The government received a report that said that the Community Visitor Scheme needs to be strengthened and work alongside the NDIS Quality and Safeguards Commission. I even received a letter from Mr Graeme Head, the commissioner for the safeguards commission, saying the following:

The NDIS Act does not prevent community visitors from accessing environments in which NDIS participants receive supports and services.

Indeed, other states, in particular Victoria, made the move relatively early in 2018 to make legislative changes in this area. They changed their relevant disability act so that community visitors could enter NDIS services. They also made it that community visitors could enter private homes where they were invited or where a warrant was issued because the community visitor deemed it necessary under the circumstances. Who knows? This may have saved Ann Marie Smith; it may not have, but I sure as hell want this bill to stop anyone else dying in disability care in this state, whether it is in a government-funded service, an NDIS-funded service or in their own home, which is truly heartbreaking.

The Minister for Human Services purports to be a champion of the Community Visitor Scheme, having put amendments in to create it when in opposition. I commend her for that. But she has let the service fail under her watch. She has failed the service, failed people in the state with disabilities who much need this and want it, and failed Ann Marie. This bill uses many of the original regulations that first created the Community Visitor Scheme and modified it using many of the provisions the Victorian parliament used so that these laws are not inconsistent with section 109 of the constitution, as the Crown legal advice over two years ago suggested that there could be some conflict. This is not the case.

This bill allows for the entry of a community visitor into private homes. This is particularly important. It allows a community visitor to enter where someone receiving NDIS in their home invites them in, and also, if the highly trained, highly skilled, experienced community visitor sees circumstances where they believe someone is perhaps under threat, coercion, in danger, under the threat of violence, experiencing abuse and terrible mistreatment, they may seek from the courts a warrant to enter. This is consistent with the power of Victoria and that of the Public Advocate, who can also seek a warrant from SACAT.

I note the Hon. Connie Bonaros in another place has concerns over this. I look forward to working with her regarding this. We believe the proof required to be presented to a magistrate in order to issue a warrant is suitable protection for people's privacy, but we are prepared to work through this. I do not want Ann Marie Smith's death to be in vain. Her death and legacy can be the protection of other people in this situation. This bill, which I would dedicate to Ann Marie Smith, I

hope and am sure will save the lives of many South Australians in the future. I commend the bill to the house and may Ann Marie Smith rest in peace.

Debate adjourned on motion of Mr Pederick.

### **STATUTES AMENDMENT (INTERVENTION ORDERS AND PENALTIES) BILL**

#### *Introduction and First Reading*

**Ms HILDYARD (Reynell) (11:08):** Obtained leave and introduced a bill for an act to amend the Intervention Orders (Prevention of Abuse) Act 2009 and the Sentencing Act 2017. Read a first time.

#### *Second Reading*

**Ms HILDYARD (Reynell) (11:09):** I move:

That this bill be now read a second time.

This is a bill that is absolutely focused on dealing with those who perpetrate domestic violence and breach the intervention orders that are in place to stop them from perpetrating the violence that wreaks fear, physical, mental and emotional harm and, tragically, in some cases death. It is a bill all about prevention and keeping South Australian women safe.

Our community has been horrified by the recent murders of women by partners or former partners. As a nation, we were deeply shocked when Hannah Clarke and her three beautiful children were brutally murdered in Queensland. Our community was utterly saddened and rightly angry. Together we mourned and together we called for change.

Just a few weeks ago, in our southern community, across South Australia and again across our nation, we were devastated and utterly saddened when a woman was violently killed in her unit in Morphett Vale, leaving her children to grieve their beautiful mother and her lovely family and network of friends absolutely bereft. May she rest in peace. I offer my condolences and love to her children, who will never again be held in their mother's arms, and to her whole family and her friends as they contemplate their loss and this horror in the weeks months and years ahead.

I also offer my support to those workers in domestic violence services and the many advocates who work day in and day out to keep women safe and to empower them towards a safer future. They make such a difference in women's lives and I know how hard such a tragedy is for them too. This murder left our whole community shaken, saddened and troubled to its core about how much we still have to do to ensure that not one more woman is again killed or harmed by a partner or former partner.

Individuals and organisations around our country have called for change. In my own community and in others we have vowed to work even harder to secure the prevention services we need to empower our community to speak up and out about domestic violence, to act when it happens and to have the best possible measures in place to prevent and end this awful prevalence.

Our community has had enough. It is united in wanting an end to this unacceptable violence towards women and children that sees more than one woman killed every week in this country by a partner or former partner and an end to any victim blaming, to any softening of these appalling, inhuman acts of violence. Our community is united in wanting men to get the message that disrespect and violence towards women is unacceptable, that there is no excuse and that violence is never an option.

Our community is united in wanting an end to the gender inequality that lies at the core of that disrespect and violence. Every person, every leader must play their role in ending disrespect for women and in preventing and eradicating violence—and that must include us. Every member in this place, every member of parliament has a unique opportunity to act however they can using their sphere of influence to prevent and end domestic violence. This bill gives all of us in this place a clear opportunity to use the power given to us by the South Australian people to take another step towards preventing and ending domestic violence, towards a different future.

The people of South Australia do want a safer, violence-free future, a future where women are not disrespected, where women and children are safe and where those who ignore intervention

orders that have put in place to protect someone are tightly held to account. This bill sends a clear message to those who intend to breach intervention orders that should they do so they can no longer simply ignore a fine and continue to flout that order but, rather, they will be severely penalised.

Almost a quarter of men who killed a partner or former partner were named as respondents on intervention orders at the time of the killing. I understand from the Women's Legal Service that police have issued 2,188 interim intervention orders relating to domestic violence this year and more than 1,680 of them have been breached. This bill will change and significantly toughen sentencing options for offenders who breach domestic violence intervention orders, by moving away from fines to custodial sentences.

It will remove fines, increase maximum sentences and introduce measures to protect children by aggravating offences that involve children or threatening to restrict access to them. Specifically, the bill will increase penalties for an initial breach of an intervention order from a \$10,000 fine or maximum two years' imprisonment to two to five years' imprisonment, seven if aggravated. Subsequent breaches, which currently attract a fine or four years' imprisonment, will increase from four to 10 years' imprisonment, 12 if aggravated.

These are unashamedly tough new measures to deal with offenders who repeatedly breach domestic violence intervention orders and pose a real threat to the safety and lives of women and children. These amendments are desperately needed to deal with the ongoing and shocking prevalence of domestic violence in our community because of the utterly unacceptable statistics that relentlessly and shamefully persist in this country. Domestic violence services, women's organisations and our wider community are demanding change to keep women and children safe from repeat offenders, and this bill will deliver overdue reform.

Unfortunately, monetary fines are simply not deterring some violent repeat offenders who pose a real risk to the safety of women and children. Fines as a punishment for contravention of intervention orders have a higher rate of not being paid than other court-imposed fines, with offenders escaping consequences, accountability and punishment for their offending behaviour. Fines do not provide protection for those who experience domestic violence, nor do they provide for rehabilitation and monitoring opportunities for offenders. By moving to sentences, even should they be suspended, we will be better able to monitor serious repeat offenders and ensure they are engaging with rehabilitation programs and complying with orders.

Zita Ngor, Chief Executive Officer of the Women's Legal Service, says in today's *Advertiser* that domestic violence survivors often feel their safety is not taken into account when fines are imposed. She said:

We have never dealt with a situation where somebody has had to pay more than a few hundred [dollars] in terms of a monetary fine. For victims or survivors not to feel supported by this system, in turn, does mean they are less likely to seek out support from the very system that is meant to protect them.

History shows that those who contravene intervention orders are more likely to violently offend. This is why custodial sentences must be available to the courts in order to stop offenders repeatedly breaching orders.

As I have discussed, charges will be aggravated if the offending behaviour occurs in the presence of children. The lasting trauma wrought on children caught up in domestic violence must be recognised and steps must be taken to better protect them. This bill gives us an opportunity to ensure that South Australian children no longer have to confront the fear, the shame and the lasting negative impact that witnessing domestic violence as a child can have on them for the rest of their lives.

The message is simply not getting through to some people that it is never okay to assault women and children. These new measures send an abundantly clear message that if you breach an intervention order you are likely to face a custodial sentence. These changes are significant, they are long overdue and they are absolutely necessary to prevent violence against women and children. They recognise the severity of the crime and the stiffening of community attitudes towards domestic violence.

Keeping women and children safe from repeat offenders of course requires a multifaceted approach. It requires money to be poured into prevention and for specialist prevention services and

supports to be coordinated and collaborative—resources for prevention that have not been forthcoming from this government. This bill is an important part of any approach. If supported, the reform that we can achieve together through the passing of this bill will play a significant role in better protecting women and children from the horror of domestic violence.

In closing, I thank Zita Ngor, whom I mentioned earlier, for her leadership and enduring commitment to achieving justice for women experiencing domestic violence in this state. Zita is a strong voice for change in this state and her advice and support have been invaluable. I thank the Zonta Club of Noarlunga Southern Vales and the Southern Domestic Violence Action Group for their ongoing support for women experiencing domestic violence in the south, for their fierce campaigning for prevention and for their wisdom and support that I rely on and am always grateful for.

Again, I thank the incredible workers in domestic violence organisations: leaders like Maria Hagias at Women's Safety Services and the many advocates in women's organisations across our state, whose voices for women's safety are strong, unwavering and relentless. I also sincerely thank parliamentary counsel for their diligence, professionalism and hard work in dealing with this bill.

Finally, I urge every member in this place when considering their support or otherwise for this bill to reflect on speeches they have made in this place and anywhere else about doing what we can to prevent and end domestic violence. This is an opportunity to turn words into real and meaningful action. I wholeheartedly urge every member to support it.

Debate adjourned on motion of Mr Pederick.

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

#### *Introduction and First Reading*

**Ms COOK (Hurtle Vale) (11:21):** Obtained leave and introduced a bill for an act to amend the Health Care Act 2008. Read a first time.

#### *Second Reading*

**Ms COOK (Hurtle Vale) (11:21):** I move:

That this bill be now read a second time.

It is my great privilege again to introduce a bill to this place to protect women, their families, their supporters, the staff, the workers, the committed people in South Australia who seek to access abortion services in a respectful, safe and caring manner without the fear of protest and without the fear of people making their experience more traumatic than what it already is.

I will not speak to the points of this bill. I have put my thoughts on record many, many times. I wish to thank the women of this house who have supported me with this bill. I thank the Attorney-General for her wise input in regard to amendments, and the spokesperson for the status of women on our side of the house, the member for Reynell, who also has done work to support this bill. I thank the women of the South Australian Abortion Action Coalition, the women and other members of the public who have called out to us for change, and the nurses, midwives and counsellors who work at the Pregnancy Advisory Centre. I hope for a speedy passage of this bill as soon as we can address it. I commend it to the house.

Debate adjourned on motion of Mr Pederick.

### **COMMISSION OF INQUIRY (LAND ACCESS IN THE MINING AND PETROLEUM INDUSTRIES) BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 8 April 2020.)

**The Hon. G.G. BROCK (Frome) (11:23):** I commend this bill to the house.

The house divided on the second reading:

Ayes ..... 21  
 Noes ..... 24  
 Majority ..... 3

#### AYES

Bedford, F.E. (teller)	Bell, T.S.	Bettison, Z.L.
Bignell, L.W.K.	Boyer, B.I.	Brock, G.G.
Brown, M.E.	Close, S.E.	Cook, N.F.
Gee, J.P.	Hildyard, K.A.	Hughes, E.J.
Koutsantonis, A.	Malinauskas, P.	Michaels, A.
Mullighan, S.C.	Odenwalder, L.K.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

#### NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

Second reading thus negatived.

#### *Motions*

### BIOSECURITY MANAGEMENT

**Mr McBRIDE (MacKillop) (11:31):** I move:

That this house—

- acknowledges the Marshall Liberal government's strong biosecurity stance to keep pests and diseases out of South Australia;
- highlights the success of zero tolerance in keeping the Riverland fruit fly free; and
- recognises the importance of keeping South Australia phylloxera free.

The Marshall Liberal government's strong stance on biosecurity is fundamental to ensuring the future of South Australia's horticultural industries. Prevention and keeping pests and disease at bay are essential for the delivery of our state's economic potential. The estimated \$1.3 billion farmgate value of the horticulture industry is an important asset that requires protection. The sector also is dominated by 3½ thousand small to medium businesses employing around 13½ thousand permanent staff and an additional 24,000 seasonal staff. There is no question that the horticultural industry is an important one for our regions.

Our farming families, regional communities and economy rely on the horticultural sector as a stable and reliable income stream, an economic driver, that we must protect from pests and diseases. Fruit fly is a major biosecurity threat to South Australia and our horticultural industries. Protecting the \$1.3 billion farmgate value of this sector from this pest is a matter the Marshall Liberal government is taking seriously. Our state is the nation's only mainland state which is free of fruit fly, and this comes with significant advantages:

- the Riverland's fruit fly free status gives our exporters access to international markets without the need for expensive treatments. In a competitive market, citrus and stone fruit exports rely on their fruit fly free status. We know that outbreaks can destroy export opportunities, impacting businesses and employment;

- the Riverland's fruit fly free status means that the industry there does not have to grapple with the productivity losses that come with damage from fruit fly. This includes savings to horticultural businesses who avoid having to implement cold and chemical treatments to treat affected produce; and
- being fruit fly free in the Riverland also allows the public to grow their own fruit and vegetables in the knowledge they will not have a need for expensive chemical sprays or the unpleasant risk of biting into fruit fly larvae that may infest their homegrown fruit.

There are two species of fruit fly that have substantial economic impacts: the Mediterranean fruit fly, which is established in Western Australia, and the Queensland fruit fly, which is a native to Queensland but which in recent years has expanded its range south to become established in New South Wales and Victoria. We know the Queensland fruit fly inhabits areas far too close to our border, existing in the Mildura and Sunraysia areas.

South Australia is under increasing pest pressure because of its geographic position in the landscape, essentially wedged between the two fruit fly populations and ever-increasing movement of people and goods across the country. Susie Green from the Apple and Pear Growers Association recently highlighted the risk and implications for all South Australians and our horticultural industry. Susie said:

Just one piece of maggot infested fruit, carelessly discarded by a traveller, can devastate an industry and also the community. If fruit fly becomes established, home gardeners would have to get used to their fruit and vegetables being infested with maggots.

The Marshall Liberal government understands the importance of protecting this important horticultural sector. It is prohibited to bring into South Australia fruit fly host material. Our position provides sharp contrast to the approach of the former government, who no doubt appreciated the importance of being free of fruit fly, but did not take the serious steps needed to deter people from bringing fruit and vegetables across our border and into our state.

The former government previously had a policy of not imposing fines. It implemented a slap on the wrist approach. Staff issued warnings to people bringing in prohibited materials, except in the worst cases. Coming into government, there was a high level of noncompliance by drivers coming into this state. It only takes one infested piece of fruit to destroy an industry.

The Marshall Liberal government has taken the threat of fruit fly very seriously. We have introduced a zero tolerance approach to people bringing prohibited plant material in South Australia. This has been a challenging adjustment for some but I believe is resulting in an increased awareness among the travelling public and, importantly, a change in behaviour.

Today, the Yamba quarantine station is operating effectively. This tougher approach, together with publicity and education, has meant that travellers are now looking for the quarantine bins, and they are thinking about the risks of bringing fruit and vegetables into our state. Behaviour is changing.

Random roadblocks are doing their job in detecting noncomplying people who cross our borders with fruit, further protecting our horticultural industries. Zero tolerance is now bipartisan policy, as it should be. I note the strong support for the zero tolerance approach highlighted by the member for Giles in his recent remarks during debate on the Plant Health (Pest Affected Plants) Amendment Bill.

The devastating potential impacts of fruit fly have been recognised, and there is agreement that the risk of infestation needs to be managed closely and carefully. Our approach is necessary and is working. Horticultural industry support for this approach is unsurprisingly widespread. Fourteen state horticultural industry groups have supported the stance that the Marshall Liberal government is taking on this matter. It is pleasing to report to the house that the firm approach that is being implemented is working.

We have seen a significant decline in the volume of fruit seized at Yamba. In 2018, prior to the implementation of a zero tolerance approach, 27 tonnes fruit were seized at Yamba, while in 2019 we saw 19 tonnes of fruit seized at the same location. We are seeing an increased awareness

of the need to dispose of fruit. As time goes by and public awareness increases, I have no doubt that the volume of seized fruit and vegetables will continue to decline.

Nobody wants a fine, and it can easily be avoided through people paying attention and taking care not to bring fruit and vegetables into the state. Our government has invested in more signage at key entry points into the Riverland, has ensured that there are more bins available for the disposal of fruit, and has been raising the profile of the need for fruit disposal for travellers and visitors into the region. People must take responsibility for their actions when they cross the border—there is too much at stake.

Complacency in the community is our enemy when it comes to fruit fly. The current outbreaks of Mediterranean fruit fly in metropolitan Adelaide are evidence of this. The government is currently fighting seven outbreaks in Adelaide, with a fruit and vegetable quarantine area that extends between Glenelg and Elizabeth. PIRSA has more than 100 staff on the ground working hard to get these outbreaks under control. The measures being taken include baiting, spraying and releasing sterile insect technology. These are significant costs associated with outbreaks. I am informed that the current incursion has cost over \$6 million to date.

Other measures being considered to manage the risk of further outbreaks include the potential to extend the zero tolerance approach to our checking for fruit at Ceduna in order to protect against the introduction of the Mediterranean fruit fly from the west. Our government is continuing to examine more ways in which we can further bolster our capacity and efforts in keeping fruit fly out of South Australia.

While fruit fly is an imposing threat to our state's horticultural industry, we must remain vigilant in relation to other biosecurity threats. The threat of phylloxera is an ever-present one to our viticultural industry. Phylloxera is a serious pest of grapevines on a worldwide basis providing significant threat to commercial grapevines. Phylloxera is a small insect pest that feed on the roots of grapevines, causing a decline in vine health over a number of years, until the potential death of the vine between five and six years.

The Marshall Liberal government has been making good progress on initiatives to prevent the introduction of phylloxera to our state. Careful management is required to prevent the spread, in particular through the highly mobile viticulture and wine industries. The presence of phylloxera across the border in Victoria and New South Wales means our viticulture sector, associated transport and our vineyard workers who work across state borders must remain vigilant.

The wine industry is undoubtedly very important to our state. The figures speak for themselves. South Australia has 57 per cent of the national vineyard area planted with wine grapes, grown by more than 3,300 growers. The industry is worth \$2.11 billion to the state's economy, with exports of 490 million litres of wine worth \$1.3 billion. The state's reputation for high quality wine is also associated with its iconic old vines. Protecting these and the wider industry from phylloxera is vital.

The introduction of new plantings and alternative grapevine varieties, leading to the introduction of new and exciting wines, requires significant investment and time for establishment, growth and yield. These investments need to be protected to enable full advantage to be taken of the new opportunities. Phylloxera resistant rootstocks provide the only option for its management once it is here, providing a compelling reason for preventing infestation.

The government, through PIRSA, Biosecurity SA and Vinehealth Australia, are working hard on measures to keep our state phylloxera free. One of the measures that is used to prevent the spread of phylloxera is the use of specifically designed heat sheds, such as the one at Naracoorte saleyards in my electorate. Machinery and equipment are at high risk for spreading phylloxera. The insects can be left in residues of grapevine material and soil and carried on vehicles. Heat is used to clean up these residues to leave equipment pest free.

Practically, the heat shed is a size that can accommodate a grape harvester on the back of a semi or can fit several machines or pieces of equipment. The shed works by creating a heated environment at 45° and requires vehicles to be treated at this temperature for a period of two hours. Extra time is required for the heating of a shed to ensure it is the optimum temperature for sterilisation. The temperature in the shed is monitored during this period to ensure correct

temperature is maintained for the sterilisation of equipment. The viticulture industry knows the importance of using heat sheds when equipment is brought across the border.

Since the Marshall Liberal government came to power, a number of measures have been initiated to prevent the spread of phylloxera to South Australia. One of these measures includes a review and update of the Plant Quarantine Standard to ensure controls are in place to govern the movement of grape materials and related equipment to the state. Other measures include the review and update of the phylloxera response plan, which, I am informed, is nearing completion, and the installation of new signage at strategic points near our borders.

It was a pleasure last year to meet the Minister for Primary Industries and Regional Development, the Hon. Tim Whetstone, with representatives from the Coonawarra and Padthaway grape growing regions, to launch new signage on Casterton Road on our state's border not far from Penola. Raising the profile of this pest species is important. I will just take a couple of seconds to give more clarity about some of our community's concerns, perhaps even some of the complacency that was brought into our community over many years of the operation under the previous government. In my region, we have a lot of cross-border travellers. People are working both sides of the border for a number of reasons.

One of my constituents sent me a letter saying that she had collected her grocery shopping in a Victorian town and then drove into my electorate and got caught by a random station checking for fruit fly. She was caught unaware. She had to suffer the embarrassment and the pain of a fine. I have great sympathy for her because I do not like seeing citizens lose their funds and hard-earned money on perhaps just a lack of awareness. Obviously, we all have terms in government, and there is an end date for the Marshall government one day, and no doubt the opposition will be in government, hopefully in the long, distant future.

*Members interjecting:*

**Mr McBRIDE:** You will have a responsibility to the state to maintain the law and order and awareness of these diseases, and I hope you pick that up and do not become complacent like you did under the last 16 years of your government. It has impacted the residents. It was a new learning curve. There has certainly been a lot of pain for people who have been caught accidentally and through a lack of awareness of these fruit fly measures.

We are still getting on top of that complacency and it will take ages probably to do it, but hopefully we will get there. I hope that if the Labor Party ever see the day of government again, they will maintain these high standards so that we do not have to start this process again and incur these sorts of fines and that we actually keep the state free of these types of pests so that the agricultural sector of South Australia has a strong platform with the best quality fruit in the world without the chemical interference that has to be used with these diseases.

The horticultural and wine industries of our state are significant contributors to our economy. Our government is taking a firm and responsible approach to protecting these industries from pests. I commend the motion to the house.

**Ms BEDFORD (Florey) (11:45):** I move to amend the motion as follows:

In paragraph (a) delete the words 'strong biosecurity stance' and substitute the word 'efforts',

Delete paragraph (b); and

In paragraph (c) insert the words 'fruit fly and' after the words 'South Australia'.

This is a very important motion. I acknowledge to the house that I have had a great deal of interest in the fruit fly debate because everyone I know stands solidly with producers, fruit growers and everyone when they say that fruit fly is public enemy number one in South Australia at the moment.

We have never, ever seen as many outbreaks in South Australia as we have at the moment. There are now currently seven outbreaks in South Australia. While I want to amend this motion to say 'efforts', that is because I really cannot understand why the government has not adopted the same zealous zero tolerance at the Ceduna border.

I do not have my notes with me today, but I think the government has admitted that some of the education measures have not been taken up as readily as they might have been. In fact, the minister has put up a very big billboard on the border between South Australia and Victoria, which I still think is ambiguous. It should say, 'Last chance: put it in the bin,' not 'Zero Strikes'. 'Zero Strikes' does not mean very much to anybody as far as an instruction as you whip past the billboard at 110 km/h with your fruit, which is what has happened to several of my constituents, pensioners who have led blameless lives, grow their own fruit, share it willingly amongst the community and would never jeopardise South Australia's fruit fly free status.

I think there is a big difference between handing a tomato to the man at the Yamba station saying, 'I wanted to give you this because the bin was full. I didn't want to throw it on the ground,' (where I know the larvae can live for up to 12 months) doing 180 km/h in a 60 km/h area on the road. Okay, if you do the crime, you pay the fine, but I think there is a very big difference between handing in a tomato to a man and doing 180 km/h on a normal suburban road.

At the outset, let's be very unambiguous. I do not want to be misrepresented. I thoroughly and totally support the government's zero stand on fruit fly. What I cannot agree with—

**Mr McBride:** You're knocking out the clause.

**Ms BEDFORD:** Yes, I have.

**Mr McBride:** So you don't.

**Ms BEDFORD:** But you are not successful at zero tolerance because there are fruit fly in this state. You have not specified which sort of fruit fly is in the Riverland and I do not think you have done enough on your education process. You have ads in your papers at the moment, but I can tell you now that not everybody is aware of the areas here in South Australia where there are fruit fly. You have to do a lot more about it because it is not actually the people who live in the fruit fly affected areas that you are trying to get in touch with, it is the people who do not live there.

Dare I say that it is not complacency; it is COVID and everything else going on in people's lives that has actually taken the attention away. This is a very serious subject and we are with you 100 per cent, but we do not think that you have done enough to get the message through to people.

To say you are considering doing something at Ceduna is absolutely flabbergasting. If you are serious about removing fruit fly from this state, that is where you have to be putting in the work. Dare I say it, you have hit so many people—7½ thousand as far as I know—with your fines at Yamba. You now have the money, more than \$5 million, to make sure your education process goes right ahead at Ceduna. We are 100 per cent behind you because it is fruit fly you are trying to eradicate.

I do not know what else I can say to you except that the motion is not being completely removed. We do support your moves, but we think you can be doing a lot more. No-one in this chamber, not one single person, wants to be soft on fruit fly. What they want to be sure of is that you are doing everything that possibly can be done.

In the period where people who seriously thought handing the fruit to you was the best thing to do, instead of coming out with an education process around that you have smacked them down. My pensioners in Pooraka are being hit twice: they have been hit at the border, handing in the fruit that they thought was the right thing to do, and they are now being hit by your approach to the fruit fly that is in their electorate now.

**Mr McBride:** Outrageous!

**Ms BEDFORD:** Well, it is. If you were serious about fruit fly, you would have moved at Ceduna when you moved at Yamba, but you did not, and I would like to know in your responses—I can see the minister is writing some notes—why you did not move at Ceduna as quickly as you did at Yamba.

My pensioners in Pooraka have been hit not only by fines when they thought they were doing the right thing, but now they are being hit by having their fruit in their electorate—in my electorate—under risk. Another thing you need to know is that a lot of people do not understand what measures you are trying to bring in. Trees should be stripped of fruit and fruit should be eaten or destroyed.

Fruit is going in the green bin. We are being told the green bins are being treated in a different fashion.

I am not satisfied everything is being done, so I urge members to support the amended motion. It does not have any watering down of the fact that we are anti fruit fly and tough on fruit fly. We are 100 per cent behind our producers and want to make sure that they and everybody else in this state have the support they need to keep growing our fabulous fruit that is exported. We understand every aspect of the fact that all these crops are vitally important—we do. Nobody on this side is anti-country, anti-producer—no-one. To even suggest that would be a great disservice to every member in this house and a reflection, which I know you would not undertake.

It is very important for everybody in this house to know you are going to be tough at Ceduna. Only then will we see the measures you say you are taking are being taken, and that is when we are going to see, we hope, fruit fly eradicated. It is very important for members to understand that these measures are in place until December. You only understand that if you read the entire ad to the very end. It is not even in bold print.

If your education program is actually serious, you would be doing a lot more about it and be out there on the front foot a lot more—not just in the areas where fruit fly has been discovered but in the areas where it is not. I can assure you the average person in the street does not know anything about it. That is not because they do not care; it is because you have not done a good enough job. I urge members to support the amended motion.

**Mr HUGHES (Giles) (11:53):** I also seek to amend this motion, so we will have two amendments to deal with. I move to amend the motion by the member for MacKillop to read as follows:

- (a) acknowledges the importance of South Australia's strong biosecurity stance to keep pests and diseases out of South Australia;
- (b) highlights the need for zero tolerance and keeping the Riverland and other areas fruit fly free;
- (c) recognises the importance of keeping South Australia phylloxera free; and
- (d) acknowledges the former Labor government's strong investment in biosecurity, including the \$3 million sterile insect technology facility in Port Augusta.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hammond is warned.

**Mr HUGHES:** In relation to both the motion and the two amendments, with some minor differences on the periphery there is clearly strong support for the action that is taken in order to keep South Australia free of some of the damaging pests that could come over our border.

It has always been my view that when you are in government you should be willing to critique what it is you are doing. You should be looking to improve what you are doing. When you lose government, you should look back on what you have done, acknowledge the good things you have done, acknowledge the things that have made an improvement and acknowledge where it has not been as strong as it should have been. I think that is important.

When it comes to keeping South Australia fruit fly free, the previous government was very active. We allocated around \$5 million a year to the effort to do the right thing by our horticultural sector. As I have indicated in the amendment, the sterile insect technology facility was set up in Port Augusta, and it was good to see for the jobs created and, more importantly, for the 50 million sterile flies produced every week in order to use those flies to help combat something that represents a real threat to South Australian horticulture and to those people who grow fruit in their backyards.

A lot may be said about zero tolerance and that the approach of the previous government was not strong enough. I come to this with fresh eyes. I indicated in a previous debate here, which was cut short before I could wax lyrical, that we supported zero tolerance while at the same time acknowledging that there were some transition issues, that there were people who were attempting to do the right thing but who were caught up in that process. A very valid point, assuming effective communication that goes beyond signage, is that over time we will see fewer fines handed out to

those people who come across our border, some doing the right thing but some during this transition period attempting to do the wrong thing.

I know there are processes and a range of unfair infringements being addressed, but I still think that there needs to be more attention in that area. That said, the concept of zero tolerance is the right concept to pursue. Especially given the nature of this portfolio, I try to be as bipartisan as possible. With two of the bills that have come before this house, I have attempted on both occasions to see whether we can find common ground.

That is incredibly important because when we are talking about agriculture, when we are talking about horticulture, it is largely beyond party politics. There can be debate about priorities and the allocation of funding, but when it comes to some very basic principles we are talking about looking after the interests of South Australia, looking after the interests of our primary producers who are out there day after day calculating risk, making their investments clearly for their own benefit but also for the benefit of the state—and it is the sector that makes the largest financial contribution to exports in this state.

When you look at the current biosecurity plan and at the seven principles, if you go through them, I would have to say that I subscribe to all those principles—they make sense. There is nothing particularly contentious about it. I am a bit of a stickler for this, but when a previous government does some good things we should at least acknowledge that. At the same time, you can critique the things you think could have been done better. We on this side should do that as well.

I hope it is going to be a lot sooner than the member for MacKillop is hoping, but he indicated that when we come to government we will build on the decent initiatives that have been overtaken by this government. Positions evolve over time and, as a state, we strengthen some of our fundamental economic builders.

There are issues with biosecurity beyond Australian and South Australian borders. As a nation, we have issues with some of the potential threats beyond our national borders. In some respects, the intensity of things that happening globally in the agricultural sector and the feedstock sector, issues with habitat destruction, the wildlife trade and a whole range of factors are at play to increase the risks that are out there.

Australia needs to take an incredibly strong approach at both a national and state level. There needs to be an effective collaboration between governments and industry to ensure that we do the right thing and that we commit to resources for those areas in order to protect and enhance what we do in Australia when it comes to horticulture, the general agricultural sector and our marine sector, which is another important asset that we have.

The growth in trade and travel increases opportunities but also increases risks. Climate change is going to have a major impact as time goes by. A range of potential diseases are going to spread. Global population growth will have an impact as well. There is a whole range of issues that bear beyond our borders and are potentially going to have some impact.

We have mentioned fruit fly. We are totally on board when it comes to doing the right thing in relation to fruit flies and phylloxera. From the previous government and going back well over a century, the efforts that have been made in South Australia have been exemplary. We have had the contentious debate about GM; in future, there may well be genetically modified vines that are able to resist some of the diseases that represent the current threat. That said, vineyards that would not want to take up that option are totally at liberty to remain GM free and see what marketing advantage they can get out of that.

I know that at various times in my electorate, we have had aquaculture to the north of Whyalla with the kingfish industry. There are potential overseas threats when it comes to kingfish. The oyster industry was hit by POMS and that had a major impact. Once again, when we—

**The DEPUTY SPEAKER:** Member for Giles, I am sorry about this, but your time has expired—

**Mr HUGHES:** I was only getting started.

**The DEPUTY SPEAKER:** —and you were just getting onto oysters as well. Member for Frome, I might come back to you; we should alternate sides and I am going to give the minister the opportunity to make a contribution.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (12:03):** I will make a brief contribution on this very important motion. I just want to clarify a couple of things. I support the member for MacKillop's motion and I think it covers what it needed to cover. More importantly, the debate is raging in here—and I think that is healthy—but I will clarify a number of issues.

I want to commend the opposition for their support of a zero tolerance approach. I think it is important that we send a clear message to industry. It is also important that we send a very clear message to our markets, particularly our protocol markets, which rely on South Australia's fruit fly free status (or the area of freedom, as it is called). It gives surety to our markets. It reassures the industry that we are working with them and listening to them when it comes to dealing with biosecurity issues.

Currently, South Australia is under increasing pressure from both the east and the west. It has been very well documented that the Qfly that comes from the east has put significant strain on our borders over a number of years. Coming into government, we very quickly had to deal with the bitter pill. We had to deal with an outbreak in the Loxton area in the Riverland that did not just happen overnight; it was a build-up of flies that had probably been introduced in the previous season. Those flies had endured the colder winter and had gone to ground. As the ground warms up, those larvae hatch and out they come. It saw significant pressure on that area, and right across the Riverland we had continual detections.

An outbreak is declared when we find a gravid female: if that is detected in the traps, we have a declared outbreak. There have to be five male flies detected within an area to realise an outbreak. Since the Loxton outbreak we have seen a couple of further outbreaks, and it gave the Riverland a real jolt. They had to be more proactive, and it gave me the impetus to implement a zero tolerance approach and enforce it. I will say that the previous government had a zero tolerance approach but never enforced it. They took a very lax approach, and that was to have it declared at the border stations, but it still put the region under threat.

There were trucks coming into South Australia unchecked, with fruit rolling around in the bottom of those bins. There were people coming into South Australia who were not prepared to declare their fruit; they came in and South Australia paid the price. The growers actually paid the ultimate price, namely, that they lost their area freedom status in our markets. It comes at great price. It is over \$3 for every carton that has to be treated. It comes not only at a cost but also with a reputation. It also degrades the capacity of the fruit to have a longer shelf life, and it degrades the fruit's quality of taste and appearance. Some of those measures, whether it is cold sterilisation or fumigation, really do take away what we have long fought for, for decades, in making sure that we are fruit fly free.

We have talked a little bit about the Medfly coming in from the west. Yes, we have a checking station at Ceduna, as we do at Oodla Wirra, and we ask all people to declare their fruit, but I can assure the members in this place that we are currently seeking a brief to implement a change in the policy at Ceduna. However, that does come with complexity and with a checking station that has a large amount of OH&S issues.

That station is not in the right place: as the Deputy Speaker would understand, the checking station has parts of Ceduna on both sides of it, which does add a level of complexity when inspecting cars that are coming out of Ceduna west into Ceduna east, if they can be called that. So we are working with all the states and with the commonwealth to look at building a greenfield site so that we can build a facility that is of an acceptable standard and that will also potentially have the capacity to implement the zero tolerance approach.

There is no point in members in this place saying that we are not doing enough at Ceduna. That member had 16 years as part of a Labor government to do something at Ceduna, and they did not do a thing.

*Members interjecting:*

**The Hon. T.J. WHETSTONE:** I am not throwing stones, but I am just putting the facts on the table. The member for Giles has said that they implemented a sterile insect technology (SIT) facility at Port Augusta. Yes, they did. They did that in conjunction with the commonwealth government, industry and Horticulture Innovation Australia. I think that was a sound investment.

But what I can say is that this government has doubled the capacity at Port Augusta and we have done that for good reason so that we can have a capacity there so that, when we do have outbreaks, we can release those sterile flies, and not only in South Australia. We are working with Victoria and New South Wales to have large-scale releases so that we can reduce the pressure on the borders and address the outbreaks as they present.

We have had a number of biosecurity issues in South Australia. Some of them were noticed; some of them went unnoticed. Some of those issues have been the giant pine scale, which has been a real threat to forestry; the cucumber mosaic virus; the potato psyllid. They have been significant issues, not only to the vegetable industry, cucurbits and seed potatoes. If we look right across the board, we are currently dealing with concerns with onion smut. We have American foulbrood in honey within apiary.

As the member for Giles has rightfully said, we are also dealing with the Pacific oyster mortality syndrome (POMS), which has been a scourge on the oyster industry in South Australia. We are working very hard every day to make sure we can get that industry back on track so that those oyster producers can have reliable spat, which is now being produced in South Australia, so that we can have a vibrant industry that is a contributor to our economy.

When the zero tolerance approach in South Australia was implemented, the Yamba roadblock took in 27 tonnes of fruit. That was an alarming amount of fruit. More than a semitrailer load of fruit was being left or picked up at Yamba. In the 2019 year, we were down to 13 tonnes. That means that the zero tolerance approach is working. The other thing that I can tell you is that there have only been two reoffenders at the Yamba roadblock, so that means that the message is getting out there. Those people are being caught and being issued with fines. It means that if they do it once, they should not do it again, and it is showing that that zero tolerance is working.

Since coming to government, we have put in a significant amount of investment and effort into working with Biosecurity SA, but a collaboration with the industry has shown us exactly what we need to be doing, and it is exactly that, listening and working with industry so that we can have good measures in place, putting in new bins on our arterial roads. We have all talked about the zero tolerance approach; I can talk about that until the cows come home. We have doubled the capacity of the SIT facility at Port Augusta. We have employed a liaison officer on the ground. The collaboration with industry has been an outstanding success and the industry has been prepared to take some ownership of fruit fly in South Australia with cash contributions.

We have put record numbers of random roadblocks on every entry point into South Australia, and they are paying dividends. The signage and the education are such as we have never seen. The signage on the highways, the signage on our trucks and our buses is something we have not seen before. It is an education program that is working. Again, I congratulate all members who support the zero tolerance approach and I look forward to keeping South Australia fruit fly free.

**The Hon. G.G. BROCK (Frome) (12:14):** First up, I will be supporting the member for Florey's amendment. I reassure everybody in this house that, irrespective of the political allegiance, I think everybody in this house here and the state agree with the state being fruit fly free. We can have the debate about the issues and all of that but, at times, we have this blame game going on about one side or the other side and things like that about the history and so forth.

I think we have to understand that South Australia's fruit fly free status is very important. My concern is that I have had quite a few people come to me—even in Port Pirie—who have come through the Yamba facility and, irrespective of the position, and that there is plenty of signage there, is it the best opportunity and is it in the best location? We have to ensure that we review whatever we are doing.

I am sure the minister is taking this whole issue on board. People are coming into South Australia and bypassing the Yamba inspection point. I have not been there, so I can only take what people are telling me. I understand it is inside the border. We need to look at getting it right on the border to make certain there is nothing coming in.

The minister has indicated he is investigating the policy about the Ceduna opportunity. I would hope that we can have checkpoints at all entry points into South Australia, whether they are coming in from the east, the west or the north. We have to, because fruit can come in via two or three states with people if they have a lot of stuff in their caravans, etc. They may go from New South Wales to Victoria to Queensland on a trip and have it in their fridges.

Whether the bins are in the right location is something that the minister, this government and everybody need to look at. If they are not in the best location with the best signage to make everybody aware to dispose of their fruit to ensure there are no opportunities for it to come in, then we have to change that wording. I appreciate everybody is trying to eliminate that, but my concern is: if the system is working, why do we have so many outbreaks in metropolitan Adelaide? That worries me because once a fruit fly infestation gets in, it is hard to eliminate.

People talk about the control points and things like that, but I will leave it there. The member for Florey has indicated there are no bins at Ceduna. I understand from a conversation some time ago, and I stand corrected, that the Mediterranean fruit fly could come in from Western Australia. If, for argument's sake, that is coming in, we need to not only have a policy and a task force to look at the opportunities; let's put something in place now.

I do not care if it is only temporary because while we are debating it, while we are arguing about the best location and going through policy, fruit is still coming in here. The minister has clarified that there is healthy debate in this chamber, and I welcome constant and healthy debate about any issues. He indicated that South Australia is getting pressure from the east and the west. He also indicated he is seeking a brief on a change of policy for Ceduna.

I know the minister is very dedicated to what he is doing and he will take it on board but, please, minister, accelerate that policy to make certain we get something at Ceduna because we have a lot of traffic coming in, and with the way COVID-19 is going, once the borders are open, I believe we are going to have lots more people travelling within Australia and travelling interstate instead of going overseas, so let's look at the long-term opportunity to eliminate whatever opportunities people have to bring fruit in.

As I said, in this chamber we have lots of blame games. Unfortunately, I know that is part of the hustle and bustle of politics here, but we are all here for one reason: we are here to make certain we get the best facilities and the best processes in place. Whether it is with fruit fly or any other opportunities, we need to continually review any processes done by the state government of the day. I keep saying to people, 'Everything that I do today, I will review tomorrow, and if I can do it better than I do that.' I know everybody here does that in their own lives.

When messages come from the non-government side, sometimes they are not taken on by the government. That works on both sides, so let's be honest about that. So let's take it on board and, if a suggestion comes from the non-government side, then say, 'That's a good idea. I will take that on board.' I am sure you will get more kudos from the community out there for taking something on board than for playing the political game.

The minister indicated that he has some legal advice initiating the zero tolerance. I will be interested if I can get a copy of that policy from the minister, but we have to be certain that we have the best opportunities. I travel a fair bit and I have been around a lot longer than a lot of people in this chamber, maybe not in politics, but I have travelled all over South Australia and all over Australia. I am very passionate about what we do there and I am very passionate about our industries.

In my position as a minister in the previous government, as with the current minister, I took on board the importance of keeping everything free of any diseases. We have to make certain that we look at those opportunities. I am only too happy to put my suggestions forward, along with others on this side, to the minister. I know the minister very well and I know he will take those suggestions on board and give them consideration.

We have these facilities, and the Port Augusta facility is absolutely brilliant, but my concern is that the minister has indicated that we started off with 27 tonne of fruit at Yamba and we are down to I think 13 tonne, but I stand to be corrected. So there is still a lot of fruit getting through, and that is the question that we have to understand: even though it is only 50 per cent of what it was originally, how can that 50 per cent still get through?

My concern is how much is getting through that we do not know about. It is getting into the community, whether that be metropolitan Adelaide or other regional communities. Remember that it is not only metropolitan Adelaide that can be affected by this. There are other fruit opportunities at Wirrabara and places like that. If they get fruit fly up there, again, that decimates their income, which affects their abilities.

I certainly support the discussion on this. I know the member for MacKillop has a very strong motion, but we can widen that out to include an opportunity to look at everything and congratulate everybody on the journey going forward, whether from this government or the previous government. As the member for Giles indicated, the fruit fly status policy has been in this state for many, many years, which has included opportunities from Liberal governments and Labor governments, so let's acknowledge everybody's work up until now.

Let's look at the opportunities to improve what we have, take it on board and try to eliminate that 13 tonnes that the minister has indicated is currently being collected at Yamba. It may be being disposed of illegally or unintentionally, but I am also concerned about the amount of fruit that gets through there undetected and gets back into not only metropolitan Adelaide but also regional South Australia. I commend the amendment from the member Florey.

**Ms LUETHEN (King) (12:22):** I thank the member for MacKillop, the member for Stuart and the Minister for Primary Industries for their commitment to biodiversity in South Australia so we can keep pests and diseases out of South Australia. I am supporting the member for MacKillop's motion:

That this house—

- (a) acknowledges the Marshall Liberal government's strong biosecurity stance to keep pests and diseases out of South Australia;
- (b) highlights the success of zero tolerance in keeping the Riverland fruit fly free; and
- (c) recognises the importance of keeping South Australia phylloxera free.

Zero tolerance at our borders is critical to keeping fruit fly out, and industry leaders agree. Industry leaders have called for continued zero tolerance at South Australia's borders in a plea to keep our state fruit fly free and safeguard the \$1.2 billion horticultural industry. The threat of Queensland fruit fly incursion into South Australia has escalated over the past decade and it has spread through New South Wales and Victoria. This pest is now widely established throughout the Mildura Sunraysia region right on our doorstep.

Fruit fly is the world's most destructive and devastating pest for fruit and fruiting vegetable production. Tight border controls are essential in protecting South Australia's \$1.2 billion industry and, as Angelo Demasi, the chair of our Horticultural Coalition in South Australia said, 'The pressure has never been greater.' The industry has called on us, the Marshall Liberal government, to bring in zero tolerance at all borders and checkpoints. This is critical because just one piece of maggot-infested fruit carelessly discarded by a traveller can devastate an industry and a community and cost thousands of jobs.

During the outbreak at Lindsay Point, it cost one grower nearly \$1 million for special treatment just to get the fruit back on the market. South Australia's citrus and stone fruit exports are underpinned by the Riverland's prized fruit fly free status and one outbreak alone can destroy our export opportunities and cause major job losses. If fruit fly becomes endemic in South Australia, which could happen if border controls are relaxed, it would decimate many of our fruit industries. Home-grown fruit and vegetable gardens, which householders are increasingly embracing, would also be put at risk as gardens would become infested with maggots.

This state government is applying the law as it was originally written and intended several decades ago. The former Labor state government applied a slap on the wrist approach, which has failed to work. Industry bodies have asked for our support. They have asked us to make the message

and the consequences loud and clear, so here is the message: bring fruit over the border into South Australia and a \$370 fine will apply. There is too much at risk to take Labor's slap on the wrist approach. There is plenty of signage; it has been in place for years. Ignorance of the law is no excuse. We wish for people to be aware of the law and to heed it.

The Riverland region is the only Australian mainland area that has a pest-free status. This is critical for keeping our export markets and gives South Australia a huge competitive advantage. Opposition to the zero tolerance approach can only be explained by a lack of understanding of the seriousness of fruit fly risk and the massive devastation that it can cause to our industries. The minister has told us the zero tolerance approach is working. The amount of fruit seized at the Yamba quarantine station has dropped dramatically since its introduction just over a year ago. This will significantly reduce further as awareness campaigns continue to be rolled out across Australia.

I am supporting this motion because everybody who wants to be able to consume clean, green, healthy, ideally locally grown produce should have an interest in this issue and everyone who wants more jobs in South Australia should support this motion. Our government has been very firm and our minister has been very firm on a zero tolerance approach. The signage that we have out is more than we have ever seen before.

I accept that a zero tolerance approach may well have some unintended consequences, but I think the responsibility to avoid those unintended consequences is not with this parliament and it is not with the government. The responsibility for avoiding those unintended consequences is with people coming into South Australia and the people crossing between regions in South Australia. They need to inform themselves on how to do the right thing.

At the moment, we have a large number of areas in metropolitan Adelaide affected by outbreaks. This costs our taxpayers a lot of money to fix. No-one wants our fruit trees in our backyards ripped out, but this could happen. Not long ago, the Minister for Primary Industries showed me a map of areas in the metro area and then a massive exclusion area covering most of the metropolitan area, certainly most of the north and the west and a bit of the south and a bit of the east, which are all adjacent to each other, in which there was an issue with fruit fly.

This has a massive impact for people with fruit in their back gardens and this is very important to our commercial producers. We must protect our commercial producers. If we want to consume locally produced high-quality produce, if we want to export locally produced high-quality produce interstate and overseas, which we do, then we need to do everything we possibly can to protect our growers and our state's reputation. Our Liberal state government's focus right now is on health and jobs, and maggots in fruit can severely impact jobs in this state.

As a member, you get approached by constituents with some issues and some people feel as though they have been unfairly treated because they did not realise they had an orange in their caravan or in their bag or in their back seat. We need everyone to take this seriously, which is why I have chosen to speak on this motion.

As a government, we will do all that we can to create more awareness so that the South Australian community understand the role they can play to keep maggots out and what each person can do to help us get this right and ward off the threat to our industries and jobs. At the end of the day, we all have to do everything we can to protect this billion-dollar South Australian industry. That is why I am speaking on this motion today and supporting the Liberal state government's zero tolerance approach.

**Mr PEDERICK (Hammond) (12:30):** I rise to support this excellent motion by the member for MacKillop:

That this house—

- (a) acknowledges the Marshall Liberal government's strong biosecurity stance to keep pests and diseases out of South Australia;
- (b) highlights the success of zero tolerance in keeping the Riverland fruit fly free; and
- (c) recognises the importance of keeping South Australia phylloxera free.

Keeping South Australia phylloxera free is very important for our wine industries right across this state. I want to note that from information I received recently that in 2012 the former Labor government was going put the checkpoints at Yamba and Ceduna back to business hours. That is the historical context that I think is important in light of the debate.

In an electorate like Hammond, which borders Victoria, we have border control at Pinnaroo, which is currently very active with the police monitoring people to see if they are essential travellers or not. I have visited there twice and they are doing a great job alongside the people doing the excellent work making sure that fruit does not come through. We do have to have a zero tolerance approach.

I appreciate that the member for Florey has been lobbied by people who do not like the \$370 fine, but the problem in this world is that if we do not hit people in the hip pocket, whether they are aware or not, they should be aware. This state prides itself on being fruit fly free. Currently, I think seven areas in Adelaide are under quarantine, with many thousands of dollars and many thousands of hours being put in to clean up outbreaks. We have to be vigilant; we absolutely have to be vigilant.

I am only human and I may or may not have invoked a speeding fine or two in my day. When you go through the process you think, 'Oh, hang on, you were right,' and you have to pay the fine. If you think \$370 is expensive, wait until you see some of the speeding fines that you may or may not get. It is important to keep our \$1.3 billion industry clean, and I want to reflect on the history of Murray Bridge, Mannum and the surrounding districts in years gone by.

When I was growing up, it was a massive area for growing apricots and other fruits. That has almost disappeared now, but it was a great production area. There is a little bit of horticulture production there now, including on a place belonging to the family of one my staff, Cheyanne. They grow a lot of apricots, and it is absolutely vital that we keep these places fruit fly free. I want to talk about the following horticultural organisations that support zero tolerance:

- Women in Horticulture;
- Adelaide Produce Markets Ltd;
- the Almond Board of Australia Ltd;
- Apple and Pear Growers Association Inc.;
- AUSVEG SA;
- Citrus Australia—SA Region;
- Hortex Alliance Inc.;
- the Australian Mushroom Growers Association;
- Nursery and Garden Industry South Australia Inc.;
- Olives South Australia Inc.;
- Onions Australia;
- Pistachio Growers' Association Inc.;
- Summerfruit SA; and
- the South Australian Chamber of Fruit and Vegetable Industries.

I must say that there has been some good work done in the past at the sterile fruit fly facility at Port Augusta, and I know it is mentioned in one of the amendments. I give acknowledgements where they are due: when that facility was opened, I think it was former minister Bignell, the member for Mawson who was the minister in charge. Several members from this place and other place, including me, went there to show bipartisan support because I think that is a good facility that has been ramped up, of course, in its use in more recent years under our government.

We must do all we can to keep our state fruit fly free. This has been not just an aim but what we want, and it has been an approach that has been there for many, many years. We note that zero

tolerance was not invoked by the former government but we have, and it is noted by the decreased tonnage that has been picked up at the roadblocks. People just have to be aware because of the absolutely massive cost that must be invoked right as we speak in regard to these areas which are being cleaned up at the minute and which threatens this massive industry.

We cannot take our foot off the throttle in regard to zero tolerance, and we must keep up to it for the future of all our horticulture industries. I also want to make a brief comment about our huge wine industry in this state. I will say that, right across the state, to my mind we make probably the best wine in the world. We have many wine-growing areas. Langhorne Creek, I think, is premium, mainly because it is in my electorate, but they do make some very nice wine.

Sometimes wineries, like those in the Langhorne Creek area, are not brought up in the bigger scheme of things, but I will certainly back them to the hilt. To keep them free of phylloxera, which really knocks out vines, is a great thing as well. We must keep eternally vigilant, which is a term that has been used in a range of scenarios, but that is what we must do in regard to keeping South Australia fruit fly free.

**Mr McBRIDE (MacKillop) (12:36):** I thank all the speakers for their contributions on this important topic, and I note the bipartisan support for the ultimate aim of keeping and eradicating—

**Ms Bedford:** Multipartisan.

**Mr McBRIDE:** Thank you, member for Florey, for your assistance. Yes, we have multi-bipartisan support in keeping South Australia fruit fly free and phylloxera free. I thank the member for Florey, the member for Giles, the member for Frome, the member for King and the member for Hammond for their homegrown knowledge about what it actually means to make sure that South Australia stays this way.

I will just touch on the fact that there have been two amendments, which I cannot support and which I will not be supporting on top of this motion. I support the original motion. I also must praise the fact that the discussions we have just had have highlighted that over the last 16 years under the previous government perhaps the message has not been strong enough, that perhaps the message has not been wide enough by a number of speakers, that we do need great signage and that we need to make all our population aware.

I know that the member for Florey talked not only about the people close to the border but also the people who live in the cities and towns. They must all be aware of our fruit fly status so that we do not have these fines being hit on people as a result of a lack of awareness or surprise that actually causes them financial pain, which I know it does, and I do not have any joy in those sorts of outcomes.

I thank the member for Giles, as a shadow minister, very much for his input to this debate and recognising the fruit fly status. If you ever get the chance to be the minister, I hope you continue on in vain our strong stance in this way in following our current minister. One point I just make is that the member for Frome made a very valid point that he is well travelled around our state. He talked highly of the successful checking point up there at Port Augusta, but more importantly he recognised that during this COVID period Australians will not be going overseas but travelling all around our great land. So we must do all we can, which comes back to signage and awareness to make sure that people are not travelling around with fruit and vegetable matter that can spread the fruit fly. I really do thank him for his input there.

I must give strong praise to our Minister for Primary Industries and Regional Development, the Hon. Tim Whetstone. He is the member for Chaffey in the area of the Riverland, a highly prized area for horticulture. I thank him for his strong stance in picking up this and probably taking a bit of heat sometimes by changing the culture of people travelling across the border. There has been some resistance and there has been some pain—I think pain by those who have been caught out.

There has been pain felt not only by those people who have been caught out but also by those people who have been operating this. They have had to be sort of the nasty police on this border and imposing these fines on people who have been innocently unaware. We have had to take a strong stance because the culture was not there, and I really do praise and thank him for his efforts in this area.

One of the things we will have to note is the tonnages caught: 27 tonnes in 2018, down to 13 tonnes collected in 2019. It tells us there is still more work to be done. There is no glory at all in fines going out and this fruit being collected, because we know that not every checkpoint can be manned, and it may not be being found and so it still could be coming in.

We need to make sure that all South Australians and all those tourists who are coming into our regions, perhaps even businesspeople, are aware of our fruit fly free status, and we need to try to maintain it to the highest degree. I also thank everyone for supporting the wine industry. The member for Hammond talked about phylloxera in regard to his region down at Langhorne Creek, but there are a number of wine regions right across this state. They are all very, very valuable. The oldest, most premium vines are the most susceptible to phylloxera, and we must keep South Australia free of phylloxera. I thank those members for all their input into this debate and I close the debate.

Mr Hughes' amendment negatived.

The house divided on Ms Bedford's amendment:

Ayes .....	22
Noes .....	23
Majority .....	1

#### AYES

Bedford, F.E. (teller)	Bell, T.S.	Bettison, Z.L.
Bignell, L.W.K.	Boyer, B.I.	Brock, G.G.
Brown, M.E.	Close, S.E.	Cook, N.F.
Duluk, S.	Gee, J.P.	Hildyard, K.A.
Hughes, E.J.	Koutsantonis, A.	Malinauskas, P.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K.
Picton, C.J.	Stinson, J.M.	Szakacs, J.K.
Wortley, D.		

#### NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Ellis, F.J.	Gardner, J.A.W.
Harvey, R.M. (teller)	Knoll, S.K.	Luethen, P.
Marshall, S.S.	McBride, N.	Murray, S.
Patterson, S.J.R.	Pederick, A.S.	Pisoni, D.G.
Power, C.	Sanderson, R.	Speirs, D.J.
Teague, J.B.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Wingard, C.L.	

Amendment thus negatived; motion carried.

### WEST JAVA AND ASEAN REGIONAL TRADE

**The Hon. Z.L. BETTISON (Ramsay) (12:46):** I move:

That this house—

- (a) acknowledges South Australia's longstanding sister state relationship with West Java, Indonesia;
- (b) recognises the potential to further strengthen this trade relationship; and
- (c) calls on the Marshall Liberal government to have a more strategic approach to improving South Australian trade with West Java and the ASEAN region.

South Australians should be proud of our history of international trade and engagement. International trade is a key component of our economy. Prior to the COVID-19 pandemic, it was estimated that more than 70,000 South Australian jobs were linked to international trade.

South Australia has six sister states: Shandong in China, Rajasthan in India, West Java in Indonesia, Chungcheongnam-do in South Korea, the region of Bretagne in France and Okayama in Japan. Sister state relations are agreements to encourage cooperation and cultural ties between states. The objective of these sister state relations is to create and foster cultural and friendship links with overseas countries. I move this motion in recognition of South Australia's longstanding partnership with West Java.

West Java is an Indonesian province between the Java and Indian oceans. It has a population of more than 48 million people, with an economy that is based on agriculture and tourism. A sister state agreement with West Java was signed in August 1997, and it is with that milestone in August in mind that I thought it would be timely that this parliament formally acknowledges this partnership.

In September 2015, the Labor government renewed, or refreshed, a lapsed sister state agreement with West Java. The agreement had a focus on business, education, agriculture, arts and culture, and government-to-government knowledge capacity building. The relationship continued with a state business mission to Indonesia in 2016, and in 2017 with a public artwork jointly created by South Australia and West Java to be installed in front of the West Javan government house.

I was very proud to serve as a minister under a government that saw the strategic value in working with not only West Java but the broader ASEAN region. In 2017, Premier Weatherill allocated \$1 million towards a comprehensive and targeted engagement strategy for the ASEAN region. I know that the then minister for trade and investment, Martin Hamilton-Smith, was very passionate about developing a strategic approach to how our state engages with the world.

Indonesia is emerging as a regional and economic powerhouse and a strategic partner with Australia. On a national level, the Indonesia-Australia Comprehensive Economic Partnership Agreement will enter into force on 5 July 2020. That is why, with all these factors in mind, it is unbelievable that this government ripped up our state's regional trade strategies and let go of our regional trade advisers. South Australian goods exported to the ASEAN region declined by 18.8 per cent in the 12 months to March 2020. Let's just think about that figure: our nearest neighbour, our dear friends in the ASEAN region—and our goods exports declined. This is not an acceptable figure.

We know that this global pandemic will make this figure even higher and impact our export capacity even more. Now is the time that we should be re-engaging with our trading partners, like our sister state of West Java. What this government has done is conduct reviews and cut funding to our trade department. Our capacity, our capability to directly assist South Australian exporters has been compromised. The uncertainty and the indecision by this government has led insiders in the trade department to describe it in an InDaily article in 2019 as in a sorry state. We should develop strategies that leverage the advantages from trading with the world, not rip them up. To ignore these opportunities is bad for business and bad for South Australian jobs.

When I talk about these sister state relationships, I talk about the opportunities for us to engage at a deeper level. I would also like to commend the work and the contributions of the South Australian businesses that promote furthering trade ties between our state and the ASEAN region, including our sister state of West Java. We have different business councils in the private sector that help facilitate trade in the region, including those such as the Australia Indonesia Business Council, the Australia Malaysia Business Council, the Australia Philippines Business Council and, of course, related others.

We also have our deep networks of international students, and I know when I was an undergraduate at Flinders University we had a very high proportion of Indonesian and Malaysian students who lived on campus, just like I did as a country kid. In fact Flinders University specialised in Indonesian language and culture and also had this beautiful gamelan orchestra, which is unique to Indonesia.

Of course, we know we have been hit very hard by the COVID pandemic, and that has impacted on our international students, but it is important for us to remember how long our relationship has been with those in the ASEAN region who come here and study. Of course, that has often led to migration here, first under the Colombo Plan in the seventies, but others have come after

that, and of course we continue our trade missions and diplomatic missions that have helped provide market intelligence to our state.

Our state has the people, resources and talent for us to seek economic security in international trade with the ASEAN region. We saw this opportunity 22 years ago when the sister state agreement with West Java was signed. We continue some of those opportunities through Indofest, which I had the opportunity to open many times as a minister for multicultural affairs. In fact Indofest is actually supported by the Indonesian government through their tourism department, and they contribute money to that support.

We know that the friendship is there, we know that the relationship is there, but what do we see under this government? A ripping up of that engagement, a lack of concentration on the strategy and the commitment. What we need from this government is leadership. We need to have a strategic plan for how we build on these decades and decades of relationship building and not just rip it up and say that it was not a good idea because it was the former government's idea and they supported it.

We have seen the trade department's cut in numbers, cut in budget, and they continue to have more and more cuts as we go on. We are down to 2.8 per cent of goods as part of national export statistics, from a high of 4.5 per cent. This is before COVID. We were failing, we were going backwards, and now you are going to cut even more and more. I speak today to this motion and ask for the support of this house to celebrate and acknowledge our sister state relationship and the lack of leadership around continuing it and developing it as we go into the future.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (12:55):** I move an amendment to the motion by the member for Ramsay by amending paragraphs (b) and (c) for the motion to read:

- (a) acknowledges South Australia's longstanding sister state relationship with West Java, Indonesia;
- (b) recognises the potential to further strengthen trade relationships across the ASEAN region; and
- (c) recognises the Marshall Liberal government's strategic approach in growing trade with key international markets.

I rise to speak on the proposed amended motion. It is important to acknowledge the important relationship that South Australia has with our trading partners. We know that we have a number of sister city relationships with trading partners. Some are economic and some are diplomatic. Through these challenging times for trade—I am referring to the COVID-19 restrictions in particular—a very vital part of South Australia's economy has been brought almost to a standstill. We have been somewhat fortunate. We have seen limited access into some countries but now we are seeing an increased ability for South Australian merchandise exports in particular to have a stream out of this state to slowly reignite the export economy.

By way of background, the South Australian government and West Java signed a memorandum of understanding in 1997 based on the desire to develop cooperation to create mutual benefit to both parties in terms of developing the private sector. The MOU expired in 2007, but in 2015 a revived sister state MOU with West Java was signed for a period of five years to September 2020. Given the MOU will expire in September, the government is currently reviewing that agreement. The Indonesia-Australia Comprehensive Economic Partnership Agreement, ratified earlier this year by the Morrison Liberal government, is an opportunity to deepen trade with Indonesia, especially for South Australian ag sectors and exporters.

The South Australian government is committed to strengthening the state's trade and investment with the South-East Asia region and has committed to opening an office in Kuala Lumpur in Malaysia. This office will lead to trade and investment work across the region, including Indonesia and its West Java province. We understand that Indonesia and South-East Asia have a huge potential and a massive population that is looking for a more middle-class demand for food, and those merchandise exports are there for South Australia to capitalise on.

In my previous role in opposition, as the shadow minister for trade, I put forward a policy to reverse the previous Labor government's closure of our overseas trade network by investing in new offices in our key market areas of China, North Asia, the US, the Middle East and the ASEAN region,

and we believe it is important to have people on the ground constantly talking to customers and forming longstanding relationships. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

*Parliamentary Procedure*

**PAPERS**

The following paper was laid on the table:

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

Regulations made under the following Acts—

Genetically Modified Crops Management—Designation of Area (No. 4)

*Parliamentary Committees*

**LEGISLATIVE REVIEW COMMITTEE**

**Mr TEAGUE (Heysen) (14:03):** I bring up the sixth report of the committee, entitled Subordinate Legislation.

Report received.

**Mr TEAGUE:** I bring up the seventh report of the committee, entitled Subordinate Legislation.

Report received and read.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens has been warned. He is interjecting. I am going to warn him and I remind the member for Hammond that he was also warned this morning.

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

**Mr ELLIS (Narungga) (14:06):** I bring up a report of the committee, entitled Aboriginal Languages in South Australia.

Report received.

*Question Time*

**SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07):** My question is to the Premier. Does the Premier stand by his statement yesterday to the house regarding the purpose of his disability task force? With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

**Mr MALINAUSKAS:** The Premier told the house yesterday, 'There are people on this task force with great lived experience and, quite frankly, they want to get to the bottom of a sickening case in South Australia.'

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07):** Of course, they will not be conducting an investigation into this specific case.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The member for Playford is called to order.

**The Hon. S.S. MARSHALL:** I tell you, sir, the difference between the opposition and the government: they're obsessed with process; we want outcomes. We want outcomes for those people who are living with a disability in South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** That's why we have acted promptly. I think this case, which has been well canvassed in the media, has sickened all South Australians. We want to make sure that it can't happen again. That's why the task force has been established: not to look at this specific case but to look at the gaps that exist—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —in South Australia in terms of the oversight or the safeguarding of those people living with a disability. I might have said this yesterday once or twice or 10 times, but it seems like the opposition is absolutely obsessed with the process but not focused on what we are trying to achieve here.

*Members interjecting:*

**The SPEAKER:** Order, members on my left, please!

**The Hon. S.S. MARSHALL:** What we are trying to achieve is that there is adequate consideration of the gaps that exist in terms of the oversight or safeguarding of those people who are living with a disability in South Australia and make sure that our most vulnerable citizens have an adequate level of protection while they are receiving services, whether that be from the commonwealth or, of course, from the state government.

We know that a major change has been made in Australia in the past decade and many people have made that transition to become clients of the NDIA. Nevertheless, many of them are South Australian citizens, and that's why we are interested and that's why we acted promptly to establish the task force in South Australia.

Having said that, we also have a major crime investigation, which is currently underway, and a Coroner's inquiry, which will take place after that major crime investigation has been completed. Also, of course, we know that there's a judicial inquiry underway on behalf of the commission, the Quality and Safeguards Commission, the NDIA Quality and Safeguards Commission.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** So there is plenty of work that is underway and there is plenty of work to be done, and our task force forms an important part of that work.

**The SPEAKER:** The Premier faced a cacophony of interjections during that answer so, consequently, I call the following members to order: the members for Ramsay, Kurna, Elizabeth, and Badcoe. The member for Lee is warned and the member for West Torrens is warned for a second and final time. The leader has the call.

### SAFEGUARDING TASKFORCE

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10):** My question is to the Premier. Is the Premier's disability task force charged with any responsibility for examining the policy failings leading to the death of Ann Marie Smith?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10):** I refer the Leader of the Opposition to my previous answer, where I think I provided the house with a comprehensive understanding of the differentiation between the various groups—

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** —that are looking at this tragic case. The task force has a very important role to play.

*Members interjecting:*

**The SPEAKER:** The Minister for Transport is called to order.

**The Hon. S.S. MARSHALL:** I have outlined those very, very clearly to the house yesterday and today.

#### SAFEGUARDING TASKFORCE

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10):** My question is to the Premier. Can the Premier explain to the house which of the inquiries he has referred to in his previous answers is actually examining the policy failings of the state government surrounding the death of Ms Ann Marie Smith?

**The Hon. S.K. KNOLL:** The question contains argument and alleged facts.

*Members interjecting:*

**The SPEAKER:** I am going to allow the question and I am also going to allow the Premier an opportunity to refute any accusation in the question.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:11):** The Leader of the Opposition says that this is a genuine question like he has to differentiate between this question and other questions that he has asked on this topic. This gives a real insight into the thinking that goes through this guy's head—

**The SPEAKER:** The Premier will be seated for one moment.

**The Hon. S.S. MARSHALL:** —when he is composing his questions without Kevin Naughton.

**The Hon. A. KOUTSANTONIS:** Point of order, sir: debate. You took a great deal of umbrage at opposition members extending standing orders. That, sir, was blatantly out of standing orders.

**The SPEAKER:** I have the point of order; I don't need the speech that accompanies it. I am listening very carefully to the Premier's answer and he has the call. I have allowed the question, therefore I expect silence on my left and also on my right so that I can hear the answer.

**The Hon. S.S. MARSHALL:** The question really looked at what the differentiation was between the various groups that were looking at it. Obviously, the police in South Australia are conducting a major crime investigation, and then of course the Coroner will be looking at this case. Often we see with a Coroner's recommendations there are suggestions to governments on how the government can improve policy and legislation within the government but, of course, we have to wait for that work to be done. Similarly, the work will be done at the federal level by I think it is Robertson SC, His Honour, who will be conducting that inquiry on behalf of the federal government and their role.

#### SAFEGUARDING TASKFORCE

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13):** My question is to the Premier. Will the task force consider how it was possible for the support worker of Ann Marie Smith to receive a screening clearance three days after her death?

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** Can we have the question again?

**Mr MALINAUSKAS:** I am happy to repeat the question, being to the Premier: will the Premier's task force consider how it was possible for the support worker of Ann Marie Smith to receive a screening clearance three days after Ann Marie Smith's death?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13):** As I have outlined, they are not going to be looking specifically at this case, but—

**The Hon. A. Koutsantonis:** That's not what you said yesterday.

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

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

**The Hon. S.S. MARSHALL:** They won't be looking specifically at this case, but they will be addressing gaps that they think exist, whether it be at the national level or the state level. We have said, 'We're not asking you to narrow down your focus.' In fact, we want them to look at a range of issues and provide us with their frank and full advice so that we can make sure that we put systems in place that adequately protect those people who are living with a disability.

#### JUSTICE SYSTEM

**Mr ELLIS (Narungga) (14:14):** My question is to the Attorney-General. Can the Attorney-General please update the house on how the Marshall Liberal government is supporting SA's recovery through critical infrastructure and economic stimulus for the justice sector?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:14):** I am very happy to do so. I thank the member for Narungga for his question.

*Mr Hughes interjecting:*

**The SPEAKER:** Member for Giles!

**The Hon. V.A. CHAPMAN:** In the current climate of COVID-19 and public health measures requiring the appropriate distancing, it has been imperative for the government to improve the audiovisual links within the justice system. In fact, I think every one of us has had to upgrade our skills in relation to everything from videoconferencing to communication during our meetings. So I am very pleased to inform the house that the government has committed \$15 million to overhaul the audiovisual link technology within our justice system, that is, to connect our courts, police and corrections facilities.

Following the election, we made a commitment to investigate improved access to professional advisers by defendants and prisoners. This significant amount of money, as part of the stimulus package to get the economy back on track, has been presented in light of the COVID-19 circumstances. This infrastructure will assist in remote access to justice for defendants and prisoners and improve the safety measures for all personnel involved in justice proceedings. The package will be providing upgrades additional to AVL units in the Department for Correctional Services, the Courts Administration Authority and SA Police.

For our court system, the work has already commenced, with the new equipment installed and fully operational in the Youth Court. A further eight Magistrates Courts across the metropolitan area are expected to be upgraded by July. A second phase will involve upgrades in the Sir Samuel Way Building, some regional courts and replacement infrastructure, which supports the justice AVL network. Funding has also been allocated for 18 AVL units across the prison network. SAPOL also intends to purchase an additional 50 AVL units, mostly mobile units, to provide better and more flexible capability across their various service areas.

In the short term, these upgrades will assist in social distancing and continued operation of the system whilst the isolation conditions will be in place. In the longer term, it will greatly improve access to legal and other professional advisers for defendants and prisoners and reduce court processing and associated wait times. I could give you one example that is really important, and that is that police officers who wait around in courts to give their evidence can continue to operate in their work in their local offices and then go to the modem and actually deliver their evidence when called on.

To boost the economy, these works will support local employment and local business at a time of great need, with considerable involvement from local IT suppliers and local tradespeople. It's timely that this work also coincides with the recent launch of the electronic case management system in the civil jurisdiction. That enables civil matters to be lodged online without needing to attend the registry counters and is a helpful portal to practitioners and others who will use that service. So ECMS, online and operating well, and of course the AVL upgrades are a significant milestone.

COVID undoubtedly has advanced this. We are very proud to have been able to move quickly to do that, stimulate our economic base and provide a valuable and much-needed service to our police, courts and prisons, and of course to the clients who populate them.

**SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is to the Premier. Will the Premier's task force consider what processes were put in place before vulnerable South Australians, including Ann Marie Smith, were handed over to Integrity Care?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18):** Could you repeat that question, sorry?

**Mr MALINAUSKAS:** I am more than happy to repeat the question. Are you ready? Will the task force consider what processes were put in place before vulnerable South Australians, including Ann Marie Smith, were handed over to Integrity Care?

**The Hon. S.S. MARSHALL:** Well, they won't make any reference to Ann Marie Smith but, yes, I think that they will be looking at issues to do with the NDIS Quality and Safeguards Commission and state instrumentalities, I think is the expression that is in the terms of reference.

**SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is to the Premier. How does the Premier's task force investigate the gaps that led to Ann Marie Smith's death if they cannot investigate the gaps that led to Ann Marie Smith's death?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19):** I have given I think a very fulsome answer to the questions on what this task force will be doing.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Whilst the Leader of the Opposition might be struggling, I don't think any members on the task force are struggling. They have already—

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

*Ms Stinson interjecting:*

**The SPEAKER:** Member for Badcoe!

**The Hon. S.S. MARSHALL:** —had their first meeting. My understanding is that—

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

**The SPEAKER:** Minister for Transport!

**The Hon. S.S. MARSHALL:** —they are gathering information. They are collating that information. They are speaking to people from a wide range of backgrounds, and they will be presenting us very soon with some initial findings, with a final report due by 31 July.

**SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:19):** My question is to the Premier. Will the task force at least investigate how many vulnerable South Australians have been handed over to unscreened support workers at Integrity Care since the death of Ann Marie Smith?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:20):** I think that work will be more likely to be done by the judicial inquiry which is being put in place by the commonwealth.

**SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20):** My question is to the Premier. Why is it good enough for the commonwealth to have a judicial inquiry but not the state government?

**The Hon. S.K. KNOLL:** Point of order, sir: that is clearly out of order under 97. It contains presupposed fact and argument.

**The SPEAKER:** Why is something good enough for something but not good enough—yes, I uphold the point of order. I will give the leader another question, and then we are moving on.

#### INTEGRITY CARE SA

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20):** My question is to the Premier. What has the Premier done to assure himself that all support workers currently employed by Integrity Care have been screened by his state government?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:20):** Can I just indicate that, in addition to the two matters of inquiry that are being undertaken—that is, the police major crime inquiry and the proposed Coroner's inquiry—there is a third, and that is an inquiry commissioned by the National Disability Insurance Agency for the judicial officer to undertake an assessment as to the review of the commonwealth service provided, and in this instance, as is well known, was a service that was current at the time of the death of Ms Smith.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** Any matters in relation to Integrity Care and its operations, which had been commissioned by the previous government and were still providing a service for a short term under this government and have been transferred in a contractual arrangement with the NDIA, they are responsible in relation to their employees to ensure what's to occur.

What has occurred is that we have, as a state, undertaken to assist the commonwealth agencies in relation to their inquiry, which also relates to this matter. I don't propose to get any extra detail in relation to that because that would be quite improper, but in relation to Integrity Care it provides a service to the NDIA. It's under scrutiny, and we as a state—

**Mr Picton:** You do the screening.

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

**The Hon. V.A. CHAPMAN:** —have offered to assist, as the Leader of the Opposition asked, in relation to employees of Integrity Care.

#### SCHOOL INFRASTRUCTURE PROJECTS

**Ms LUETHEN (King) (14:22):** My question is to the Minister for Education. Can the minister update the house on how the government investments in school capital projects are supporting the South Australian economic recovery?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:23):** Thank you, and I am very pleased to have this question from the member for King who, as I have said on occasion previously, is passionate about education. She has a particular passion—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —and focus for the Keeping Safe: Child Protection Curriculum, and I have been glad to have some discussions with her about how we can better support that in our schools in recent days across all of South Australia, but she is also a fierce advocate for her local schools in the King electorate. And there is good news for those schools.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** There is good news for schools across South Australia—

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

**The SPEAKER:** Member for Lee!

**The Hon. J.A.W. GARDNER:** —indeed, particularly at a time where the coronavirus has wreaked such havoc through the South Australian economy. It is also worth noting the important impact that those school building programs, and indeed school maintenance programs, are having in supporting jobs at a time when our unemployment challenge is so severe.

I have reported to the house previously that \$7.6 million has been invested this year in a new program for preschools where every government preschool in South Australia has received now a \$20,000 grant where they are working towards local maintenance projects: Greenwith, Madison Park kindy, One Tree Hill Preschool, Salisbury Heights Preschool and Salisbury Park Kindergarten in the member for King's electorate. All those preschools and kindergartens are now working through what with the extra support they will be able to do in their local areas.

The South Australian Liberal government also announced \$25 million in addition to the usual spend on school maintenance projects this year. That has enabled about 100 projects, that were on the central register as needing work to be done as soon as possible, to be brought forward and done this year. So in the member for King's electorate—

*Ms Stinson interjecting:*

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

**The Hon. J.A.W. GARDNER:** —three projects at the Salisbury East High School, totalling \$355,000, are able to be progressed as soon as possible, including roof replacements and structural repairs, retaining wall stabilisations—tremendously important work at the Salisbury East High School. The member for King's electorate also includes several schools that are receiving school infrastructure projects, some of which have been on the books since 2017 and some of which have been enhanced since then with further spend.

Ready for the 2022 school year, with year 7s coming into high school and acknowledging the growing population needs demanding education in the school, the Golden Grove High School will benefit from a \$15.5 million infrastructure project, which should be ready for the 2022 school year, more than a 50 per cent increase on that which it was expecting previously.

Also benefiting in the member for King's electorate will be the Greenwith Primary School, which will be completed during 2021—that \$5 million project—and the Golden Grove Primary School, where scoping works and planning works are due to commence shortly. They form part of a \$1.3 billion capital works program within the education budget. This is a record budget that this state has ever been spending on schools, as our recurrent spending on schools regularly is also at record levels.

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

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

**The Hon. J.A.W. GARDNER:** Hundreds of millions of dollars extra—

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

**The SPEAKER:** Member for Mawson!

**The Hon. J.A.W. GARDNER:** —over that, which was in the budget left by our predecessors, hundreds of millions of dollars extra in regular spending over that which was in the budget left by our predecessors. Even better news right now is that shovels are in the ground at a range of schools. We have in Whyalla—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —in Angle Vale, in Aldinga, new schools being built, each of which will contribute more than \$100 million into the economy, thousands of building jobs and construction jobs and great new schools to meet the needs of those local areas, and those other infrastructure projects, already work underway at Parafield Gardens, Ceduna, Gawler and District, Le Fevre High, Murray Bridge High School, Mount Barker High School, Nuriootpa Primary School, Paralowie school and Salisbury High School.

This is important work for the future of our education system, and it comes at a time when these building jobs will be so valuable for our economy, so valuable for the people who are doing the work on these projects, to have a pay cheque at the end of each week.

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

**The SPEAKER:** The member for Mawson is warned. Leader.

#### **SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:27):** My question is to the Premier. Does the Premier's disability task force have any investigative authority or power to be able to call evidence or obtain documents?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:27):** No, they don't have coercive powers. There's been no legislation to provide—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —for that. It's not a royal commission, but it is a task force. But, quite clearly, in relation to the agencies, both federal and state, as we are cooperating with the federal inquiry to make sure that—

*Mr Malinauskas interjecting:*

**The SPEAKER:** We have the question, leader.

**The Hon. V.A. CHAPMAN:** I know that the Leader of the Opposition interrupts to suggest that they've got a proper one; I assume he means the federal agency. I'm not sure what powers they have. I did read quite a comprehensive press release in relation to Alan Robertson SC's inquiry arrangements when a press release was released by the federal minister. What we have made clear as a state agency is we will assist them in relation to their inquiry, which is to look at services which were directly affected by them, and we would expect similarly, in relation to any gaps in relation to agencies that the task force are going to look at, to have that same cooperation.

#### **SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:28):** My question is to the Premier. Has the Premier instructed his agencies to provide any and all documentation requested by any member of the task force regarding anything to do with this case?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:28):** The position of the government is very clear: we want answers in relation to—

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Szakacs interjecting:*

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

**The Hon. V.A. CHAPMAN:** As the opposition has quite rightly pointed out, in the transition—

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

**The SPEAKER:** Member for Mawson!

**The Hon. V.A. CHAPMAN:** —it's been brought to the attention of all of us of the tragic death of Ann Smith. That has certain approaches that need to be respected, particularly by major crime and ultimately the Coroner, as to ensuring that we don't interfere with that. We are happy to do that. What we have done in the meantime is make it very clear that we will have a task force that will look at if there are any gaps or deficiencies in relation to the three levels of service delivery, including even any other instrumentality at the state level.

It has been made very clear in the announcement relating to this inquiry that we will cooperate and we would expect the commonwealth to cooperate, but to give it coercive powers at this point—

*Mr Malinauskas interjecting:*

**The Hon. V.A. CHAPMAN:** Well, again, the Leader of the Opposition—

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —interrupts to suggest that there be some coercive powers to receive documents.

*Members interjecting:*

**The SPEAKER:** Members on my left, we have the question. Order! Settle down.

**The Hon. V.A. CHAPMAN:** If for any reason there was a failure to provide information or support to this agency contrary—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. V.A. CHAPMAN:** —to the government's expectation that there be full cooperation—

*Mr Malinauskas interjecting:*

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

**The Hon. V.A. CHAPMAN:** That's precisely why we've established it. If for any reason, there had been a failure to provide information, obviously we may need to look at that, but I make the point: one of the reasons that I think there has been a composition of this task force not just of those with real experience and expertise, but some of those, in fact, are even employed in government and have access to that information already, which we hope will be of use to the task force. But if the opposition were privy to any information to suggest that there was some either refusal to cooperate or provide information, we would be very happy to receive it.

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

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

#### **SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:31):** My question is to the Speaker or to the Deputy Premier. Will the government—

*Members interjecting:*

**Mr MALINAUSKAS:** My question is to the Premier—

**The SPEAKER:** Keep me out of this.

**Mr MALINAUSKAS:** If the Premier and his government are very clear of the responsibilities of the task force, can he please tell the people of South Australia now what the terms of reference are?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:31):** I think they are on the DHS website.

**The SPEAKER:** We have the question. I am moving on to the member for Hammond. I will come back to the leader.

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

**The SPEAKER:** Member for Mawson, if you want to leave early, you are going about it the right way.

**MINING INDUSTRY**

**Mr PEDERICK (Hammond) (14:31):** My question is to the Minister for Energy and Mining.

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader is warned for a second and final time. He's had extensive latitude this week. Member for Hammond.

**Mr PEDERICK:** Thank you, sir.

*Members interjecting:*

**The SPEAKER:** Member for Hammond has the call.

**Mr PEDERICK:** Thank you, again.

*Members interjecting:*

**Mr PEDERICK:** Okay, it's your time.

*Members interjecting:*

**Mr PEDERICK:** Well, it is.

**The SPEAKER:** Order!

**Mr PEDERICK:** That's exactly how it works.

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Member for Hammond, be seated for one moment. The member for Lee can leave for the remainder of question time. Member for Hammond, I would like to hear the question, please.

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

**Mr PEDERICK:** My question is to the Minister for Energy and Mining. Can the minister update the house on the latest mineral and petroleum exploration figures and how the Marshall Liberal government is supporting the industry's recovery?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:32):** Yes, it is a pleasure to answer this question from the member for Hammond. It is important that he asks these questions because the opposition doesn't ask these questions. The opposition doesn't ask about energy or mining, so I appreciate the fact that the government members take a strong interest in this.

We've seen some very positive results. The 12 year figures up to March this year for exploration expenditure in South Australia are very encouraging, especially encouraging given that our economy, the world's economy in fact, is challenged at the moment, so it's terrific to have the mining industry contributing so much. In the 12 months to March, South Australia's combined mineral and petroleum exploration expenditure increased to \$214.8 million, from \$194.1 million in the 12 months to March 2019.

Both the mineral (\$92.1 million) and the petroleum (\$122.7 million) sectors saw an increase in expenditure. The SA share of national exploration expenditure increased, so South Australia's share of the nation's share increased from 8.4 per cent in the previous quarter to 19.5 per cent, nearly 20 per cent of the nation's exploration expenditure. Some highlights include BHP's exploration of Oak Dam West, Havilah's drilling program in the Braemar region and Alliance and Marmota gold exploration in the northern Gawler Craton.

Those are very positive results and a tremendous contribution to our economy in regional and metropolitan. While, of course, the physical exploration doesn't take place in Adelaide itself, an enormous amount of data interrogation and other digital exploration takes place here too, so this industry is contributing to our entire state. But we do know that one of the impacts of the COVID-19

problem is a 60 per cent reduction in the price of oil, which has a direct influence on our economy and on future exploration.

We know that exploration will take a drop in the coming quarter, the coming months. We accept that that's going to happen. We are buoyed by the fact that we are doing better than the rest of the nation, and we intend that to continue. But, of course, we have serious plans in place. We have programs that will help support this industry, including our accelerator discovery initiative, the \$10 million ADI, which in partnership with industry will contribute to new and innovative means of discovering minerals in our state.

We also have Explore SA, which is crowd-sourced open data competition to fast-track the discovery of mineral deposits in South Australia. Explore SA has attracted more than 2,000 entrants from around the world, competing for a share of quarter of a million dollars in prize money—an extraordinary response. Interestingly enough, we are finding that people from other industries, non-traditional mining industries, are very involved in this because of the technology that's being developed here in South Australia, interstate and internationally.

SA was the first state to provide fee relief for explorers. We have deferred mineral exploration licence fees and annual petroleum and geothermal licence fees due in the next six months. We are also waiving 12 months' committed expenditure for mineral explorers, providing greater flexibility for petroleum retention licences during this period as well. We are doing everything we can to support this industry, which supports our state.

#### **SAFEGUARDING TASKFORCE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:36):** My question is to the Premier. Does the Premier expect a comprehensive report back from the task force in 12 days' time, considering they will have only met twice?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:37):** Well, I'm not sure what the Leader of the Opposition means by 'a comprehensive report' in relation to—

*Members interjecting:*

**The SPEAKER:** Order! Interjections are disorderly, member for Elizabeth. You are called to order.

**The Hon. V.A. CHAPMAN:** The minister met with the task force at the beginning of its initial meeting, obviously—

**Mr Malinauskas:** A 'get to know you'?

**The Hon. V.A. CHAPMAN:** Don't be so dismissive. These people are respected members of the community—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —and the minister has welcomed them in appreciation on behalf of the government to actually undertake this task promptly and, of course, to make themselves available to undertake this important task. As a government, we do appreciate that and we thank the minister for doing just that. The second thing to be done was to conclude the arrangements as to precisely their terms of reference, which has been the subject of earnest concern for the opposition and of course needed to be a priority to conclude; and, thirdly, the operational matters that go with that. Importantly, that has occurred and there is in the next week or so an opportunity—

**Mr Malinauskas:** Two meetings—two meetings before they report.

**The SPEAKER:** Leader, you are on two warnings.

**The Hon. V.A. CHAPMAN:** The opposition can repeatedly interrupt as to what they think is happening in relation to this, but I will explain to the parliament that this is a task force of multiple persons who have committed to come in to consider the gaps as identified by the Premier repeatedly and to provide an interim report by the middle of this month and, secondly, a completed report at the

end of July, I think—I would have to check the exact date, but there is to be a more comprehensive report.

While a number of other agencies are undertaking their proper area of work—whether it's investigative, major crime, cause of death, these are the matters which are running along in corollary, largely, and with respect to ensure that we don't interfere with a particular case there is energy being invested by this committee, which has the benefit of the people on it who can provide them ready information as to current processes.

I know that there has been a significant body of work done already by agencies under the Hon. Michelle Lensink to deal with things such as the Community Visitor Scheme, which has had a commonwealth interest for some time. Work has been done in considering other jurisdictions, for example, how they might operate, as an example. So quite a bit of work has been done. This task force is populated with people who are not only of expertise and lived experience but who are also members of and have access to departmental information, current protocols and operations.

It is really very important, as members are aware, of a transition period of a number of clients from state services to federal services. We need to make sure, as was highlighted by the recent case, that there is service delivery, that there is adequate supervision of that and that there is a mechanism by which we can, if necessary, improve that. That's the charge that has been given to the task force, to undertake that work. They have committed to do it—this is the task force that's been established—and we look forward to their preliminary report.

**SMITH, MS A.M.**

**Ms COOK (Hurtle Vale) (14:40):** My question is to the Attorney-General. When was the Attorney first advised of Ann Marie Smith's death?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:41):** I think that is now a matter of record for the information that was presented to the committee last week, and that is that members of government, including myself, were aware of this after the announcement by the police officers that there was to be an upgrade to a major crime investigation. Other than the police minister, who of course as a matter of process—this is the agency charged with the matter—receives short notice, but notice nonetheless, of that particular case.

Subsequent to that day, I received and noted the evidence that we had of the Office of the Public Advocate because her office had received an inquiry from a paramedic, as is now well known, and she set out the process which she undertook to make sure that they understood the need to refer the matter to SA Health and also to the police. My understanding is that that then went within days to the public protection unit of the police.

**SMITH, MS A.M.**

**Ms COOK (Hurtle Vale) (14:42):** Supplementary to that answer: can the Attorney please clarify who advised her or her office of the death of Ann Marie Smith, or did she hear it on the radio or in the media?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:42):** I can't recall exactly who walked into my office to tell me that or whether I had seen it on an alert online, but I certainly was fully apprised of it on the 15<sup>th</sup>, as were all of us.

**REGIONAL SCHOOL BUS SERVICES**

**The Hon. G.G. BROCK (Frome) (14:42):** My question is to the Minister for Education. Can the minister please update the house on the progress of the review of the regional school bus policy? With your leave, sir, and that of the house I will explain further.

Leave granted.

**The Hon. G.G. BROCK:** I have been asking this question since September 2018, I understand that the review was completed in February last year and here we are in 2020. I just ask the minister: can I get an update of where that is and when we can expect to have an answer?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:43):** I thank the member for the question. To my understanding, I think February last year isn't a fair characterisation

of saying the review was completed. I think that there was a body of work that was completed and then there was a great deal of further information that was explored. I will refer the member to previous answers, with the caveat that we can add a few weeks and we are that much closer to having the final answer. I am really looking forward to being able to share that with the member for Frome very soon.

*Members interjecting:*

**The SPEAKER:** Order! The Premier is called to order.

#### VICTIM SUPPORT SERVICES

**Mr BELL (Mount Gambier) (14:44):** My question is to the Attorney-General. Can the Attorney-General confirm how the Commissioner for Victims' Rights, which is based in Adelaide, will be able to provide the same level of service with regard to victim impact statements for regional people as was provided face to face by the Victim Support Service?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:44):** Well, that's a very good question, and I thank the member for his question because I just explained that the Commissioner for Victims' Rights, Bronwyn Killmier, appointed by this government, a former highly regarded police officer of longstanding work, had two features which I think were very attractive to her appointment. One is her incredible experience in dealing with family violence in her career as a police officer; and secondly, her very clear understanding of the needs of regional South Australia, both in police protection, obviously, in relation to crime and for the victims of them.

So when the government determined to have a look at how we ran victims' services generally, which include counselling, there was an increased role—because there was a significant overlap also—for her and we worked with her as to how that would better be delivered. One of the things to do was to have the contract in relation to counselling go out to tender. Members are aware of the contract that has been signed. I gave details to the parliament yesterday. Some may not have noticed, but we also made an announcement that an extra \$250,000 would be made available via the commissioner's office—

*Ms Stinson interjecting:*

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

**The Hon. V.A. CHAPMAN:** I am afraid the member for Badcoe interrupts again to try to add some information to this, which is largely useless, but in any event, I make this point: we had made commitments—

*Members interjecting:*

**The SPEAKER:** Order! Members on my right and left, please do not interject and, Deputy Premier, please do not respond to those interjections.

**The Hon. V.A. CHAPMAN:** —that services such as companion support at the courts and the preparation of victim impact statements, which relate to the opportunity, of course, for victims to be able to present to the court the consequences to them of this particular crime, needed to be supplemented. So, she has been given the funding to be able to make sure that that will be administered. In addition to that, she is working with the SA Police on those matters, particularly the victim impact statements in regional areas, and with the services that are to be provided in Berri, Mount Gambier and Port Augusta with fixed offices, but with outreach to all of the AROs that I mentioned yesterday, which, of course, are a number.

What is important is that there is funding that is made available for that and that is precisely what we committed to do and we announced the funding for those extra services yesterday. Yes, she's a stellar person to undertake the assessment of what the needs are and where they should be prioritised. We are very grateful to have her and I think South Australia should be.

I made the point yesterday in relation to the counselling service, which is important to be available for victims during investigations, during preliminary legal matters, trials and sentencing and even when someone is in custody or when they're being released, these are all periods that are

touch points when victims have to often relive the horror of what they have endured, and sometimes the witnesses as well.

We also have a witness support service attached to the DPP's office. Many members would know of our newest member there, Zero, our companion dog. He is my most important employee. He never answers back. He is very effective in relation to the support that is needed. We have made a number of commitments in relation to victims. We want this to be not an overlap of services, but good services to every South Australian who is a victim.

#### **PUBLIC TRANSPORT**

**Mr MURRAY (Davenport) (14:48):** My question is to the Minister for Transport, Infrastructure and Local Government.

**Mr Brown:** Why are you still here?

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

**Mr MURRAY:** Did you say, 'Why are you still here?' You mean like the Repat still here or different to that?

**An honourable member:** Don't get smart. You are up the back row.

**The SPEAKER:** Order!

**Mr MURRAY:** Oh, really? Thanks for your contribution.

*Members interjecting:*

**The SPEAKER:** Order! The member for Playford is leaving.

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

**Mr MURRAY:** Transforming Health. Ringing any bells? That was your work. Got elected, shut the Repat. Good work, keep it up! That's why you're there. Where was I? That's right, talking about the Repat. No, sorry, can the minister update the house on the Marshall Liberal government and how it is supporting South Australia's recovery through its public transport road map?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:49):** I would like to thank the member for Davenport for his question. I note he and I have many discussions on how to improve public transport in his electorate and also how we deal with public transport in this time of coronavirus. We took advice from health officials back in March and put in place very early on in the pandemic measures to help support public transport usage, especially during those early stages, when we were seeing an increased number of cases on a day-by-day basis. Increased deep cleaning was put in place within a matter of days, as well as getting rid of cash handling on public transport, as well as helping to shape the way our services operate so that we can do so safely.

What has transpired over the course of a couple of months is we have seen very low levels of public transport usage, which has helped to improve the opportunity for people to socially distance. But as we see our economy open back up, as we see restrictions ease, we know that public transport usage is going to increase, which is why it was quite timely that the AHPPC considered new, updated advice in relation to public transport and advice that they released after national cabinet last Friday.

I know that whilst that advice was being considered by AHPPC, there are some who were providing gratuitous advice of their own. I am not sure that I am necessarily going to take the word of the member for West Torrens about what we should or shouldn't do on public transport. What I will do and what this government will do is take the advice of considered health experts with decades of experience in understanding how a pandemic operates and how a disease operates.

I did find rather offensive some of the comments in relation to the 'disease express' that potentially some members were talking about in *The Bunyip* newspaper last week, again trying to scare people and create fear in our community at a time when we need a high level of trust and public confidence.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** Interestingly, in the time since we have had reduced train services operating across our diesel fleet and in the time since that service has been restored, we have not seen an outbreak. All those fears, fearmongering and scare put out there by members of the opposition in a disgraceful and some would say offensive way, have not come to pass.

*Members interjecting:*

**The SPEAKER:** The Minister for Innovation is called to order.

**The Hon. S.K. KNOLL:** What this government will continue to do is get on and listen to the advice of the people who have decades of experience in actually helping to deliver good health outcomes as opposed to those who like to stand at the Adelaide Railway Station and offer gratuitous advice and fearmongering in our community.

Very quickly after national cabinet met, we released our road map as to what steps we are now going to take next to make sure that our public transport network can operate effectively, from things like changing the seating pattern on our trains, to provide more opportunity to socially distance, and accelerating the development of new apps to help provide better real time information to customers, to working to look at how we can change our timetable patterns so we can better pinpoint where those instances of high-density usage are, so that we can try to disperse some of that usage, and providing better signage around how people should flow through public transport so that we don't have that crossover issue, for instance, where people are trying to get off the train at the same time as people are trying to get on the train.

We have also put together a task force with the City of Adelaide to explore a whole host of ways that we can improve active travel options but also look at how we can understand public transport usage and its flow around our city, so that we can help to restore our economy to the greatest extent possible whilst also make sure that we continue to keep suppressed the COVID pandemic here in South Australia.

#### **SAFEGUARDING TASKFORCE**

**Ms COOK (Hurtle Vale) (14:53):** My question is to the Premier. Does the Premier stand by his statement yesterday:

What sort of government would say, 'You can only look at these three things. We don't want to look at—

**The Hon. S.K. KNOLL:** Point of order, Mr Speaker.

**The SPEAKER:** Would the member for Hurtle Vale, who should know better, like to seek leave to insert this fact?

**Ms COOK:** I will do that and I will start again.

Leave granted.

**Ms COOK:** Does the Premier stand by his statement yesterday:

What sort of government would say, 'You can only look at these three things—

*Members interjecting:*

**The SPEAKER:** Yes, she sought leave and leave has been accepted. Members on my right, be quiet. Member for Hammond, you can leave for the rest of question time.

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

**Ms COOK:** I got leave. Nice try, though:

...'You can only look at these three things. We don't want to look at anything further'? Maybe a government that's trying to hide something.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:54):** I stand by everything I say in this place.

**SMITH, MS A.M.**

**Ms COOK (Hurtle Vale) (14:54):** My question is to the Attorney-General. Should the Attorney-General have been informed by the Public Advocate regarding the death of Ann Marie Smith, and did the Attorney-General make inquiries of the Public Advocate in relation to Ann Marie Smith's death?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:54):** I'll assume that the question means that before the public announcement is the time that clarification is being sought for. Just to remind members, the Public Advocate office had received an inquiry from the paramedic—I think by email; this is all in the transcript from the inquiry the other day, which she attended—to let them know. As she said publicly, Ms Smith wasn't a client of the Public Advocate office and nor is she under her guardianship in her role as Acting Principal Community Visitor. Incidentally, neither is the Public Trustee, which is another agency which I am responsible for. She made a recommendation to the paramedic that it was important that they advised the necessary authorities, particularly the police.

I think it's again a matter of record that that's precisely what happened. The police were advised, the public protection unit, in addition to the paramedic I think advising his own agency within Health—that is, SA Ambulance—that further there was notification, or at least inquiry, by the Public Advocate as to whether the national Quality and Safeguards Commission had received advice, and she was assured of that.

So should I receive notice of inquiries that might be made of agencies under my responsibility? Yes, certainly, if they are clients of ours. In fact, I think I said yesterday that I regularly, as Attorney-General, receive notice of people who are under the guardianship of the state, for example, or who might be incarcerated or murdered. In fact, a couple of weeks ago there was a senior male homicide, for which someone has been charged of murder, who was under the guardianship of the state.

These are the types of matters about which I do receive regular reports. But do I receive, or should I receive, advice of every inquiry made to a state agency when they need to be referred to another agency or the police? No, and nor should I.

**SMITH, MS A.M.**

**Ms COOK (Hurtle Vale) (14:57):** My question is to the Attorney-General. Has the Public Advocate sought to conduct any inquiry into the circumstances regarding Ann Marie Smith's care, guardianship and subsequent death?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:57):** To the best of my knowledge no, but—

*Ms Cook interjecting:*

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** —if the member were to apprise herself of the state task force that's been appointed, she's on that. Anne Gale is the Public Advocate, and she's also the Acting Principal Community Visitor, so I think she has an important role to assist in relation to the task force aspects. I am not aware of any other investigation that she's undertaken, but I continue to receive from her reports in relation to people under our care and/or who have come to difficult circumstances, one way or another. Incarceration and homicide are the types of things that of course I am kept abreast of. Obviously, I have a number of other agencies who tell me about whether they have been in court or not and so on, in relation to those two roles.

Similarly with the Public Trustee: they also deal with a very vulnerable group in the community. In fact, we have 834 clients of the Public Trustee who are also under the guardianship of the state. So they are under the responsibility of the Public Advocate and/or the Principal Community Visitor mandate. That's an area of extension of course, which, under this government, we have extended the community visitor service to provide. I am pleased that she's been invited to be on and is part of that task force. I think she will be a valuable resource of information as to what

currently occurs in state operations, and obviously she has the continued supervision of very vulnerable people. I think she will be a valuable asset to the task force.

#### **PARKS 2025 PROGRAM**

**Mr TRELOAR (Flinders) (14:59):** My question is to the Minister for Environment and Water. Can the minister inform the house how the Marshall Liberal government is supporting South Australia's recovery through the Parks 2025 strategy?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:59):** I thank the member for Flinders for his question, and I know that he has a great interest in the investment that the Marshall Liberal government is making in our national parks—record investment in the capital upgrades to our national parks. Unfortunately, of course, after the huge cuts inflicted by the former Labor government, reaching a record investment is actually quite easy.

We have to bear that in mind when we use the word 'record', but it is a very, very significant investment—\$22 million of capital upgrades in our national parks through the Parks 2025 program. That will be spread all across our state, but in particular regional South Australia, because we know that the creation of destinations in regional South Australia, such as the member for Flinders' electorate, really draws people into those areas, enables them to spend the tourism dollar and that is so valuable to sustaining and building up our regional communities. Parks 2025 focuses on a number of precincts around the state—

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

**The Hon. D.J. SPEIRS:** I know we shouldn't respond to interjections but, really, the member for Mawson is making all sorts of claims about Flinders Chase. This government will rebuild Flinders Chase. We will get onto it, but we will make it safe first. He spent weeks and weeks telling this place that he didn't want people to go to KI, and now he says he wants people to come to KI. He needs to get his story straight and start representing his constituents decently. Inconsistent hypocrites, that's what they are—inconsistent hypocrites.

**The SPEAKER:** There is a point of order. The member for Kaurana has a point of order. I would like to hear the point of order.

**Mr PICTON:** Debate.

**The SPEAKER:** Yes, I believe that the minister is beginning to deviate, but what I am going to do is I am going to ask the member for Mawson respectfully to take an early minute and leave for the remainder of question time.

**The Hon. L.W.K. Bignell:** You're kicking me out every time I stick up for my electorate?

**The SPEAKER:** The member for Mawson will leave for half an hour.

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

**The SPEAKER:** Minister, could we come back to the substance of the question.

**The Hon. D.J. SPEIRS:** Thank you, Mr Speaker. This is a government that is looking after Kangaroo Island and can do so from the chamber, unlike their local member. It's a shame the member for Mawson won't be here to hear this because, of the \$22 million—

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

**The Hon. D.J. SPEIRS:** —\$7 million is going to Kangaroo Island.

**The SPEAKER:** Minister, there is a point of order. I ask the minister not to deviate from the substance of the question and reflect on members. You have made your point, I have ejected the member for Mawson, I would like you to come back to the substance of the question. That would help me greatly.

**The Hon. D.J. SPEIRS:** Thank you, Mr Speaker. And, of course, of the \$22 million that we are investing in regional South Australia through this program, Parks 2025, \$7 million—almost one-third of the entire total—is going towards Kangaroo Island, and it is not actually going to the area of Kangaroo Island that will be rebuilt as a consequence of the fires; that is happening separately.

It is actually going to activate areas in the east end of the island, around the Dudley Peninsula, Cape Gantheaume and to Antechamber Bay, Cape Willoughby and Murray Lagoon at Seal Bay, areas we can get working on quickly to create destinations and opportunities for people to visit aside from the fire recovery programs so that Kangaroo Island does have a sustainable tourism industry in the short term as well as the long term as we reopen and re-imagine what the western end of that island can be.

Other parts of our state that will benefit from the Parks 2025 program include the Southern Flinders Ranges, a network of parks around Mount Remarkable that will see a substantial uplift focusing particularly on hiking, mountain biking and outdoor adventure sports. We are also looking at undertaking work at Ikara Flinders Ranges National Park, at Ediacaran, with the great fossils there, and at Cleland in the Adelaide Hills.

There is so much opportunity to invest in our national parks. This is something we are going to continue to do. We know that 16 years and \$150 million of cuts to the environment department's budget is not happening on our watch. We are having a record capital investment. We are getting on with it, and we are using this to stimulate regional economies when they are doing it tough.

**SMITH, MS A.M.**

**Mr ODENWALDER (Elizabeth) (15:04):** My question is to the Minister for Police. When was the minister informed by SAPOL of the death of Ann Marie Smith?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:04):** As the Attorney just outlined: 15 April.

*Members interjecting:*

**The Hon. C.L. WINGARD:** Sorry, my apologies. I am just checking my notes here because I have been given a number of briefings. My apologies, my first—

*Members interjecting:*

**The SPEAKER:** Order! We have the question. The minister is trying to clarify.

**The Hon. C.L. WINGARD:** My first formal identification from SAPOL was, I apologise, 15 May.

**Ms Stinson:** The what?

**The SPEAKER:** We've had the question, we've had the answer and if you stopped interjecting you would be able to hear it. The member for Elizabeth has the call.

**SMITH, MS A.M.**

**Mr ODENWALDER (Elizabeth) (15:05):** My question is to the Minister for Police. On what date did SAPOL inform the relevant government agencies of the death of Ann Marie Smith? With your leave, sir, and that of the house I will explain.

Leave granted.

**Mr ODENWALDER:** On 891 yesterday, the Commissioner of Police stated:

...as soon as we had advice in relation to the circumstances of Ann Marie Smith's death, then we made the appropriate notifications to the agencies that have a role in providing services to vulnerable people...

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:05):** I am happy to take that on notice. It's a question for the police commissioner. I am happy to ask that question of him and get the response to the member.

**SMITH, MS A.M.**

**Mr ODENWALDER (Elizabeth) (15:05):** My question again is to the Minister for Police. Was one of the agencies informed by SAPOL of the death of Ann Marie Smith the Department of Human Services, and when exactly were they informed?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:06):** Sorry, I am not sure if the member was listening to my last response: I will take that on notice and get that information from the police commissioner and—

*Members interjecting:*

**The Hon. C.L. WINGARD:** Yes.

#### **BUSHFIRE RECOVERY SUPPORT**

**Mr CREGAN (Kavel) (15:06):** My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the state government is supporting SA's recovery through grants to bushfire affected communities, including my own?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:06):** I thank the member for Kavel for his very important question. I shared a number of meetings and public hall meetings with constituents directly after the fires, working with those communities that had been devastated by fires, not only the community members, but we saw primary producers that had seen a substantial amount of livestock and land losses as well as a large number of structures impacted.

We all know the Marshall Liberal government came, listened and acted very quickly after the bushfires. While we were acting very quickly, one of the key commitments was developing \$75,000 bushfire grants for those primary producers to help rebuilding the recovery efforts. The other thing to remember is that these grants are helping not only primary producers but businesses—their assets, the farming essentials—while also supporting the clean-up and rebuilding activities. We were helping the agricultural operations get back up and running as soon as possible.

As of 29 May, under the grant we have seen 264 applications that have been approved, delivering \$18.24 million across the state. Kangaroo Island received \$9.76 million; Adelaide Hills, \$6.87 million; Yorketown, almost \$600,000; and the Keilira fires, just over \$1 million. What I would say is that we recognise the importance of getting that money out and getting it into those communities so that they can address the clean-up, the hardship, getting food on the tables, making sure that we had fodder in place for livestock. It took on average, from application to the funding distributed, 9.9 days. That is an extremely good turnaround in the application.

We were also supporting the affected wine industry, which has been subsidised, particularly with smoke taint. The impact on a lot of those wine grape growing areas in the vineyards, particularly in the Adelaide Hills, which is very well documented, and Kangaroo Island, has seen the ability to engage the Australia-wide research institute in being able to test those green grape samples so that it gives a very clear indication to those wine producers very early on if they had smoke taint so they would not have to continue to put inputs into their vineyards as well as the unnecessary expenditure for grapes that would not have realised wine worthy to be put into a bottle.

It is also the initial commitment of \$180,000 to get donated fodder onto Kangaroo Island. That was an outstanding achievement—South Australian primary producers standing by those fire-affected Kangaroo Island communities in donating the hay. To get the hay onto the island, it obviously had to get onto the ferry, and that comes at considerable cost, and so that \$180,000 was a great way of contributing to making sure that that fodder was there for livestock that had not perished in the bushfires.

That initial commitment was also bolstered by the South Australian government that had collaborated with the commonwealth government for \$3.7 million for a six-month period so that we could get fodder onto the island, making sure that so much of that pasture, so much of those hay stocks that were burnt would be repeated by getting it onto the island, making sure that our livestock had feed, making sure that those communities that had been dealt such a severe blow had the stocks to keep their animals alive.

*Grievance Debate***JUNCTION COMMUNITY CENTRE**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:10):** I am delighted to speak today about a conversation I had recently with the Junction Community Centre in my electorate. The Junction Community Centre does an extraordinary amount of good work in its community. It is a community surrounded by people who are newly arrived, often refugee families; a lot of people who have Aboriginal heritage and are strong in Aboriginal culture; and, of course, it is an area, as with everywhere in South Australia, that deals with a high degree of domestic violence and the consequences of that particularly on women and children.

The matter of particular concern to the Junction Community Centre when I spoke to them the other day was the impact on that centre of this government's cruel cuts to Adult Community Education (ACE). What is ACE? It is for people who have experienced disadvantage, particularly for people for whom school has not worked out, where as adults they have not completed high school and they may not have the literacy and numeracy skills required to go on to further study or to engage in work.

It is for people who are newly arrived migrants, often people who have been refugees, who have experienced years—for children, sometimes most of their lives—sitting in refugee camps, waiting to come to a country like Australia but needing additional skills before they can fully engage. It is for mature age people who may have been able to work for a long time in an area for which they had the skills but who are finding it difficult, in losing work, to find work that matches their skills and they need to develop more before even they are able to engage in further education.

This work picks up those people, offers them IT courses, does literacy and numeracy programs with them, works on budgeting and life skills, works on health and wellbeing, works on community engagement and communication skills—all the elements that are required to pick someone up so that they can move on and engage in society. I was very fortunate when I was minister to be the recipient of a review done by the Training and Skills Commission (TASC), which I believe I have heard this government speak favourably of.

That review looked at ACE and said, 'You know, they need a bit more money.' It was one of the pleasures of being a minister that I was able to sign off on nearly \$4 million additionally to go in over four years for the Adult Community Education program, largely delivered through community centres like the one in my electorate, the Junction Community Centre on Grand Junction Road. What has this government done? It has ripped \$3 million out over three years.

Not only that, the government said, 'Do you know what? Community centres, not sure that they are necessarily the right place to offer this. Perhaps we'll open it up. Perhaps we'll let RTOs come in and they can do it. Perhaps what we'll do is make sure that it's really clear that the minute they've got that skill they go into that work,' which is terrific further along, but it is not the test to apply to this kind of education. It is the kind of test that excludes. It is not the kind of test that actually results in more people who come from a disadvantaged background being employed; it is the kind of test that stops those people ever going anywhere near further education or work.

It is the kind of policy that says, 'Community centres are not really that important to us.' When I had a conversation with people about this afterwards—some of the people in my office, some of the people who have had an experience of going to those courses and benefiting—we wondered if it was possible to shame this government about that and we thought, 'Probably not.'

We thought probably this government does not feel shame about cutting a measly \$3 million out of a program to which that money makes all the difference. It is \$3 million out of a \$52 million cut that the Minister for Innovation and Skills has made in the most recent budget—\$52 million coming out of skills and innovation and \$3 million of that out of this incredibly precious program targeted at the most needy people in society. Well, here we go, over to the government: can they feel shame? Can they reverse that? Can they see that, rather than having to wait for us coming back, which is what I always hear from people who are suffering, maybe those people can get relief a little bit earlier? The test is on them.

**NATIONAL PALLIATIVE CARE WEEK**

**Ms LUETHEN (King) (15:15):** I would like to acknowledge National Palliative Care Week. It is important to acknowledge the great work that palliative care doctors, nurses, workers and volunteers do, and I praise them for their dedication and commitment in supporting people who are living with life-limiting or terminal illness. Having access to the best healthcare services possible is critical. This is one of the important reasons why I advocated strongly on behalf of people living in King for much-needed reinvestment in our local hospitals.

I am so proud that our government is delivering on the promises to expand and improve health services at Lyell McEwin and Modbury Hospital and, indeed, across the state. While those on the other side use their time and resources to continue to push out dishonest messages into my electorate, creating fear of privatisation—

*Members interjecting:*

**The SPEAKER:** Order!

**Ms LUETHEN:** —our government is getting on with the job of restoring the local health services, which Labor downgraded. In addition, we will deliver better health services in King—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**Ms LUETHEN:** —and in the northern suburbs because that is exactly what people told me was most important to them and because that is exactly what people living in the north of Adelaide deserve. The Marshall Liberal government recognises—

*Members interjecting:*

**The SPEAKER:** Members on my left!

**Ms LUETHEN:** —that palliative care services are critical in helping people to manage their pain and symptoms and live their life to the fullest. It takes a special doctor, nurse, worker or volunteer to choose to work in palliative care and it takes people with a very caring and compassionate nature. The Marshall Liberal government regards the prevention and relief from suffering through high-quality palliative care as the mark of a compassionate society.

We are committed to delivering the palliative care services plan that we took to the 2018 state election. Our palliative care services plan is designed to help people to manage pain and illness with the dignity and respect they deserve. This is exactly what people in King told me was missing under the Labor government and we have listened and are delivering back these services.

Palliative care options must increase access both within the Adelaide metropolitan area and throughout the state. To do this, the Marshall Liberal government is making substantial improvements in palliative care in a planned and systematic way, and in partnership with non-government organisations and the commonwealth government, with \$16 million being invested from 2018 to 2021 to expand community outreach palliative care services from the current weekday service to provide a 24-hour service, seven days a week, to undertake a statewide assessment of palliative care needs and establish a statewide clinical network for palliative care, which will undertake the urgent task of codesigning and delivering the new palliative care services plan. The \$96 million Modbury Hospital redevelopment will include a 20-bed palliative care unit—

*Members interjecting:*

**The SPEAKER:** Order!

**Ms LUETHEN:** —and is forecast to be completed in December 2021.

*Members interjecting:*

**The SPEAKER:** Order! Leader!

**Ms LUETHEN:** In 2019-20, the Marshall Liberal government has provided funding to trial and develop innovative service models to—

*Members interjecting:*

**The SPEAKER:** Member for Cheltenham!

**Ms LUETHEN:** —meet consumer and carer needs to remain comfortable in the community 24/7, to expand access for diverse populations in the community—

**The Hon. S.C. Mullighan:** Where do people register their cars in Modbury now?

**The SPEAKER:** Member for Lee!

**Ms LUETHEN:** —who have special needs in relation to palliative care and end-of-life care, to respond more substantially and comprehensively after hours to paediatric palliative care needs, as well as to enhance psychosocial care and expand telehealth services for greater flexibility and reach of care.

A new project agreement on comprehensive palliative care in aged care has been negotiated between the South Australian and commonwealth governments. Both parties will be making equal contributions over five years, from 2019-20 to 2023-24, to a total of \$7.65 million in funding. I would also like to take this opportunity to commend the excellent work undertaken by Palliative Care SA as the peak body for palliative care services.

Finally, I acknowledge that the South Australian Statewide Palliative Care Clinical Network has been established under the Commission on Excellence and Innovation in Health, and Dr David Holden from the Northern Adelaide Local Health Network has been appointed as the clinical lead. Mr Speaker, thank you again for the opportunity to acknowledge the importance that our government places on better services in palliative care.

#### **COMMUNITY WASTEWATER MANAGEMENT SYSTEM**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:20):** I thank the chamber for the opportunity today to be able to address an important issue that has been drawn to the Labor Party's attention now for some time and that I am pleased to inform the house my policy team and I have been working on for some months. Upon becoming leader of the Labor Party at the beginning of 2018, we commenced a comprehensive exercise post the last state election in getting out and listening to community members throughout the state.

We have picked up on a number of issues through that comprehensive program of listening, many of which are directly informing the policy that we are taking to the next state election. Today, I am very pleased to report on the progress on one such policy regarding residents of the north-eastern suburbs of Adelaide. Throughout my Labor Listens programs in and around the Tea Tree Gully area, particularly towards the first half or the early months of last year, one issue consistently seemed to be drawn to my attention, and that is regarding the Community Wastewater Management System that operates in and around Tea Tree Gully.

Having had that issue drawn to my attention, I got to work, along with the local member for the seat of Wright and also Mr Tony Zappia, and sought briefings from the Tea Tree Gully council regarding this issue. We got a briefing on the problem.

**The Hon. T.J. Whetstone:** It was there 16 years ago.

**The SPEAKER:** Order!

**Mr MALINAUSKAS:** Put simply, this is a system that has been in place for 60 years—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr MALINAUSKAS:** —and it is a system that is starting to—

*Members interjecting:*

**The SPEAKER:** Member for Newland, order!

**Mr MALINAUSKAS:** —become incredibly unreliable for those residents in and around the Tea Tree Gully area. Approximately 4,700 households rely on the Community Wastewater

Management System (CWMS) and it is failing them. I have heard of awful circumstances from residents, including from a Banksia Park couple waking up to a backyard that is flooded with sewage because the system had failed them. A Tea Tree Gully woman particularly comes to mind who was seven months pregnant and had to deal with a damaged blocked drain causing toilet water to flood the inside of their only bathroom, which made her pregnancy all the more difficult to deal with.

Fairview Park residents in their 80s, who themselves had health difficulties, were told that their septic tank was due to be emptied and that they had to dig up the lid, which was buried underground and that, if they did not do it, they would have to fork out the extra \$120 to get someone to dig it up for them. A Banksia Park resident found sewage leaking into the creek opposite her house, while at the same time children from a nearby kindergarten had been playing in the same area. These stories kept coming up, so we have decided that we are going to do something about it.

Politics is a complex exercise and from time to time I know members of the community become disenfranchised with the process, but the truth is that politics at its best and its most powerful is when we identify issues and we decide to do something about them. That is why I am very happy to announce today that a Malinauskas Labor government will fund and connect all those residents in the Tea Tree Gully Community Wastewater Management System to SA Water mains sewerage.

This is a \$91 million program. We have arrived at that costing through numbers from the Tea Tree Gully council. It is a fully costed and funded program that will genuinely deliver a better outcome for residents in that area. It will improve the amenity of the suburb, hopefully add positive value to house prices, and most importantly will provide residents with an elementary service that I think most people in a modern metropolitan city would hope and expect.

On top of that, a Malinauskas Labor government will instruct SA Water to go beyond the Tea Tree Gully CWMS and conduct a comprehensive review of all community management wastewater systems in metropolitan Adelaide. Finally, I will make a complete and important point: this program is also about creating jobs—serious infrastructure investment that will be delivered in the first term of a Malinauskas Labor government.

I would like to thank all of those community members who have advocated on this matter. We look forward to delivering this program and will continue to advocate for its delivery as best as possible.

### **MOBILE BLACK SPOT PROGRAM**

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:26):** I rise today to speak about a long-term problem faced by regional South Australia: the Black Spot program, which the previous government ignored because there were no blackspots under a Labor government, only under a Liberal government.

We have seen fit to make a \$10 million commitment to regional South Australia, in collaboration with the commonwealth government, and in some instances with local government as well as with our telcos. We are alleviating the issues around blackspots in regional South Australia. Since coming to government, we have collaborated with 42 blackspot towers in regional South Australia.

Just as importantly, we are now addressing the blackspot issue in the seat of Chaffey. I recently went out to a couple of my grain growing communities—one at Paruna, which is east of Loxton, and another at Peebinga, further along the Loxton road to the Pinnaroo road—to announce that those communities will now have mobile phone coverage. Under a Labor government, there were no issues with blackspots in South Australia, particularly in the regions. The Liberal government is addressing it. We are paying for these towers and we are making sure that we have digital connection in the majority of regional South Australia.

We have a long way to go. We are putting priority on some of those blackspot towers and working our way around regional South Australia to address those mobile blackspot issues. In Chaffey, the District Council of Loxton Waikerie saw fit to come in as a partner with Peebinga to make sure that they were given the opportunity to address the issues around not having mobile phone coverage.

Out in that highly productive country, a number of our grain growers and businesses, including a lot of broadacre horticulture, have not had mobile phone coverage. They have now been given an assurance that we will give them that connectivity, and not only for safety reasons. We have seen how essential connectivity is, particularly going through this COVID-19 pandemic, but this is about day-to-day life, and there is also a safety aspect.

It is about giving those competitive grain farmers the advantage they need to have contact with their trucking companies and their markets, and making sure that they can have contact with the doctor's surgery in town if needed. That community has seen fit to acknowledge that this government is prioritising that the regions of South Australia have the digital connection they have sought for an extended period of time. Under a previous regime, they were ignored. Most of regional South Australia was ignored at every post, but particularly in relation to the Black Spot program. It is essential that we deal with it.

The Browns Well Football and Netball Club now has connection. The community of Peebinga are skipping up and down the main street knowing that they now have a government that cares for their community. The competitive nature that those grain growers need—some of it is very marginal country. For them, a few dollars can make all the difference when negotiating a truckload of grain or a complete harvest. We are making sure that they have those issues covered.

It also needs to be acknowledged that those constituents out there have been lobbying for an extended period of time, and those lobbying efforts fell on deaf ears. I can proudly say that going out there, listening to those communities, listening to business, listening to the farmers, listening to the local government and listening to telcos, and working with the commonwealth government has given this government the capability to go out there and connect regional South Australia through the Black Spot program.

The commitment of \$10 million has fast been used, but it is not only giving us the capacity to work with the telcos—whether we are working with the two majors, through Telstra or through Optus—but it is now bringing those communities together to lobby the three levels of government and make sure that they are heard, that those towers are a priority, as an essential service in today's climate and today's business world, and that they are listened to. We know that the Black Spot program is a great initiative for regional South Australia because #RegionsMatter.

### **COMMUNITY WASTEWATER MANAGEMENT SYSTEM**

**Mr BOYER (Wright) (15:31):** It is my pleasure to rise today to speak about the very significant and exciting announcement that was just made in this place by the leader and that is Labor's commitment to fix the Community Wastewater Management System in the north-eastern suburbs. The CWMS might be a completely foreign acronym to many people in this place, I suspect, but for around 4,700 households in Adelaide's north-east it is a source of almost daily frustration.

The CWMS is an archaic system. It was built in the 1960s and 1970s and is now at the end of its life and in desperate need of investment. In fact, the network of pipes has decayed so badly now that the number of blockages has increased by 100 per cent in the past four years alone. Some residents have leaks in their septic tanks so frequently now that they no longer bother covering the pits with soil, instead leaving a gaping hole in their front or back yard in preparation for it to be pumped out again.

The options available to fix the system are few: upgrade the existing CWMS at great cost by replacing the existing network of pipes but leave residents reliant on septic tanks on their properties, or transition the entire Tea Tree Gully CWMS to the SA Water main sewerage. Both these options are costly, and it is clear now that both these options are beyond the means of the City of Tea Tree Gully, which is the owner and operator of the CWMS; nonetheless, something must be done.

I have had many local residents write, call, email and even stop me at the shops to tell me about their experiences with the CWMS. When the Leader and the Deputy Leader of the Opposition have joined me at street corner meetings in the north-east, these issues have been raised with them regularly too. Well, to all those people, I say: Labor has listened and Labor will act.

Today, in this place, the leader committed a future Labor government to transition the broken and dilapidated CWMS to the SA Water network. Whilst this is something that many residents of

metropolitan Adelaide take for granted every day, for around 4,700 homes in the suburbs of Banksia Park, Fairview Park, Highbury, Hope Valley, Modbury, Modbury North, Redwood Park, Ridgehaven, St Agnes, Surrey Downs, Tea Tree Gully, Vista and Yatala Vale, it is actually considered a bit of a luxury.

This process will not be cheap and it will not be fast. The rollout will require the installation of new pipework and individual connections to each household, but this work will create jobs. The timing is right for a number of reasons. Not only has the CWMS system reached breaking point now, with the number of blockages increasing exponentially in just a short number of years, but the South Australian jobs market has flatlined and is in urgent need of some kind of revival.

Labor's commitment to scrap the Tea Tree Gully Community Wastewater Management System and replace it with a connection to the SA Water system will achieve several things. First and foremost, it will give residents of the north-east who are currently on the CWMS system access to a modern, reliable and clean sewer system. It will create much-needed jobs, it will have a positive effect on house values and it will also insulate CWMS users from some of the future price hikes that are coming their way, as council moves to a full cost-recovery model that sees residents fully exposed to the cost of maintaining and repairing the current broken network.

Under Labor's plan, residents will not be slugged with steadily increasing fees just for the privilege of having a septic tank in their front yard. Under Labor's plan, residents will no longer face the ignominy of a leaking septic tank on their lawn or the backflow of raw sewage into their homes. Under Labor's plan, we will give these residents of suburban Adelaide the amenity they deserve and create jobs while we do it.

I thank the leader and the deputy leader for listening to the concerns of residents in the north-eastern suburbs. I would also like to acknowledge the tireless advocacy of the community action group and its members who, through their persistence, stubbornness and even single-mindedness, have kept this issue on the agenda and played a very big role in seeing today's announcement become a reality.

#### **COOK, MR J.**

**Mr ELLIS (Narungga) (15:35):** It is with great sadness that I rise today to mark the passing of an outstanding community member and local identity within the Narungga electorate, Mr Jeff Cook of Minlaton. Jeff served the Yorke Peninsula community for 37 consecutive years as a local councillor, from 1983 until his passing on 13 May 2020. In a tribute from Mayor Darren Braund at a council meeting held on the same day, he was described as an outstanding contributor, colleague and friend to many in the community, who will be sorely and sadly missed.

Jeff was first elected to the District Council of Minlaton in 1983. He was a former chairperson of that council and led the district through the amalgamation process back in 1997, when the Yorke Peninsula Council was formed. Jeff served on multiple committees within the council, including the Dog and Cat Management Board from 1998 to 2011, the CFS Board and various finance and development committees. Former mayor of the YP Council, Ray Agnew OAM, in an ABC tribute by journalist Luke Radford described Jeff as a gifted communicator. The former mayor reflected on attending the same primary and high schools as Jeff, before going on to serve on the council together for some 25 years.

Outside local government, Jeff is remembered for outstanding service to the Southern Yorke Peninsula Community Housing Association, where he served on the board of management for 42 years, commencing with the building of the Centenary Cottage Homes, completed in 1976, and serving continuously on that board until 2018, completing his service as the council representative. He is remembered as a fearless advocate and a long-time member of the Southern Yorke Peninsula Landcare Group and also for his outstanding contribution and commitment as a valued CFS volunteer of the Minlaton brigade, spanning some 47 years of dedicated service.

Jeff was also a long-time school bus driver in the district and, in this role, an advocate for improvements to local roads, particularly the Maitland to Minlaton road he regularly travelled on. I will continue to take up that cause on his behalf throughout my time in this place because I acknowledge, as he did, that it is a road in desperate need of repair. One can only imagine the

tribulations he went through driving a full school bus along it. I will continue to advocate for works on this road, and plenty of others across the electorate, which he brought to my attention.

Jeff cared about his community and was a voice for so many causes. His was a voice that was backed by action and service over his entire life. While his community work is outstanding, Jeff will be remembered far and wide for his talents as a bush poet, a self-taught musician and a singer and for his love of sharing these gifts with so many. Jeff could entertain, sing and, as former mayor Agnew stated in the ABC tribute, he had a gift for putting words together in poems. Jeff delivered his poems locally, interstate and across radio airwaves as far-flung as the US.

His poems became legendary at marking countless special occasions across the electorate and state. They were spoken at ANZAC Day dawn services, anniversaries, Father's Day, Mother's Day and Remembrance Day. Indeed, it is my understanding that the current member for Adelaide has read out Jeff's work during ANZAC Day dawn services, including at the Prospect RSL in 2019, so his talents will be remembered far and wide. The *Yorke Peninsula Country Times* has already published an obituary for Jeff, and I see that in the latest Port Vincent town newsletter, *A Focal Point*, there is another local tribute, including the reproduction, in full, of one of his most fondly remembered works, entitled *Grandpa, what did you do in the war?*

Due to the COVID-19 social restrictions, the family conducted a private funeral service; however, Jeff was suitably honoured with a funeral procession along Fourth and Main streets in Minlaton on 22 May. It really was moving to see the turnout of people, lining the streets of Minlaton, who paid tribute to Jeff and the wonderful life he led. It was a wonderful crowd. An estimated 500 people were there to pay their respects to Jeff and his wonderful life.

I was honoured to attend and help form a guard of honour, having personally known Jeff as a long-time Liberal Party member. Despite the wintry weather, the large turnout of people who lined the Minlaton streets was a true testament to the level of respect and gratitude towards Jeff and the life he had led. He had been so dedicated to the Yorke Peninsula community he cared about. He was a regular fixture at many a local show, often acting as the MC, and he was carrying out that duty right until the end, covering more ground than a man in his condition should have been.

He was a man who, by his actions, was driven to make a difference, and I believe that he will be satisfied he did. Vale, Jeff Cook.

#### *Bills*

### **FAIR TRADING (REPEAL OF PART 6A - GIFT CARDS) AMENDMENT BILL**

#### *Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:41):** Obtained leave and introduced a bill for an act to amend the Fair Trading Act 1987. Read a first time.

#### *Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:41):** I move:

That this bill be now read a second time.

The Fair Trading (Repeal of Part 6A—Gift Cards) Amendment Bill 2020 seeks to amend the Fair Trading Act 1987 to repeal provisions relating to the regulation of gift cards.

I remind members that the Marshall Liberal government introduced gift card regulation in 2018 to mandate a minimum three-year expiry date and prohibit extra charges after a gift card was supplied. The fulfilment of this election commitment provided South Australian consumers greater protection from unreasonable time frames and conditions when redeeming gift cards. We as a government are very proud of this initiative, so why are we proposing to repeal it now?

Since this time, the commonwealth implemented a national scheme through the Australian Consumer Law (commonly referred to as the ACL). No doubt our legislation and New South Wales' own equivalent helped persuade the commonwealth of reform in this area. Consequently, all consumers across Australia can now expect a minimum three-year expiry on gift cards. This national approach also assists retailers by providing clarity as to their responsibility with just one set of rules in the future.

We were quick to implement this important consumer protection, but now it is time to let the national scheme apply without any complications that arise from the duplication of the state-based gift card regulations. Like the state-based gift card regulations, the commonwealth government is unable to exempt certain gift cards, persons and gift cards supplied in particular circumstances from all or some of the requirements. The exemptions in place under the Competition and Consumer Regulations 2010 are broadly similar to what we have in place in SA.

The national scheme also goes further to require that the expiry date must be prominently displayed on the gift card, making the expiry information more accessible for consumers. The penalties under the ACL offer a strong deterrent against noncompliance. A breach of the requirements relating to the three-year expiry display of the expiry date and post-supply fees carries a maximum penalty of \$30,000 for a body corporate and \$6,000 for other persons. Furthermore, compliance officers from Consumer and Business Services will continue to be responsible for enforcing these requirements under the ACL in addition to the Australian Competition and Consumer Commission.

While the introduction of these laws was welcomed as a positive measure by the opposition at the time, including the former attorney, the repeal of these laws addresses Mr Rau's specific concern about enforceability when consumer protection regulation is fragmented between the commonwealth and the states. I agree with the former attorney-general that national approaches to consumer protection are in theory optimum for this very reason, but I again repeat to the house his observation that glaciers and the national Consumer Affairs Forum have much in common.

Nevertheless, I am pleased that these laws have finally been implemented at a national level, giving all Australians the same level of protection and consistency for retailers, especially in circumstances where retailers operate across jurisdictions and where the purchaser of the gift card lives in another state. The government does not wish to complicate the regulation of gift cards now that the commonwealth provisions are in place, which is why we seek to repeal the state provisions under the Fair Trading Act 1987.

Mr Speaker, I commend this bill to the house and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

#### Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

#### Part 2—Amendment of *Fair Trading Act 1987*

4—Repeal of Part 6A

This clause repeals Part 6A of the Act.

Debate adjourned on motion of Dr Close.

### **STATUTES AMENDMENT (LICENCE DISQUALIFICATION) BILL**

#### *Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:46):** Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959 and Road Traffic Act 1961. Read a first time.

#### *Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:47):** I move:  
That this bill be now read a second time.

I am pleased to introduce the Statutes Amendment (Licence Disqualification) Bill 2020. This bill is one of the many measures the Marshall government is implementing to improve court efficiency. This bill amends the Motor Vehicles Act 1959 and the Road Traffic Act 1961 to simplify the process by which the courts currently calculate licence disqualifications and it will improve efficiency in the Magistrates Court.

The amendments in this bill, while simple in nature and providing efficiency to the Magistrates Court, were previously introduced into the parliament as part of the Statutes Amendment (Transport Portfolio) Bill 2017. The 2017 transport portfolio bill lapsed when parliament was prorogued ahead of the 2018 election, so I am pleased to be able to move these amendments today.

Section 47IAA of the Road Traffic Act allows South Australia Police officers to issue immediate loss of license notices (ILOLs) to drivers where they reasonably suspect the driver has committed certain drink and/or drug-driving offences. While the driver is licensed, the immediate loss of licence notice operates to suspend the driver's licence for a specified period of time. If the driver is not licensed, the driver is disqualified from holding or obtaining a licence or permit.

Where the driver is subsequently convicted of the offence and a mandatory minimum period of disqualification applies, the court must order that the driver is disqualified from holding or obtaining a licence for a period determined by the court. Each of the offences to which section 47IAA of the Road Traffic Act 1961 applies has a mandatory minimum period of disqualification. These periods range from six months to three years. Section 47IAA of the Road Traffic Act 1991 applies to the following offences:

- category 2 and category 3 drink-driving, that is, having a prescribed concentration of alcohol between .08 and .149 for category 2 and PCA of .15 and higher for category 3;
- refusing or fail to submit to an alcotest or breath analysis;
- refusing or failing to submit to a drug screening test, oral fluid analysis or blood test; and
- being a driver of a motor vehicle involved in an accident and refusing or failing to submit to a compulsory blood test when being treated at a hospital for an injury suffered in the accident.

The offences I have listed also have a corresponding offence for committing the offence where a child under 16 was present in or on a motor vehicle at the relevant time. An immediate loss of licence notice can also be issued for these offences. When determining the period of disqualification, the court must take into account the amount of time a person has already been suspended or disqualified from driving as a result of the immediate loss of licence notice. The court may impose a period of disqualification that is less than the mandatory minimum period, as long as the period imposed is not less than the difference between the mandatory minimum and the period that has applied as a result of the immediate loss of licence notice.

I will give you an example and I hope this helps: Margaret holds a driver's licence. Margaret is pulled over by a SAPOL officer who reasonably suspects her of drink-driving, having observed her to be swerving and driving erratically on the road. Margaret submits to an alcotest and returns a blood alcohol concentration of .16 (i.e. a category 3 drink-driving offence pursuant to section 47B(1) of the Road Traffic Act 1961).

The SAPOL officer issues Margaret with an immediate loss of licence notice for 12 months pursuant to section 47IAA(2). The ILOL notice takes effect at the time Margaret is given the notice. The ILOL operates to suspend Margaret's licence for 12 months. That is pursuant to section 47IAA(12)(b)(iv)(B). Of course, by this point she is telephoning her son or husband or somebody to come and pick her up because she has lost her licence and the notice says for 12 months.

Margaret is formally charged with driving while having a prescribed concentration of alcohol in blood pursuant to section 47B(1). Margaret is subsequently tried in the Magistrates Court three months later. The ILOL has not yet expired and Margaret is still suspended from driving for a further nine months. The court convicts Margaret of a category 3 drink-driving offence pursuant to

section 47B(1) being an offence to which 47IAA applies. This is Margaret's first offence under section 47B(1).

Pursuant to section 47B(3)(a)(i)(B) the court is required to order that Margaret be disqualified from holding a driver's licence for a period of not less than 12 months. That is the mandatory minimum. In determining the relevant disqualification period, the court is required to take into account the amount of time Margaret has already had her licence suspended as a result of the ILOL as applied under section 47IAA(9).

Under section 47IAA(9)(e), the court may order a period of disqualification that is less than the mandatory minimum as long as the period ordered is not less than the difference between the mandatory minimum and the period of suspension that has applied as a result of the ILOL. In Margaret's case, the difference between the mandatory minimum (12 months) and the period of suspension that has already been applied as a result of the ILOL (three months) is nine months.

As a result, the court must order that Margaret be disqualified from driving for a period of not less than nine months. Notwithstanding, the court retains the discretion to impose a longer period of disqualification than the mandatory minimum where it sees fit. As Margaret held a driver's licence at the time of sentencing, the period of disqualification ordered by the court will operate to cancel her licence. So, members, I hope that is clear.

The calculation of the period of licence disqualification is quite straightforward in Margaret's case; however, if Margaret were still suspended at the time of sentencing and had already been suspended for three months, two weeks and 5 days, the court would have to subtract this period from the mandatory minimum period of 12 months to work out the minimum period of disqualification it must order, noting that it retains the discretion to impose a longer period of disqualification than the mandatory period where it sees fit.

The Chief Magistrate, no doubt exasperated by this process, has requested amendments to simplify this process, obviously due to the complexity of the current method of imposing the notional disqualification and then reducing it by the length already served under an immediate loss of licence notice. It is a bit more complicated than at first blush; nevertheless, Judge Hribal, our Chief Magistrate, has recommended this for the reasons we have explained.

The previous bill was not followed through and lapsed under the previous session of parliament, so it is important that we do deal with this. I had considered, as Attorney, whether we add it to another bill, but it has been waiting so long and Judge Hribal does see this as problematic for the day-to-day application in her courts, and so for that reason it is important I think that I bring this to your attention and hope that it will be favourably considered.

In short, the bill will simplify the process by allowing the courts to backdate the period of disqualification to the commencement of the immediate loss of licence notice in cases where the period of suspension or disqualification imposed by the notice has not ended. These amendments will also remove the need for the courts to undertake that complex backdating calculation and deliver increased efficiencies for them.

The government is also focused on ensuring we deliver an efficient justice system. By reintroducing these amendments to parliament, this government is giving parliament the opportunity to resolve an issue raised by Her Honour, and we certainly agree that this would help improve her court efficiency. Members, I commend the bill to you and seek leave to provide a short explanation of clauses without reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

Part 1—Preliminary 1—Short title 2—Commencement 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Motor Vehicles Act 1959*

4—Amendment of section 81E—Circumstances in which licence will be subject to mandatory alcohol interlock scheme conditions

This clause amends the principal Act to make an amendment to make the necessary reference to orders made under section 471AA(9)(e)(i) of the *Road Traffic Act 1961*.

Part 3—Amendment of *Road Traffic Act 1961*

5—Amendment of section 471AA—Power of police to impose immediate licence disqualification or suspension

This clause amends the principal Act to facilitate the ability of the court to take into account the period of licence disqualification or suspension that has applied to the person whether or not that period of disqualification or suspension has ended.

Debate adjourned on motion of Mr Odenwalder.

## **WAITE TRUST (VESTING OF LAND) BILL**

### *Introduction and First Reading*

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:57):** Obtained leave and introduced a bill for an act to allow the Minister for Education to vest a portion of the land that is subject to the terms of the Peter Waite trust in the Commissioner of Highways. Read a first time.

### *Second Reading*

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:58):** I move:

That this bill be now read a second time.

The Department of Planning, Transport and Infrastructure is upgrading a number of intersections in Adelaide. The Fullarton Road and Cross Road Intersection Upgrade Project is jointly funded by the commonwealth government as part of the commonwealth Urban Congestion Fund and the state government. Cross Road and Fullarton Road are both major traffic commuter routes and freight routes serving traffic to and from the Mitcham Hills area and the South Eastern Freeway. The upgrade will improve travel times, safety, network reliability and productivity.

It has been identified that land acquisition will be required to accommodate the project, with every effort being made to minimise the extent of the land required in order to contain costs and limit the impact on the property involved. By a transfer dated 26 February 1914, certain land at Urrbrae owned by Peter Waite, being a portion of the land subsequently contained in Certificate of Title Register Book volume 5352 folio 559, relevantly and now CT volume 5540 folio 952, was transferred to the Crown.

The land was a gift for the purposes of the establishment of an agricultural high school and is therefore subject to a charitable trust for that purpose. The Minister for Education, as the registered proprietor in fee simple, holds the land subject to the Waite Trust. As trustee, the Minister for Education is bound to adhere to the terms of the trust. Failure to do so amounts to a breach of trust and is actionable under the Trustee Act 1936.

The Minister for Education is unable to authorise use of the Urrbrae Agricultural High School land that is inconsistent with the charitable trust. The Commissioner of Highways is also unable to acquire the land under the Highways Act 1926. Therefore, an amendment to the Waite Trust is required to take land for roadwork purposes. The Waite Trust (Vesting of Land) Bill 2020 operates to vary the Waite Trust to free a portion of land contained in Certificate of Title Register Book volume 5540 folio 952, of which the Minister for Education is the registered proprietor in fee simple, to be vested in the Commissioner of Highways for the purposes of carrying out roadwork.

Accordingly, the bill is targeted, specific and limited in nature and will not impact upon any other charitable trust land nor the remaining portions of the Waite Trust land. The project is also an important part of economic stimulus activity in response to the COVID-19 pandemic. This bill will assist in ensuring the project can proceed with the required speed and efficiency. I commend the bill to the house. I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

### EXPLANATION OF CLAUSES

This clause is formal.

2—Commencement

This clause is formal.

3—Interpretation

This clause is formal.

4—Variation of Waite Trust

This clause varies the trust of Peter Waite to allow the Minister for Education to vest a portion of land the subject of the trust in the Commissioner of Highways. Once land is vested in the Commissioner of Highways, it is freed from the terms of the trust and any other relevant interests.

This clause also provides for the regulations to prescribe a scheme by which land vested in the Commissioner of Highways may be revested in the Minister for Education in the event that the land is no longer required. Any land revested in the Minister for Education will once again become subject to the terms of the trust, and other interests prescribed by the regulations.

5—Immunity from liability

This clause provides an immunity from liability for any person who acts in good faith and without negligence in accordance with this Act.

6—Regulations

This clause provides a regulation making power.

Debate adjourned on motion of Dr Close.

## STATUTES AMENDMENT (ELECTRICITY AND GAS) (ENERGY PRODUCTIVITY) BILL

### *Introduction and First Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)**  
**(16:01):** Obtained leave and introduced a bill for an act to amend the Electricity Act 1996 and the Gas Act 1997. Read a first time.

### *Second Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)**  
**(16:02):** I move:

That this bill be now read a second time.

The Retailer Energy Efficiency Scheme (or REES as is it is referred to) is a South Australian government energy efficiency scheme that provides incentives for South Australian households and businesses to save energy. It does this through establishing energy efficiency targets to be met by electricity and gas retailers. The retailers meet these targets by delivering eligible energy efficiency activities to households and businesses.

The REES underwent a review in 2019. The review recommended that the scheme be expanded from 2021 to include energy demand management and energy demand response (DR) activities. Modelling of future options for the REES has found that expanding the scheme to include certain productivity activities while maintaining current retailer targets would provide a scheme with a benefit-cost ratio of 3.7:1, an energy bill savings for households and businesses in the order of \$1.5 billion to 2050.

Energy productivity activities include energy efficiency and other activities that shift the periods when energy is being used. Activities that shift when energy is used do not necessarily reduce the total amount of energy being consumed. They may result in an overall increase in energy consumption but a lower energy bill. I commend the bill to members. I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electricity Act 1996*

4—Amendment of section 63AB—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

The changes made to the principal Act by this measure are to change references from energy efficiency to energy productivity.

5—Amendment of section 94B—Energy productivity shortfalls

Part 3—Amendment of *Gas Act 1997*

6—Amendment of section 59A—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

The changes made to the principal Act by this measure are to change references from energy efficiency to energy productivity.

7—Amendment of section 91A—Energy productivity shortfalls

Debate adjourned on motion of Dr Close.

## **STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (PENALTIES AND ENFORCEMENT) BILL**

### *Introduction and First Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)**

**(16:04):** Obtained leave and introduced a bill for an act to amend the National Electricity (South Australia) Act 1996, the National Energy Retail Law (South Australia) Act 2011 and the National Gas (South Australia) Act 2008. Read a first time.

### *Second Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)**

**(16:05):** I move:

That this bill be now read a second time.

We would all agree that the energy sector in this state, in this country and indeed across the world is constantly changing. This is true now more than ever. It is therefore crucial that the regulatory framework that underpins our energy market is able to adapt and respond to evolving technologies and customer behaviours, all while continuing to ensure the affordability, security and reliability of the system.

Inherent in this regulatory framework, which comprises the national energy laws, regulations and rules is the assumption that, where breaches occur, there is a sufficiently robust and flexible enforcement regime to respond to them. This includes not only the penalty regime that will be applied where there is a breach, but the powers available to the Australian Energy Regulator, whose role is to monitor, investigate and enforce compliance with the national energy laws.

This ensures that all participants in our electricity and gas markets remain confident in the integrity of the system and in the protections it affords us. That is why the COAG Energy Council commissioned the review of enforcement regimes under the national energy laws. Although the review found the existing regimes were generally effective and consistent with current norms and best practice, it identified a number of areas where the effectiveness of the regime could be enhanced.

The Statutes Amendment (National Energy Laws) (Penalties and Enforcement) Bill 2020 I present to you today follows successive policy decisions of the COAG Energy Council ministers that began with the initial review and culminated with the findings of the Retail Electricity Pricing Inquiry report of the Australian Competition and Consumer Commission. These key decisions include:

- adopting a three-tier civil penalty regime in the laws where breaches of a tier 1 provision incur a maximum penalty of the greater of either \$10 million, three times the benefit gained from breaching the rules or 10 per cent of annual turnover. A breach of a tier 2 provision carries a penalty of up to \$1.435 million and breaches of tier 3 provisions incur penalties of up to \$170,0000;
- increasing civil and offence penalty levels, aligning them with those of the Australian Consumer Law;
- indexing these maximum penalty levels to CPI to ensure they remain relevant, thereby continuing to provide a sufficient disincentive for those market participants contemplating breaches and assigning a maximum monetary value to such breaches for both the community and the courts. The first such indexation will take place on 1 July 2023 and on 1 July every three years thereafter;
- enhancing the Australian Energy Regulator's information gathering powers to allow it to compel the giving of oral evidence while at the same time requiring annual reporting on the use of this power to maintain transparency and hence deter its successive use, and lastly;
- expanding the orders the Australian Energy Regulator can seek from a court, including non-pecuniary orders, and an order requiring compliance with a compulsory notice. Each of these orders adds another element to the suite of enforcement options available to the regulator to carry out its important work.

These policy changes I have described will be implemented through amendments to the National Electricity Law, National Gas Law and National Energy Retail Law, as contained in the Statutes Amendment (National Energy Laws) (Penalties and Enforcement) Bill. The bill sets the civil penalty classification for a breach of a reliability obligation at tier 1 and tier 2. To ensure flexibility of the regime is maintained into the future, however, and is able to adapt to changes in the market, the classification of all other penalty provisions will be prescribed by regulations.

Breaches of the rebidding provisions will be subject to the most severe penalty, being tier 1. A decision matrix will be used to classify each of the other civil penalty provisions into its respective tier. This is to ensure that breaches of the national energy laws, regulations or rules carry with them an appropriate penalty commensurate with the gravity and impact of that breach. I am pleased to confirm that at the COAG Energy Council meeting on 20 March 2020 ministers agreed to the draft legislation.

By establishing a more flexible and sophisticated penalty regime more akin to that of the Australian Consumer Law, increasing the maximum penalties and providing for periodic indexation of those penalties, strengthening and ultimately expanding the legal tools available to the AER to carry out its role as energy regulator, the government is sending a clear message to all Australian households, businesses and industries that as the energy industry continues to evolve so, too, will the enforcement regime that underpins it. I commend the bill to the house. I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

#### EXPLANATION OF CLAUSES

Part 1—Preliminary 1—Short title 2—Commencement 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of National Electricity Law

4—Amendment of section 2—Definitions

Definitions are inserted for the purposes of the measure.

5—Amendment of section 2AA—Meaning of civil penalty provision and conduct provision

The meaning of civil penalty provision and conduct provision is amended for the purposes of the measure.

6—Insertion of section 2AB

New section 2AB is inserted:

2AB—Civil penalty amounts for breaches of civil penalty provisions

Civil penalty amounts for breaches of civil penalty provisions are provided for.

7—Insertion of section 2G

New section 2G is inserted:

2G—Related bodies corporate

The *Corporations Act 2001* of the Commonwealth provisions for related bodies corporate are applied.

8—Amendment of section 20B—Return of identity cards

A maximum penalty is amended.

9—Amendment of section 27—Obstruction of person authorised to enter

A maximum penalty is amended.

10—Amendment of section 28—Power to obtain information and documents in relation to performance and exercise of functions and powers

Various amendments are made relating to the AER's power to obtain information and documents in relation to performance and exercise of functions and powers.

11—Amendment of section 28R—Providing to AER false and misleading information

A maximum penalty is amended.

12—Amendment of section 28ZF—AER enforcement guidelines

One amendment relates to the AER being required to prepare guidelines about the exercise of its powers under section 28. Another amendment is consequential.

13—Amendment of section 53E—Providing false or misleading information

A maximum penalty is amended.

14—Amendment of section 61—Proceedings for breaches of a provision of this Law, the Regulations or the Rules that are not offences

Various amendments are made relating to proceedings for breaches of the Law, Regulations or Rules that are not offences.

15—Amendment of section 61A—Proceedings for declaration that a person is in breach of a conduct provision

These amendments are technical.

16—Amendment of section 62—Additional Court orders

These amendments are technical.

17—Amendment of section 64—Matters for which there must be regard in determining amount of civil penalty

Various amendments are made relating to the matters for which there must be regard in determining amount of civil penalty.

18—Amendment of section 73—Definition

The definitions of tier 1, 2 and 3 civil penalty provisions are inserted.

19—Amendment of section 74—Power to serve a notice

20—Amendment of section 75—Form of notice

The above amendments are technical or consequential.

21—Substitution of section 76

Section 76 is substituted:

76—Infringement penalties

Infringement penalties are provided for.

22—Amendment of section 81—Payment expiates breach of civil penalty provision

23—Amendment of section 82—Payment not to have certain consequences

24—Amendment of section 83—Conduct in breach of more than one civil penalty provision

25—Amendment of section 85—Offences and breaches by corporations

The above amendments are technical or consequential.

26—Amendment of section 86—Corporations also in breach if officers and employees are in breach

This amendment is technical.

27—Amendment of section 118—Obstruction and non-compliance

Maximum penalties are amended.

28—Amendment of section 141—Disclosure of information

A maximum penalty is amended.

29—Amendment of section 143—Failing to attend as a witness

A maximum penalty is amended.

30—Amendment of section 144—Failing to answer questions etc

A maximum penalty is amended.

31—Amendment of section 145—Intimidation etc

A maximum penalty is amended.

32—Insertion of section 159

New sections 159 and 160 are inserted:

159—Penalty privilege

Provisions relating to penalty privilege are inserted.

160—Court may grant relief from liability

Provisions relating to the power of the court to grant relief from liability are inserted.

33—Amendment of Schedule 2—Miscellaneous provisions relating to interpretation

This clause amends Schedule 2 of the Law.

Part 3—Amendment of National Energy Retail Law

34—Amendment of section 2—Interpretation

Definitions are inserted for the purposes of the measure.

35—Insertion of section 4A

New section 4A is inserted:

4A—Civil penalty amounts for breaches of civil penalty provisions

Civil penalty amounts for breaches of civil penalty provisions are provided for.

36—Insertion of section 7A

New section 7A is inserted:

7A—Related bodies corporate

The *Corporations Act 2001* of the Commonwealth provisions for related bodies corporate are applied.

37—Amendment of section 107—Power to revoke retailer authorisation

This amendment is technical.

38—Amendment of section 158—Providing false or misleading information

A maximum penalty is amended.

39—Amendment of section 206—Power to obtain information and documents

Various amendments are made relating to the AER's power to obtain information and documents in relation to performance and exercise of functions and powers.

40—Amendment of section 218—AER enforcement guidelines

One amendment relates to the AER being required to prepare guidelines about the exercise of its powers under section 28. Another amendment is consequential.

41—Amendment of section 291—AER proceedings for breaches of this Law, the National Regulations or the Rules that are not offences

Various amendments are made relating to proceedings for breaches of the Law, Regulations or Rules that are not offences.

42—Amendment of section 292—Proceedings for declaration that a person is in breach of a conduct provision

These amendments are technical.

43—Amendment of section 294—Matters for which there must be regard in determining amount of civil penalty

Various amendments are made relating to the matters for which there must be regard in determining amount of civil penalty.

44—Insertion of sections 300A and 300B

New sections 300A and 300B are inserted:

300A—Indexation of civil penalty amounts

The indexation of civil penalty amounts is provided for.

300B—Indexation of criminal penalties

The indexation of criminal penalties is provided for.

45—Amendment of section 305—Corporations also in breach if officers and employees are in breach

This amendment is technical.

46—Insertion of sections 321 and 322

New sections 321 and 322 are inserted:

321—Penalty privilege

Provisions relating to penalty privilege are inserted.

322—Court may grant relief from liability

Provisions relating to the power of the court to grant relief from liability are inserted.

Part 4—Amendment of *National Gas Law*

47—Amendment of section 2—Definitions

Definitions are inserted for the purposes of the measure.

48—Insertion of section 3A

New section 3A is inserted:

3A—Civil penalty amounts for breaches of civil penalty provisions

Civil penalty amounts for breaches of civil penalty provisions are provided for.

49—Insertion of section 19A

New section 19A is inserted:

19A—Related bodies corporate

The *Corporations Act 2001* of the Commonwealth provisions for related bodies corporate are applied.

50—Amendment of section 34—Return of identity cards

A maximum penalty is amended.

51—Amendment of section 41—Obstruction of persons authorised to enter

A maximum penalty is amended.

52—Amendment of section 42—Power to obtain information and documents in relation to performance and exercise of functions and powers

Various amendments are made relating to the AER's power to obtain information and documents in relation to performance and exercise of functions and powers.

53—Amendment of section 60—Providing to AER false and misleading information

A maximum penalty is amended.

54—Amendment of section 68—AER enforcement guidelines

One amendment relates to the AER being required to prepare guidelines about the exercise of its powers under section 28. Another amendment is consequential.

55—Amendment of section 83D—False or misleading statements

A maximum penalty is amended.

56—Amendment of section 91BC—AEMO's power of direction

A maximum penalty is amended.

57—Amendment of section 91FE—Providing false or misleading information

A maximum penalty is amended.

58—Amendment of section 91FEC—Giving to AEMO false and misleading information

A maximum penalty is amended.

59—Amendment of section 91FEG—Giving to AEMO false and misleading information

A maximum penalty is amended.

60—Amendment of section 91FEI—Giving false and misleading information used for capacity auctions

A maximum penalty is amended.

61—Amendment of section 200—Disclosure of information

A maximum penalty is amended.

62—Amendment of section 202—Failing to attend as a witness

A maximum penalty is amended.

63—Amendment of section 203—Failing to answer questions etc

A maximum penalty is amended.

64—Amendment of section 204—Intimidation etc

A maximum penalty is amended.

65—Amendment of section 231—AER proceedings for breaches of this Law, Regulations or the Rules that are not offences

Various amendments are made relating to proceedings for breaches of the Law, Regulations or Rules that are not offences.

66—Amendment of section 232—Proceedings for declaration that a person is in breach of a conduct provision

These amendments are technical.

67—Amendment of section 234—Matters for which there must be regard in determining amount of civil penalty

Various amendments are made relating to the matters for which there must be regard in determining amount of civil penalty.

68—Amendment of section 277—Power to serve notice

This amendment is technical.

69—Substitution of section 279

Section 279 is substituted:

279—Infringement penalties

Infringement penalties are provided for.

70—Amendment of section 289—Corporations also in breach if officers and employees are in breach

This amendment is technical.

71—Insertion of section 335A

New sections 335A and 335B are inserted:

335A—Penalty privilege

Provisions relating to penalty privilege are inserted.

335B—Court may grant relief from liability

Provisions relating to the power of the court to grant relief from liability are inserted.

72—Amendment of Schedule 2—Miscellaneous provisions relating to interpretation

This clause amends Schedule 2.

Debate adjourned on motion of Dr Close.

## **SINGLE-USE AND OTHER PLASTIC PRODUCTS (WASTE AVOIDANCE) BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 2 June 2020.)

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (16:11):** I rise today to speak on the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020. This bill represents the next logical step to achieving a cleaner and more sustainable state. It is the result of careful planning and close consultation with the community over the last few years. I commend the Minister for the Environment Mr David Speirs, a friend and colleague, for championing this cause and the great work he has done.

South Australians can be proud of how we have managed waste. We were one of the first states to introduce the container scheme in 1977. In 2017-18, we recovered almost 603 million containers to be recycled. In 2009, we became the first state to ban lightweight plastic bags from supermarket check-outs. With this bill, we have the opportunity to keep being leaders in environmental sustainability.

On commencement, the bill would ban single-use plastic straws, cutlery and drink stirrers from sale, supply and distribution. Twelve months from commencement date, the distribution of expanded polystyrene cups, bowls, plates, clamshell containers and oxo-degradable plastic products would then be prohibited. This is a great opportunity before us, and we look forward to getting on with this job.

Last year, the government sought feedback from community and businesses on how to better protect natural resources and reduce the impact of single-use plastics on the environment. The state government set up its voluntary trial of Plastic Free Precincts. These precincts were characterised by the use of alternatives to single-use plastics. They were involved in identifying the opportunities and challenges associated with those alternatives and have helped inform the bill before us today, a bill that seeks a cleaner and greener environment for all South Australians to enjoy.

As the member for Gibson, I was fortunate enough to have one of these precincts in my electorate. Jetty Road, Brighton, traders jumped on board. I am so proud of what these local small businesses have achieved. As you know, Jetty Road is a busy and popular street leading to Brighton Beach and the jetty. Its friendly cafes attract visitors not only from neighbouring streets and suburbs but from the rest of Adelaide and the wider region. Especially during COVID time, people have loved getting down to the beach.

What did becoming a Plastic Free Precinct mean for local businesses on Jetty Road? They changed how they operate—small change, but great change with benefits for the wider community. By changing how they operate, these cafes and other small businesses in plastics-free precincts reduced their waste and their customers' waste.

Take a local Brighton cafe, the Seller Door, for example. Its owner, Tom Rodger, has done an outstanding job transitioning away from single-use plastics. One of the features of his cafe is

cornstarch straws that are indistinguishable from plastic straws. These straws are biodegradable and compostable and a fantastic way to ensure that nothing is wasted. Thanks to Tom's management, the Seller Door has been so successful that it was named a plastic-free champion and identified as one of the businesses doing a superb job of reducing their plastic footprint. We know that plastic straw litter along the beach is an eyesore and bad for the environment, and it is something we want to curtail.

There is also Big Shots Cafe, which is owned by Joshua Anderson. Big Shots is aiming to be 100 per cent plastic free. They use fully compostable plastic-free packaging for their burger boxes, coffee cups, lids and cutlery. The Brighton Jetty Bakery, owned and run by David and Dahlia Matkovic, uses recycled paper bags and boxes for takeaways, along with paper straws, bamboo cutlery and compostable coffee cups. Finally, Delicia at Brighton use paper cups and straws, and the materials they use for their takeaway bowls, lids and cups are biodegradable.

These small businesses have embraced a novel way of operating, liberated from the single-use plastics. It may seem like a small thing—changes to straws that we use or the cups we have our coffee in—but small changes and new habits make a massive difference in the long run. We know that the result will be positive, that is, a great reduction in the state's waste. I really want to commend the spirit and flexibility shown by local business owners like those on Jetty Road, Brighton.

It has not been just the cafes on Jetty Road that have embraced the challenge and changing ways that we do business. Just around the corner from the Brighton traders is the fantastic Brighton Surf Lifesaving Club. Brighton was one of dozens of surf lifesaving clubs around the state to take part in the Plastic Free Precincts program. The volunteers of the Brighton Surf Lifesaving Club, led by their hardworking president, Chris Parsons, run massive events throughout the summer. They put on big events such as the Brighton Jetty Classic, the big swimming event down there, attracting people from all over, as you would imagine.

It takes great resources to satisfy the hunger and quench the thirst of the large crowds at massive events like these, creating waste in a world of single-use plastics. However, like other surf lifesaving clubs, Brighton Surf Lifesaving Club is leading the way and paving the progress towards a cleaner and more sustainable environment. Can I also say that my daughter, at our local high school, Brighton Secondary School, carries a metal straw with her wherever she goes. I find it quite fascinating. She has a little straw cleaner as well, and she is very committed to the cause.

When she visits the cafe strip, she has her metal straw in her handbag or her backpack, or whatever it might be. She is also working with the school in looking at ways in which they can ban single-use plastics. So everyone is getting right behind this in the Brighton community and in the wider community in the electorate of Gibson, where we are situated.

When it comes to plastic-free environments, I am fortunate to have a pioneering group in my electorate, a wonderful group who are really at the forefront of ridding our state of single-use plastics. The state government's trial has shown that it is possible for committed small businesses to achieve a more sustainable way of operating. Cafes in my electorate have been a big part of the group creating the Plastic Free Precincts, leading us forward, experimenting and finding out what works to give the rest of us a sure and clear path to follow.

We know that it is possible to use alternatives to single-use plastics. We know that these alternatives reduce our waste. We know what we have to do as a state. Let's take this great opportunity to move forward, riding the wave of our recent experiences and victories. Our Plastic Free Precincts have worked. Let's build on the good work of everyone involved and move closer to becoming a plastic-free state. I commend the bill to the house.

**Mr TEAGUE (Heysen) (16:18):** I commend the interest of all members in this important piece of legislation, including my good friend the member for Narungga, whose contribution to the debate in due course I will listen to with particular care, as I have to those others who have already contributed. It has been reflected on by a number of members in the course of this debate that South Australia in the country—not just in Australia but also worldwide—has a very proud history when it comes to legislative schemes to promote the reduction of litter and increase recycling. Increasingly, over the course of the last 40 years of the South Australian container deposit scheme, that has transferred into a focus on resource recovery as we know.

Not to stay with history for too much longer, because this reform is very much about the future, but the Beverage Container Act 1975 that came into force ultimately in 1977 was indeed groundbreaking legislation and set South Australia on a course that it has been really on ever since. We all laud the deposit scheme aspect of it providing incentive not to litter and then to ensure that we have a good level of recycling.

It bears perhaps just a moment's pause to understand that there was an element of all of this at the time that was driven at least in part by the parochial nature for the market for beer nationally—beer and soft drinks, but beer in particular. As we know, adherence to the local beer is something that is still very relevant around the country.

South Australians are very proud of our South Australian beer, and, of course, there are these national brewers that from time to time seek to do what they ought not do and that is to come in and trample all over the South Australian brewers. So, there were and remain some interesting aspects of cross-border trade associated with the introduction of a container deposit scheme in South Australia. The end result of all of that is that we have also seen a legacy of strong nationally and world-leading brewers in South Australia, and we can all be glad that that has been one of the corollary outcomes as well.

The protection of our natural environment and initiatives, including the use of technology and the choices we make about the materials that we use on a day-to-day basis, are issues of the utmost importance for my constituents, my electors, in the Hills. The environment more generally is a matter of the utmost priority. Many of my constituents make the conscious decision to live in the Hills for that particular reason. They want to engage in the natural environment, they want to volunteer in terms of protecting our natural environment and are very conscious of the practical things that we do in our day-to-day lives to improve the natural environment.

This reform, the subject of this legislation, is particularly welcomed in the Hills in Heysen by my constituents, so when I reflect on how proud I am of our legacy and where this is taking us, that is a matter of particular local relevance. Just by way of one recent example, I think I indicated to the house back in mid-May that I was then on my way to speak to students at Heathfield High School about the work of state parliament.

In the context of COVID and the challenges that we face and the need to enact various emergency provisions in response to the global pandemic, there was a keen focus on that topic, of course, but it never strayed far from a keen interest in what we are doing in this state parliament to promote improvement of our natural environment to promote ways of better managing our waste and of ensuring that we are responsibly managing pollution, materials, recycling and resource recovery.

The Minister for Energy and Mining made what in my view is a particularly valuable contribution to the debate yesterday when reflecting on the importance that we as a broader community have confidence in what we are doing as a state in this space. Much as we have found through the struggle and challenge of the COVID-19 public health emergency, many South Australians have found cause to be particularly proud of being in South Australia and what we can achieve in this state in the context of a struggle that is very much being faced around the world. South Australians can see that when we take initiatives in this state, we can do it with excellence and in a way that can demonstrate to the rest of the world the best way forward.

It has also been a cause for reflection in recent days, in the context of the COVID-19 crisis, by my colleague in the other place as recently as yesterday, that we consider our history in South Australia as a strong manufacturing state and that we might do well at this time, particularly in the context of these reforms, to consider what we might do in the manufacturing space in this state, with a reference to the importance and value in manufacturing products and not just price. That then in turn very much speaks to the kinds of values that we have when we are focused on avoiding waste and an increase in recycling and resource recovery.

There are a number of areas locally in which this has been writ large. I mentioned a moment ago my recent visit to Heathfield High School. I was very pleased not so very long ago to be at Scott Creek Primary School. That is the smallest primary school within Heysen, with just 43 students, but I can tell you, Mr Acting Speaker, it is punching well above the weight that its numbers would suggest in terms of the influence that it would have in this space in raising the importance of the

natural environment. I was pleased to participate with students at Scott Creek Primary School on a recycling awareness project that they were undertaking.

I see regularly now through community events, the major country shows that go on through the Hills, that there are efforts being made as a matter of core business at events through the Hills to reduce waste and to support at all times re-usable and environmentally responsible products and materials. I would cite in particular the very successful, increasingly successful, Stirling Laneways, which is a regular event now on the calendar throughout the bulk of the year at Stirling. Stirling Laneways stalls take over the main street on the Sundays when Laneways occurs. The event requires that the use of materials by stallholders is environmentally responsible and is recyclable or compostable. Stirling Laneways is really bringing those aspects to the fore as a matter of identity, and much the same applies to the country shows within Heysen.

I am also proud to say that this year Meadows Primary School has been participating in a project decorating paper bags for the Daisy Trail, a similar initiative to the Yellow Brick Road that we see at the Royal Adelaide Show. They are making efforts to recycle glass jars for packaging as well, something they have had underway for some time in the Pick a Stick project. I also want to commend the local councils within Heysen.

There are a number of initiatives that have been undertaken throughout the Hills, and I count all the four local councils among those participants: Alexandrina Council, Adelaide Hills Council, Mount Barker council and Onkaparinga. I hope that illustrates very clearly that the banning of single-use plastics, which this legislation will initiate and also set out a structure for further development over time, is really something that our community is not just ready for but is already very actively engaged in actually doing.

We talk about making sure that we back our words with actions and that we bring the community along. This is one of those areas in which there is already so much going on in the community, and this legislation will really provide a structure for how we proceed going forward. It would be remiss of me at this time not to at least in passing advert to the fact that I very much look forward to return to the use of normal eating utensils. Of course, we have been using and needing to use certain disposable materials in the course of confronting the public health emergency.

They are certainly very environmentally friendly, and the heightened hygiene requirements have required us to use those materials. I say that because we want to see continual development in this area, and we want to see advances so that, when people see banned those single-use plastics they might be familiar with using on a day-to-day basis, we do not want them to see that as the taking away of some benefit but, rather, the opportunity to improve and to advance technology much in the way that the Minister for Police reflected in relation to his daughter's practice. It is one that my daughters also happen to share; they very much like their metal straws.

This is about advancing technology in materials, as well as being responsible in terms of the avoidance of waste and the avoidance of the introduction into the environment unnecessarily of these harmful plastics. I reflect momentarily that it is well known that much of the body of the bill is dedicated to providing for the particular banning of oxo-degradable plastic products. It is very important that that occupies the central place that it does in the bill. We have heard from the Deputy Leader of the Opposition in particular about the particular evils of those plastics, the misnomer being really that they degrade.

They degrade in such a way as to make them more harmful rather than less, which is a particularly insidious paradox of those particular products. I am very glad to see those playing a central role. Of course, we see in this legislation what is a relatively short list of products to be initially banned but, perhaps more importantly, the bill provides a structure by which, as it becomes feasible to do so, products that are harmful and in these categories may be added over time.

It is very important, of course, when we are talking about practical measures to improve outcomes that we avoid precipitous disruption to business. It has been made plain over this recent period that we have all experienced with these short, sharp shocks that have occurred as we have confronted the health emergency, that it is very important that, when introducing legislation that will change use of materials and change materials that are permissible, we do so in a way that is engaging business and that is steady, measured and so on.

I am pleased to see that there has been extensive consultation with business, and the advice is that there is widespread support for taking action on these plastics. I add my voice to those who have already spoken to commend the bill and to commend the direction that this now sets us on to continue our very strong legacy in this state of leading in this very important area. I commend the bill to the house.

**Mr ELLIS (Narungga) (16:37):** I rise, as speakers before me have done so, to speak on this important and, in many ways, groundbreaking bill to ban single-use plastics distribution and supply in this state. In doing so, I would like to take this opportunity to commend the Minister for Environment, the member for Black, for the leadership he has shown over the past two years on this topic and his considerable dedication to reaching this stage of legislative implementation after well-managed and considerable business, industry and community consultation.

To list the incidents in order, this important preparation and consultation has occurred via: the release of a single-use plastics discussion paper back in January 2019; the release of a next steps paper last July; the work that commenced last September by the appointed task force with its diverse representation involving environmental groups, business representatives, the hospitality industry, as well as disability advocates; and then the setting up of the trial Plastic Free Precincts.

This important work was thoroughly and methodically done and has ensured that all impacts of this legislation on businesses and community have been explored prior to the introduction to this place, which hopefully will result in smooth passage into law and, most importantly, provide community and business confidence during the transition period ahead of us as we put this new legislation into practice.

We are aware that other jurisdictions in our nation and around the world are watching how we have got to this point, and it is with great pride that I support the bill before us today. South Australia is again leading the nation in this work, just as it was back in 1977 when the Liberal government in this state introduced a now globally recognised container deposit scheme and just as it was on 4 May 2009, when South Australia became the first state or territory in the country to ban plastic bags at the supermarket check-out. We were leading the way then and we are continuing to make important decisions to protect our environment today.

When this legislation was first mooted in that early 2019 discussion paper released by the minister that proposed government intervention on single-use plastics, it was unclear how the community and business would react. Importantly, it was received with overwhelming support from the community, industry, local government, business and interest groups, spurring the minister on to progress and implement the valuable groundbreaking legislation before us as we speak.

For me personally, the recognition of this important work that was underway hit home in the Narungga electorate office in July 2019, when two passionate advocates against the use of plastic straws and other single-use plastics visited me. They were 10-year-old Jasmine Secker and eight-year-old Kiralee Secker from Kadina, who had persuaded their mum to drive them on the 100-kilometre round trip to my office in Maitland to see me to talk about the importance of removing plastic straws from the world.

They implored me quite persuasively on the need for locals and businesses to stop using plastic straws because of the harm they were doing to animals on land and at sea. They particularly wanted to tell me how plastic never breaks down, that every plastic straw takes 600 years to break down and, when found by birds or marine life, they can be weapons to kill, and to please stop South Australians from using them.

These two young people campaigned across the electorate, had posters printed, joined the national Straw No More campaign, went to childcare centres to talk to parents and participated in the Plastic Free July campaign, led by the Plastic Free Foundation. They told me how their family had stopped using plastic straws in 2018 and that they now also no longer used plastic bags or plastic water bottles and coffee cups. I note at this juncture that one can no longer even visit the Kadina Hotel and get a plastic straw in their Coca-Cola. That is how persuasive these two advocates have been in our electorate.

They wanted to tell me that if I have used a plastic straw it is still out there somewhere, on the ground, in the sea or in a storm drain, or it could have killed an animal. It could have been eaten

by a sea animal or bird thinking it was food. It was inspiring to see such strong advocates leading the way in their community on an issue clearly close to their heart. I congratulated Jasmine and Kiralee then, as I do again today in this place, on their determination to make a difference and to educate their patch of the world against single-use plastics and, specifically, plastic straws.

As Straw No More local ambassadors, they continue to be inspired by the broader Straw No More movement and the mantra on its website homepage that informs:

More than 500 million straws are used every day in the USA alone. This is enough to wrap around planet Earth four times!

Clean Up Australia has a similar message: that Australians use about 100 million straws every day, or 3.5 billion a year, and that most are used just once for around 15 to 30 minutes, after which they are thrown away. Clean Up Australia volunteers report that plastic straws are the 12<sup>th</sup> most common item they pick up and that last clean-up day they picked up some 7,300 of them from our parks, picnic grounds, along our streets and on our beaches.

So it is little wonder that young people in my electorate have been moved to action on this and that it has been a topic of discussion led by young people in our schools. There was overwhelming demonstrated support by the community in response to the circulation of the government's single-use plastic discussion paper, released in January 2019, to kick the process of change into action.

It is also little wonder that the stakeholder task force group established to assist with the development and implementation of this legislation was guided by public feedback its members received and that this bill before us proposes to enact the following: that, on commencement of the legislation, single-use plastic straws, cutlery and drink stirrers will be banned from sale, supply or distribution and that 12 months from the commencement date the distribution of expanded polystyrene cups, bowls, plates, clamshell containers and oxy-degradable plastic products will then also be prohibited.

I am pleased to advise that business representatives offer widespread support for taking this action and that voluntary messages are already underway to reduce their use. Large corporations are already on board, as cited by Clean Up Australia, with McDonald's replacing single-use plastic straws this year and Coca-Cola ceasing their distribution of plastic straws and stirrers last year and, globally, that the European Union announced the need for such measures back in October 2018.

Two more important notes are that the South Australian business community have advised that the cost to move away from single-use plastics has not been raised as a significant issue for them; rather, there is widespread recognition of the potential opportunities before us for businesses and enterprises to supply a growing market with the production of alternative products. Another important point is that in this well-considered legislation before us there is an exemption, making powers that will allow for the continued sale, distribution and supply of single-use plastic straws to people who require them due to disability or particular medical requirement.

Importantly, the assigned task force was aware of this consideration and included on their committee two disability representatives to ensure no adverse unforeseen impacts should arise from the implementation of the bill before us. The task force considered all impacts on businesses and the community and was directed to provide advice on what a phase-out of single-use plastic straws, cups, drink stirrers and food service items might look like.

Because of this quality preparation work, I am confident that the way ahead with this bill, should it proceed, will be a smooth transition, which will also importantly assist with the necessary communication with the community and businesses to ensure South Australia is fully updated on how these new laws will apply to them and be regulated. As stated by the minister when he launched the 'Turning the tide on single-use plastic products' discussion paper on 13 January last year, this government is keen to keep South Australia at the forefront of these areas and to maintain this position while also increasing economic activity.

Plastic is a valuable material integral to modern life, but when littered it ruins our environment's pristine image and harms marine and terrestrial life. The community is ready to take this immediate local action on items that are designed and intended for disposal after a single use,

are prone to being littered, are unlikely to be recycled and for which more sustainable alternatives are available.

South Australia has been a leader in litter reduction and resource recovery for many years, and it is clear from over 3,500 submissions to that first discussion paper that there is significant community and industry support for the intent and measures addressed in this bill. With nearly 97 percent of those 3,500 submissions specifically supporting government intervention, it is clear that the community wants swift action on this. We are starting with banning plastic straws, cutlery and stirrers, and next we will soon move on to takeaway polystyrene containers and cups.

This government is committed to ensuring this state maintains its reputation as a leader in waste management and this bill befits that pledge. I wholeheartedly, on behalf of Narungga constituents young and older, commend this important bill to the house and look forward to its speedy passage through the other place.

**Dr HARVEY (Newland) (16:47):** I rise today to support the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020. Plastics have become a serious problem for the world, there is no doubt about that. Plastics production has surged over the past 50 years, from 15 million tonnes in 1964 to 311 million tonnes in 2014, and it is expected to double again over the next 20 years as plastics serve increasingly many applications.

Currently, packaging represents 26 per cent of the total volume of plastics used globally. According to UN Environment, one million drinking bottles are purchased every minute, while up to five trillion single-use plastic bags are used worldwide every year. In total, half of all plastic produced is designed to be used only once and then thrown away.

Australians use around 10 million straws a day, equating to 700,000 per day in South Australia. At least eight million tonnes of plastics leak into the ocean each year, which is the equivalent of dumping the contents of one garbage truck into the ocean per minute. Today, about 300 million tonnes of plastic waste are produced every year, nearly equivalent to the weight of the entire human population.

The best research currently available estimates that there are over 150 million tonnes of plastics in the ocean today. If current trends continue, the ocean is expected to contain one tonne of plastic for every three tonnes of fish by 2025 and, by 2050, more plastics than fish by weight. It is therefore unsurprising that there is significant support within my community for us to do our part in helping to combat the problem of plastics waste. I have certainly been lobbied quite heavily by a number of local school students who have done projects on this problem.

I am certainly proud to be part of a government that is taking this issue seriously and is taking action. The Marshall Liberal government is committed to South Australia continuing to be the national leader in recycling and resource recovery. We see this as a key plank of the government's environmental agenda, which is focused on delivering practical, on-the-ground environmental outcomes and not just empty gestures and slogans.

As South Australians, we have a proud history of being the national leader when it comes to waste management. We were the first state or territory to introduce the container deposit scheme in 1977 and in 2017-18 we recovered almost 603 million containers, which is about 42,913 tonnes for recycling. Once again leading the nation, in 2009 South Australia became the first state or territory to ban lightweight plastic bags from supermarket check-outs.

Based on the feedback received through the public consultation, a stakeholder task force, and Plastic Free Precincts, the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020 we are dealing with today was developed. The bill proposes that on commencement of the legislation, single-use plastic straws, cutlery and drinks stirrers will be banned from sale, supply or distribution. Twelve months from the commencement date, the distribution of expanded polystyrene cups, bowls, plates, clamshell containers and oxo-degradable plastic products will then be prohibited.

In view of recent events, a predetermined transition period has not been fixed in the bill but, rather, a framework that allows legislation commencement at a later date. This approach allows for the government to strike an appropriate balance between meeting the intent of existing commitments, the public will for change and the needs of business. Business representatives have advised that

there is widespread support for taking action on single-use plastics and voluntary measures are already underway to reduce their use.

I certainly know that within my own community quite a large number of local small businesses, whether they be eateries or even larger businesses such as local cinemas and plenty of others, are already taking this course of action. To support businesses in the community to transition to alternative products, in the lead-up to and during implementation of the legislation Green Industries SA will be developing communication materials.

The legislation will include exemption-making powers that will allow for the continued sale, distribution and supply of single-use plastic straws to people who require them due to a disability or a particular medical requirement. These matters have been extensively worked through by the task force, which includes two disability representatives.

In terms of the time line of where we are today, in 2019 a discussion paper was released to engage South Australians on what could be included as single-use items to ban and responses to the discussion paper returned an overwhelmingly positive response. Following the positive public response, the Marshall Liberal government issued its commitment to ban a range of single-use products through legislation.

To inform the development of legislation, Green Industries SA formed a task force comprising industry, businesses, community and disability advocates. Additionally, Plastic Free Precincts have been established to include Jetty Road, Brighton, The Parade, Norwood, Adelaide Central Market and all South Australian surf lifesaving clubs, with champions at each site leading the way. The combination of the task force and Plastic Free Precincts helped shape the legislation before us today.

In closing, I thank all those who participated in the consultation process. This is certainly a very important and popular reform that is consistent with our state's proud history in this area. I commend the minister for his work on this very important topic. I commend the bill to the house.

**Mr COWDREY (Colton) (16:53):** I rise today to give my support to the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020. As has already been discussed, on commencement the bill aims to effectively ban single-use plastic straws, cutlery and drink stirrers from sale, supply and distribution and in 12 months from the commencement date, to expand that ban to polystyrene cups, bowls, plates, clamshell containers and oxo-degradable plastic products.

Many are aware of the situation that we have been in over the previous period of time in terms of COVID-19 and the impact that that has had on the implementation and transmission of these measures. For hygiene and other reasons, we have obviously had to make some slight adjustments to that time frame. Nevertheless, it is an exciting next step as South Australia continues to lead the way in the waste avoidance space.

As many in this place have already mentioned, there is a range of statistics that is quite frightening in terms of plastic production around the world and the significant increases that have occurred over the last 30, 40 or 50 years. I think the member for Adelaide specifically referenced that, in 1964, 15 million tonnes—which sounds like a lot, even just that number—was produced but, over the proceeding 40 years, 311 million tonnes was produced.

Plastic has obviously been a material that has very quickly grown in use based on its ability to be quite well used across a number of different areas. But the issue for many, particularly in my electorate, is the movement of that plastic post use, particularly in the single-use capacity, into stormwater drains and into waterways. The electorate of Colton is at the very end of the River Torrens and the Sturt River catchment, so we probably more than any area in South Australia are very aware of what level of plastic enters our waterways in particular.

Being at the end of those catchments certainly means that, for those of us who from time to time are involved with Clean Up Australia Day or various organisations like the Henley Dunes Care Group, Landcare, the local council and a range of other organisations, which do such great work at extracting plastic that has entered those waterways, gone out to sea and then been washed ashore or through other means entered our dunes or surrounding areas, that work is absolutely essential in maintaining the water quality around that area. However, our preference is of course not to have that plastic enter in the first place.

In terms of the process of this bill and where we are today, the discussion paper that has been referenced, 'Turning the tide on single-use plastics', was released by the minister in mid-2019. It garnered a significant number of contributions to the YourSAy process, many of them positive—overwhelmingly positive, I should say—and that really led to the development of this bill. Again, this adds to our continued leadership as a state in this area.

If we only reflect on some of the earlier movements and schemes that have been put in place, I do not think many South Australians can imagine a South Australia where the container deposit scheme does not exist. It is something that has become part of our DNA and part of our way of life in many respects. I certainly do not know many of my generation who did not grow up collecting cans and ensuring we kept them aside.

It was the pocket money that everybody was able to collect at the end of a month or the end of a fortnight, depending on how much soft drink and other beverages a family consumed. Certainly, there is a very practical element to that scheme and it was very quickly picked up by many of my generation. Then, in 2009, the introduction of the lightweight plastic bag ban from our check-outs was another scheme that was quickly and well accepted by our society, particularly here in South Australia.

As somebody who travelled reasonably regularly throughout the 2010 period to go to other jurisdictions and other states, it was almost a strange experience to walk through the shopping centre with a swimming team or anyone else. We would walk through, we would go to the check-out and there would be these things that you had not seen for a number of years: plastic bags that were very readily packed by the supermarket attendants. It was something that we could not even imagine, having introduced that ban just a number of years beforehand. If we reflect, I think Queensland only banned single-use plastic bags in 2018, just two years ago.

In terms of the single-use plastics, I certainly hope that nationally the ability to catch up and to continue the direction we are moving will be taken up by other states slightly more swiftly than perhaps the single-use plastic bag ban was. As has been mentioned over the last number of months, there has been a voluntary trial of this scheme through a range of business precincts and also through the surf clubs in South Australia, something that was well accepted. As the member referenced earlier, it is something that many main streets picked up and ran with and that were very enthusiastic about. The business community has largely been very supportive of this move as well.

In my local area particularly, many businesses in some way, shape or form—particularly coffee shops and the like—had really already started to take steps in this direction, whether that was Cibo through its coffee cup recycling system that uses and transforms that waste into usable material, or whether that was changes in straw materials from metal, as the member for Gibson has very well referenced. From pasta to paper to other materials, there had certainly already been a shift in the eyes of many of our business owners to start to accommodate this.

Another issue that I just wanted to give credence to is that many of these decisions we are making are in essence for the next generation. Initiatives such as this, because they are so practical in their nature, really do resonate so well with many of our primary school-age children. I just want to briefly have a chat about some of the great work being done through a number of my local primary schools in this regard or in a similar regard.

I recently visited the Henley Beach Primary School earlier in the year, and, under the guidance of their fantastic principal, Shane Misso, I was given a very thorough walk through their waste audit process they had undertaken at the school towards the end of last year or at beginning of this year. I cannot remember the exact detail, but that process had led them to work through the rubbish that was being put into bins at the school—to sort through it, to categorise it and to better understand what they were putting into the bins.

As part of that process, they instituted a system of six or seven different bins through the school, so they had food waste bins, they had compost bins and they had recycle bins and re-use bins. The fantastic part of this was that all of those were sized to an appropriate scale and that the landfill bin, the pure waste bin, was about the size of a small water bottle. It was a very small-size box, and the challenge for those students and for those classes was to try to reduce the amount of waste that was going to landfill to fit into that cubic area at the end of every week. I look forward to

coming back to the school in future weeks and seeing how they have got on with accepting and benefiting from that challenge.

Another school in my electorate that does fantastic work in this area is the Star of the Sea at Henley Beach. It is the home of the Marine Discovery Centre, and for obvious reasons their interest in our coast and our marine life is (a) because of their location and (b) because of the interest, support and advocacy they have instilled through the Marine Discovery Centre. I should at this stage reference their soon to be retired principal, Joe De Tullio, who has been a stalwart at the school for many years and who has been a great advocate for the Marine Discovery Centre over that period of time as well.

It is a fantastic centre that takes schoolkids from all over South Australia through an interactive marine experience. They are shown and have the ability to touch and interact with marine life. They are provided insights into Kaurna heritage in the area and the importance of the Torrens catchment to the Kaurna people. They also learn about the impact of putting waste into stormwater and wastewater, something that is particularly important—again, not necessarily for the people in the suburbs closer to the beach. I think there is a heightened sense of understanding around that from the children in that area.

It is for those from the eastern suburbs, the northern suburbs, to understand how the catchment process works, to understand how putting waste into our stormwater, into our wastewater, into our river system, from the very top does have a consequence as it winds its way down towards the beach. They do a fantastic job there. I am sure they will be very keen to welcome back groups of students to the Marine Discovery Centre as soon as it becomes something that we can do in our post-COVID world.

Another school I wanted to reference is Fulham North Primary School, whose year 7s, under their teacher, Ms Berno, are currently doing some work on the UN Sustainable Development Goals. As part of that, the year 7s have broken into a number of groups to undertake some projects. One of the groups, pleasingly—they are always one step in front of the government perhaps—has looked into eliminating single-use plastics entirely from the school canteen. Their hypothesis is that they will save \$625 per year and also reduce waste through their school canteen.

They have a second group that is establishing more nude food activities to encourage families to use less plastic wrap in their school lunches. There are some great activities. As I say, the practical nature of this reform is something that really resonates with our youth and something that I think will be taken on and supported well into the future. Many other schools through the area—and I am certainly aware of Henley High School and, I am sure, all schools in the area—are doing similar activities in this space.

The connection of this bill and the impacts it will hopefully see also tie in, as I have said previously, to my local area. Breakout Creek, we are very pleased to see, has received the final amount of funding necessary to see the last stage upgraded in 1999. The stage of the River Torrens upstream of Henley Beach Road was upgraded in 2010 or thereabouts, the section between Henley Beach Road and Tapleys Hill Road, and now to see that final stage reach the same level as those two previous ones I think is very exciting for our community over the coming months.

It is also important to understand, from a local perspective, how much of an impact single-use plastics have in terms of our local environment. We have talked about it from a practical perspective, where they work their way down. Each and every year, one of the things that Clean Up Australia Day and others are tasked with is, I am sure many are unaware, cleaning Breakout Creek towards the Torrens just before the end of the Torrens at the outlet before it breaks into the gulf at the bottom of the Sturt River before it enters the Patawalonga.

There is essentially a large boom or grate or filter system—I am probably not going to use the absolutely correct language in describing it—that stops as best as it possibly can plastic and waste entering those waterways. To see the sheer volume that is collected there each year is somewhat frightening. It really does hit home. I would love everyone to in some way see the level of waste that is collected. I must say that plastics are generally very high on the list of materials we remove from there each and every year as well. To take another step to reduce the waste that is

collected at those points can only be helpful for the quality of the water and a range of other things—wildlife, etc.—in that area.

This policy also ties very well into the broader Marshall Liberal government's policies around improving our coastal areas, whether it be seagrass restoration, securing Adelaide's metropolitan coastline or just last week the announcement relating to the limestone shellfish reef off Glenelg. Improving our waterways and improving and minimising the amount of plastic and waste that enters these systems is absolutely crucial. All these policies are designed to improve our coastal areas over time, and I am certainly incredibly supportive of that.

As we have said, there are other things that are done in the broader resource recovery sector, and there are business and economic opportunities that come along with that. Certainly from a council perspective, depot drop-offs of certain household items that can have resources recovered from them have been a great improvement. As the member for Narungga touched on, being a leader in this space does provide economic opportunity.

An opportunity for our businesses and entrepreneurs to develop and manufacture some of the alternatives to the products that are currently in circulation is something we should be very focused on more broadly as a business community because taking these first steps, and being an early adopter, provides us with an opportunity that other jurisdictions potentially may not have. As we reflected earlier, to see that Queensland only adopted the banning of single-use plastic bags two years ago serves as a reminder of the opportunity we potentially have here in South Australia.

With those remarks, I certainly add my wholehearted support to the bill proposed. I think that as a state and as a community and for our environment we are ready to take the next step in this journey we are on.

**Mr PATTERSON (Morphett) (17:11):** I also take this opportunity in parliament today to speak about the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020 and indicate my support for this measure being introduced here into South Australia. It will be the first jurisdiction in Australia to take up banning single-use plastics. That will certainly benefit and improve the environment throughout South Australia but, importantly, in my coastal electorate of Morphett, principally the suburbs of Glenelg, Glenelg South and Somerton Park, and also other suburbs that are quite close to the coastline.

There is no doubt, though, that plastics do play a very important role in our economy and in our daily lives. Even in food packaging, plastic has been used to help with food safety and to reduce food wastage but, unfortunately, too often the way these plastics are produced, used and then disposed of, ends up harming our environment. It is this harm to the environment that this waste avoidance bill sets out to eliminate.

It does so in a number of ways: by providing restrictions and prohibition on certain single-use plastics; by promoting and supporting better waste management practices, with one of the aims being the reduction of marine litter; by promoting the principles of the waste management hierarchy, that is, to avoid using it in the first instance and to re-use, recycle, recover and, at worst, dispose of; and by looking to promote the principles of the circular economy.

As I said before, plastics are a very versatile material. They are very easy to shape into basically any particular shape that is necessary, so that makes them very versatile and, at the same time, very durable. This durability and also the low cost that goes into producing plastics have resulted in a massive increase in the types and quantity of products made with plastic and, therefore, what happens with their use in recent decades.

Others have mentioned previously in this debate that, going back to the sixties, there was about 15 million tonnes of plastic produced. Fast-forward 50 years and we are now looking at 310 million tonnes, and of course this is increasing year on year as plastic is produced through the world. The majority of this plastic is produced using fossil fuels and, as a comparison, it accounts for about 6 per cent of overall fossil fuel use on an annual basis. It compares similarly with the amount of fossil fuels and oil used in the aviation sector.

In terms of the durability of these plastics, unfortunately what that means is that a great percentage of the plastic that has been produced since the sixties, seventies and eighties is still in

existence today; however, that plastic product is no longer used anymore. It is past its use-by date, so of course it ends up in waste, and that is in the controlled waste streams or, unfortunately, a vast majority of it is ending up in our natural environment as well, and then from that it is not only land-based but also finding its way into our oceans.

We hear about the great Pacific vortex, which is this conglomeration of plastics that has found its way in through the eddies and is growing in size year on year. About eight million tonnes, in fact, of plastic each year finds its way into the oceans. Unfortunately, a lot of this has come from developed nations where they are really latching onto the use of plastics. The plastics are cheap, but unfortunately they do not have the waste management infrastructure that we are lucky to have here in our developed nation, so of course it finds its way into the environment, unfortunately.

Much of that eight million tonnes is coming from Asia and a lot of developing nations there. I think 3.5 million tonnes of plastic waste per year comes from China, 1.3 million tonnes from Indonesia, and about 0.75 million tonnes from both Philippines and Vietnam. It is a massive problem in our part of the world as well. To put it in perspective, that is equivalent to dumping a garbage truck each minute of this waste. Realistically, estimates are by 2050 the weight of plastic in the ocean will be more than the weight of fish in the ocean. It is imperative that we act, I suppose, and be a leader, but out of that be able to encourage other jurisdictions to act as well.

If we could just touch on the different types of plastic and single-use plastics that have surged in their use in recent years, these have included snack bags and confectionery wrappers, takeaway drink cups and their lids, straws, drink stirrers, drink bottles and their caps and lids, and other sorts of food containers as well, and of course plastic bags not so much here in South Australia but certainly in other parts of the world. A lot of these single-use items are used for beverages and food and if they do not end up in bins, if they are not disposed of correctly, they end up as litter as well.

Unfortunately, much of this litter, while it might start off on the ground, ends up getting washed via drains into our stormwater and then unfortunately gets put into the ocean. In terms of how that plays out in Adelaide, I will mention the Sturt Creek and how that runs through. It starts off in the Hills but eventually makes its way through to Glenelg. If you start off at the source there up in the Coromandel Valley in Upper Sturt, you have pristine water, it is litter free, but as you follow the path of the Sturt Creek down, as you start going through housing, you start seeing small levels of litter and waste appearing in the creek there.

Eventually, the creek passes through into Marion and becomes a concrete drain, effectively, which was done early days for flood mitigation but of course really speeds up the passage of water through the Sturt Creek that starts coming up through Marion. It then goes into Morphettville, Glengowrie and Novar Gardens before emptying into the Patawalonga just near the airport at Tapleys Hill Road. I do not know whether it was by coincidence or whatever, but the Brownhill Creek also winds its way through other suburbs before eventually the confluence of the Sturt Creek and the Brownhill Creek comes together in Glenelg North.

The member for Colton quite rightly mentioned there is the weir at Glenelg North and before that weir there is a just a floating barrier to try to capture as much of this waste that is being carried down as possible. It is pretty much a cesspit of waste on many occasions, a lot of it plastic, a lot of it single use. Most of it is trapped but unfortunately some of it does find its way into the ocean, and any other stormwater in the coastal electorate of Morphett as well can find its way into the coast. When we do Clean Up Australia Day a lot of time I do it along the beach.

In March this year, I ran my own event there. There was a spot in Somerton Park that was not being covered by Clean Up Australia Day. Thank you to all the volunteers who came along and assisted in cleaning up. We started at Glenelg South and half of the group went south towards Somerton Park and Glenelg South, and the other half went north up towards the jetty at Glenelg. The common types of waste that are picked up are cigarette butts, straws and bottle caps, as well as some disposable cutlery.

As a surf lifesaver, when I am out in the rubber duck I do notice plastic floating in the ocean or making its way onto the coastline. Unfortunately, this plastic gets mistaken as a jellyfish and the like, so the marine fish and seabirds swoop down and ingest it. It finds its way into their stomachs,

which is not a great result at all. Certainly, the children in my electorate are onto it and are really passionate about this.

One of the schools, Immanuel Primary School, over the last few years has invited me to their year 6 expo. I thank the principal, Bec Clements, for that, as well as teachers Nathan Berry, Melanie McDonald, Holly Fouyaxis and Sarah Nash. They really guide those students, and it is amazing how globally aware they are. They split up into small groups and they focus on the 17 United Nations sustainable development goals, so each of those small groups looks at one of the goals in particular. They identify solutions not just for our local area but also on a global scale. I think goal No. 12 focuses on responsible consumption and production patterns. This is exactly what this single-use waste avoidance bill really sets out to achieve.

Additionally, sustainable goal No. 14 focuses on life below water. This includes a target that by 2025 we significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution. Last year, when I went along the group of students that was looking at this area had a water-filled undersea diorama that had bits of plastic floating in it, showing what the problem was but also coming up with solutions. One of those solutions was to avoid using straws. Again, they were looking to eliminate those and seeing if they could eliminate them out of their canteen as well.

That is certainly why I am very pleased to support the introduction of the Single-use and Other Plastics (Waste Avoidance) Bill 2020 here in South Australia. It is a bill that will prohibit the sale and supply of certain single-use plastic products and, in so doing, further protect the environment from the urgent problem of plastics pollution. It will certainly be a recognition of the concerns of those young students at Immanuel Primary School but also so many others across the state that they are being listened to by their elected members of parliament and, importantly, that we are taking practical action to benefit the environment that they will grow up in.

It is not tokenism and not promises but actual action, and I think that is a hallmark of what this Marshall government is doing. It is taking practical action. The way we are doing that in this case is that we are moving away from the take, make and dispose consumption model and looking to one that looks to return those materials back into the economy, participate in the circular economy or, in this case, eliminate single-use plastics. There are a lot of them. We are looking to be sustainable as we do this.

I talked about plastic straws. It is one thing to eliminate them, but we have to make sure that before we eliminate any of these single-use plastic products there is an alternative. Certainly, with straws there are alternatives. The members for Gibson and Heysen mentioned the ability for metal straws to be used. Again, my daughter has a metal straw that she uses, which is a way of eliminating them. The technology in terms of paper straws and cardboard straws as well has come a long way and is certainly a viable option.

In terms of plastic cutlery, we are now seeing compostable varieties, such as those made from bamboo and wood. There are certainly possibilities for businesses to use and replace, but not totally eliminate, that service offering for their customers. It is of course important that we consult with businesses and listen to their concerns, and that is exactly what is being done in this case. Another way to iron out any problems was to have a plastic-free pilot program, which was run in four precincts from 30 September 2019. One area was very close to the Morphett electorate, in Brighton. The member for Gibson spoke glowingly about what they were doing at Jetty Road, Brighton. The trial was also run in lifesaving clubs across South Australia, including the Glenelg Surf Life Saving Club.

They were looking to eliminate and move away from plastic straws and disposable cutlery and to show that businesses could continue without any disruption. I should also mention The Parade in Norwood and the Adelaide Central Market were also involved. The trial ran until 31 March, with 46 businesses participating, and 38,324 pieces of plastic were eliminated. It was a hugely successful pilot and it gives us great confidence as we move forward. It was not just these plastic-free precincts; other businesses looked to voluntarily take part. In November, thanks to the fantastic work of the Rotary Club of Glenelg, they gave out 2,000 paper straws to businesses on Jetty Road, Glenelg to encourage them to eliminate plastic straws. This was hugely successful.

In relation to the use of compostable materials, during a time when there is a lot of takeaway instead of dining in, the Seafaring Fools on Broadway in Glenelg South have looked to use compostable coffee cups and lids. They deserve a pat on the back. Businesses are voluntarily looking to do this.

Turning to the specifics of the bill, I will look at a few definitions. In part 3, the bill defines a plastic product as 'a product that is comprised in whole or part of plastic'. That way, even if a product only has part plastic, it is still covered by this definition. Plastic has been defined as 'a material made from, or comprising, organic polymers, whether plant extracts or of fossil fuel origin'. It also defines oxo-degradable plastic as:

...a material...made of plastic which includes additives to accelerate the fragmentation of the material into smaller pieces, triggered by ultraviolet radiation or heat exposure, whether or not this is...followed by partial or complete breakdown of the material by microbial action;

The reason I talk about this is to outline the differences in biodegradable and oxo-degradable plastics, to the extent that they degrade or biodegrade through natural processes, and whether this will eliminate them from accumulating in the environment or, in fact, contribute to accumulation of plastics in the environment.

In terms of the use of fossil fuels to create plastic products compared to some of the more natural processes—polylactic acid plastic is a natural polymer that means plastic can be produced through sugar cane or corn. There is some talk about whether this is a possibility because it degrades and biodegrades to benign chemicals during industrial compostable processes. It seems encouraging on face value; unfortunately, the industrial composability of this plastic requires high temperatures and humidity to break down the bonds and allow it to biodegrade.

Unfortunately, when this plastic gets into the natural environment, whether it goes into soil, sediments or even water, the conditions to break down and biodegrade are not there. Unfortunately, this plastic ends up like fossil fuel-based plastic and becomes environmental litter. The European parliament looked at this and thought that single-use PLA products should be treated in the same way as fossil fuel-derived single-use plastic products because of that.

The South Australian government has also adopted this precautionary approach in relation to its definition of plastic. At this stage, plastic, whether it is fossil fuel based or plant based has been caught up as a single-use plastic product. Further, when we look at oxo-degradable, as I mentioned, these rely on ultraviolet radiation to break down, but unfortunately all they do is break down into smaller pieces and produce micro and nano plastics that linger in the environment. Maybe they break down over hundreds or thousands of years, but certainly in the time frame we are looking at, the lifespan of animals, which unfortunately end up ingesting them, this is certainly too long. It causes confusion in the community and I think the sensible option that the minister and this legislation look at is to prohibit them.

In terms of single use, the definition says that it is a product design intended to be used once or for a limited number of times before being disposed of. That gets around labelling, where a producer of this might label it as multiuse, but realistically it is only going to be used once, maybe twice, and then disposed of.

To confirm what is prohibited in the sale, supply and distribution of plastics, we have single-use plastic drinking straws, single-use plastic cutlery, single-use plastic drink stirrers and then moving on to expanded polystyrene cups, bowls, plates and clamshell containers. Moving forward, there is the possibility in regulation for other products to be added. It would have to be consulted on over at least an eight-week period, specifying what is going to be prohibited, why it is going to be prohibited and what alternatives are available.

I would love to speak more on this, as it is a fantastic bill, but time is running out. I finish by confirming that the Marshall Liberal government is acting to address the urgent problem of plastic pollution by prohibiting the sale and supply of single-use plastics. It is much welcomed in the electorate of Morphett, being a coastal electorate, and I commend the bill.

**Ms LUETHEN (King) (17:31):** I rise to support the bill because our Marshall Liberal government plan is delivering in a practical and sustainable way for our environment, and the environment certainly matters.

In my King electorate office in Golden Grove, I proudly have displayed the environmental posters which Golden Grove High School students have made and presented to me and which demonstrate their strong views on how much the environment matters to them. One poster says, 'The earth is not recyclable. Save the one we have.' This is such an important statement, so important that I have recently added this student's picture and poster to my birthday cards that I send out to the electorate, as I am so proud of this message from Golden Grove High School student Bella Walden.

I am proud that South Australia is leading the nation on tackling climate change, that we are leading the nation on renewable energy with the most ambitious plan to slash emissions and that we are the first state to progress banning single-use plastics. The Marshall Liberal government is committed to South Australia continuing to be the nation leader in recycling and resource recovery. We see this as a key plank of the government's environmental agenda, which is focused on delivering practical on-the-ground environmental outcomes, not just empty gestures and slogans.

As South Australians, we have a proud history of being the national leader when it comes to waste management. We were the first state or territory to introduce the container deposit scheme in 1977, and in 2017-18 we recovered almost 603 million containers for recycling. Once again, leading the nation, in 2009 South Australia became the first state or territory to ban lightweight plastic bags from supermarket check-outs.

The Single-use and Other Plastic Products (Waste Avoidance) Bill 2020 has been developed taking into account the feedback received through public consultation, a stakeholder task force and the Plastic Free Precincts pilots in South Australia. The bill proposes that on commencement of the legislation, single-use plastic straws, cutlery and drink stirrers will be banned from sale, supply or distribution. Twelve months from the commencement date, the distribution of expanded polystyrene cups, bowls, plates, clamshell containers and oxo-degradable plastic products will then be prohibited.

When we widely consulted businesses, business representatives advised us there is widespread support for taking action on single-use plastics, and voluntary measures are already underway to reduce their use. To further support businesses and the community to transition to alternative products in the lead-up and during the implementation of the legislation, Green Industries SA will be developing communication materials. The legislation will include exemption-making powers that will allow for the continued sale, distribution and supply of single-use plastic straws to people who require them due to a disability or particular medical requirement.

These matters have been extensively worked through by the task force, which includes two disability representatives. As a recap of the time line of events to date, in 2019, a discussion paper was released to engage South Australians on what could be included as single-use items to ban. Responses to the discussion paper returned an overwhelmingly positive response. Following the positive public response, the Marshall Liberal government issued its commitment to ban a range of single-use products through legislation planned for 2020.

To inform the development of the legislation, Green Industries SA has formed a task force comprising industry, businesses, community and disability advocates. Additionally, Plastic Free Precincts were also established: Jetty Road, Brighton; The Parade, Norwood; Adelaide Central Markets; and all SA surf lifesaving clubs, with champions at each site leading the way. The combination of the task force and Plastic Free Precincts helped shape the draft legislation, which has been introduced into parliament.

This really is a policy that is timely and it is a policy laden with opportunity for our state. We know that this policy has sent a substantial market signal to South Australian businesses and businesses at a national level, as well, a market signal that says to these businesses and other businesses, 'Come to South Australia, the place that is the manufacturing epicentre for alternatives to single-use plastics.' We already know that this is happening. We know that businesses here in South Australia and businesses interstate are looking to South Australia because of this leadership.

We know that this is a policy that has the capacity and the potential to stimulate innovation. We know that programs like the program we are running in partnership with Innovyz, the start-up and entrepreneurial organisation, are identifying start-up businesses that are undertaking research and development and product development in this space. They are providing them with the support to create jobs, get alternatives to single-use plastics, find alternatives to get other forms of tricky and troublesome waste out of South Australia and find ways to replace them in ways that create jobs here for South Australians.

We have Green Industries SA's support sitting alongside industry in South Australia, particularly through the grants program. In December, \$3.3 million worth of recycling infrastructure grants were awarded to 20 projects. That will create 30.5 full-time equivalent jobs, and they will not be one-off jobs: they will be sustained into the future. That is because of the \$3.3 million in grants that we provided to innovative organisations to come up with new waste solutions. We also know that the grants scheme will provide \$9.6 million across the total value of projects and will divert almost 19,000 tonnes per annum of waste from landfill. Our single-use plastic ban is absolutely leading the way.

Earlier on, in May, I socialised this bill in King and I was grateful to receive valuable feedback, support and questions from local constituents. Skye Martine commented that it was interesting to hear that SA Health had proposed cafes and restaurants could use throwaway cutlery during the pandemic. It was great to read her comments, suggesting that surely there is a better way. This is how we have to be to continue to think in SA to make SA a leader in recycling and resource recovery. Well done, Skye. Alan Anwar said:

Good idea Paula, but that could hinder peoples jobs, and affect the manufacturing, I would tackle the problem different way, I would fund for research, how to recycle single use plastic into products that we will benefit off, as well as create more jobs for the might SA people.

I thank Alan for contributing his thoughts to this important conversation and his suggestions. I hope that my speech today will provide more information on the approach that has been taken by our minister and by our government and the task force before this bill was drafted.

I am pleased that the banning of single-use plastic products was piloted through voluntary business retailer-led Plastic Free Precincts to identify opportunities and challenges associated with transitioning a way from single-use plastics and to inform the legislation. The minister said that a discussion paper released received strong feedback from South Australians. The minister said that it was clear from more than 3,500 submissions that there is significant community and industry support for increased measures to address a range of single-use plastic products and other items.

Nearly 99 per cent of respondents recognise the environmental problems associated with single-use plastics, and nearly 97 per cent supported government intervention. I agree with Alan: I would like to see further attention given to South Australia coming up with more solutions to recycling more of the products that cannot be recycled today. I think it is also important to educate our community on what these products are right now, and I thank Ben from Statewide Recycling for the tour he took me on to learn more about which containers today can and cannot be easily recycled.

Lastly, in wrapping up I would like to touch on the great news that South Australia's waste management and recycling sector will get a \$1.7 million boost with the Marshall Liberal government approving a range of projects to help reduce the amount of household waste sent to landfill. The funding delivered through Green Industries SA will assist councils to upgrade and modernise waste collection and recycling services to increase the kerbside diversion rate through innovation and approved efficiencies.

The Minister for Environment and Water said that the \$1.7 million is for three programs: one to reduce food waste sent to landfill, another to help councils modernise their collection systems, and the other is for regional council transport subsidies. Improved waste management is not only good for the environment but also it contributes to South Australia's economic growth by creating jobs and developing new business opportunities to recycle and re-use our resources right here in South Australia.

The single largest remaining area for improvement in council kerbside systems is food waste, which makes up 40 per cent of the weight of household residual waste bins sent to landfill. By

supporting councils to improve their collection of food waste, we can also lower waste management costs, reduce greenhouse gas emissions and create a valuable resource like compost. In King, we have three councils managing waste, and I wish to congratulate the City of Tea Tree Gully, which continues to make progress in waste management, recycling, the 'which bin' education and the reduction in waste going to landfill.

The City of Tea Tree Gully has made it easy to get hold of the free mini muncher kitchen caddies and their bags, which has seen them become very popular in King households in Golden Grove, Greenwith and Surrey Downs. My 10-year-old son, Max, had great fun setting up our bins in our house and putting the stickers that Tea Tree Gully provided on our different bins, and he said, 'Well done, Tea Tree Gully' when he was finished setting up our home 'which bin' system.

I strongly encourage all other councils to take advantage of the Liberal state government's funding programs to make it easy for households and as cost effective as possible for households to get involved in household recycling programs. I thank the Minister for Environment and Water for his work to produce this bill and his commitment to a range of practical environmental projects, which are helping South Australia lead the way in recycling, in greening South Australia and in getting our community back into nature, and I commend this bill to the house.

**Mrs POWER (Elder) (17:44):** I rise to add my contribution to this bill and to show my support for this forward-thinking legislation that seeks to reduce waste and help protect our beautiful environment for future generations. I sought feedback from my residents, whose responses overwhelmingly support a ban on single-use plastics such as what is proposed in this bill. With at least eight million tonnes of plastics ending up in the ocean each year, public awareness about the damage plastics cause to our environment is growing. This legislation is refreshing in that it seeks to take responsibility for addressing an environmental issue that does not neatly sit within jurisdictional borders.

If no leadership is taken now to reduce our single-use plastics waste, future generations may not have the opportunity to experience our environment as we do today, or even as we did as children growing up. According to Green Industries South Australia, the amount of plastics ending up in the ocean is equivalent to dumping the contents of a garbage truck each minute. If the current trends continue, by 2050 there will be more plastics in the ocean than fish. This is just such a frightening, depressing, shocking thought.

However, many in our communities do actively seek and advocate for ways to avoid single-use plastics by reducing, re-using and recycling. I commend those people who shape their lifestyles out of concern for our planet, who make every effort and change their habits for the benefit of our environment. Now is the appropriate time to see these actions supported in legislation.

I know many who wish to make better choices. However, in a society where even some of our vegetables come individually wrapped in plastic, people can be dismayed at the extensive use of plastics and the difficulty involved in avoiding them. Through legislative change, we are able to support South Australians to have far greater accessibility and choice of products to help reduce plastic waste.

It can be argued that the wide support for this bill is based on its commonsense approach to reduce waste and benefit the environment. The aims of the bill are simple: provide for the restriction of certain single-use and other plastic products; promote and support better waste management practices, including the reduction of marine litter; promote and support the principles of the waste management hierarchy; and promote and support the principles of the circular economy.

In some of the feedback received from local residents about this, they shared their views in support of removing plastics and packaging from vegetables; encouraging companies to use recyclable packaging; providing more education for green bin waste, so less goes to landfill; and implementing a single-use plastics ban not just in our own state but globally. It just goes to show how much support there is out there for the legislation we are discussing today, which the Marshall Liberal government introduced into parliament.

This bill seeks to prohibit in South Australia single-use plastic drinking straws, single-use plastic knives and forks, single-use plastic beverage stirrers, cups, bowls and plates and other polystyrene clamshell food containers. Removing these single-use options encourages companies,

businesses and individuals to make better choices towards more recyclable, biodegradable packaging options. Making these small measures in our day-to-day life will, I have no doubt, make a monumental difference to our environmental footprint and hopefully pave the way for other jurisdictions to implement similar legislation.

With the combined effort of government initiatives and the actions of mindful citizens, we can do more than just simply reduce our environmental footprint; we can support it to thrive. This legislation reflects the many environmentally minded actions that are making a difference in our communities. I would like to acknowledge a couple of local cafes I know in the heart of Colonel Light Gardens, including Bond and Lane and the Local Crowd cafe, both of which support locals who come in to use their keep cup. They also sell keep cups there, or Frank Green cups—whatever you want to call them. They are very, very supportive of environmentally minded citizens.

Another consistent theme I also received in feedback from local residents in regard to this legislation is support for also banning plastic-lined coffee cups. Green Industries SA has identified that plastic-lined coffee cups are included in a range of single-use items that require further analysis and consultation prior to the consideration of phase-out. However, the combined small actions of many citizens and local businesses are already creating a huge reduction in waste.

The take-up of re-usable coffee cups has had a significant impact on the public consciousness of waste and the importance of reducing our single-use waste. As I mentioned, it is not only our local cafes in the electorate of Elder that are doing their part; a number of locals shared their stories with me in response to the consultation I undertook regarding this legislation. One lady shared with me that she has been using her re-usable coffee cup since 2014 and that she drinks a coffee most weekdays. With the simple re-use of one keep cup, she estimates she has saved over 1,200 takeaway coffee cups. It is absolutely mind-blowing. If just 10 people do the same, that is 12,000 less cups in landfill. Small actions made consistently make big outcomes for our environment.

While the current COVID-19 conditions have impacted the use of keep cups and other biodegradable options, I encourage people to make use of keep cups when it is safe to do so again. Together with the combined efforts of sustainably minded citizens, more environmentally friendly choices and legislation that has been introduced in this parliament to support waste reduction, we can all work together to make a significant difference. I commend the bill to the house.

Debate adjourned on motion of Mr Pederick.

At 17:51 the house adjourned until Thursday 4 June 2020 at 11:00.