HOUSE OF ASSEMBLY

Thursday, 24 September 2020

The SPEAKER (Hon. J.B. Teague) took the chair at 11:00 and read prayers.

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

Motions

UNDEREMPLOYMENT AND INSECURE WORK

Ms HILDYARD (Reynell) (11:01): I move:

1. That in the opinion of this house a joint committee be appointed to investigate and report on—
   - (a) the prevalence of underemployment and insecure work in South Australia;
   - (b) the reasons for underemployment and insecure work in South Australia and its impact on the economy, community and industrial rights and conditions;
   - (c) the impact on the share/gig economy on employment, job security, the economy and industrial rights and conditions;
   - (d) how underemployment and insecure work impact South Australians'—
     - (i) ability or otherwise to meet the cost of living;
     - (ii) health, wellbeing and family cohesion;
     - (iii) interactions with government systems, including welfare benefits, health care and education services;
     - (iv) health and safety at work;
     - (v) retirement; and
     - (vi) participation in community activity;
   - (e) how underemployment and insecure work impacts people from a range of age groups, cultural backgrounds and abilities and women and men in different ways;
   - (f) what strategies could effectively assist to address the prevalence of underemployment and insecure work in South Australia and its effect; and
   - (g) any other matters.
2. That, in the event of a joint committee being appointed, the House of Assembly be represented thereon by three members, of whom two shall form a quorum of assembly members necessary to be present at all sittings of the committee; and
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting concurrence thereto.

Australia is in recession for the first time in 30 years. Unemployment is at a record high and South Australia has the highest unemployment rate in the country. On top of these bleak economic realities, successive neoliberal Coalition governments have created an inequitable economy where casualisation and precarious work have driven working families into poverty.

Wage theft has become endemic in certain industries, workers have fewer rights when it comes to bargaining with their employers and wage stagnation is making day-to-day living harder for workers, their families and the economy. The advent of the share or gig economy has further eroded wages, job security and conditions. As a result, the gender pay gap relentlessly persists and, if not addressed, it will not be closed for decades.

Women remain much more likely to be in insecure work and, working in the industries that they do, they are more likely to attract less remuneration than in those industries dominated by men. These are just some of the challenges facing many, many South Australian workers. The pandemic

has not created this situation, but it has certainly exposed the shortfalls and limitations of insecure employment and heightened the risks to your livelihood should you be employed in a precarious manner.

As the impact of the COVID-19 crisis continues to be felt, we will confront these issues in an environment where unemployment is rising and where businesses may find it difficult to afford to employ the same number of people they did before the pandemic. South Australia thrives when everyone is supported and enabled to equally and actively participate in our economy and in every aspect of community life. People thrive when they are included and when they experience equality of opportunity.

We need look no further than the more than 800 hospitality and event staff employed by the publicly owned Adelaide Venue Management Corporation who were denied basic COVID-19 support when they needed it most. These workers, working across the Entertainment Centre, Convention Centre and Coopers Stadium, were amongst the thousands of hardworking South Australians left unemployed without entitlements and unable to claim JobKeeper because their employer was classed as a statutory entity. These and many other workers on insecure contracts have been left to fend for themselves by both state and federal Liberal governments.

As I have previously said, workers engaged on an insecure basis are overwhelmingly women. Recent data shows that 22 per cent of women work fewer than 20 hours a week compared with just 10.6 per cent of men. This means that twice as many women may have their JobKeeper payments reduced under changes to the stimulus program.

Many of the industries that employ women and young people are suffering terribly as a whole, including hospitality, child care, the arts, live music, education and tourism. Despite this, we have seen almost all the government stimulus directed at male-dominated industries, including the $700 million construction bailout that was rolled out at the same time the JobKeeper wage subsidy for childcare workers was cut altogether.

South Australia's unemployment rate is currently hovering at around 8 per cent. Youth unemployment sits at an extraordinarily high level and underemployment is also rife. With the winding back of federal stimulus measures and our state stimulus being the smallest in the country, it is fundamental that we thoroughly understand the labour market challenges facing South Australians.

All the issues I have outlined are further exposed by the pandemic. It is therefore imperative that, at this crucial economic juncture, we shine a light on employment insecurity and the many issues that that creates. We must find solutions to support those in our community who are underemployed, bereft of rights and entitlements, and disenfranchised from the job market.

We must think about job creation in the context of what will be needed to meet the future demands of existing and new industries and how women can be supported to take their place in those industries. We must better understand how underemployment and insecure work impact people from a range of age groups, cultural backgrounds and abilities. This examination, as I have said, must include an exploration of how insecure work and underemployment impact:

- the ability of workers to meet the rising cost of living;
- health, wellbeing and family cohesion;
- access to government support and services;
- the ability to be safe and healthy at work;
- people's ability to participate in community activity; and
- people's access to entitlements as they traverse jobs across low-paying industries.

As well as exploring the impact, we must consider the way forward. We must examine the availability and effectiveness of support structures and programs to assist South Australians in gaining secure work and how we can increase training and work pathways and support and empower people to traverse those pathways. We need to find ways to create secure jobs, jobs that include paid sick leave and other leave entitlements and other basic employment rights that have continuously been eroded since the federal Liberal's ill-fated WorkChoices disaster of the mid-2000s.

The COVID-19 crisis has utterly changed our state, national and global psyche, work and our economy, and our industrial landscape. However, it has also absolutely strengthened our collective readiness to embrace fairness, compassion and collaboration. Going forward, our economy will be different, as will the workforce needed to service it. It is imperative that we understand these challenges and changes and think together about:

- how particular types of work should be valued;
- how critical secure work is to individuals, our economy and cohesion as a community;
- what role governments can play in supporting people into and out of employment;
- how we can better support businesses to keep people in work;
- how we can assist those who are already deeply disenfranchised in the labour market; and
- how important authentic connection with one another and looking after each other is.

As we navigate through the ongoing COVID-19 crisis, these are the workforce, economic and community issues we must confront. If we do not, our economy, our community and our state will suffer. We will have higher levels of household debt. Women will continue to go backwards in the workplace and insecure work will relentlessly persist. These and other issues relating to jobs, workplace relations, the economy and our community must be addressed before any more South Australians fall below the poverty line. I commend the motion to the house.

Debate adjourned on motion of Dr Harvey.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: INFORMATION GUIDE

The SPEAKER: I call the member for Kavel.

Mr CREGAN (Kavel) (11:10): Thank you, Mr Speaker, and I acknowledge that you would otherwise have performed this task but of course have been elevated to your present role, so it gives me great pleasure to perform it instead. As you yourself would be closely aware, but as I—

The SPEAKER: Member for Kavel, I am I loath to interrupt; I think leave may be required.

Mr CREGAN: Indeed it is. I was just endeavouring to provide a very enthusiastic preamble. I move:

That the report of the committee, entitled Legislative Review Committee Information Guide, be noted.

I otherwise continue my remarks. As I was indicating to the house—

The SPEAKER: Member for Kavel, I take that as seeking leave?

Mr CREGAN: Yes.

The SPEAKER: Leave is sought; is that seconded?

An honourable member: Yes, sir.

Leave granted.

Mr CREGAN: I am not to be undone in my enthusiasm, Mr Speaker. As you yourself are closely familiar with, the new information guide for the committee is a particularly useful document to assist ministers and their departments engaging with the committee. As members will appreciate, the committee works to provide parliamentary oversight of 400 or more instruments which are delegated by parliament to the executive branch of government and which perform much of the work of government in view of the increasing tendency for detailed instructions or machinery to be contained in regulations rather than in overarching legislation.

In that respect, this guide is very useful, and I recommend it to members and most particularly note that it may be of use to ministers. It is also useful for me to refer to and amplify and endorse the remarks made in the other place by the Hon. Nicola Centofanti and not detain us here today; those

remarks are complete. It is right that they be made in the other place in view of the fact that the honourable member there is the Chair of the committee. I draw members' attention to those remarks and of course bring up the guide in the house.

Motion carried.

PUBLIC WORKS COMMITTEE: CHARLES CAMPBELL COLLEGE REDEVELOPMENT

Mr CREGAN (Kavel) (11:14): I move:

That the 67th report of the committee for the Fifty-Fourth Parliament, entitled Charles Campbell College Redevelopment Project, be noted.

Charles Campbell College is a reception to year 12 school located in Paradise. The college was allocated funding of $11 million as part of the Department for Education's capital works program. Other members will appreciate that the key features of the redevelopment at Charles Campbell College included refurbishment to the school's performing arts building and refurbishment works to the junior school to create larger and more flexible learning spaces.

The project also involved a new build and refurbishment to the senior school, as well as the removal of aged infrastructure at the school site. When complete, the redevelopment project will provide a total school enrolment capacity of 1,600 places across two campuses on the school site by 2022. Construction is expected to be complete by October 2021.

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

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (11:16): I rise to speak, albeit very briefly, in regard to the Charles Campbell College redevelopment project.

Firstly, I outline that I have been the local member for this area for a fair period of time. I have also been on the governing council of Charles Campbell College for some time now and it has been a very enjoyable role. I want to take this opportunity to thank the very hardworking staff at Charles Campbell College for the good work they do and also the students who, every time you go to the school, greet you in a very warm fashion. I have been the recipient of some very positive treatment there in my time as the member for Hartley.

I have been fortunate enough to have watched various performances, whether it be a play, a musical performance or a performing arts performance. What you have at Charles Campbell College is an excellent showcase in the performing arts area of the curriculum. They are also doing fantastic work not only in what was the old VET space but also in the sporting area. There are some exceptional academic results coming out of Charles Campbell College as well as superb co-curricula possibilities.

As we have heard, the college is located on Campbell Road, Paradise, in the Campbelltown City Council area, which currently is in my seat of Hartley. I note that the college was allocated about $11 million as part of the Department for Education's capital works program, which was announced in October 2017. The Minister for Education and I—I am sure the Minister for Education will allude to this—were recently fortunate enough to have a short tour of the project.

Part of stage 1 involved, I understand, demolition of building 15 and refurbishment of building 16; there will also be refurbishment of the performing arts building 3, including a new entry foyer; refurbishment of building 2, the ground floor, including a seismic upgrade; and also, as part of stage 2, refurbishment of building 2's first and second floors.

I am very proud of the school and of what it has been able to achieve with, you could say, certain aspects of the buildings that are probably due for an upgrade. They are getting that upgrade, so it is an exceptional facility, but it is going to be even further enhanced by these upgrades.

Specifically, the development project will include, as I said, upgrades to key areas. I am sure the Minister for Education will talk to this, but they will bring contemporary learning areas that support 21st century learning pedagogy into the school. They will also build on the creative and flexible learning spaces to enhance student engagement and allow collaborative teaching practices and new efficient facilities on the school site that will replace the ageing buildings.

We are hoping for these works to be completed in late 2021. I look forward to cutting the ribbon with the very hardworking Minister for Education. I thank the teachers, parents and students for making Charles Campbell College the great college it is.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:20): I am really pleased to be able to talk about Charles Campbell College today. It is a very special learning institution and I commend the Public Works Committee for being able to so expeditiously pass through the consideration of this project so that work can get underway.

Recently, it was a great pleasure to visit Charles Campbell College with my colleague the member for Hartley and spend some time talking with the school leadership—Kevin O'Neil and his team, and Georgie Warren, representing the governing council—and some of the workers from Partek Construction, who are really enjoying being on that campus and improving the facilities.

Charles Campbell College has a proud and reasonably long history of educational achievement for students living in the eastern suburbs. It is zoned for parts of my electorate, including Athelstone and parts of Rostrevor, and a number of students from Highbury go to Charles Campbell College. I am sure that the member for Hartley's electorate, in which lies the other half of the school zone, are equally proud of the work that Charles Campbell has done over many years.

In the past decade, Charles Campbell merged with Campbelltown Primary School, which was the neighbouring primary school just across the road. There have been some development works as a result of that voluntary amalgamation during the past term of government. I place on the record my gratitude to the former government for the voluntary amalgamation program. It was a very good piece of public policy, encouraging those schools that have a complementary catchment the opportunity to increase the value of what they are able to deliver through the savings that the amalgamation proceeds.

That amalgamation process has gone very well over the past five or six years. I remember talking to the first group of year 12s who were under the new Charles Campbell College banner. I remember talking to the first group of year 12s who had gone through the whole senior school at Charles Campbell College. It is a proud tradition that is now being developed in the next stage of Charles Campbell College as it goes through that R-12 process.

As part of that, it is one of the schools in South Australia that already has year 7s in high school. Those students are part of the senior school campus and are doing tremendously well. Part of the build reflected in this Public Works Committee report is in the old Campbelltown Primary School site, the R-6 part of the school. The collaborative learning areas and open spaces that are being created in some of those old buildings will dramatically improve the amenity of that site and enable the flexible learning spaces to be deployed very effectively for students in the primary school part of Charles Campbell College.

The most dramatic transformation, however, in Charles Campbell College will be on the senior school site. The other improvements to the senior school site in recent years included the improved administration facilities, particularly in that main building, which occurred at the time of the amalgamation with Campbelltown Primary School. There is also a trade training centre and the work that is done there is outstanding.

Students from right around the eastern suburbs, including from the private school system, the Catholic school system and other public schools, come to Charles Campbell College to work in their auto workshop or their other trade training centre operations. TAFE SA runs courses in the construction field and operates out of Charles Campbell College, and it is available for students across the eastern suburbs. This means students can access these pathways that will give them strong skilled and technical certificate qualifications that will lead into real jobs in areas of need in the years ahead.

I commend Charles Campbell College for that work. As the member for Hartley alluded to, one of the areas in which Charles Campbell College has a particular level of pride is in the performing arts. When I first became a member of parliament and had a bit more time on my hands, I would appreciate every opportunity to go to performing arts performed by Charles Campbell College. Their drama, their performances, their musicals and their dance performances are points of great pride, and the new facilities will enable those to be delivered on an even greater level.

I was really pleased to see one of the members of The Fishbowl Boys, a barbershop quartet from Charles Campbell College that made the finals of *Australia's Got Talent*, who graduated about 10 years ago. At least one of their performers is now working in the public school system. I met him at Nuriootpa High School, where he is in the music department and doing a terrific job. Charles Campbell College can be very proud of their outcomes in performing arts.

Science, technologies and maths areas are critical for all schools. They are areas where we need every student in every one of our schools who has an aptitude for those areas to be given the best possible opportunities to take up that learning opportunity for whatever pathway that is available ahead. The space sector, the defence sector, engineering—there are a range of areas where we are going to have significant numbers of jobs where we need highly qualified young people in those science and technology areas with great aptitude for doing those jobs in the years ahead. Part of the new build at Charles Campbell College will see new labs, new flexible areas and new areas designed for technology created for those students.

It is really pleasing to see the work that is underway there by Kevin O'Neil and his team and Georgie Warren and the governing council. Kevin, Georgie, the member for Hartley and I were extremely pleased with the development of the work. I believe that it is going to be on schedule. It is certainly on or even under budget, which is great news, and we cannot wait to see the final outcome of this building work.

The children at Charles Campbell who are in their primary years at the moment are going to have a great new learning area. The young men and women of Charles Campbell who are in the secondary years are going to have great new learning areas, and the teaching and learning, which are already strong, will be backed up by fantastic new facilities for years ahead. As the local member for half of the school zone and as the Minister for Education, I could not be prouder of the work being done on this Charles Campbell College build.

Mr CREGAN (Kavel) (11:26): I acknowledge the contributions made by both the Minister for Police and Emergency Services and the member for Hartley and of course the Minister for Education, who is also the member for Morialta. They are both closely familiar with the life of the school, the nature of this project and the benefits it will bring.

I was interested to hear and to learn more from the member for Hartley about the artistic and cultural program at the school, the significance of that program and the fact that it is a point of pride, as the Minister for Education subsequently remarked. I also place on record our gratitude for the work of Kevin O'Neil and Georgie Warren, as the representative of the governing council, and of course for the work of all governing council members. As the member for Hartley reminded us, he had been one and in the course of that contribution was equally familiar with the work of the school. In fact, he may even continue to serve in that role but, in any case, is ever present in his community, absorbs every detail, acts on it and is famous for it, and we are grateful for his contribution.

We are also particularly grateful for the contribution of the Minister for Education, who has had a very significant workload. It is right to say that much of the scope of the work that the Public Works Committee has examined has been a very substantial education build program, which has been overseen by the minister, his department and departmental officials, and though I will not name them, because it is an important convention, we are grateful for agency staff who have been present to give excellent evidence to the committee. Their workload has equally been significant, but it has not impacted on the quality of their advice to us, which we have appreciated and in this and other instances acted on.

Motion carried.

PUBLIC WORKS COMMITTEE: HENLEY HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:29): I move:

That the 68th report of the committee for the Fifty-Fourth Parliament, entitled Henley High School Redevelopment Project, be noted.

Henley High School was allocated a total funding of $1 million as part of the Department for Education's capital works program. Mr Speaker, as you will know, Henley High School requires additional space to support the future growth in student enrolment numbers, and this includes the transition of year 7 students to high school in 2022. When complete, the redevelopment project will provide Henley High School with the required capacity to accommodate 1,700 students and in doing so cater for the expected future growth in student enrolments.

I say specifically and report to members that the scope of the Henley High School redevelopment will include the construction of a new administration building, a new arts building and a new building for the subjects of home economics and health. The project will also deliver new general learning areas, a new extension to an existing building for science laboratories and general learning areas, as well as landscaping to improve the street presence and amenity of those facilities.

The redevelopment project will be staged with construction expected to be complete in December 2021. The committee examined written evidence from the Department for Education regarding the Henley High School redevelopment project. The committee is satisfied that the project proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects, which, as you know, Mr Speaker, is set out in section 12C of the Parliamentary Committees Act.

Based on the evidence considered, and pursuant to the section I have mentioned, the Public Works Committee reports to parliament that it recommends the proposed scope of public works I have described.

Mr COWDREY (Colton) (11:31): I rise today to give my support to this report of the Public Works Committee and in turn the works proposed at the Henley High School. The $12 million redevelopment, as has already been stated, will feature a new arts building, general learning areas, a home economics building, as well as health, and an extension of the science laboratories.

In general, there will be close to 20-plus new learning areas across the new school, which is quite significant and which addresses what has become a need for the school over previous years where there had been a range of general learning areas but a shortage of specialised learning areas. The school now has the opportunity to address that, as well as the transition of year 7 into high school, and to provide an opportunity in the future for increased capacity of the school, which is very well respected and very popular in my local area.

Over the years, as the popularity has increased we have had to keep a close watch and eye on enrolment at the school, but that should be seen as a positive, because people want to go to Henley High. That is the reputation that Henley has developed over time. I would like to say thank you and acknowledge the work over many, many years by the previous chair of the governing council at Henley, Mr Pete Evans, who stepped aside last year at the completion of his term. Pete, a fantastic guy, had given many years of contribution to that governing council. The school has already acknowledged his contribution, but I would just like to formally add mine in this forum.

Can I also say thank you to the current chair, Kaarina Sarac, for her work. Both Kaarina and Pete, and a range of others on the governing council, had been very influential in working with principal Eddie Fabijan and others to come up with a sensible and useful plan around what this $12 million project would deliver for the school. I very much appreciate their input over time and their work to ensure that what is delivered at Henley High is appropriate and well and truly serves the needs of the school into the future.

For those who are unaware, Henley High has an incredible range of specialist programs the school is incredibly proud of, such as its sports program, which is well and truly acknowledged as being one of the principal sports programs in not just South Australia but across Australia more generally. The school participates in a range of sports and also interstate exchanges and a range of others things. I think the Henley branding, no matter which school, no matter which context, no matter

which pitch or otherwise Henley is lining up on, when a Henley side is there there is certainly a side to be feared and we should be very proud of what they have done.

Similar to many other schools, we are also incredibly proud of the range of projects and other programs that happen at Henley. Whether that be the arts and dance or whether that be the music programs, there are some incredible things being done at the school. Each and every time I get the opportunity to visit, either as a local member or in any other context, to see the performances that are put on, they really are top class and something we should all be very proud of.

I also take the opportunity to mention just a couple of things that have happened at the school recently I have been very proud and happy to be involved in. Just last term, the organisers of the year 8s at Henley High had put together an integrated learning project across a range of subject areas. It was originally themed around the Olympics, which unfortunately do not take place this year, but nonetheless it was something that I was very happy to be involved in given my background. I was invited to come along and to judge the work that was done by the students, and I can assure you that it was absolutely top-notch.

One of the key projects that I thought was quite innovative and different, and in some ways entrepreneurial, asked the students to consider an Australian-made product and adapt it, change it and market it to the Japanese market as part of the Tokyo 2020 games. That involved products similar to Tim Tams being matcha tea flavoured and the packaging and sizing changed. I thought it was really something quite extraordinary in terms of the ideas and the individualism the students demonstrated in preparing those projects. I congratulate young Charlie, who was the winner of that year 8 integrated learning project. She should be very proud of her work and the work she put into that project.

It would be remiss of me not to reflect on the unfortunate circumstances earlier this week, when Henley went down to PAC in the schools football cup final. It was certainly not a demonstration of the quality of the game. It was a very well-fought game. We did have a slight lead at half-time, but, unfortunately, just faded in the third quarter, but it was a great demonstration, again, of the fine work done through the sports program at Henley.

I know there are many other members in this place, both past and present, who have strong links and heritage with Henley High School, and I am sure they, too, are very happy to see a $12 million investment going to ensure that the Henley High School facilities serve our community for the better into the future. I am very proud to support this report of the Public Works Committee and look forward to seeing the development take place.

Last week, the Minister for Education and I visited to see the early works as they kicked off phase 1, and every morning as I drive down Cudmore Terrace I take a look at how things are shaping up. With that, I support the work undertaken by the education department on the site at Henley High and this report of the Public Works Committee.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:38): It gives me great pleasure to be able to note the work of the Public Works Committee and endorse the project for the school build at Henley High School. I thank the members of the Public Works Committee for the important role they have played in helping to enable this project and many others across the education department to progress. This is an important accountability measure for all government spending and projects of this nature, and it ensures that the people of South Australia can be assured that there is parliamentary oversight of the work being done in our departments.

I also place on the record my thanks to the officers from the Department for Education and the Department for Infrastructure and Transport who have been working on this alongside the builders, the architects and the people at Henley High School, who have done a great job of work and ensuring that this bill will get great value for money for the people of South Australia and deliver outstanding new learning opportunities for students at Henley High for many, many years to come.

It is a $12 million project undertaken by Studio Nine Architects and Pike Constructions. It really was a great pleasure to visit there with the member for Colton last week and indeed spend some time with Eddie Fabijan. It is not the first time we have done so. Spending some time at Henley High School is always a pleasure, as it is across many of our sites in South Australian schools. There

is a lot of energy and a lot of dedication undertaken by the workforce supporting our students at Henley High and around the South Australian public school system.

At Henley High, they have some things that they are particularly proud of: their sports program is magnificent. This week, as the member for Colton alluded to, they were unsuccessful in the grand final of the football All Schools Cup, but nevertheless their team did an outstanding job in getting to that grand final. I am sure that there are going to be many future SANFL and AFL stars who come out of that program. The loss to PAC was narrow. It was hard contested, and it is a rivalry that has been undertaken a number of times in recent years. Henley High was successful in winning the All Schools Cup two years ago, and I am sure that they will again in the future.

The school has nearly 1,400 students, and they are a diverse range of students. Some of them are in the sporting academy, and some are outstanding with their focus on vocational education training, which is a critically important role the government has. Henley High, as some other schools are, is grasping the opportunities to connect with local businesses to ensure that there are pathways, apprenticeships and traineeships for some of their students.

They are also doing spectacularly well in a range of academic fields. I cannot go past the music program because when the member for Colton and I were at Henley High last week having a look at the plans and at some of the early works going on, one of the builders from Pike Constructions commented how much he had enjoyed coming to work on the building site to the fanfare of the school band welcoming them.

It was not something that was put on specially; it is just something that happens every day at Henley High, as the windows of the music room happened to open out onto some of the area where the early construction work was underway. They loved it, and they were very excited to hear that it was not something that was specially for them and that they will in fact get to experience it on a number of occasions during the course of the build—however, I suspect maybe less so when the building becomes louder and they might move some of the music program.

That is one of the things that all schools have to confront when they are undertaking building works—that is, there is the work that is underway on the school at the same time as the school is still functioning as a school. So there will be some complexity over the next year across many of these sites, including at Henley High, for the staff in particular and for those students who need potentially to have some disruption in where they do their study. Henley High is set up extremely well and I know that they will manage that process well; they have the plans in place and they are ready to go. Their capacity will increase, from just under 1,400 students at the moment up to 1,700, and that will enable the year 7s to come into high school.

One of the great things that is being leveraged by this program, again as in so many other sites around the state, is that we have done an audit on what facilities our schools have. Do they have the specialist learning facilities appropriate for a school of their size? The year 7 project is indeed unlocking, right around South Australia, the opportunity for year 8s, 9s, 10s, 11s and 12s to also access new learning facilities, particularly in specialist learning areas, whether that is music, science, tech or other opportunities for learning that all students need. The year 7 project and the building works attached to many of them will see increases in those specialist learning facilities as well.

The project is due to be completed at the end of next year, hopefully late October, maybe November. I cannot wait to see the final product. I know that the students and the staff at Henley High are looking forward to seeing their $12 million project completed. I know that the builders and the architects who are engaged in the project are very proud of the work they are doing, and I am sure that it will be something that the whole state can be proud of right across South Australia.

We have an ambition in this government for every child, every young person in South Australia, to be supported to fulfil their potential wherever they are, in whichever classroom, whichever school, whichever town or suburb in South Australia, and to be given the opportunity to fulfill their potential and lead a successful life, whether that means a university pathway, whether that means a trade, a technical apprenticeship or a traineeship, or whether that means going straight into a job or whatever other path will lead to that young person waking up each morning and looking

forward to the day ahead because they have found the pathway to the life that can lead them in their best possible circumstance.

Henley High School's redevelopment will not change the fact that they have excellent teachers and excellent staff—there is excellent teaching and learning going on—but it will enable those staff to have that work supported in an environment that is designed for the sort of work they are doing. It will maximise the opportunities for those students and we cannot wait to see it completed.

Mr WHETSTONE (Chaffey) (11:44): I will make a brief contribution as a new member of the Public Works Committee and, as a past student of Henley High, it gives me great pleasure to make a few comments. Some would say that, as a past student at Henley High, I was there at the inception when the school was established in 1958, but that is not true: I was there in the seventies. It was a great school and it was always highly regarded. There are not too many schools in the state that can boast that, when the school hall was opened, they had The Angels as the band at a school social. From that time, I have many fond memories.

My son rang me from the United States yesterday—he attended PAC and I attended Henley—just to remind me that PAC gave Henley a bit of a flogging at the state schools' footy championship. Sixteen points is as good as one is as good as 60. I have many fond memories there, and it is great to see this $12 million upgrade, which will bring Henley High to its next phase of life with the introduction of year 7. Henley has always been highly regarded with its sporting programs but also does not forget some of those students who have handicaps or in some way have a learning difficulty.

What I would say is that the $12 million project will make Henley High an even better school than it was back in the mid-seventies. It is a great school, it leads by example and it will be a greater, better, bigger school with the Marshall Liberal government's education capital works program. I acknowledge the education minister for his good work with school infrastructure upgrades right round the state, particularly in the regions but no more important than this school we are talking about, Henley High—a great school, fond memories. It is great to see that it has passed through Public Works for its $12 million upgrade.

Mr CREGAN (Kavel) (11:47): I acknowledge and thank the member for Colton, the Minister for Education and the member for Chaffey as well for their excellent contributions to this debate. The member for Colton, of course, is closely familiar with the life of the school and its needs. He is a very hardworking and well-liked local member. He was also able to inform us quite rightly that the increasing enrolments at the school are in consequence of the respect and esteem in which the school is held in the community.

It is very pleasing to hear that demand for places at the school continues to rise, perhaps even to rise from the 1970s. We were very grateful to the member for Chaffey for informing us that he is an old scholar, and I will return to that matter in a moment. It was right, too, for the member for Colton to reflect on the excellent work of Mr Pete Evans and to memorialise in this place not only his personal appreciation but equally the appreciation of his community for Mr Evans' substantial contribution to improving education at the school and within Colton and surrounds.

It was also right for the member for Colton to record the excellent work of Kaarina Sarac and Eddie Fabijan and to reflect that their contribution has been profound and appreciated and also appreciated by us in this place. As you know, Mr Speaker, and as the members I have mentioned have remarked, the school has an extraordinary program in sports. It has produced and will continue to produce athletes of remarkable quality, passion and commitment. But of course, the member for Colton is equally an athlete of international standing with an extraordinary record.

Mr Cowdrey: Was.

Mr CREGAN: 'Was,' he says. We remember that record very fondly. He is a modest man, a modest member, but he has made an extraordinary contribution to sport in South Australia, to sport internationally, and is able in view of that history to provide additional guidance and support, not only to the school but to exceptional athletes in that program. It would be remiss of me not to remark that his extraordinary record extends to service to his community and, for that, we are very grateful. I know his community is grateful and continues to be grateful. His contribution is never overlooked in

this place and much appreciated, particularly by the school, but also by us on the Public Works Committee in relation to this project.

I appreciate the contribution of the Minister for Education and, of course, the contribution of the member for Chaffey, who was able to supply necessary and important information from the early record of the school from the early portion of his life, not just about the program of arts in the cultural program that was available at the school. We might have missed some of the detail about the cultural program that was available at the school. It may be that in the course of his service to the Public Works Committee the member for Chaffey can supply us with additional detail. In that respect, of course, we look forward to it. It may not extend to comments in the house, but nonetheless we will be eager to hear those matters in the context of the committee.

I should add in closing that the Chief of Staff to the education minister, Cheryl Bauer, educator of renowned standing in her own right, also taught at the school. So it is right to say overall that the school has an extraordinary record and continues to support extraordinary students. It is well supported by an excellent member. We recommend the scope of works to the house.

Motion carried.

PUBLIC WORKS COMMITTEE: UNDERDALE HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:52): I move:

That the 69th report of the committee for the Fifty-Fourth Parliament, entitled Underdale High School Redevelopment Project, be noted.

Mr Speaker, as you are aware, Underdale High School was allocated funding of $20 million as part of the Department for Education's capital works program. When complete, the redevelopment works will enable Underdale to accommodate 850 students which will support the transition of year 7 students into high school.

Key features of the proposed redevelopment include new buildings such as a performing arts centre, a new school canteen, a new administration building accommodating student services, and also a counselling area. Included as well in the scope of works are extensions to the gymnasium and the school's automotive workshop which will provide a new metalwork area. The project will further include refurbishment to existing buildings, external landscaping and the demolition of aged buildings on the school site. The redevelopment project at Underdale High School is expected to be staged, with construction scheduled for completion in December 2021.

The committee examined written evidence in relation to the Underdale High School redevelopment project and is satisfied the proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects with which you are familiar, Mr Speaker, and which is set out in the Parliamentary Committees Act 1991. Based on the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed scope of the works that I have outlined.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:53): I am very pleased to have the opportunity in the brief time left to us in the course of committee business to discuss the redevelopment works at Underdale High School. I am very grateful for the work of the Public Works Committee in enabling this and so many other school projects around South Australia to get underway. It is a critical stage in the process, that oversight on behalf of the parliament and the people of South Australia of the expenditure of public funds. This is an expenditure of $20 million of public funds on what will be an outstanding redevelopment of the Underdale High School facility.

This is a school which I had the great privilege of spending some time in a bit over a year ago, visiting David Harris and his team, David Harris being the principal, and indeed meeting with a number of other members of the local community, the local member as well, in the opening of their new STEM facility, which I think is enabling that school to increase the output of young engineers, scientists and mathematicians in their work.

The addition of year 7s coming in is anticipated to grow the school from its current numbers, which are a bit in excess of 500, to potentially in excess of 800 students. It is a growing school. It is

a school with an awesome potential for that growth, and the facilities are going to look just outstanding. I encourage anybody who is listening to this debate to jump on the education department's website and just have a look at some of the pictures under the new capital works build, of what this school is going to look like, what this $20 million transformation is going to do for Underdale High School.

It is a school where the teaching and learning are of a high calibre and a high quality, and the facilities that are being created will ensure that the students attending this school can walk in and feel the high level of opportunity that is there for them and that will enable the facilitation of the teaching and learning to be done in an area designed for a modern pedagogy and the modern way of delivering that learning.

Russell and Yelland were the architects, and Watpac construction is doing great work. Construction is underway, and it is due to be completed in November next year. We will see a new performing arts building combining music and drama areas, a performance space for 150 people with partially retractable seating, a canteen and classrooms; a new two-storey admin building adjacent to student services; an upgrade of the main school entry and refurbishment of reception, admin areas and amenities; general learning areas refurbishment, including a textile space, science laboratories, general learning areas and home ec building; the extension to the gymnasium; and the demolition of ageing architecture and the automotive workshop. There is a range of opportunities that will be opened up by this redevelopment.

Can I say that this is a school that has also done some great work in recent years in the bullying space. Some of the feedback I had from the young people I met when I was there, I think a little over a year ago, was about just how proud they were of the way the older students in the school support the younger students in the school, the way that compassion and kindness are important aspects of the values of what is taught in that school explicitly through some of the work done with the staff and indeed in the values the students have embraced in supporting each other in their development. I commend them for that.

I commend those students for the ownership they have taken of their school values and for ensuring that all young people at Underdale High School get a great education and get the safe learning areas they deserve and, indeed, that anybody who is in the Underdale High School area can be very proud of their school and look forward to the great education it offers for their children and the young people in the inner western suburbs of Adelaide.

Mr COWDREY (Colton) (11:57): As a member of this house representing the electorate of Colton, I do take in a very small portion of the Underdale zone. Given the crunch and the time limitations I am under, I just wanted to put on record my welcoming of the $20 million upgrade at Underdale High School. I know that it will put that school in a great position, moving forward, to continue to attract those around its local area to come and see their full potential through the works that are being undertaken. I support the comments and the sentiment that the Minister for Education has just expressed and wish to place on record again my support for this development.

Mr CREGAN (Kavel) (11:58): Can I acknowledge the Minister for Education and the member for Colton for their contributions to the debate. The minister, of course, as I earlier remarked, has a very substantial program of work to support new capital works and to develop and enhance schools within his portfolio and across the state, and we are very grateful for the way in which he is discharging that responsibility, not least in relation to this project, which is, as has earlier been remarked, substantial and transformational.

It is a very significant investment, it is an important one, it will deliver exceptional facilities for the site and it will support future growth and also the existing teaching program, which is, as the minister remarked, of exceptional quality. The leadership, guidance, compassion and kindness, as was earlier remarked in relation to the school group and of course the school leadership group, are well known.

It is important that it be recorded in this place that we are very appreciative of that leadership and the commitment of the school community to this project. It is also important for me to acknowledge the very powerful and effective advocacy of the member for Colton, not just in relation

to this project but, of course, in relation to the project earlier addressed in this place, in respect of Henley High School.

Motion carried.

Bills

COVID-19 EMERGENCY RESPONSE (EXPIRY AND RENT) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 4, page 2, line 23 [clause 4(2), inserted paragraph (b)]—Delete '28 March' and substitute:

6 February

No. 2. Clause 4, page 3, line 3 [clause 4(3)]—Delete '28 March' and substitute:

6 February

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I indicate support for amendments No. 1 and No. 2 from the Legislative Council, which are essentially to substitute a maximum expiry date of the COVID-19 Emergency Response legislation from 28 March to 6 February 2021. We thank the Legislative Council for their consideration of the matter and support of the extension in the current emergency we are faced with. This is simply an abridgement of time in relation to that and the government accepts that amendment.

Motion carried.

DEFAMATION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:02): Obtained leave and introduced a bill for an act to amend the Defamation Act 2005. Read a first time.

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:03): I move:

That this bill be now read a second time.

I am pleased to introduce the Defamation (Miscellaneous) Amendment Bill 2020, which amends the Defamation Act 2005 and the Limitation of Actions Act 1936. The bill has been developed thanks to the significant work and cooperation between all Australian jurisdictions and represents the first substantial amendment to the Defamation Act since it was passed. This is a major milestone in Australian defamation law.

The Defamation Act is the South Australian version of the national Model Defamation Provisions, which were adopted in each state and territory in 2005. The Model Definition Provisions were the result of an immense national effort to create uniform defamation law across Australia. The Model Defamation Provisions have now been in place for 15 years; however, they have not been amended since that time. The case law and experience accumulated during that time have revealed which aspects of the legislation are working well and which would benefit from being reconsidered, fixed or updated.

To that end, in June 2018 the Council of Attorneys-General agreed to convene a national Defamation Working Party to recommend changes to the model laws. After extensive consideration and two periods of national consultation, the working party presented recommended amendments to

the Council of Attorneys-General in July 2020. The council supported the recommended reform and now each state and territory government is taking steps to adopt the reform through their own respective parliaments.

This bill contains numerous amendments to the Defamation Act, ranging from small technical changes to significant and innovative reform. The purpose of these changes is to ensure that Australia's defamation law continues to meet its main objects as set out in the Defamation Act. These objects are:

(a) to enact provisions to promote uniform laws of defamation in Australia;

(b) to ensure that the law of defamation does not place unreasonable limits on freedom of expression, and in particular, on the publication and discussion of matters of public interest and importance;

(c) to provide effective and fair remedies for persons whose reputations are harmed by the publication of defamatory matter; and

(d) to promote speedy and non-litigious methods of resolving disputes about the publication of defamatory matter.

The national consultation process, which was undertaken on defamation reform, found that these objectives are still considered valid and are widely supported, but there are some aspects of the law have been failing to achieve them.

The reforms proposed in this bill respond to the significant changes in society and technology that have occurred since 2005. At the time when the uniform defamation law was developed, Facebook was not available in Australia, Twitter did not yet exist and the first iPhone was still two years away. Social media and smart phones have made mass publication available to everyone at any time. The way we communicate has changed, and the line between public and private disputes has blurred.

The Defamation (Miscellaneous) Amendment Bill 2020 forges a decisive path forward to ensure that defamation laws continue to serve the needs of contemporary society. The Defamation Act already places a strong emphasis on non-litigious methods of resolving defamation disputes. The act currently has an option for a person who thinks they have been defamed to send a concerns notice to the publisher of the material, setting out their complaint about the alleged defamation.

During the national consultation on defamation reform, many stakeholders supported making this step a mandatory requirement before court action can be commenced. Clause 9 of the bill requires a potential plaintiff to send a concerns notice and then serve a waiting period before beginning court action. The waiting period is equivalent to the time the publisher has to make a statutory offer to make amends. By mandating this pre-action step, it is hoped that parties will engage more seriously in pre-action negotiations.

Importantly, the bill contains protections to ensure a plaintiff does not fall foul of the limitation period while completing these steps, and the waiting period can be waived at the discretion of the court if it is just and reasonable to do so. Free speech and public interest communication will be better protected through two entirely new defences proposed in this bill. The first, in clause 15, provides a defence for publications on matters of public interest. When the model defamation provisions were adopted, the defence of qualified privilege was expected to cover public interest journalism.

However, since then, experience has shown that it is difficult to apply and is rarely successful in defending public interest publications. To remedy this, the bill introduces a standalone defence for matters in the public interest, which has been modelled on defences already available in the United Kingdom and New Zealand. Whilst this defence will of course be useful to the commercial media, it can be used by any person communicating on public interest matters so long as they can prove they had a reasonable belief that the publication was in the public interest in the circumstances.

The second new defence, in clause 17, provides protection for academic and scientific publications in peer-reviewed journals, ensuring robust discussion can occur on academic and scientific matters. One of the most significant reforms proposed by this bill is contained in clause 7,

which introduces a serious harm threshold for defamation actions. This new test provides that a publication will not be considered defamatory unless it has caused, or is likely to cause, serious harm to the reputation of the plaintiff.

Defamation law was never meant to be a forum for resolving interpersonal disputes; rather, it is designed to ensure a person's public reputation can be protected. However, in today's social media age, interpersonal disputes are often played out online and in full view of Facebook friends or Twitter followers.

Whilst the common perception of a defamation action is a celebrity or politician suing a media company, a recent study by the University of Technology Sydney's Centre for Media Transition found that only one in five defamation plaintiffs were public figures and only one in four defendants ran a media business. Under the current law, minor instances of defamation can still attract an award of damages. The defendant may attempt to rely on the defence of triviality; however, this requires proof that, in the circumstances of the publication, the plaintiff was unlikely to sustain any harm. It is not enough to establish that the publication caused only slight or insubstantial harm.

A minor defamation case may work its way through the court and can result in an award of a small amount of monetary damages, but the cost to the court system of running that case will far outstrip the damages awarded. This does not immediately mean it is not worth the court's time. Many legal actions result in small awards, but are of course worthwhile; however, it does warrant an examination of whether court action is the best way to deal with such disputes, and in this case we have concluded that it does not.

In response, the bill proposes to lift the threshold on what is considered an actionable defamation case. The plaintiff must demonstrate that the harm, or potential harm, to their personal reputation is serious. The bill contains mechanisms whereby parties can apply for the determinations of the serious harm element before the trial begins, allowing early dismissal of minor cases if appropriate.

'Serious harm' is to be assessed in the circumstances of the particular case and for natural persons it does not have to involve financial loss. It is intended that this threshold will filter out minor cases that are more of a nature of interpersonal rather than legal disputes. This might include accusations that were not widely publicised and were mild in nature. This test was modelled in a similar provision in the United Kingdom. The defence of triviality will be abolished by clause 19 of the bill, as it will be superseded by the new serious harm test.

Another way the bill addresses advances in technology is through the introduction of a single publication rule in part 2 of the schedule. The Limitation of Actions Act 1936 provides a one-year limitation period for defamation actions, which may be extended up to three years by court order; however, the effect of relevant case law is that, each time an internet publication is downloaded, a new limitation period begins, thereby allowing a plaintiff to sue the publication for as long as it remains available online.

For example, an internet article that has been online since 2015 can still be the subject of legal action in 2020, provided it was downloaded just once in the previous year. The proposed single publication rule provides that the limitation period begins the first time the publication is made publicly available and is unaffected by subsequent publications of substantially the same content.

The bill provides some additional safeguards to prevent unintended harsh effects of this rule. Firstly, the limitation period may start again if the manner of subsequent publication is materially different from the manner of the first publication. Secondly, the test for extending the limitation period has been softened slightly to allow the courts to take into account a wider range of circumstances; however, the upper limit remains three years from the date of first publication.

The bill will also reform how monetary damages are awarded in defamation cases. The Defamation Act currently caps the amount of damages that a court may award for non-economic loss, which compensates for loss of reputation and hurt feelings. The cap is adjusted annually and currently sits at $421,000. The cap is intended to ensure that a defamation plaintiff receives appropriate and proportional damages in relation to their non-economic loss. Compensation for actual loss of earnings is awarded separately and is not capped. The cap is still considered an

important aspect of the law and the bill makes changes to ensure that it operates as intended and that it cannot be circumvented by legal loopholes.

Clause 20 of the bill provides that the cap should be interpreted as a range of damages for non-economic loss in which the top of the cap represents the appropriate award for the most serious types of defamation. The Victorian Court of Appeal has previously held that the cap is a simple cut-off that bears no relationship to the seriousness of the case. The Council of Attorneys-General wants to address this ruling.

Under the law proposed by the bill, the cap may not be exceeded under any circumstances. However, if the defendant's conduct was particularly harmful then a separate award of aggravated damages may still be awarded; however, the two parts of the award need to be separate and transparent.

Clause 13 of the bill will also prevent plaintiffs circumventing the cap on damages. Currently, the cap applies to each legal action, and so if the plaintiff brings more than one action in relation to the same matter, they may be able to circumvent the cap. At the moment, there is no rule against suing related parties separately in relation to the same publication. For example, a plaintiff could sue the author of a newspaper article in one action and the owner of the newspaper in another, doubling up on the court time and avoiding the full application of the cap.

To address this, the bill amends the rules on multiple proceedings to require the leave of the court to bring further proceedings in relation to the publication of the same or like matter by the same or associated defendants. Some of the more minor amendments to this bill include:

- clause 5, which broadens how employees are counted when determining if a corporation is small enough to be eligible to sue in defamation;
- clause 6, which will allow the court to decide questions of costs if defamation action ends due to the death of a party;
- clauses 10 to 12, which clarify the requirements for making a valid offer to make amends;
- clause 14, which simplifies the contextual truth defence; and
- clause 18, which sets out how the basis for an opinion must be presented to make out the honest opinion defence.

I commend the bill to members and thank the Hon. Christian Porter as the federal Attorney-General for his leadership in this work, and in particular the working party, which provided valuable advice to the Council of Attorneys-General. I seek leave to have the explanation of clauses inserted 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 Defamation Act 2005

4—Amendment of section 4—Interpretation

This clause inserts definitions for the purposes of the measure.

5—Amendment of section 9—Certain corporations do not have cause of action for defamation

Currently, section 9 does not define the term employee, so the term would have its ordinary meaning. The ordinary meaning of the term does not include persons who provide services other than under a contract of service. For example, it does not include independent contractors and other non-employees even though they may have major roles in the operations of the corporation. This clause inserts a broad definition of employee.

This clause also replaces references to related corporations with references to associated entities (within the meaning of section 50AAA of the Corporations Act 2001 of the Commonwealth).

6—Amendment of section 10—No cause of action for defamation of, or against, deceased persons

This clause provides that section 10 does not prevent a court, if it considers it in the interests of justice to do so, from determining the question of costs for proceedings discontinued because of the section.

7—Insertion of section 10A

This clause inserts new section 10A which provides for it to be an element of the cause of action for defamation for the plaintiff to prove the publication of the defamatory matter has caused, or is likely to cause, serious harm to the reputation of the plaintiff. Also, excluded corporations suing for defamation must prove serious financial loss. In addition, a procedure is set out for determining whether the element is established.

8—Amendment of heading to Part 3 Division 1

This clause amends the heading to Part 3 Division 1 consequential on the amendments in clause 9.

9—Insertion of sections 12A and 12B

This clause inserts new sections 12A and 12B dealing with the requirements for concerns notices in defamation proceedings. Proposed section 12A provides for the form and content of concerns notices. Proposed section 12B provides (with exception by permission of the court) that an aggrieved person cannot commence defamation proceedings unless the person has given the proposed defendant a concerns notice in respect of the matter concerned, the imputations to be relied on by the person in the proposed proceedings were particularised in the concerns notice and the applicable period for an offer to make amends has elapsed.

10—Amendment of section 14—When offer to make amends may be made

This clause amends section 14 to provide for an extended period beyond 28 days of a concerns notice being given if further particulars for the concerns notice have been requested.

11—Amendment of section 15—Content of offer to make amends

This clause amends section 15 to:

(a) require an offer to make amends to be open for at least 28 days commencing on the day the offer is made; and

(b) enable an offer to make amends to include an offer to publish, or join in publishing, a clarification of, or additional information about, the matter in question as an alternative to a reasonable correction; and

(c) relocates provisions concerning offers to redress the harm sustained by the aggrieved person to make it clear that the inclusion of these matters is not mandatory.

12—Amendment of section 18—Effect of failure to accept reasonable offer to make amends

This clause amends section 18 to:

(a) alter the first precondition so that the offer must be made as soon as reasonably practicable after the publisher was given a concerns notice in respect of the matter (and, in any event, within the applicable period for an offer to make amends); and

(b) alter the second precondition so that the defence can be relied on if the publisher remains ready and willing to carry out the terms of the offer during the trial.

13—Substitution of section 21

This clause proposes to substitute section 21 to recast the section so that it also requires the permission of the court to bring defamation proceedings against associates of the previous defendant. These are persons who, at the time of the publication by the previous defendant, were—

(a) employees of the defendant, or

(b) persons publishing matter as contractors of the defendant, or

(c) associated entities of the defendant (or employees or contractors of these associated entities).

14—Substitution of section 24

This clause proposes to substitute section 24 to reformulate the defence of contextual truth to make it clear that, in order to establish the defence, a defendant may plead back substantially true imputations originally pleaded by the plaintiff.

15—Insertion of section 27A

This clause inserts new section 27A to provide a defence if the defendant proves that—

(a) the matter concerns an issue of public interest; and

(b) the defendant reasonably believed that the publication of the matter was in the public interest.

16—Amendment of section 28—Defence of qualified privilege for provision of certain information

This clause amends section 28 to recast the factors that may be taken into account in determining whether the defence is established so as to minimise duplication with the factors for the new public interest defence. As with the new public interest defence, the purpose of these factors is to provide some non-exhaustive guidance to the court. Not all, or any, of these factors must be satisfied.

17—Insertion of section 28A

This clause inserts new section 28A to provide a defence of scientific or academic peer review if the defendant proves that—

(a) the matter was published in a scientific or academic journal (whether published in electronic form or otherwise); and

(b) the matter relates to a scientific or academic issue; and

(c) an independent review of the matter's scientific or academic merit was carried out before the matter was published in the journal by—

(i) the editor of the journal if the editor has expertise in the scientific or academic issue concerned; or

(ii) one or more persons with expertise in the scientific or academic issue concerned.

18—Amendment of section 29—Defences of honest opinion

This clause amends section 29 to clarify the circumstances in which an opinion is based on proper material (see section 29(1)(c)).

19—Repeal of section 31

This clause repeals section 31 (defence of triviality) consequential on the inclusion of new section 10A. It is proposed that the onus will now be on the plaintiff to prove serious harm in order to bring a successful action for defamation. Accordingly, there is no need for the defendant to prove the harm was trivial.

20—Amendment of section 33—Damages for non-economic loss limited

This clause amends section 33 to—

(a) confirm that the maximum amount sets a scale or range rather than a cap, with the maximum amount to be awarded only in a most serious case, and

(b) require awards of aggravated damages to be made separately to awards of damages for non-economic loss so that the scale or range for damages for non-economic loss continues to apply for non-economic loss even if aggravated damages are awarded.

21—Amendment of section 41—Giving of notices and other documents

This clause amends section 41 to allow notices and other documents to be sent to an email address specified by the recipient for the giving or service of documents.

Schedule 1—Related amendments and transitional provisions Part 1—Preliminary

1—Amendment provisions

This clause is formal.

Part 2—Amendment of Limitation of Actions Act 1936

2—Amendment of section 37—Defamation proceedings generally to be commenced within 1 year

This clause amends section 37 of the Limitation of Actions Act 1936 to make provision for the extension of the limitation period consequential on the amendments made to the Defamation Act 2005 in respect of concerns notices.

3—Insertion of sections 37A, 37B and 37C

This clause inserts 3 new provisions into the Limitation of Actions Act 1936—

(a) section 37A—to provide for a single accrual date of the limitation period where more than 1 publication contain substantially the same imputations giving rise to a cause of action for defamation; and

(b) section 37B—to permit the court to extend the limitation period to a period of up to 3 years running from the date of the alleged publication of the matter if the plaintiff satisfies the court that it is just and reasonable to allow an action to proceed; and

(c) section 37C—to provide that, for the purposes of determining the limitation period, the date of publication of a matter in electronic form is to be determined by reference to the day on which the matter was first uploaded for access or sent electronically to a recipient.

Part 3—Transitional provisions

4—Transitional provisions—Defamation Act 2005

This clause provides that an amendment made to the Defamation Act 2005 by this measure applies only in relation to the publication of defamatory matter after the commencement of the measure.

5—Transitional provisions—Limitation of Actions Act 1936

This clause provides transitional provision in respect of the amendments made to the Limitation of Actions Act 1936 by the measure.

Debate adjourned on motion of Ms Stinson.

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 June 2020.)

Ms STINSON (Badcoe) (12:16): Mr Speaker, I indicate that I am the lead speaker for the opposition. As the very newly minted shadow minister for local government, I welcome the opportunity to speak on the Statutes Amendment (Local Government Review) Bill, the first bill that I am speaking on in my new capacity.

At this stage, I will indicate that Labor will be tabling amendments either here or in the other place, and we reserve our position on the overall bill at this stage. I also note that the Attorney has just filed government amendments to its own bill, and we will obviously need some time to examine what look like further considerable changes.

I would also like to note that the briefing I received from the Attorney's office and the local government division late last week, which was very much appreciated, indicated that this bill was not coming on this week. That was also indicated in the government's weekly program, and it was only by a phone call from the Attorney yesterday, which I am grateful for—

The Hon. V.A. Chapman interjecting:

Ms STINSON: I will stand to be corrected. I thought that it was yesterday, but the days tend to blur in busy parliament weeks, don't they. Nevertheless, the Attorney did give me a personal call, and I appreciate that, to confirm that the government was bringing this on this week. However, I would hope that we can improve on that relationship. I am hoping that we can establish a productive working relationship between myself and the Attorney and our respective offices to work constructively together on local government matters going forward.

Local government is undoubtedly a critical level of government and, while there are always public debates about whether we need three levels of government and how things could be rearranged into two levels of government, like places in the United Kingdom, overall it is a system that has served our communities well and I imagine will continue to do so.

In my work as a local MP I am frequently approached by members of my community with issues, concerns, and sometimes complaints, relating to local government, and I am sure all other local MPs experience this too. It has not been without the occasional bit of excitement, but I have greatly enjoyed working with the councils that service my area of Badcoe, that is, the cities of Unley, West Torrens, Marion and Mitcham.

Overall, I have found council CEOs and their staff to be hardworking people who want to build their local communities and support individuals and businesses. I found the councillors I have dealt with across those four councils to be generally engaged, motivated and well-meaning people

who wish to represent their wards and secure a better standard of living for people in their neighbourhoods.

There are certainly some colourful characters and divergent views on a range of council and non-council issues, but I think that respectful debate should always be welcomed. While mistakes are occasionally made and council meetings are occasionally quite fiery, for the most part the councils I have dealt with have acted responsibly and in the interests of their ratepayers, and I hope that continues in the inner south.

I am particularly appreciative of the strong working relationships I have formed with councils that are delivering major sporting infrastructure upgrades in Badcoe, with funding provided by the former Labor government. That is projects like the Weigall Oval redevelopment at Plympton and a project very close to my heart, the new Goodwood Oval clubhouse, both of which have been achieved in partnership with those local councils.

I would also like to commend the work that many local councils in my area—and I am sure in other areas too—are doing to support the arts and cultural activities, with some sensational social engagement and community education programs that are run from the local community centres and also the relief that councils have provided to businesses and ratepayers hardest hit by COVID. The councils I have dealt with most closely have generally been receptive and responsive to constituent matters I have raised with them and I hope that that is something that occurs statewide.

As you might be able to tell, I do think that local government is a vital part of our three-tiered government system. It is the grassroots level, and when it works well council officers and elected members are dealing very directly and personally with the people from their own communities. In my view, there is a role for effective, efficient and well-governed councils that are connected to their communities and dedicated to enhancing their neighbourhoods. It is vital that as a state government we support local government and ensure councils operate in a framework that supports their work and helps them to grow their communities economically, socially and culturally.

I think that is what the government is broadly attempting to achieve with the Statutes Amendment (Local Government Review) Bill, which brings us here right now. The bill contains broad-ranging changes to our local government system and is one of the most substantial rewrites since the Local Government Act passed the parliament at the end of last century. This bill proposes to amend almost every chapter in the Local Government Act, along with the Local Government (Elections) Act, the City of Adelaide Act and five other pieces of legislation that interact with the system of local government.

There are four main areas of reform: council member capacity and conduct, costs and financial accountability, local government representation, and regulation. The first area of council member capacity and behaviour seeks to create a new conduct management framework for council members. In effect, such a framework will change the focus of Local Government Act 1999 from conduct to behavioural and integrity matters. The purpose is to separate poor behaviour from matters that can affect the integrity of council decisions. Local government decisions impact the everyday lives of people in our community and it is important that the behaviour of elected members is of a high standard.

The bill proposed by the government purportedly attempts to provide a straightforward framework for the investigation and resolution of any issues that arise in relation to behavioural or integrity matters. The conduct management framework that is currently in place is contained within two separate parts of the act. The changes proposed are that chapter 5, part 4, which is currently 'member conduct and registers', will become 'member integrity and behaviour' and address the standards that apply to council members.

Chapter 13, part 1, of the current act contains the processes by which alleged breaches of these standards may be dealt with and, if necessary, investigated and sanctions applied. Under the government's proposal, while councils will continue to have responsibility for managing behaviour in the first instance, the current code of conduct for council members will be replaced with behavioural standards that will be published by the minister and that all members will be required to observe. Labor is yet to see what that code of conduct is.

Probably the most significant change in the conduct management framework is that the bill proposes the introduction of a behavioural standards panel to manage repeated or serious misbehaviour. The introduction of the panel is aimed at achieving a more efficient resolution to more difficult behavioural issues that we know can arise between councillors from time to time, or even between elected officials and staff. Importantly, the new conduct management framework proposed by the bill will see the implementation of an expanded range of sanctions, including the suspension of members for a maximum period of three months.

Under the proposed bill, the SA Ombudsman and the ICAC will continue their respective roles in the investigation of matters relating to council member integrity, maladministration, misconduct and corruption, and Labor welcomes this. The bill introduces new provisions into the act, including clause 39, inserting a new section 75G, making explicit that council members must take reasonable care that their acts do not adversely affect the health and safety of other members or of council employees.

Under this provision, council members must also comply with reasonable directions that may be given to them by a responsible person to protect the health and safety of other members and employees. Labor has questions about the detail of how this will operate and is in contact with stakeholders and the government, seeking clarification on the intended and actual operation of this amendment.

The bill seeks to amend the sections of the act that set the conflict of interest rules for council members. The bill creates a delineation between material and general conflicts. This replaces the existing three categories of material, actual and perceived conflicts. Under the bill, material conflicts are defined as matters that may provide a benefit, or indeed a loss, to a councillor or people closely associated with them, as defined in the bill.

General conflicts will now encapsulate instances in which a fair-minded and impartial person would consider that a member's private interests could result in the member acting in a manner that is contrary to their public duty. For a material conflict, a councillor would be required to absent themselves from discussion in the meeting room, while for general conflicts a councillor would declare the conflict and make their own decision about how best to proceed. Labor agrees that matters of behaviour and the integrity of council members are important and is supportive of changes to make the process clearer for all concerned.

The second reform area of this bill is in costs and financial accountability. Most controversial, of course, is the area not so much of rate capping but of rate monitoring systems for local councils. This bill introduces a rate monitoring system that would require all councils to receive, consider and publish independent advice, from a designated authority, on proposed changes to their general rate revenue each year. The intent of this requirement, according to the government, is to provide and make public independent advice on councils' rating decisions and to provide accountability and engagement with councils' annual business plans.

Clause 79 amends section 123 of the act, which sets out the requirements for council annual business plans. In preparing a draft annual business plan and before finalising the draft plan and undertaking consultation on it, councils must provide critical information to the designated authority by 31 December each year. This critical information includes any proposed change in total revenue from general rates and the reason for the proposed change, the council's view of the impact on ratepayers of the proposed change, information as to whether consideration has been given to alternatives to the proposed change in total revenue from general rates and, finally, information as to how the proposal is consistent with the council's long-term financial plan and infrastructure and asset management plan.

Importantly, the bill provides that the designated authority must provide advice to councils, by no later than 31 March, on the appropriateness of the proposed change in total revenue from general rates for the financial year compared to the previous financial year. Under this bill, this advice must be included in draft and adopted annual business plans, together with the council's response to the advice. While councils are not required to comply with the advice, the annual business plan must include an explanation of whether the change in total revenue from general rates is consistent with the advice and, if not, the reasons for that inconsistency.

Under this bill, if the designated authority is of the view that a council has not responded appropriately to its advice, it may report that to the minister. That then gives the minister the option to make recommendations or a direction to the council on the basis of the advice from the designated authority. The new powers granted to the minister have been the source of feedback provided to Labor and the source of much discussion.

The previous shadow minister for local government and I have consulted with stakeholders at some length on the proposed rate monitoring scheme. I would like to acknowledge the many individual councillors and CEOs, as well as the LGA and the unions covering council workers—that is, the ASU and the AWU—for their engagement with Labor on these important matters.

Other amendments in this bill address audit and risk committees. The value of audit committees is widely recognised within the local government sector. Many councils have already taken additional steps, beyond those required by the act, to improve the independence of audit committee members and to expand the role of their audit committees. They should be commended for that work.

Clause 83 of the bill seeks to amend section 126 of the act to expand the role of audit committees to a new role as audit and risk committees, consisting of a majority of independent members. Labor understands the intention of these amendments is to provide better quality independent advice to councils on a range of critical financial and risk management matters, and we support this intent. We support provisions that provide independent assurance and advice to councils on accounting, financial management, internal controls, risk management and governance matters.

In relation to the Public Finance and Audit Act, this bill does not change the way in which the Auditor-General undertakes activities. Labor understands they will continue to be as the Auditor-General deems advisable or on the direction of the Treasurer or ICAC. Clause 93 removes the ability of councils under the current section 151(3) of the act to use the unimproved site valuation of land as the basis of rating, to provide for a consistent approach across the state.

Moving on to the third area of reform, the bill proposes two significant changes to council representation. The first of these, which is contained in clause 9, will require all councils to have no more than 12 elected members. It is proposed that these changes will be progressed through representation reviews, given that it may also necessitate consideration of other internal council representation structures, such as wards. It is proposed that councils that undertake a representation review between the commencement of this section and 1 January 2022 will have the maximum number of members before the 2022 periodic elections. All other councils will make this change prior to the 2026 local council elections.

The bill also proposes that all councils have a directly elected principal member, which obviously most councils already do. That person will be called a mayor, according to clause 18. As with the change to elected member numbers, this change will occur through the representation review cycle. The bill proposes a range of changes to supplementary elections to reduce the impact these can have on councils, particularly shortly before and after periodic elections, which is certainly something that is being dealt with in my area at the moment in relation to Mitcham council.

Clause 146 of the bill amends section 19A of the elections act so that the Electoral Commission of South Australia will be responsible for the nominations process from now on. This means that ECSA will manage an online nomination process and provide councils with a list of accepted nominations relevant to their council area within 24 hours after the close of nominations. This information will also be published online. The increased disclosure by candidates of information that is of interest to voters remains an issue that is of great interest to the community. Labor supports moves to make local government representatives more accountable and the election process more transparent.

The fourth and final area of reform focuses on regulation. The bill at clause 17 proposes to replace the current requirement for councils to have a community engagement policy with a new community engagement charter, which the government says will support a more modern and flexible approach. The charter will relate to community consultation and participation with respect to any decision, activity or process where compliance with the charter is required by the act.

As currently drafted, the charter sets some minimum standards for more significant council tasks, such as the annual business plan, but will be largely focused on a principles-based approach to allow councils to determine the exact activities that they will undertake to best engage with their communities on their business. Improving engagement with local communities is, of course, something that Labor supports.

The government bill at clause 52 proposes to remove informal gatherings and discussions from section 90 of the act and insert a new section 90A, titled 'Information sessions and briefings'. As I understand it, this is in response to concerns from councils around the state that the current approach to informal gatherings is overly prescriptive and can be understood to prevent council members from discussing matters between themselves, and that is something that my local councillors have raised with me directly over the past few years.

Information sessions and briefings are defined as any meetings held or arranged by the council or the CEO inviting one or more council members for the purpose of providing information or a briefing to attendees. This recognises that meetings arranged for council members to be better informed on matters of council business are a useful tool to assist them to perform their roles effectively.

The bill also proposes some changes to assist councils to better manage requests to review internal decisions of council. This will allow councils to decline to undertake a review if the decision was made more than six months prior to the request to decline if the matter has, or has substantially, been dealt with in another process such as a conduct investigation and to charge a small fee for a request which is anticipated to be around $20. Labor broadly supports reforms that help provide the public with more confidence in council decisions and actions and that assist councils to better and more effectively administrate and make decisions.

The fourth section of the bill also attempts to alter the current process by which community land status can be revoked. The bill proposes to establish two categories of community land for the purposes of the revocation process. Under such an arrangement, the minister's approval will only be necessary when the land is owned by the Crown or an agency or instrumentality of the Crown or adjoins such land; secondly, when the council knows, or should reasonably know, that state government financial assistance was given to the council to acquire or improve the land; and, thirdly, when the land is used as a community space and the council proposes to sell or dispose of the land. All other community land may have its status removed simply by a council resolution after following the steps laid out in the legislation.

Labor has further questions about this section, particularly its application to instances such as relating to the Walkerville YMCA site. Members may be aware that, led by our shadow assistant minister for the City of Adelaide, the Hon. Emily Bourke, of the other place, Labor has been standing up for the community affected by the attempted revocation of land at the Walkerville YMCA. I recently attended a forum about it with our Labor leader, Peter Malinauskas, and we heard firsthand how important community land is to local people, particularly the large number of people who utilise the incredible services that are provided at the YMCA at Walkerville.

Labor will certainly continue to stand up for people in that community, because it was pretty clear from the forum that the member for Adelaide clearly is not. Labor recognises the importance of community land to local communities. Any process of revocation of community land should be transparent and should engage with the local community. Community land is a community asset and processes regarding revoking its status must be absolutely rigorous.

This bill also seeks to compile all council members' registers of interests into one simple plain English form which is then published on the council website. This removes the current requirement for councils to maintain one return with all details and another shorter return for publication online. Labor supports this level of transparency and the administrative efficiencies it will achieve.

I note that there are currently a number of provisions scattered through the act that require councils to publish material online and to have material available at the council office for inspection or for provision of copies on request. These provisions will be replaced with a single list of all council documents that must be published online, and we would see that as an improvement.

Finally, I thank those who have given of their time and continue to give of their time, particularly to me as a brand-new shadow minister for this area, who have assisted in the formulation of Labor's response to this bill, which is ongoing. I thank councillors and CEOs. I would like to repeat my thanks to the Local Government Association and unions working in this space, the ASU and the AWU. I also thank the Attorney's staff, both in her department and office, who have been helpful to me as I have been getting my head around this rather complex bill. I am grateful for their time.

As Labor's new shadow minister for local government, I look forward to continuing to meet representatives from our 68 councils across the state, as well as the Outback Communities Authority and those on the APY lands, who I was fortunate to catch up with recently. Local government is a large and sprawling portfolio but one that has an everyday impact on the lives of people in South Australia. I look forward to contributing constructively to this policy area, seeking out fresh new ideas and doing what I can to benefit all South Australians through this portfolio.

Mr PEDERICK (Hammond) (12:39): I rise to make a contribution to the Statutes Amendment (Local Government Review) Bill 2020. I note there has been plenty of discussion at a range of levels and plenty of discussion inside the Local Government Association as to this review. I certainly understand that locally in my councils and across the state a bill that enhances the ability to manage behaviour better internally in councils will be widely welcomed.

Currently, what seems to happen is that as soon as there is a hint of an incident, everything gets legalled and you end up with councils having legal fees that can run into hundreds of thousands of dollars. For a regional council and one like my home council, at Coorong, that adds up. When you are a ratepayer, you would rather your money be going into roads, rates and rubbish. I know councils do a lot more than that—before I hear the outrage—but that is their core principle still, and they need to be kept up.

As a general overview of the Statutes Amendment (Local Government Review) Bill 2020, it does represent the most significant changes in our local government system that have been brought forward in a single bill since parliament passed the Local Government Act at the end of the last century. The bill is the culmination of 18 months' worth of discussion and consultation, and it is part of our Marshall Liberal government's comprehensive reform agenda aimed at easing the cost-of-living-pressures for South Australians and providing better services.

In regard to some of the key reform areas, the program has focused on four key areas where it was clear that improvements in the practice and the system of local government are needed. These areas are stronger council member capacity, better conduct, helping our council members to perform their roles to the best of their ability and ensuring that the right measures are in place to deal with conduct issues when they arise. I note that there is quite a large section of the bill in place to deal with these matters, including the provision of a panel to deal with codes of conduct.

Codes of conduct are one of the matters I was referring to earlier in my contribution. It does eat up a vast amount of resources—and not just money, but time, for mayors, chief executive officers and other people in the system to get things right. It does seem to eat up an inordinate amount of time. In Coorong council there was an incident at a meeting where one councillor slammed a laptop down on another councillor's hand; that is assault, and sadly I do not think the right outcome has come of that.

These are matters that do need a better system and a clearer system, a more transparent system, to make sure that people have taken the time to represent their community at the local government level—and I applaud everyone who does take the time, whether they be elected members or mayors. They are doing a great job for our local community but, as I said, they need to focus on the job and make sure they do the right things.

For instance, before the last council election, the former Coorong council completely lost their way under former Mayor Neville Jaensch and former CEO Vincent Cammell. They completely lost their way. I chaired meetings—and some of these attendees were multiple attendees—not just as the local member but as a local ratepayer from Coomandook, and 500 people attended these meetings because something as simple as our roads were not being serviced, something as simple as that.

I acknowledge councils do far more than roads, rates and rubbish, but once you start not doing your roads—especially in a rural area with rubble roads where, I can assure you, there is plenty of rubble available, and it is not as if we do not have good stone at Coomandook, Tailem Bend and surrounding districts—and you take your focus off what you need to do, that is when the citizens get outraged. Thankfully, that saw a major change in council. Paul Simmons, a lifelong friend of mine, is now the new mayor. Bridget Mather, who came from Queensland, is the new chief executive officer and she is doing a fantastic job. They are both doing a great job in getting systems back on track.

One thing that councils should also not be involved in is political campaigning. In the last election in March 2018, the former mayor and his CEO campaigned quite openly for the Nick Xenophon Team or SA-Best or whatever they are this week. It was just there in your face. I think they would have been better off sticking to the running of council instead of getting into political arguments.

The code of conduct strategy will help reform local government, help get it back on track and help people, who have taken the time to represent their community in the right way, get on with the job of government at local government level. That is exactly what they need to do.

We are also looking at lower costs, enhancing financial accountability and improving efficiency within the local government sector by delivering greater confidence in council audits, improving council decision-making, financial reporting and making information about council financial performance more accessible to both council members and communities. This is vitally serious.

There was a rumour going around my area about one of my councils—it was not Coorong. I am not going to name the council. They said that their budget was going to blow out by another $10 million by a certain date. I did my research, I went to visit the council and the story was completely unfounded. I rang the constituent who had informed me that this was happening and this was the story being spread around the local area and I told him I had met with the council and that it was just not true—it was not true.

People should not be chasing ghosts; they should look at reality and look at the financial documents that they can access or go and talk to the councils. Councils are there to help and they are doing it in tough conditions, as everyone is, especially this year with the COVID-19 requirements. We also need efficient and transparent local government representation, improvements to election processes that are fair, transparent, run independently, that provide the right information at the right time and encourages participation from potential council members and voters alike.

We are also looking at simpler regulation in the bill, improvements to rules and regulations that seek to protect the interests of the community by making sure that councils operate with transparency and accountability and that their decisions and actions are and are seen to be in the public interest.

Earlier in my contribution, I was talking about stronger council member capacity and better conduct, and a new conduct management framework for council members which separates poor behaviour from matters that can affect the integrity of council decisions and which provides clear pathways for the investigation and resolution of issues that arise. There is the introduction of a behaviour standards panel to deal with repeated or serious misbehaviour, to enable more efficient resolution of difficult issues that can arise between council members with an expanded range of sanctions, including the suspension of members. As indicated, I am aware of some poor behaviour and we do need to have better behavioural management in place. I certainly believe that the bill will do that, and it is welcomed by those in the local government sector.

There is the review of other conduct matters within the Local Government Act 1999, including the simplification of conflict of interest provisions, clarification of council employee conduct requirements and council members' obligations to complete appropriate training, and a new role for the remuneration tribunal of South Australia to set remuneration bans that will apply to all council chief executive officers.

Chief executive officers are well remunerated. If a CEO is getting the same pay as a backbencher, they are right at the lower end of the scale. In fact, I would not think of anyone in the city council whose package would be anywhere near $200,000 a year. Good on them, as it is a very

competitive industry, but many chief executive officers will be getting well north of $300,000. Some would be on the rate of a minister, which is around $350,000 per annum or more. Good on them if they are doing the job, but they are well remunerated.

This bill creates a new role for the Remuneration Tribunal and remuneration bands will apply to all council chief executive officers. Part of what we are looking at is lower costs and enhanced financial accountability. The introduction of a rate monitoring scheme will require all councils to receive, consider and publish advice on proposed changes to their general rate revenue each year from a designated authority. It looks as though the Essential Services Commission of South Australia (ESCOSA) will run that.

The local government bill 2020 includes an ability for the minister to make directions to a council on receipt of a report from the designated authority if there is a view that a council has failed to respond appropriately to this advice. There will be a requirement for all councils to include a funding plan within their long-term financial plans, which outlines expected revenue amounts and sources over the 10-year period. It is expected that this will be an important basis for the advice provided by ESCOSA within the rate monitoring system.

There will also be an expansion of the role of councils' audit committees to become audit and risk committees, to provide councils with greater assurance on the adequacy of their financial and risk management practices. There will also be a requirement for all audit and risk committees to include a majority of independent members, as opposed to a majority of council members.

There will be an expansion of the Auditor-General's powers under the Public Finance and Audit Act 1987 to include the review of councils or their operations and to include the ability of the Auditor-General to audit specific councils. There will also be the removal of councils' ability to use site unimproved property valuations as the basis of rating.

The inclusion of heads of power in the Local Government Act 1999 will require councils to provide the Minister with annual information that may be necessary to establish and maintain a council information website, as included in the government's response to the South Australian Productivity Commission's final report, Inquiry into Local Government Costs and Efficiency.

I think the rate monitoring scheme is one issue that has raised a lot of discussion within the local government sector and with constituents. Obviously, this is where the rubber hits the road. The reforms are focused on improving the quality of information and advice that is provided to councils, their administrations and their communities. This advice is critical when councils are fulfilling their responsibilities to manage their financial position, and most importantly, when they make a decision about the rates that their community will pay.

We have certainly listened to feedback from the local government sector and we have provided a scheme which creates a more nuanced approach than what we were looking at with the original rate capping scheme. Instead of a flat cap on rates across the state, each individual council will be provided with advice as to what is an acceptable increase in their area, taking growth, debt levels and major projects into account.

Councils will now be required to receive and consider advice from an independent body—again, which most likely will be ESCOSA—on their proposed revenue from general rates for each financial year. Councils will need to provide information on their proposed rate revenue to ESCOSA by February in that financial year, along with critical information on the context on which this revenue change is proposed.

This will include the council's view of the impact of the rate change on its ratepayers and whether the council has considered alternative mechanisms, such as the responsible use of debt, use of council reserves or exercising spending restraint and, most importantly, how the proposed change is consistent with the council’s long-term financial plan and infrastructure and asset management plan.

The council must also include the advice from ESCOSA in its draft business plan every three years when it is released for consultation, along with the proposed response to this advice. Councils will not be required to comply with the advice but, if they do not propose to implement it, they should clearly explain to their communities why that is the case. When the council makes its final decision

in the context of adopting its annual business plan and budget, this should include advice received from the independent body, which will be ESCOSA, and the council's response.

The intention of this is to give ratepayers greater confidence that the rates they are paying, which is the biggest issue when rate time comes around from community members who come into our offices as state members, are what is necessary for their councils to provide the services they value. If ESCOSA is of the view that a council has not responded appropriately to the advice then that may be reported to the relevant minister, which is obviously the local government minister of the day.

Efficient and transparent local government elections are another vital part of the reform. This will change a lot of views. We do not have it in the Coorong at the moment. We do not have a directly elected mayor. The mayor gets elected from the body of councillors once they are elected, but it will be a requirement for all councils to have a directly elected mayor and to consist of no more than 12 members, so there will be more reform where some councils obviously have more members than that.

There will be a simpler process by which councils regularly review their internal structures and improvements to the local government election processes, including ESCOSA being responsible for receiving and managing nominations for council, requiring candidates to release more information about themselves and earlier information about the large campaign donations they receive.

Part of the bill will require all councils to take greater steps to inform property franchise holders of the need to self-enrol and require the City of Adelaide to manage a process to ensure that property franchise holders have a natural person nominated to exercise their vote to prevent a potential challenge to these elections. The bill will also narrow the circumstances in which supplementary elections must be held to reduce costs for councils and require any council member standing for state parliament to have a leave of absence from the council member role during the election campaign.

One of the final issues I will talk about is the simpler regulation that will come into place that is replacing prescriptive and detailed community engagement requirements in the Local Government Act 1999 with a simpler and far more flexible community engagement charter, which the community will enjoy I am sure, which will include streamlined requirements for the publication of notices. There will also be improvements to councils' internal review of decisions to enable councils to better manage persistent or vexatious requests, which we all see at our state government level.

There will obviously be requirements removed around informal gatherings in favour of a simpler approach to the proper management of information and briefing sessions and streamlining of the council members' register of interest processes. I welcome this bill to the house. I welcome the debate. I welcome positive amendments that come forward to make this work better.

I am certainly a strong believer in the three levels of government, whether they be local, as we are discussing now in the Statutes Amendment (Local Government Review) Bill, state government or federal government, because you need that representation close to the ground to make things work. That is why I am a strong believer in local government working alongside state government, as well as the federal government, so that we get the right result for our communities. I certainly trust and hope that this bill will give us an act that will help drive positive reform in the local government sector well into the future.

Dr HARVEY (Newland) (12:59): I rise to support the Statutes Amendment (Local Government Review) Bill, which will see a range of improvements to councils aimed at easing the cost-of-living pressures for South Australians and providing better services. A key election commitment of our government was to cut red tape, lower costs and help improve service delivery for South Australian ratepayers, and we have endeavoured to do this through a number of improvements and reforms.

These improvements focus on four key pillars: firstly, strength and framework around council member capacity and poor council member behaviour and conduct; secondly, lower costs and enhanced financial accountability; thirdly, efficient and transparent local government representation; and, fourthly, simpler regulation.

There were 18 months of consultation with councils, the Local Government Association (LGA), local government professional bodies and statutory authorities, including the Independent Commissioner Against Corruption. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

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

Criminal Investigation (Covert Operations) Act 2009 (SA)—
ICAC Annual Report, 2019-20
SA Police Annual Report, 2019-20
Australian Criminal Intelligence Commission Annual Report, 2019-20

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

Child Development Council—South Australia's Report Card for Children and Young People: How are they faring? Annual Report 2020
Government Response to Standing Committees—Social Development Committee: Inquiry into the provision of services for people with mental illness under the transition to the National Disability Insurance Scheme, 2020

Personal Explanation

CHILD PROTECTION

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:01): I seek leave to make a personal explanation.

Leave granted.

The Hon. V.A. CHAPMAN: Yesterday, during question time, in response to a question from the member for Reynell, I referred to the correspondence that had been referred to me by the Department for Child Protection. I am advised, however, having received other copies of that correspondence, that in fact it referred to my office. The one that I answered was from the office of the Minister for Health and Wellbeing.

CENTRAL POWER HOUSE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:02): I also rise to seek leave to make personal explanation.

Leave granted.

The Hon. D.C. VAN HOLST PELLEKAAN: In my answer to a question in question time yesterday talking about the energy work up in the APY lands—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —I said that with the current diesel generation there is 7.6 million tonnes per year of carbon dioxide released; it is actually 7,600 tonnes.

Ministerial Statement

HOW ARE THEY FARING: REPORT CARD FOR CHILDREN AND YOUNG PEOPLE

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.A.W. GARDNER: I am pleased to table today on behalf of the Child Development Council, 'How are they faring? South Australia's 2020 report card', the first annual report under South Australia's Outcomes Framework for Children and Young People. I congratulate the Child Development Council and, in particular, the Presiding Member, Dr Anne Glover AO, on this comprehensive independent assessment of the lives and wellbeing of children and young people using the framework's five dimensions: health, safety, wellbeing, education and citizenship.

In 2019, there were 368,600 children and young people under 18 years estimated to be living in South Australia, representing 21 per cent of our total population. The Child Development Council reports that most children and young people in South Australia are faring well, in good health, in safe housing, connected with family, friends and culture, enrolled in education from an early age and gaining skills in independent living and community and civil engagement.

The report card highlights, however, that more must be done to resolve economic and social inequalities; higher Aboriginal infant mortality rates; emotional, mental health and behavioural problems; increasing obesity rates; and alcohol and illicit drug use. Also of concern are abuse notifications, experiences of bullying, school attendance rates and the increasing number of developmentally vulnerable children starting school.

I welcome the Child Development Council's advice on priorities for collective action and am pleased to report that work is well underway across government in all areas, both to maintain the existing high standard of living and advantages available to South Australian children and young people and to improve outcomes in areas that all South Australians agree are critical to the future of children and young people and to our state as a whole.

Through the Social Affairs Cabinet Committee, the Department for Child Protection, the Department of Human Services, Wellbeing SA, the Women's and Children's Health Network, the Department for Education and the Department of the Premier and Cabinet continue to drive a range of programs and policy development individually and collaboratively. Critical government priorities include our landmark universal and targeted health and development assessments and support delivered for many years by the Child and Family Health Service.

Government agencies are guided in their actions by the South Australian government Aboriginal Affairs Action Plan 2019-20, and we have established the Office of the Commissioner for Aboriginal Children and Young People to promote the rights, development and wellbeing of Aboriginal children and young people in particular.

The newly established Wellbeing SA has recently released its first strategic plan, working towards outcomes of improved physical, mental and social wellbeing, reduced preventable burden of disease and improved quality of life and social connectedness, with a specific focus on the early years to support all South Australian children to have the best start in life for optimal growth and development.

I am personally pleased to report that the Department for Education has a range of programs to support child development and educational outcomes and assist the most vulnerable to fully participate in the education system. These include but are not limited to the Aboriginal Education Strategy, functional needs funding for students with a disability, tailored One Plan documents for children with additional support needs that will follow them through their education journeys and the package of measures contained in the government's Literacy Guarantee program.

I look forward to continuing to update the house on the wide range of work being undertaken within the education department to address the council's priorities and collaborating with my ministerial colleagues to continue to improve outcomes for children and young people and ensure that the next Child Development Council report card demonstrates even more progress. I am very

pleased to table the report card today and again I commend the Child Development Council and its chair, Dr Anne Glover, for their work.

Parliamentary Committees

ECONOMIC AND FINANCE COMMITTEE

Mr COWDREY (Colton) (14:07): I bring up the eighth report of the committee, entitled Inquiry into Motor Vehicle Insurance and Repair Industry in South Australia.

Report received and ordered to be published.

PUBLIC WORKS COMMITTEE

Mr CREGAN (Kavel) (14:08): I bring up the 122nd report of the committee, entitled Women's Memorial Playing Fields Upgrade Report.

Report received and ordered to be published.

Mr CREGAN: I bring up the 123rd report of the committee, entitled Flagstaff Road Upgrade Project.

Report received and ordered to be published.

Question Time

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:09): My question is to the Minister for Infrastructure and Transport. Does the minister stand by his remarks today on radio that there are no emails containing documents confirming that Bombardier, a participant in the process to privatise the Adelaide train network, was asking that the process be subject 'to an independent probity investigation'?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:10): I thank the member for this question and look forward to giving a fulsome answer on this. In the interview that he talked about on radio today, there was conversation about a fabricated email that he seems to have made up, one that has this—

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

The Hon. C.L. WINGARD: Oh, the jaw, very quickly—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: Personal reflection, sir, on members. The minister just accused me of fabricating an email. I ask him to withdraw and apologise immediately.

The SPEAKER: Did the minister say that? I'm not sure I heard the minister.

The Hon. C.L. WINGARD: No, sir. I'm referring to an email that has been fabricated that the member is throwing around.

The SPEAKER: I must say, that's as I heard it. I hear the member's point of order. On the basis of what I heard and the minister's response, I don't regard there being a case for withdrawal at this point. I will listen carefully. The minister has the call.

The Hon. C.L. WINGARD: To go back through the process and give that fulsome answer, of course, as we know, our government is about delivering better services for South Australia. We went to a procurement process. It was a competitive tender. That went out. There were a number of people who put in for that tender. At the end of the tender process, there was a winner. There was someone who did get awarded that tender. There were people who missed out. I understand that sometimes when you do not win you want to know why, and we are working with those companies that did not put in the successful bid.

The new company that has received the tender is Keolis Downer, a good, reputable company right around Australia. In fact, Labor governments in Queensland have used them not only to build but run their Gold Coast tram network, and also the Yarra tram network as well. So, yes, I am led to believe from reports in the media that one of the underbidders has sent an email asking for some feedback. I'm happy to work on that.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: What has been fabricated—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. C.L. WINGARD: What has been fabricated in the media—and have a guess as to who it might be from, and he is sitting opposite. But what has been put out there is that there is some other email that the member for West Torrens has been sitting on for two weeks now, some big exposé, an email that is apparently going to open this right up—

The Hon. A. Koutsantonis: The one you said that's fabricated and doesn't exist?

The SPEAKER: Order, member for West Torrens!

The Hon. C.L. WINGARD: —but he won't reveal it. He won't release it to the public. He's sitting—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: There is no email. There's an email from people who are saying they would like to know and get some feedback on their procurement, on the process they went through.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: That's it. They are welcome to that, and they will be delivered that. If you've got more emails on this secret—

The SPEAKER: Order! The minister will direct his remarks through the Chair. I am sure I don't have such information.

The Hon. C.L. WINGARD: Nor, I think, does the member for West Torrens, but I'm keen to see it.

Members interjecting:

The SPEAKER: When there's silence on my right, the member for West Torrens.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:13): My question is to the Minister for Transport and Infrastructure. Can the minister confirm that on 18 August 2020, Ms Wendy McMillan, the President Australia and New Zealand of Bombardier Transportation, wrote to Mr Ken Patterson, the probity officer for the ARTP program—

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order, sir.

The SPEAKER: The Minister for Energy and Mining on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: I did wait a bit after 'can the minister confirm', but I think the member has gone way too deep into providing facts without seeking leave.

The SPEAKER: I uphold the point of order. The member for West Torrens may seek leave to introduce facts.

The Hon. A. KOUTSANTONIS: I will. She wrote to Ken Patterson, probity officer—

The SPEAKER: Before you proceed, member for West Torrens.

The Hon. A. KOUTSANTONIS: I seek leave, sir.

Leave granted.

The Hon. A. KOUTSANTONIS: On 18 August, Ms Wendy McMillan, President Australia and New Zealand of Bombardier Transportation, sent an email to Fergus Gammie, Anthony Ward and Kyffin Thompson, BDO probity officer, asking for an inquiry and independent review into the probity of the process to privatise South Australia's trains.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:14): Thank you very much. I thank the member for the question—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: I note that the email was sent to about, I don't know, four or five people. None of them were sent to me, so how would I know what emails other people—

Members interjecting:

The Hon. C.L. WINGARD: I don't know what world you are living in.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Seriously, no—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. C.L. WINGARD: Mr Speaker, I don't know what happened in the Gillman deal.

Mr Szakacs interjecting:

The SPEAKER: Order, member for Cheltenham!

The Hon. C.L. WINGARD: I don't know what happened there, and I'm not sure how deep his fingers got in that process. But I tell you what, when there is a procurement process I don't get my hands in that. There is a competitive tender process. The right protocols and policies are put in place, and I am very, very serious about this. You might get your hands in the Gillman process. You might do that. That might be your operation.

The SPEAKER: Order! The minister will direct his remarks through the Chair. I am sure the minister's intent was clear. I remind the minister of the importance of directing his remarks to the Chair. Does the member for West Torrens rise on a point of order?

The Hon. A. KOUTSANTONIS: Yes, sir, I do. Personal reflections. I ask him to withdraw his accusations about having fingers in the pie.

The SPEAKER: The member for West Torrens will be particular about that—

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: What is the particular reflection?

The Hon. A. KOUTSANTONIS: The minister accused me of having my fingers in the pie in the Gillman deal.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! I have not heard a reflection in those terms. I will not ask the minister to withdraw. The Minister for Education rises.

The Hon. J.A.W. GARDNER: Yes, thank you, sir. I heard the member for Lee call a member on this side a goose. It is unparliamentary to refer to any member as an animal.

The SPEAKER: Member for Lee—

The Hon. S.C. MULLIGHAN: Guilty as charged, sir. I withdraw and apologise.

The SPEAKER: The Minister for Infrastructure and Transport.

The Hon. C.L. WINGARD: Thank you, sir. To finish my answer, and again just to go through the detail for those opposite, I don't know how they operated when they were in government, but again there was a competitive tender process. Following the procurement act, an independent probity adviser was attached to this process. Under the act, of course, a written report is provided. The Auditor-General sees that before the contract is signed, and then the Auditor-General provides comment at the end of the day, but it is tabled in this place. The process is really clear.

I stress again: I'm not sure what the member for West Torrens did when he was looking after deals, certain deals—who knows what went on when he was there—but that is the process. That process was followed. He keeps referring to an email to people who are not me. If he's got an email, please forward it to me. But, at the end of the day, I go back to the process—a competitive tender process with people given the opportunity to put their best foot forward. They did do that. The contract was awarded. If someone was not happy that they didn't get the contract, then they are happy to receive feedback from the department.

The SPEAKER: Before I call the member for West Torrens, I call to order the Minister for Energy and Mining. I call to order the member for Mawson and the member for Cheltenham. I call to order the member for Elizabeth. I call to order the member for Kaurna, the member for Lee, the member for West Torrens and the leader. The member for West Torrens seeks the call.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:18): My question is to the Minister for Transport and Infrastructure. Can the minister confirm that on 21 August his hand-picked ART program director, Mr Fergus Gammie, admitted that there were multiple investigations into the probity of the privatisation program? With your leave, sir, and that of the house I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: In an email dated 21 August 2020, leaked to the opposition, Mr Gammie states, and I quote:

> One or more other investigations will be conducted in addition to that of the probity adviser.

The SPEAKER: The Minister for Infrastructure and Transport.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:18): If this is the magical email that he has been hiding for so long, please bring it forward.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: That has not been brought to my attention. If you've got a magical email that you have been hanging onto for two weeks—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: This was so important that he hasn't got it out.

Members interjecting:

The Hon. C.L. WINGARD: Well, give us the email. Seriously, you have been out there feeding it in, feeding it here, feeding in these allegations. The member for West Torrens keeps doing that; that's all he does and—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat.

The Hon. C.L. WINGARD: —he won't produce the email.

The SPEAKER: The member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker: how many times must you direct the minister to refer his remarks through the Chair and not at the Chair?

The SPEAKER: I uphold the point of order. The minister will direct his remarks through the Chair. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir, and I do apologise, but the member for West Torrens—look, he is all about show, he is all about stage, he is all about politics, he is all about theatre. If he had a serious document that needed serious attention for a serious matter, would he sit on it for two weeks? I don't think so. If he was serious about what he is doing—no, he wouldn't. He would bring it to the attention of the authorities and he would have something done about it. Two weeks later. He sat on it for two weeks. Two weeks.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Two weeks. Unbelievable. Then he will feed it out to the media. But, no, will he show the department?

Members interjecting:

The SPEAKER: Order! The member for West Torrens will cease interjecting.

The Hon. C.L. WINGARD: Will he show the minister? Will he show the people involved? No. He sits on it, he sits on it, and he leaks it out.

Mr Malinauskas: It's your document.

The Hon. C.L. WINGARD: It's not my document. It was not sent to me. It was not sent to me. The Leader of the Opposition, seriously.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Privatisation Pete just cannot work this out. I say again, and I will be really clear, we went through a competitive tender process. There was an independent probity adviser put in place. It was signed off and went to the Auditor-General before the contract was signed—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —and then it goes to the Auditor-General. The Auditor-General will hand down his report, as is standard operational procedure, for everyone to see. If the member for West Torrens has some scandalous information, I ask him to table it here in parliament, to give it to me. He has talked about it for two or three weeks. He has made a big grandstand, a big show. He has given it to the media. He has done all that sort of stuff. Mate, hand it over. The member for West Torrens just needs to hand it over. It's really easy. Thank you, about time.

Members interjecting:

The SPEAKER: Order, members on my right!

Members interjecting:

The SPEAKER: Order! The Minister for Infrastructure and Transport I think has concluded his answer.

Members interjecting:

The SPEAKER: Order, members on my left and on my right! Before I call the member for West Torrens, I call to order the member for Badcoe and I call to order the member for Playford. I call to order the Minister for Infrastructure and Transport and I call to order the Deputy Premier. I remind members on my right and on my left that we are now late in the week. I don't wish to exclude members from the chamber in the course of these proceedings. They may be lively. They ought to be respectful. Questions should be heard in silence. Answers should be heard in silence. The member for West Torrens.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:22): My question is to the Minister for Infrastructure and Transport. Can the minister explain why he said publicly today that the document supporting *The Advertiser* story today on the privatisation process did not exist?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:22): So again this mysterious email that the member has just handed to me that he has been flaunting around to the media, clearly, for the past couple of weeks didn't think it important enough to hand to the minister or to bring to the attention of authorities. I mean, really? Let's be honest. But who would be surprised when it comes to the member for West Torrens because he is just about showmanship. That's all he is about—politics. He is not about delivering for South Australians. Again to the member, I take on board his email. The email was 'fabricated' up until about two minutes ago when you decided that—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: I hear the—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.L. WINGARD: So again, 'I have a secret document. I am keeping it in my pocket. I am not going to show you, but believe me it exists.' The member for West Torrens refused to release it—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —waits to grandstand in parliament. Actually, I will go away and read it. But I can read the first line here, 'We write in relation to the recent media commentary regarding the Adelaide Rail Transformation Project.' So the letter is about media commentary. Who do you think fuelled the media commentary? I wonder who fuelled the media commentary. So here we have the member for West Torrens again—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —just out there mythically making things up—

Members interjecting:

The SPEAKER: Order! Interjections will cease.

The Hon. C.L. WINGARD: —before he actually releases the document to the minister.

The Hon. A. KOUTSANTONIS: Point of order, sir: I ask the minister to withdraw the accusation that I am making things up.

The SPEAKER: The minister will resume his seat. The member for West Torrens on a point of order; what are the words the member for West Torrens asks—

The Hon. A. KOUTSANTONIS: That I am 'making things up'.

Members interjecting:

The SPEAKER: Order! The test, in accordance with standing order 125, is a subjective test. The member for West Torrens has taken offence about the words he has just described. I invite the minister, in the circumstances, to withdraw those words.

The Hon. C.L. WINGARD: I withdraw those words, if the member is offended.

The SPEAKER: The minister has concluded his answer.

TOURISM

Mr COWDREY (Colton) (14:25): My question is to the Premier. Can the Premier update the house on how the Marshall Liberal government is supporting the recovery of the tourism, arts and events industries?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:25): I thank the member Colton for his question. We are well on the road to economic recovery in South Australia. Anybody who reads the most recent ABS statistics would be buoyed by the fact that the most recent statistics show very clearly that wages over the past two weeks have only been 1 per cent down than before COVID.

This is a remarkable variance compared to any other jurisdiction in the country. In fact, Australia is down in excess of 4 per cent; with that same series, South Australia is down 1 per cent. But of course it is not even, and there are some sectors of our economy which are very significantly further hurt and burdened by—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. S.S. MARSHALL: —the effects of the coronavirus. Some of those sectors that have been adversely affected and continue to be adversely affected include the tourism sector, the accommodation sector, the arts sector and the events sector here in South Australia. That is why we are continuing to focus on those areas and try to get as many jobs stood up as quickly as we can.

We were the first jurisdiction in the country to roll out our stimulus package—$350 million in our first package—and part of that package which went to small business was almost 19,000 firms here in our state that received $10,000 cash payments to help these businesses through their tough times.

Part of our initial response for the arts sector was $2.9 million worth of stimulus. This is money that went to independent artists and arts organisations in South Australia. This is very similar to the package that we rolled out immediately for the tourism sector. In this first package it was $5.7 million, and it went to a range of tourism business grants, marketing support, regional events, a tourism fund and programs that enhance the digital capability of people that were operating in this sector.

Since this time we have continued to invest in the tourism sector, because we know it is a major employer here in South Australia. Two weeks ago, I announced our $20 million tourism infrastructure development fund, which would support the development of tourism infrastructure right across regional South Australia. To date we have been inundated with applications.

I note that the opposition were saying we were very unlikely to get any applications. Actually, it is now a situation where we may be overwhelmed. But we have been—

The Hon. S.C. Mullighan: We just said it was small and late.

The SPEAKER: Order! The member for Lee is warned.

The Hon. S.C. Mullighan: Like your leadership.

The SPEAKER: The member for Lee is warned. The Premier has the call.

The Hon. S.S. MARSHALL: Other initiatives, of course, include our $4 million Great State voucher program and $5 million worth of support to our nature-based tourism investment fund, again two programs that have showed extraordinarily strong interest to date.

In the past few weeks, I have visited the West Coast and Eyre Peninsula more broadly. I have been to the Barossa, I have been to Clare, I have been to Tailem Bend and I have spoken with tourism operators. I can honestly say that they have been really, really buoyed by the interest shown from people in metropolitan Adelaide heading out to regional South Australia, spending money in those economies, creating jobs. It has been absolutely fantastic to see.

We have more events coming to South Australia. Some of these are sporting events. We know that the AFL footy finals—go the Power—begin next week here on Thursday night. The first NRL State of Origin game will be here on 4 of November. We've got a great summer of cricket with international cricket, a revamped Christmas pageant and also new events like Illuminate Adelaide, which we are investing significant money into.

Today, I announced further support for the arts sector. This is a $10.2 million arts recovery fund in addition to other money that we have already announced. This brings it now to $20 million worth of support for this extraordinarily important sector of our South Australian economy.

Members interjecting:

The SPEAKER: Order! Before I call the member for West Torrens, I call to order the member for Hurtle Vale, I call to order the member for Ramsay and I call to order the deputy leader.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:30): My question is to the Minister for Transport and Infrastructure. Is the minister aware of the outcome of the BDO probity investigation into the privatisation process initiated by a complaint by Bombardier? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: In a letter to Wendy McMillan from Mr Kyffin Thompson and Ken Patterson, partner and senior manager of BDO Advisory, the probity officers appointed to the process, they write and I quote:

> This review will focus on the matters raised in the media and any others that impact upon the integrity of the process.

I will table this afterwards.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:30): I will say it again, but I will say it slowly so the member for West Torrens can understand.

Mr Malinauskas: This is a serious, serious question.

The Hon. C.L. WINGARD: I understand: it is a serious question and it is going to get a serious answer. Member for West Torrens, if I speak slowly—

The SPEAKER: Order! The minister will not respond to interjections, and the interjections on my left will cease. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir. Again I stress the point: I will speak slowly so the member for West Torrens can understand. What we have here is a procurement process—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —a competitive tender. People put a bid in; those bids are evaluated.

An honourable member: You said that.

The Hon. C.L. WINGARD: Exactly—and the member for West Torrens just failed to understand, so I will say it again. There is an independent probity adviser who actually oversees the process.

The Hon. A. Koutsantonis: What's the result of the investigation?

The SPEAKER: Order, member for West Torrens!

The Hon. C.L. WINGARD: Under the act, they have to provide a written report at the signing of the contract that the Auditor-General sees. The Auditor-General will then assess the probity and the contract and file a report to the parliament. That is the process. That is how it is stated under the procurement act and that is—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. C.L. WINGARD: —what will take place.

Members interjecting:

The SPEAKER: Order! I call to order the Deputy Premier.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:32): My question is to the Minister for Transport and Infrastructure. Will the government provide a copy of the findings of the BDO investigation into the probity of the privatisation of Adelaide's trains to all those involved in the procurement process?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:32): Again, to outline what the member for West Torrens has claimed in his email—and I know he is going to table that and he's got all these secret emails, so I encourage him to bring them forward.

The Hon. A. Koutsantonis: I will.

The Hon. C.L. WINGARD: Thank you. And I encourage the member for West Torrens to do that.

The SPEAKER: Order!

The Hon. C.L. WINGARD: In future, I encourage him not to wait two weeks, not to wait three weeks. If he's got such important—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. C.L. WINGARD: —information—

Mr Malinauskas interjecting:

The SPEAKER: Order! The leader is warned.

The Hon. C.L. WINGARD: Old Privatisation Pete is not happy.

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. C.L. WINGARD: Again, I ask the member for West Torrens to bring that information forward. What he is talking about is an investigation into a media allegation, and that is a point that I note at the start of this letter. A media allegation: again, where is the evidence? Someone has claimed—

The Hon. A. Koutsantonis: It was handed to you.

The SPEAKER: Order!

The Hon. C.L. WINGARD: —that there is a media allegation. Unfortunately, I have worked in the media. I know how this works far better than you, my friend, far better than you. With this allegation, let's see some substance to the allegation and let's see what plays out in that space. Very clearly, this claim that someone that missed out on a contract has said, 'I've read in the media, I've heard in the media that something happened,' really needs to be played out further.

The Hon. A. Koutsantonis: But BDO are saying that.

The SPEAKER: Order!

The Hon. C.L. WINGARD: The Auditor-General has a process that happens with procurement, following the procurement act—I can't be any clearer than that—and that process will play out.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:33): My question is to the Minister for Transport and Infrastructure. Did the government refuse a request from one of the bidders to suspend the tender process, review the findings of all investigations and respond to the allegations being made as to the integrity of the tender process?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:34): Let me be really clear: no, the government did not.

FREIGHT CORRIDORS

Mr MURRAY (Davenport) (14:34): My question is directed to the Minister for Infrastructure and Transport. I ask whether the minister could update the house on how the Marshall Liberal government is delivering better services by improving freight corridors and thereby keeping South Australia moving?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:34): I thank the member for Davenport—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.L. WINGARD: Thank you, Mr Speaker. I thank the member for Davenport for his question and note his interest in our $12.9 billion infrastructure spend—more money going into infrastructure in South Australia than this state has ever seen. Almost $4 billion over the next four years—

Members interjecting:

The Hon. C.L. WINGARD: —and those opposite scoff at that, but that means jobs. That means jobs and better services for South Australians. What really goes to the heart of this question is the difference between what our government delivered and what their government delivered. We care about country roads. We care about country roads on this side of the house. We care about road shoulder sealing to make our roads safer. We care about road widening and other safety treatments to save lives on our regional roads.

What did they do on the other side when the roads got a bit deteriorated? Just slashed speeds, shut the speeds down. Don't invest in improving the roads; no, just drop the speeds. They didn't care about the regions. They didn't care about seats out in the country. To quote the former Premier, Premier Weatherill, he said, 'There's no votes for Labor out in the regions.' Isn't that true? You can see from the way that they allowed those facilities to deteriorate. On this side of the house, we care about the people in the regions and we want to invest in people in the regions. That's why we're investing record amounts in regional South Australia.

Members interjecting:

The SPEAKER: Order, member for Ramsay!

The Hon. C.L. WINGARD: The regions have borne industry for South Australia; that is where it comes from. They are the backbone of our economy and we appreciate that. From primary

industries to mining, our regions are crucial for South Australian jobs. One of the things we're investing in is our key freight routes. That is where productivity comes from and that is where jobs come from. By improving these freight networks, we will see benefits for the whole of the state.

Whether it is getting to port, getting cattle to ship, livestock to ship or grain to market, that is what is important. Forestry, wine, minerals, seafood—getting them to market and getting exports. That is what is important along a heavy freight vehicle route. Ultimately, what does that mean? Jobs, jobs for South Australians, and that's what we are focused on.

The upcoming federal government, we're speaking with them about improving our freight routes even further. 'How can we partner? How can we work with you? What can we do?' They are very receptive because they know the importance. That said, from the outset I did point out that our record of delivering for our regions is far better than those opposite.

They neglected them; we are investing: $200 million to duplicate the Joy Baluch Bridge; $10 million for sealing 50 kilometres of the Strzelecki Track, a very important project in the Minister for Energy and Mining's electorate; $122½ million for the Port Wakefield overpass. How many times have we talked about the Port Wakefield overpass? Wouldn't know where—

The Hon. S.C. Mullighan: Has it started?

The Hon. C.L. WINGARD: Yes, it has, and you wouldn't know where Port Wakefield was—

The Hon. S.C. Mullighan: Really?

The SPEAKER: Order, member for Lee!

The Hon. C.L. WINGARD: Wouldn't know were it was, the member for Lee.

The Hon. A. Koutsantonis: Fraser doesn't either; he's always in Adelaide.

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

The Hon. C.L. WINGARD: The member for West Torrens is not welcome anywhere out of his local streets, I can tell you. I'm happy to have him in my electorate and come doorknocking with me on any occasion.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: $92 million for the Victor Harbor Road—that's also out of the city; you wouldn't know where that was. $92 million in the member for Finniss' electorate, the minister for regional affairs.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. C.L. WINGARD: These are projects that we are fixing.

Members interjecting:

The SPEAKER: Member for Hurtle Vale!

The Hon. C.L. WINGARD: Again, remember what they did with country roads when they deteriorated? Just dropped the speed limits. That was their answer. Well, we're fixing that. We're fixing that, and we're delivering jobs in the process. These increased productivity gains will of course lower costs for businesses that use these freight corridors and at the same time provide better services for the community. On this side of the house, the people in the regions have a government that cares.

The SPEAKER: Before I call the member for West Torrens, I warn the member for Badcoe and I warn the member for Hurtle Vale. The member for West Torrens.

PUBLIC TRANSPORT PRIVATISATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:38): Thank you, sir. My question is to the Minister for Infrastructure and Transport. Did Keolis Downer attempt to withdraw from the bidding process for the Adelaide rail transformation program?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:38): Again, I said it slowly, but maybe I've got to be even slower for the member for West Torrens.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: I have explained how the process works. I don't get involved in the procurement process. I need to be really clear: I don't get involved in the procurement process. You—

Members interjecting:

The SPEAKER: Order, leader!

The Hon. C.L. WINGARD: The member for West Torrens may have got his hands into procurement when he was in this portfolio, but that is not the way that it works. I have explained it; if the member would like, I can explain it to him again, but there is a process we go through. It adheres to the procurement act and the Auditor-General will put his report out, as is the case and as is outlined under the act. I can't be any clearer than that.

The SPEAKER: The leader with a supplementary question.

PUBLIC TRANSPORT PRIVATISATION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:39): If the minister has not been involved in the procurement process, how is it possible that the $1 million loser fee was signed off on? Was that signed off on by someone in the department or would it not require ministerial approval?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:39): Again, I can't be any clearer with how the process works. When we talk about contracts, and, again, I know that the leader has had his portfolio—he has made a mess of plenty of others, but he hasn't had his hands on this one—

Members interjecting:

The SPEAKER: Order!

Mr Picton interjecting:

The SPEAKER: Order, member for Kaurna! The minister has the call.

The Hon. C.L. WINGARD: What I will say to the Leader of the Opposition when he asks that question is maybe just turn behind him to the man who pulls the strings—

The Hon. S.C. Mullighan: Go back to race calling.

The SPEAKER: Member for Lee!

The Hon. C.L. WINGARD: —and ask the member for West Torrens what happened when he was the minister. In fact, ask the member for Lee what happened when he was minister when they signed contracts. With contracts like the Torrens to Torrens—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —when they paid fees to unsuccessful bidders, ask him how that process worked.

Members interjecting:

The SPEAKER: Order! The leader is warned for a second time. The member for Lee is warned for a second time. The minister has the call.

The Hon. C.L. WINGARD: Again, I encourage him to talk to his colleagues because there is a process that is gone through with contracts and it happened on the Torrens to Torrens, it happened on Darlington and it happened on the Torrens rail project. When their side were in government, millions and millions of dollars were paid to unsuccessful bidders. There is a process. There is a protocol. He is very free to speak to—

Dr Close interjecting:

The SPEAKER: Order, deputy leader!

The Hon. C.L. WINGARD: —his colleagues who would know exactly what happened because they paid millions and millions in the same process.

DROUGHT ASSISTANCE

Mr McBRIDE (MacKillop) (14:41): My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the Marshall Liberal government is delivering support for drought-affected farmers?

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (14:41): I thank the member for MacKillop for his important question and his interest in the concerns of drought-affected farmers. Today, the Marshall Liberal government announced an additional $3.45 million towards the On-farm Emergency Water Infrastructure Rebate Scheme to support drought-affected farmers. The scheme was understandably inundated by farmers in drought communities. Commonwealth and state funding was exhausted earlier this year.

During a recent series of drought forums in the Mid North and the Flinders Ranges, farmers raised the importance of providing further financial support for the rebate scheme. We continue to hear about—

Mr Picton interjecting:

The SPEAKER: Order, the member for Kaurna!

The Hon. D.K.B. BASHAM: Point of order, Mr Speaker: I take offence at the comments about my hand shaking. I have an involuntary hand shake that is a medical-related condition.

The SPEAKER: Did the minister hear any particular member making—

The Hon. D.K.B. BASHAM: The member for Kaurna, sir.

The SPEAKER: I must say I heard the member for Kaurna.

Members interjecting:

The SPEAKER: Order, members on my right! I heard the member say words to that effect. The minister having raised the matter and taking personal offence at those remarks, I ask the member for Kaurna to withdraw those remarks.

Mr PICTON: I withdraw and apologise. I wasn't aware of that fact.

The SPEAKER: The minister has the call. The minister.

The Hon. D.K.B. BASHAM: Thank you, sir.

The Hon. S.S. Marshall: What a joke.

The SPEAKER: Premier!

Members interjecting:

The SPEAKER: Order, members on my right! Members on my left, order! The minister has the call.

The Hon. S.C. Mullighan: The weakest premier the state's seen.

The SPEAKER: The member for Lee will leave under 137A for 30 minutes and he will leave in silence.

The honourable member for Lee having withdrawn from the chamber:

The SPEAKER: The minister has the call.

The Hon. D.K.B. BASHAM: The scheme helps drought-affected farmers, livestock farmers and horticultural producers to install on-farm water infrastructure, such as water storages, pumps, pipes, distilling dams and associated power supplies, such as generators. Primary producers who have applied for the rebate scheme are assessed for up to 30 per cent of the projects, up to a maximum of $30,000 for each project.

This government understands the importance of listening to farmers and sharing drought support based on feedback. We are opening another round for those who may have installed water infrastructure, spent the money already but haven't had the opportunity to apply. Despite recent rains, many parts of South Australia are still suffering through drought and we are proud to be continuing to support those farmers during these tough times.

Nearly 450 primary producers across South Australia have received support so far under the scheme. As of 18 September this year, some of the state's most drought-affected regions have been beneficiaries of the program. The unincorporated pastoral lands has had 37 applications approved, totalling $840,000, the district council of Goyder has had 28 applications totalling more than $350,000, and the District Council of Cleve had 26 applications totalling over $200,000.

I have also written to Minister Pitt at a federal level to seek further financial support for the very successful scheme. If the commonwealth fulfils this request, it is expected that each applicant would receive a maximum of $50,000, in line with the previous rebate. The additional funding is from the Marshall Liberal government's $21 million drought support program, which has already provided immediate assistance through a number of initiatives, including the council rebates and the wild dogs bounty program. To date, more than 800 wild dogs have been destroyed through the government's trapper program and wild dogs bounty.

We have also issued more than $750,000 through pastoral lease rebates for 220 pastoralists and more than $780,000 through our drought-affected council rebate scheme. The government has provided mental health and wellbeing support through extra resources through our family benefit support mentors and Rural Business Support. We continue to work with the farming sector as we battle through the ongoing drought because we know the importance of agriculture to this state.

VIRTUAL POWER PLANT

The Hon. G.G. BROCK (Frome) (14:46): My question is to the Minister for Energy and Mining. Can the minister advise the house when I will receive an answer to my question, asked on 23 July this year, regarding the number of Housing Trust homes that are participating in the government power plant scheme located in regional South Australia and in particular the electorate of Frome? With your leave and that of the house, I will explain a bit further.

Leave granted.

The Hon. G.G. BROCK: The minister said in response to my question:

I know that there are a lot, a significant number in regional South Australia. I would be very pleased to come back to the member with the specific number in Frome.

Also, as part of that, he said he can break it down into different communities within the electorate of Frome. I don't appear to have an answer at this stage.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:47): Thank you to the member for Frome. What he has just said is entirely correct. I apologise to the member for Frome for the fact that I have not furnished those details. No doubt, my office is working very hard to get them just exactly right. What I can say is that within the electorate of Frome the important regional city of Port Pirie has been an incredibly high adopter of solar panels and the opportunities to join those solar panels with home batteries is absolutely outstanding.

I give credit to the Port Pirie Regional Council for the work that they did very early on, in fact, with regard to helping with innovative ways that their ratepayers could fund the acquisition of solar panels and batteries. In fact, I went with one of the officers from the Port Pirie Regional Council a couple of years ago to a home that had solar panels and a battery installed and they were incredibly pleased with the offering of the government and also the offering of the Port Pirie Regional Council.

We know that when different levels of government work well together for the benefit of their mutual ratepayers/taxpayers that's when those communities get the very best out of their elected representatives. That is what we are doing to the best of our ability in Port Pirie and we are very pleased to partner with the Port Pirie Regional Council in that work.

It might interest the member for Frome, and members opposite, that the northern suburbs of Adelaide and Port Pirie have been across the state the highest adopters of solar panels for quite a while and certainly they are taking up batteries as well. We were very pleased, through our Home Battery Scheme, to attract two new South Australian battery manufacturers to this state. There were none before but now, in the southern suburbs down in Lonsdale, AlphaESS is manufacturing batteries, and in the northern suburbs at Elizabeth, Sonnen is manufacturing home batteries. No doubt, the members for Elizabeth and, I believe, Reynell would be very pleased with the work that the government has done for them as well.

What's important about that is that the people from Port Pirie can now get locally produced solar panels and locally produced batteries for their homes in Port Pirie and other parts of Frome, if they would like to do that. Members would be aware of Tindo being a South Australian supplier.

An honourable member: Hear, hear!

The Hon. D.C. VAN HOLST PELLEKAAN: I hear a member opposite cheering for Tindo.

Mr Brown: A fine South Australian company.

The Hon. D.C. VAN HOLST PELLEKAAN: I don't know whether he has shares or something like that—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —but I agree with him that it is a very fine South Australian company. They are a partner in the Virtual Power Plant, which is fantastic.

Mr Brown interjecting:

The SPEAKER: Order, the member for Playford!

The Hon. D.C. VAN HOLST PELLEKAAN: So the people of Port Pirie, who have access to the sun and the overwhelmingly good weather that all of us in the Upper Spencer Gulf—in Port Pirie, Port Augusta and Whyalla—enjoy, particularly the capacity it has to generate electricity from solar and put that into their batteries and put that into their homes.

The people of Port Pirie have a tremendous opportunity, an absolutely tremendous opportunity, to benefit from the fact that we are world-leading solar generators and world-leading wind generators in the Upper Spencer Gulf. We have South Australian panels available, we have South Australian batteries available, and there is no better place than the Upper Spencer Gulf—Whyalla, Port Augusta or indeed Port Pirie—to avail themselves of this wonderful opportunity. I will return with the specific numbers that the member for Frome seeks as soon as possible.

Members interjecting:

The SPEAKER: Order! Before I call the member for West Torrens, I warn the member for Playford, I warn the member for Kaurna and I call the Premier to order. The member for West Torrens.

LOBBYISTS

The Hon. A. KOUTSANTONIS (West Torrens) (14:51): My question is to the Minister for Infrastructure and Transport. Does the minister think it is appropriate for a lobbyist with links to Keolis

Downer to contact the opposition seeking information without revealing that they work for Keolis Downer? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: After being contacted by a Mark Patterson today, seeking documents and information relating to the privatisation process, the opposition checked the lobbyist register and found that Mr Patterson was not listed as a lobbyist for Keolis Downer in South Australia. The act governing lobbyists requires that they identify themselves when seeking information. Mr Patterson refused repeatedly to identify which company he represented when asked; however, a further investigation found that he had worked for Keolis Downer previously.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:52): I don't know the detail of what the member is referring to, other than to say that I know one of Keolis Downer's lobbyists was a former staff member for Annastacia Palaszczuk in the Queensland government. I know that lobbyists around the country often have political ties and I notice that a number of them actually have political ties to the Labor Party.

The Hon. A. Koutsantonis: Did you meet the lobbyist?

The Hon. C.L. WINGARD: I don't have any more detail about what the member is referring to.

The SPEAKER: Order, member for West Torrens!

CORONAVIRUS, TRAVEL

Mr PICTON (Kaurna) (14:53): My question is to the Premier. Who will be undertaking the investigation into the granting of border exemptions to AFL player families? Will it be a public servant or will it be an external person to government?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:53): I thank the member for his question. I don't have that detail. That's something that the Chief Executive of the Department of the Premier and Cabinet will make a decision on. My understanding, though, is that it's very likely to be somebody from within the Department of the Premier and Cabinet. We think it's important to have somebody who is not in the health department reviewing the processes.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: There has pretty obviously been an error of judgement with regard to the granting of the approval for the parents of the Port Adelaide footballers to come into South Australia. This is not a hanging offence. It is certainly something that is unfortunate and shouldn't happen again. We expect there to be consistency with the application of the process. In this instance it wasn't, but we will conduct that review into the process and look for ways to continuously improve the way that we grant those exemptions.

BUSHFIRE RESPONSE

Mr CREGAN (Kavel) (14:54): My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister update the house on how the state government is responding to the independent review into the 2019-20 bushfire season?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (14:54): I thank the member for Kavel and I congratulate him on his new appointment. I have no doubt that he will do an exceptional job, a man with great professionalism and empathy for his electorate. I congratulate him on that.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. TARZIA: I have no doubt that he will do a great job in his new role.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. TARZIA: As we know, last bushfire season was arguably the worst on record whereby unfortunately we did lose three lives. It was a tragic summer.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order! The member for West Torrens will cease interjecting. The minister has the call.

The Hon. V.A. TARZIA: Thank you, Mr Speaker, for your protection. Unfortunately, last summer we lost three lives, over 270,000 hectares of land and, of course, tens of thousands of livestock. Homes and businesses were lost, in some cases forever. Obviously, as a government we were determined to learn from the lessons that we could acquire from that devastation last bushfire season. We committed $20.3 million in an action plan, part of a $48.5 million boost to our emergency services, which also included $16.7 million from the South Australian Disaster Risk Reduction Grants Program and also $11½ million for new MFS urban appliances.

Mr Speaker, as you would know, following the devastation of last summer's bushfires, one of the worst seasons that we have seen, the Marshall government commissioned an independent review to determine what lessons could be learned from the response to the fires. It is important to note that the review found that the response from our emergency services personnel, our men and women across the state, was truly remarkable given the dire conditions that we experienced—especially considering those unprecedented conditions.

However, there certainly were areas of improvement, and we should not shy away from the fact that we should do everything we can to learn from the past. The Marshall government—and I note the work of my predecessor, now the Minister for Infrastructure and Transport—helped to develop a $20.3 million action plan to implement a number of the recommendations ahead of this year's bushfire season. There were 27 action items. One has been completed and 26 are underway and on track to be delivered by this coming bushfire season.

One action item that I know members on this side of the house are particularly interested in is the implementation of automatic vehicle location (AVL) capability for the CFS. Can I say, this is certainly going to be a game changer. It is going to be a great thing, and we are looking forward to rolling out a trial of this. Can you believe that with review after review and minister after minister in this area, since 2012, they knew about this. They knew about the demand, and every government before us during that time has failed to implement it.

But we are going to implement it. We have listened to the experts. We have listened to the volunteers. I want to thank the men and women who work tirelessly on the frontline, keeping us safe in these bushfires that hit us. I also want to thank the CFS, the MFS and the SES. I even thank the UFU and the CFSVA. I have met with all of them. I thank them for taking the time, and I have appreciated their thoughts and their teachings as well.

We have committed $5 million for the purchase of AVL technology. It will not only enhance that situational intelligence but also inform the tactical and the strategic response to the bushfires. I have heard stories of close calls. I have no doubt that this will help in those dangerous situations. We are on track to deliver an AVL technology trial this bushfire season in five locations, whether it be in the Mount Lofty Ranges in the member for Kavel's electorate, on Kangaroo Island in the member for Mawson's electorate, the West Coast in the great member for Flinders' electorate, Yorke Peninsula in the member for Narungga's electorate and also one location to be announced still.

We will be commencing those trials, and then we will be engaging with volunteers to update the business case before proceeding with the full rollout of AVL across the state. This government is investing in the resources, the systems and the technology that we need to protect lives and protect property.

CORONAVIRUS, TRAVEL

Mr PICTON (Kaurna) (14:58): My question is to the Premier. Why is the Premier not ordering an inquiry from an external person rather than a DPC public servant? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PICTON: This morning on ABC radio, Professor Spurrier said, 'We're looking forward to having an external person come in and just go through all the processes to make sure that they're all really tight.'

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:59): Well, Professor Nicola Spurrier is the Chief Public Health Officer and she sits within the Department for Health, which is a separate department from the Department of the Premier and Cabinet. I have spoken with Professor Spurrier today, and she is delighted that DPC will be conducting this review. She is very happy. The Chief Executive of the Department for Health and Wellbeing is very happy to have some external eyes looking at the processes. They are always looking for ways to continuously improve their operation. I think it has been a fundamental part of their operations since day one.

CORONAVIRUS, TRAVEL

Mr PICTON (Kaurna) (14:59): My question is to the Premier. Why does the Premier believe it is appropriate for his chief executive, Mr Jim McDowell, to pick the person internally within his agency to run this review given that Jim McDowell is also the chair of the government's COVID-19 Transition Committee?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:00): I am very happy to provide an update to the house. The Transition Committee has nothing to do with the exemptions process. They look at the restrictions that are in place. They update those restrictions—

Mr Picton: This is an exemption to the restrictions.

The SPEAKER: Order!

The Hon. D.C. van Holst Pellekaan: He didn't listen.

The Hon. S.S. MARSHALL: No—

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —he's busy abusing people in parliament—

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —which seems to me to be completely inappropriate.

The SPEAKER: Order! The Premier will resume his seat.

Members interjecting:

The SPEAKER: Order, members on my right! The Premier will resume his seat. The member for Kaurna on a point of order.

Mr PICTON: I ask the Premier to withdraw and apologise.

The SPEAKER: The words?

Mr PICTON: 'Abusing people.'

Members interjecting:

The SPEAKER: Order, members on my right!

Members interjecting:

The SPEAKER: Order, members on my right! I take that as a point of order under standing order 125. It is a subjective test. The member for Kaurna has taken offence at a reference to his having abused members. I invite the Premier to withdraw.

The Hon. S.S. MARSHALL: I am happy to withdraw that, sir, although I do think that the comment that was made earlier was absolutely disgraceful—unworthy in this parliament—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and I note that the member has been invited to apologise.

The SPEAKER: Order! The Premier will resume his seat. The member for Kaurna—

Mr PICTON: The Premier is debating and not answering the question at hand.

The SPEAKER: The Premier has withdrawn. The Premier has the call. The Premier.

The Hon. S.S. MARSHALL: Thank you very much, sir. The Transition Committee is chaired by the Chief Executive of the Department of the Premier and Cabinet, Mr Jim McDowell, and there are a number of people who sit on that from different departments within government, but of course they are also heavily populated with people from Health, but they have completely separate roles, and it is important not to get them confused.

It is SA Health which manage that exemptions process, and I think they do a very good job. They are dealing with a very high volume of applications at the moment because we do have a hard border arrangement with Victoria. It has diminished in recent weeks. If we go back four or six, or maybe eight weeks, we know that there were very few people coming across that border between South Australia and Victoria. In fact, on some days it was getting down to as low as 400 or 500 people, and this was mainly transport operators going across those various road borders.

This has increased in recent weeks commensurate with the reduced risk that we now see, especially in regional Victoria, but of course also more broadly across Victoria, and we are now seeing commonly between 1,500 and 3,500 people come across that border. But there is still a large number of exemptions or applications for exemption which need to be processed, especially those for essential travellers and those seeking compassionate leave.

There is a huge amount of work, and I want to thank all of the officers within SA Health who are dealing with a situation which is not part of their normal course of business, and they are doing it in an exceptionally good way. But, in the instance that has come to the attention of the people of South Australia over the past 24 hours, there has been an error in judgement. We apologise for that. It shouldn't have occurred. We know that the people of South Australia expect consistency in terms of that exemptions process, so there is a review.

Jim McDowell will organise that review. I have already made it clear that we are happy to publish the results of that review. We want to be open and transparent. We want to continuously improve our performance. I think that South Australia's performance overall with regard to the management of the pandemic has been extraordinarily good. It has been recognised nationally and internationally as being of the very highest calibre, but there are always opportunities to improve our performance, and that's exactly and precisely what we are seeking to do.

ADELAIDE PARKLANDS

Mr DULUK (Waite) (15:04): My question is to the Minister for Environment and Water. Will the state government commit to recognising the Adelaide Parklands as a state heritage area and, if not, why not? Sir, with your leave and that of the house, I will further explain.

Leave granted.

Mr DULUK: The Adelaide Parklands and city squares were nominated for heritage listing some 11 years ago. In more recent months, in December last year, the state Heritage Council recommended that the Adelaide Parklands be placed on the heritage protection area.

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:04): I thank the member for Waite for that question. I know he has a great interest in both environmental and heritage issues. It's a pleasure to work with him on issues as diverse as Belair National Park and Wittunga Botanic Garden, Brownhill Creek in his electorate and the many other matters that he regularly draws to my attention.

With regard to the state heritage listing of the Adelaide Parklands—and also often bound up in that is the squares of Adelaide—this is quite a technical matter and one that has been rightfully, as the member for Waite highlights, quite convoluted over an extended period of time. I understand that the Parklands have long been recognised from a heritage point of view at local government level and, in 2008, were recognised by the Australian government as having national heritage significance. But they have not had, to date, heritage listing at state level. That heritage listing at state level, if and when it comes, would be as a state heritage area.

One of the challenges here is that, in order to get a state heritage area listing, it would require an amendment approved by the Minister for Planning under the council's development plan. That is something that I wrote to the previous Minister for Planning about some months ago and received advice that the council would have to develop a conservation management plan proposing the area prior to that being approved, so it is quite a technical matter and one that is underway at the moment.

So that conservation management plan is being developed, I understand, in a partnership which is involving the Adelaide City Council, also the Heritage Council which sits within my portfolio, with support from Heritage SA and also other stakeholders such as the Parklands preservation organisation. This work in progress will progress and I am sure will be completed in the coming months. It is a slow process that requires a significant body of evidence to be put together. But I do understand there have been a lot of studies undertaken over an extended period of time that can be used to inform that conservation management plan.

The process will then see a potential development plan amendment submitted to the planning minister and consideration given to that at the time, and that would then see the Adelaide Parklands protected at local, state and national levels. Of course, as members may be aware, there is also a process being undertaken by the Adelaide City Council to potentially put forward, through the Australian government as a signatory to the World Heritage Convention, a potential listing bid to UNESCO for a world heritage listing for the Parklands.

I think I speak on behalf of all members of this house in recognising the incredible value and incredible foresight in terms of the planning of our capital city by the early European pioneers of this state. In creating those Parklands, they have left us with an immense legacy, one that is worth protecting. The state government is certainly committed to that and is working through the very technical process that I just outlined.

WINDMILL THEATRE

Ms LUETHEN (King) (15:08): My question is to the Minister for Education. Can the minister update the house on the work being done for South Australian families and children by Windmill Theatre?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:09): I am very pleased to be able to provide some information to the house and to the member for King whom I know cares deeply about children and families in South Australia. It's a great privilege for me to be the minister responsible for Windmill Theatre and I am very pleased to update the house that the long-term funding arrangements that have been provided to Windmill Theatre have given them the sort of long-term support from a government that they have never had before and which they were very grateful for.

Ms Stinson interjecting:

The SPEAKER: Order, member for Badcoe!

The Hon. J.A.W. GARDNER: In fact, the extra complementarity—

Ms Stinson interjecting:

The SPEAKER: Order, member for Badcoe!

The Hon. J.A.W. GARDNER: —between the education department and Windmill Theatre has seen funding and support like they have never had before, and they are extremely grateful for it.

Ms Stinson interjecting:

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

The Hon. J.A.W. GARDNER: And that funding has enabled Windmill Theatre to do some very good work which I am very pleased to provide some further information about to the house. Anyone who is a parent of any child between the ages of two and eight in Australia over the last year and a half would be familiar with a television show called *Bluey*. It is without doubt, unequivocally and, I think, on any possible objective basis the best show on television. Telling stories for young children in a way that is educational and informative for parents has seen *Bluey* win a 2020 international Emmy Award, it has seen *Bluey* win a Logie award for children's television and it has seen *Bluey* become the number one show of all time on ABC iview.

The stage production of *Bluey's Big Play—the Stage Show* is coming to South Australia. It is not just coming to South Australia; the world premiere of this show is coming to South Australia in December. It is a production presented by HVK Productions, BBC Studios, Queensland Performing Arts Centre and Windmill Theatre Co. It is directed by Rosemary Myers from Windmill and designed by Windmill's resident designer in South Australia, Jonathan Oxlade.

Bluey's Big Play was originally scheduled for release in Melbourne, with rehearsals to start in March, followed by a 60-venue national tour that would have commenced in May. Obviously, they have suffered some challenges because of COVID, as indeed has the entire arts industry, as the Premier outlined earlier. Windmill Theatre, of course, is amongst the many arts institutions that are very grateful for the new support, totalling millions of dollars, announced by the Premier earlier as well.

At any rate, due to Windmill's involvement with the show and the outstanding public health outcomes here in South Australia, the relocation of that production for its world premiere has come to Adelaide, as indeed have the rehearsals, as indeed has the construction of the staging, now being commissioned by the State Theatre Company of South Australia at a value of close to $100,000.

South Australian performers are also benefiting from Windmill's involvement. We are talking about South Australian actors getting long-term sustained work at a time when they have needed it the most. Two final year dance students at TAFE SA have also benefited by being cast in the play as a result—as a direct result—of the government's support for Windmill Theatre to be able to relocate within the AC Arts building, presenting many opportunities for AC Arts students to engage with the creatives at Windmill.

The world premiere of this live adaptation of the iconic television show *Bluey*, which if you are not familiar with it, do yourself a favour and get on iview. I tell you right now that your weekend will be the better for it, and if you have children, even the better for it—but even without children. It is going to have social, it is going to have economic and it is going to have cultural benefits for South Australia.

It will be the most extensive tour of a children's show ever undertaken in Australia, and it will contribute greatly to the reactivation of live theatre around our nation. The world premiere previews will be here at the Festival Centre, there will be a season in Queensland and then it is coming back in January to Her Majesty's Theatre. It is an extraordinary opportunity for Australia, for South Australia and, most importantly, for parents right around Australia.

Ministerial Statement

PARTNERING ON HOMELESSNESS REFORMS

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:13): I table a copy of a ministerial statement of the Hon. Michelle Lensink entitled 'Partnering on homelessness reforms'.

Grievance Debate

PUBLIC TRANSPORT PRIVATISATION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:13): I might start on a note of bipartisanship and second the Minister for Education's remarks in regard to *Bluey*. It is an outstanding show and, rest assured, it provides a rare moment of quiet and respite in the Mali household when the phone is ringing of a morning.

I rise to speak about an important matter of public policy that I think many more South Australians have growing grave concern about in regard to this state government's decision to privatise our train and tram network in South Australia but in this instance specifically their concerns around the process of the privatisation of the train network.

It is important to remember where this idea originates from. It originates, in fact, from a commitment made by this Premier before the last state election, where he said, without equivocation, that he did not have a privatisation agenda. Almost instantaneously upon being elected, it strikes us that the Premier absolutely had a privatisation agenda. In that first state budget handed down in 2018, we learned of the privatisation of prisons and hospital patient transfers. From there, we learned about the privatisation of our backup generators. We heard of privatisation of the tram network and now we have got the privatisation of the train network. Heaven forbid, SA Pathology would have been privatised if not for the fact that COVID demonstrated the public value of that key service.

It starts with a broken promise. From there, what we have seen is not just a lack of integrity around the maintenance of a commitment made but a lack of integrity around this process generally. Drip by drip, leak by leak, pieces of information come out that demonstrate that this whole contract stinks. The integrity in the lead-up to the signing of this contract is sorely lacking. First we had amendments to the process halfway through it, including the introduction of loser fees on the back of the fact that there were bidders who were seeking to withdraw from the process, we understand, not once but twice, and we understand that one of the people who tried to exit from the process was the eventual winner of that contract, the company Keolis Downer.

We know that loser fees have been an issue. We know that questions have been raised around probity in regard to the process, with the former Minister for Transport having meetings with some proponents and not others. That, amongst other revelations, led to one of the proponents writing to the probity adviser overseeing this privatisation, raising various serious questions about the legitimacy and the integrity of the process.

What this government now pretends to the people of South Australia that they were none the wiser, that they had nothing to do with it, to the extent that we have seen a performance today from none other than the current Minister for Transport, who has been overseeing the signing of this contract, saying that he knows nothing about emails that are in his possession and, indeed, making allegations against the opposition that somehow the member for West Torrens or others was fabricating such emails, emails that are in the minister's possession.

That, of course, is on the back of the fact that this government decided to spend $1.2 million, from memory, on a private consultant to oversee the privatisation—taxpayers' dollars, resulting in a privatisation they promised would never occur. What is worse is that we have already started to see the implications of this.

We said early on that privatisation of essential services of this nature always means three things: (1) people lose jobs, (2) a diminished service, and (3) a higher cost to the taxpayer in the end. It has already been realised. We understand that approximately 30 fewer train drivers will be in the system as a result of this privatisation. We know that the contract is worth $2.1 billion. That is right, $2.1 billion of South Australian taxpayers' hard-earned money is now going into the pockets of an overseas company to run their own train network. It is a disgrace. We know that a worse outcome in services is yet to come.

The gall of this minister to go down to the Flinders Link project and somehow try to disguise the fact that this project has something to do with privatisation is patently absurd. We are going to continue to scrutinise this process, we are going to continue to scrutinise this contract and, if this government had any backbone, any basic integrity, they would have taken this policy to the election. They did not, but we will and the choice will be South Australians'.

Members interjecting:

The SPEAKER: Order! The leader's time has expired.

WAITE ELECTORATE

Mr DULUK (Waite) (15:18): Today, I rise to talk about some outstanding achievements from community members in the electorate of Waite. Sport is very much a key part of my community, as it is in so many other members' communities. I am happy to share several achievements from the Mighty Woods Blackwood Football Club. Firstly, congratulations to Leonie Wilmshurst on being acknowledged as the SANFL Statewide Super Volunteer of the Year.

This is indeed an amazing award and recognises her dedication to serving the community for over 20 years. Leonie can be seen at the club many times a week, on weekdays to Saturdays and Sundays, and she has been a driving force behind planning the major expansion of club facilities, acting as SANFL Juniors club administrator, being a team manager and helping coach the next generation of Woods premiers.

Leonie has been a leader of the club for many, many years. She has sacrificed countless hours undertaking so many projects. As I said recently, her dedication and drive successfully brought together the club's major facility project, new female change rooms and the awarding of a $450,000 grant from the federal and state governments. This project included new unisex change rooms and was completed late last year. I know it has been a real highlight for the club in the 2020 season.

It goes without saying that Leonie has played a key role in the development of the Blackwood Football Club in recent years. SANFL Head of Community Football, Tom Hurley, said that Ms Wilmshurst's efforts 'reflected the tremendous spirit of community football in South Australia' and that she has been:

> …a passionate and dedicated member of the Blackwood Football Club which, in more recent years, has been a driving force behind the significant growth and success of female football at the Club…

On this note and of great significance, we are now celebrating the premiership of the open women's team at Blackwood Football Club. Congratulations to everyone involved on winning the 2020 championship. I again congratulate all those involved and look forward to seeing what happens in the 2021 season. Success breeds success in Blackwood, and I would also like to congratulate the under 12 boys and the under 14 girls on winning flags this year.

Another important and valued community organisation in Waite is the Blackwood Rotary Club. The club was charted in September 1970, and a couple of weeks ago I was honoured to attend the club's golden jubilee celebrations. Over the past 50 years, the Rotary Club has contributed to many local projects such as Meals on Wheels, the Blackwood Hospital in its heyday, the Blackwood Community Recreation Centre, the Blackwood High School Performing Arts Centre, St John Ambulance and quite regularly to local CFS units.

The dedicated and long-serving volunteers host many events such as book sales, annual art shows, barbecues and hire of equipment to raise funds for international and local community projects. I thank the hardworking volunteers for the time they sacrifice turning sausages at weekend barbecues, manning stalls at events, and meeting to organise these events together and provide camaraderie in the community.

The efforts of the Blackwood Rotary Club are recognised by our community. The community especially loves the Blackwood Rotary Christmas Fair, which is appreciated by so many. I always enjoy my time at the club as an honorary member, and their values of service before self, honesty and integrity, friendship, humour and generosity are so important for our community.

Finally, I would like to touch on a charity called Red Faces. Red Faces is a charitable organisation which exhibits all of Rotary's values. I was pleased to support their variety show in 2020 and was glad to see it go ahead in this past month, despite COVID restrictions in South Australia. Red Faces partners with Grow SA to raise awareness for mental health in South Australia. Thanks to Brenton Williams, a long-term resident of my community, for his efforts in putting together this fantastic event year in, year out. This year, the event raised over $30,000 with all proceeds going to GROW.

GROW is a national organisation that enables personal growth and development for all and offers hope and recovery for people who strive to achieve and maintain mental health. The funds

raised will go directly to the Grow SA program, Get Growing, a specialised wellness program that supports young people aged 12 to 18 who are in school and have a background of dysfunctional families with either mental health, drug or alcohol issues. The program supports young people to find positive distractions and develop a plan so they can set themselves up to learn and grow as people in our community. Congratulations to all involved in Red Faces.

Time expired.

FACILITIES MAINTENANCE SERVICES MANAGEMENT

The Hon. A. PICCOLO (Light) (15:24): Today, I would like to bring to the attention of the house a decision by the Marshall Liberal government to privatise another important public service and the impact that privatisation will have on small businesses in the regions and also those small contractors who work in the regional and rural areas of South Australia.

The Gawler hospital is one amongst many local public facilities that will be negatively impacted by the Marshall Liberal government's decision to privatise the management of DPTI's building maintenance service. Tradies working in the Gawler and Barossa regions are reeling from the decision and fear that the plan will strip local workers of their jobs and livelihoods and also have a negative impact on other small businesses in country towns.

Under the proposal announced recently by the then Minister for Transport and Infrastructure, the Hon. Stephan Knoll (member for Schubert), Across Government Facilities Management Services, which manages the maintenance of over 5,000 government facilities across country South Australia, will be privatised. Facilities that are covered under the maintenance program include schools, hospitals and police stations, amongst many other public assets. Trade businesses, such as plumbing, electrical and building, are all contracted by the service to complete the required maintenance work at these facilities.

The government now plans to privatise the management of this work to an external company to handle subcontracting, which local tradies believe will affect small country-based contracting businesses in a negative way. A number of these tradies and small businesses brought their grievances to Parliament House this morning. A number of businesses in the Barossa and Gawler area, or that service the Gawler and Barossa area, came this morning to Parliament House to deliver their message and their concerns about the impact this privatisation program will have on their livelihoods.

Local tradies in both the Gawler and Barossa regions have not only approached me but other members of parliament to ask their MPs to get this policy reversed. These various plumbers, electricians, builders and other building maintenance contractors and stakeholders have stressed that the privatisation will cause business to decline and job losses in those communities.

One such local tradie is electrician Alan Bland from Damacon Services at Munno Para Downs, which provides maintenance services to the Gawler hospital and a number of Barossa schools. Mr Bland said that he is concerned that public clients will be unable to choose the contractors of their choice and contractors they have built up a relationship with, which is likely to result in a huge reduction of work for his small business. Mr Bland says:

> As a small business, this would threaten our viability and therefore ultimately result in a loss of jobs in this area.

He goes on to say:

> I fear that the criteria for inclusion under the new system will preclude smaller businesses such as ours due to increased bureaucracy, as well as a reduction of the rates which are currently agreed and likely undercutting by larger organisations. Many of our customers—

that is, public sector customers—

> have expressed their concerns about the reduction in the level of service they will receive.

Mr Bland goes on to say that these small businesses, the current contractors, often exceed expectations in the work they do, which is verified by the government's own published reports, which state that there is 92 per cent satisfaction with the work performed by these contractors across the state, which is indeed a very high satisfaction level. These local contractors also use:

…local suppliers, such as electrical wholesalers, hardware stores and equipment hire specialists, something that providers from the metro area are less likely to do.

Mr Bland's concerns have been echoed by Mr Dan Costigan from Efficient Airflow Solutions, who said he fears the privatisation will affect his client portfolio by squeezing them out, bringing larger city-based companies to the region to carry out work on government assets. He goes on to say:

This concerns me as a couple of years ago DPTI altered the region boundaries. With that, Spotless took over management of some Barossa/Hills sites and refused to use us local tradies.

Companies from the city were brought in to carry out preventative maintenance and breakdown works. The schools didn't get a say at all…

What the government should be doing now is listening to the voices of these small businesses and tradies in these country regions and reverse their policy. It is clear this privatisation will create major damage to our local economies, small businesses and contracted workers.

Time expired.

INNER NORTH EAST ADELAIDE YMCA

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:29): I rise today to speak in relation to a local community issue in the Walkerville area between the INEA YMCA on Smith Street and the Town of Walkerville. It is important to state that there are two separate complex issues that Labor are purposefully conflating to cause division and confusion. On 31 August, the Mayor of Walkerville, Elizabeth Fricker, wrote to all residents:

It is important to note there are two separate public issues in relation to 39 Smith Street—the revocation of the Community Land Status and the current lease over the building at the site, which is held by the Inner North East Adelaide (INEA) YMCA. The current consultation is in regards to the revocation and is neither connected nor relevant to the lease arrangements over the site as Council has previously resolved not to renew or extend the existing tenancy agreement.

The mayor went on to say:

…INEA YMCA has been aware of Councils intentions for the site since circa 2013, and has been fully aware since 2014 (reiterated both in 2017, then 2019) that no further renewal or extension of the lease will be granted.

It is important to acknowledge that this is primarily a dispute between the council and the INEA. For many years, I have been advocating for the residents to ensure their interests are represented regarding this issue. I have also advocated both to the council and the INEA YMCA individually in my attempt to encourage an outcome acceptable to all parties and to facilitate negotiations between the two. I have discussed this issue with both the former and current Minister for Planning and Local Government.

The first attempt to revoke the land status classification was withdrawn by the council, as the statutory requirements from the 2016 process for consultation had to be rectified because discrepancies had been identified. A request for revocation of community land status has not been referred to the state government, as the matter is still under consultation. Revocation of community land is not rezoning the community use. In this case, it is a reclassification not a change of use. Once again, Labor is fearmongering. I refer to the correspondence I received from the Mayor of Walkerville on 21 September:

… since 2013, both past and present Councils have made clear their intention to improve and redevelop all Council-owned land (including the aging and deteriorating buildings) between Smith and Fuller streets (Entirety of the land) for the benefit of the community. In order to continue with this wish, Council needs to revoke the current Community Land Classification from the remaining land, which retains the said classification to enable flexibility for redevelopment opportunities and leasing purposes and to ultimately improve the entirety of the land and facilities on the site; thus increasing community access to, use of and engagement with the entirety of the land…

Council has resolved not to sell the land under any circumstances…

…I fear there is a significant amount of misinformation presently being circulated... [by Labor]… As you know, the latter is a commercial matter for Council (to which it has no intention of proceeding with) and the former is determined by both a procedural and merits based review by the Minister upon the completion of the consultation process. Council commenced consultation on 1 September…and the process will conclude 16 October…Council intends to consider the matter at its meeting in November…and will then determine to seek the Minister's consent. Therefore until such time a formal application is made to the Minister, the State Government has no basis to stop the process.

Most recently on 9 September, I wrote to the mayor, urging the council to do all they can to ensure a smooth transition and help the future arrangements for INEA YMCA. It is important to ensure that the services provided to local residents are maintained in the local area wherever possible, in particular health and fitness activities such as Strength for Life classes, which are well attended by residents. I also referenced an earlier email with the results of my sporting survey, which summarised local utilisation and preferences for the sporting and community precinct.

It is disappointing that Labor is once again politicising and polarising the community. Comments by the opposition that this land is going to be sold off, despite the council explicitly stating they will not sell off any land, is simply false and an example of Labor fearmongering. Hypocritically, the member for Croydon and Leader of the Opposition is not showing anywhere near the attention to his own electorate regarding numerous revocations being undertaken. The opposition should be ashamed of their actions.

PLAYFORD ELECTORATE

Mr BROWN (Playford) (15:34): I rise today to discuss some important issues in my electorate of Playford. Firstly, there is the issue of the sale of the land immediately adjacent to the Mawson Lakes interchange. The state government, in cooperation with the City of Salisbury, has now invited developers to tender for this land.

My constituents and other residents of the northern suburbs have for some time been calling for improvements to the park-and-ride that currently exists on the site. This is a need that is recognised on this side of the house. However, instead of working to improve access to free car parking for residents of the northern suburbs, the state government is now leading a process to sell the site to developers.

We are told by Renewal SA that this land represents an opportunity to provide improvements for local residents and those across the north by delivering a new and exciting development. There is no doubt that we need more employment opportunities in the north, and I am of the view that this site is worthy of development. However, I caution the state government and the Treasurer, who is responsible for this project, that local residents and I will not accept any development that does not deliver additional free car parking at the park-and-ride.

We will also not accept, as has been rumoured, the sale of the site to a commercial car park operator. Labor is committed to improving car parking along the Gawler line, and I and my colleagues will have more to say about this issue in the months ahead. The residents of the northern suburbs have already been through an exercise where this state government sought to reduce their bus services, which has now been abandoned thanks to community pressure. They have also seen the government place our rail services in the hands of foreign companies, to be run for profit. I warn the state government that if they think they can simply sell this car park to help their budget, they are wrong.

Another issue I wish to raise today is that of the intersection of Salisbury Highway and Elder Smith Road. I have been contacted by a number of residents who have expressed concerns over the excessive noise and hoon driving witnessed along the intersection. I have written to the new Minister for Police to consider the installation of additional speed cameras at this location. I have also requested that there be increased levels of SAPOL monitoring at the intersection to better police dangerous activity.

Both Elder Smith Road and Salisbury Highway are major arterial roads that service not only my constituents but indeed residents across the greater northern suburbs. Both these roads require additional resources to ensure that the standard of safety is improved not only for drivers but for nearby residents. I look forward to the minister's response on this matter, as it is of great importance to my constituents.

I would also like to address the issue of heavy vehicles using the local streets of Mawson Lakes. A number of my constituents have contacted me regarding Mawson Lakes Boulevard, in particular, being used by heavy vehicles, even though the suburb has a state government-mandated restriction in place for heavy vehicles. There are numerous examples of

heavy vehicles knocking over street signs, damaging roundabouts and even causing serious damage to outdoor dining facilities. Local residents have also been impacted by the noise of these vehicles.

As the regulation of heavy vehicles is a responsibility of the state government, I wrote to the previous Minister for Transport, asking him to investigate how this issue might be addressed. Unfortunately, the new minister has now responded, informing me that I should take this issue up with the local council. It is unfortunate that the minister does not believe that his role in the regulation of heavy vehicles extends to preventing large trucks from driving down suburban streets. I invite him to reconsider this decision on behalf of those local residents and business owners who have been impacted by these heavy vehicles.

Finally, I would like to thank the Minister for Education for his decision to essentially fund an additional fence at The Pines Primary School. Both I and the school community appreciate that he has listened to our request and now made funds available, even if it is not for the 1.8-metre fence that we requested. I must, however, express how disappointed I am that the minister's department and the Salisbury council have not yet been able to reach agreement on allowing access to the schools' facilities for the local community and sporting clubs.

These facilities should not be locked away from the community due to the irresponsible actions of some, and I am sure that a reasonable solution to any issues can be reached. On behalf of the residents of Parafield Gardens, I indicate that I am happy to work with the minister and the council to help achieve a positive outcome not just for the school but also for the local community. This is what the community expects of us.

PUBLIC SERVICE

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:39): One of the greatest assets that this state is blessed to have is our Public Service: tens of thousands of employees who contribute day in, day out, to our state. They are not just the arms and legs of the government of the day but the eyes, the ears and the bright minds as well.

They are connecting with South Australians at every level, whether it be from the youngest in our kindergartens through to our oldest in hospitals and aged-care facilities, our paramedics and ambulances or our first responders in the emergency services. Our public servants do a tremendous job delivering for the government of the day. As many people in and out of this place know, my entire career prior to entering parliament was spent within the Public Service. I was particularly passionate about Public Service reform. I spoke about it regularly in this place.

I assisted the government to develop our public sector policy in the lead-up to the 2018 state election, in which we talked about valuing and respecting public servants and giving them the space to innovate, drive change and serve their clients, the people of South Australia. I strongly believe that the approach we took to government and have maintained since forming government is in stark contrast with the way the Labor Party dealt with the Public Service when they occupied this side of the house.

Time and time again, I was disappointed by the way public servants were treated by the previous government, particularly senior public servants. People were marched out of buildings without being given appropriate notice. Jobs were provided without appropriate merit selection. On a number of occasions, it was said to me by senior public servants that the only way to advance your career was to have a Labor Party membership form in one hand when you went into the interview. That might have been metaphorical in many senses, but it was played out time and time again.

I do not believe that that attitude, that disrespect for the Public Service, has changed since the Labor Party have gone into opposition in this state. The great difference between the Labor Party and the Liberal government is the way the Labor Party in opposition will continually attack public servants during question time and in their grieves. Our side of the house believes that the buck stops with ministers. The Premier has been very clear about that.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: We are not about blaming public servants—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —for our failings. As ministers, we have ministerial responsibility. We have cabinet government, cabinet unity—

Mr Brown: You wouldn't know how to spell it.

The SPEAKER: Order, member for Playford!

The Hon. D.J. SPEIRS: —and we are getting on with delivering for this state. But time and time again, in question time and in grieves, we see individual public servants, sometimes named by the opposition, denigrated and their careers put into jeopardy, in fact, as they are maligned, which then makes its way onto social media and into the realm of the print media and the news media as well.

Public servants, as we saw during their time in government, are still being treated with complete disrespect. The Labor Party seem to paint themselves—and they do this in many things—as the great friend of the public servant in this state. Well, they were not a friend when they were in government with their lack of merit selection, their indiscriminate sackings and the way they continually walked over the public servants, ignored the advice of public servants and discouraged and diminished the opportunities to give frank and fearless advice.

We see it time and time again. We see that it is still in their DNA. They are not the friend of the Public Service. Even in today's question time, we had denigration of the head of DPC, Mr McDowell. We saw Department for Infrastructure and Transport public servants' integrity called into question. We saw SA Health public servants, their integrity and their capacity to do their job called into question.

Earlier in the week, we saw public servants trying to do their job, getting on, working for our most vulnerable in the Department for Child Protection. They were denigrated. Their capacity to do their jobs was called into question. On this side of the house, the buck stops with the ministers. On that side of the house, it is all about blaming public servants and denigrating public servants. They, the Labor Party of South Australia, are no friend of the South Australian Public Service.

Time expired.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:44): I move:

That the house at its rising adjourn until Tuesday 13 October 2020 at 11am.

Motion carried.

The SPEAKER: Before I call the member for Newland, it has come to my attention that today is the birthday of the Minister for Police, Emergency Services and Correctional Services. I take the opportunity on behalf of all members to wish the minister a happy birthday.

Bills

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Dr HARVEY (Newland) (15:45): I will continue with my remarks from before lunch. There were 18 months of consultation with councils, the Local Government Association (LGA), local government professional bodies and statutory authorities, including the Independent Commissioner Against Corruption (ICAC), the Ombudsman, the Auditor-General, the Electoral Commissioner of South Australia, Essential Services Commission of South Australia (ESCOSA) and the

South Australian Civil Administrative Tribunal (SACAT) to allow all relevant statutory bodies that may be affected by or have an interest in to have their say on any proposed amendments.

It is important to acknowledge this consultation, as our government has been committed to undertaking a thorough local government reform process working side by side with the local government sector in comparison with the political ploy by Labor, which saw us vote down their Local Government (Ratepayer Protection and Related Measures) Amendment Bill which was rushed into parliament without consultation from the local government sector.

The first pillar of the government's reform program is the creation of a new conduct management framework for council members that separates poor behaviour from matters that can affect the integrity of council decisions and provides clearer pathways for the investigation and resolution of issues that arise. Another improvement identified is the introduction of a behaviour standards panel to deal with serious misbehaviour and enable more efficient resolutions to arguments or disputes that may arise between council members.

This framework is designed so that there will be clarity around conduct requirements and appropriate training so that council members can uphold better behavioural standards. Lower costs and greater financial accountability are things that the Marshall Liberal government is committed to delivering. That is why I support the implementation of a rate monitoring scheme that would require councils to receive advice from a designated authority on their proposed revenue sources, including rates, that they must publicly release.

The proposed amendments would require councils to receive ESCOSA advice every three years. This amendment is a relaxation from the initial determination of requiring councils to receive advice every year, and this relaxation of three years allows the advice to focus on councils' financial decisions within the context of their longer term financial plans with advice based on variations to revenue and expenditure from these plans.

The rate monitoring scheme is focused on improving the quality of information advice that is provided to councils, their administrations and their communities, which in turn will lead to a more educated decision-making process around rate changes for ratepayers. Not only will councils with these reforms have to consider advice from an independent body but councils will be required to provide information on their proposed rate revenue, which will include the council's view of the impact of the rate change on its ratepayers.

This is important because it will challenge the council to consider alternative mechanisms, such as the responsible use of debt, use of council reserves and, most importantly, how the proposed changes fall in line with the council's long-term financial plan and infrastructure and asset management plans. The independent body will provide advice earlier to councils so that they are able to consider this advice as they are developing their draft annual business plan for the following financial year. The intention for this reform is to give ratepayers greater confidence that the rates they pay are what is necessary for their councils to provide the services they value.

To create more efficient and transparent local government elections, there are several proposed amendments. The bill proposes in clause 9 that all councils have no more than 12 elected members in the council. To govern its implementation, the changes will progress through representation reviews. Councils, which undertake a representation review between the commencement of the section and 1 January 2022, will have the 12 members before the 2022 periodic elections. All other councils will change the number of seats prior to the 2026 elections. All councils will have a directly elected principal member, namely the mayor, under clause 18.

Supplementary elections will also be changed under this bill, namely, that a supplementary election will no longer need to be held to fill casual vacancies that occur in the same year as a periodic election that is due. Clause 139 provides that supplementary elections will not be held to fill a maximum of two casual vacancies if they occur in councils without wards and have a total of nine or more elected members.

Clause 140 allows the last excluded candidate for the previous periodic election to be elected, but this is only if there is a vacancy that arises within 12 months of a periodic election and the candidate still meets the relevant eligibility criteria and they accept the election within one month of notification. The Electoral Commission will be responsible for the nominations process. They will

manage the online nomination process and provide councils with nominations within 24 hours after the close of nominations.

A reform that is being discussed involves candidates being required to disclose whether they are local to the council and any political associations within the past 12 months. Further, campaign donations will need to be disclosed if they are (approximately, although not confirmed) to be $2,500 within five days of receipt. I do think that greater transparency around political associations and campaign donations is a worthy endeavour regarding councils.

If there is one thing that I think the community hates to see almost more than anything else regarding local government, other than perhaps wasteful spending or not addressing or looking after critical assets, is the council chamber being used as a political forum, not so much if the politics is about local government issues but if it is used to fight proxy battles for another level of government. Certainly, I have seen plenty of examples where, to me, local councillors who should be working in the interests of those who elected them instead do the bidding of political parties at another level of government.

The final pillar of the reform is simpler regulation. This reform aims to replace the prescriptive and detailed community engagement requirements defined in the Local Government Act 1999 with a simpler and more flexible Community Engagement Charter which will include streamlined requirements for the publication of notices. A simpler and more efficient regulation process will also be created by the improvement to councils' internal review of decisions to better manage persistent requests, removing requirements around informal gatherings in favour of a simpler approach to information and briefing sessions and, finally, streamlining council members' register of interest process.

In conclusion, I would like to acknowledge the councils within my electorate's boundaries. The Tea Tree Gully council by far represents the largest proportion of residents within my electorate, but the Adelaide Hills Council represents the largest geographic region, and I have a small piece of the Playford council up in the Humbug Scrub areas.

Credit where it is due, councils have to manage quite diverse environments. In the case of Tea Tree Gully, it is very much a metropolitan council along the hills face and, in contrast, Adelaide Hills is quite different and is a metropolitan region but, for the most part, is much more rural. My conversations with councillors, particularly in the Adelaide Hills Council, show they have had to face many challenges in recent times, particularly in the recovery period after the Cudlee Creek bushfire in helping to deal with the clean-up effort and replacement of their own infrastructure, as well as many of the other things they have had to do as a result of that. So I do commend them for their work on that, and I have a pretty good relationship with the Adelaide Hills Council.

Tea Tree Gully council also does a lot of good work, and I would very much like to credit them for some of the good things they do, particularly having some very fantastic parks. They are also very good at events. It is a shame this year that their Christmas carols event has had to be cancelled because of the pandemic. Of course, that is understandable. This is one of the largest carols events in the entire country, so I think it is very much a credit to Tea Tree Gully council, particularly their events section, for the very, very good work they do.

I also work very closely with them on a number of important sporting projects. There are six new tennis and netball courts that the Marshall government has funded, in partnership with the Tea Tree Gully council, within Banksia Park within what is the Tea Tree Gully sports hub. This is increasing capacity for local families, whether they are part of a local team—the Tea Tree Gully Tennis Club, the Tea Tree Gully Netball Club, the Banksia Park Netball Club. I know other netball clubs are interested in using that site for training once it has expanded. I am also really keen to work with the Tea Tree Gully Tennis Club to help expand the kinds of tournaments and events they host there. Once completed, that will be one of the largest tennis facilities in the state.

The Tea Tree Gully BMX Club is another project where the government has worked very closely with the Tea Tree Gully council, as well as a number of others: Tea Tree Gully Sportsman's Club, the footy club and the cricket club—new change rooms and new lights. Once again, we are working together with the South Australian Districts Netball Association on an enormous facility in the Golden Grove area. Literally hundreds of thousands of people go through that facility every year

for netball. We have worked with the council to help resurface that as well as to improve the exit and entry to and from that site.

There is, however, one area in particular where perhaps there has been a difference of opinion in terms of how well the council has managed the issue, and that is, of course, the Community Wastewater Management System (CWMS). I am very proud to be part of a government that has committed to fixing up that mess and has started that process immediately—to have SA Water transfer all properties on the Tea Tree Gully council septic system across to SA Water sewerage, with the first houses to transfer across from next year.

Unfortunately, in this case, I very strongly believe the council is on, the wrong side of this. In fact, the regulator very recently had some quite scathing remarks on the CWMS. Following the government's announcement, ESCOSA reviewed the CWMS in the Tea Tree Gully council area and made a number of observations. Most of their review was of the actual pricing of the CWMS service charge that has skyrocketed in recent years, but the first observation that ESCOSA made was quite scathing. I quote:

> The performance of the CWMS is poor due to under investment over time. This has reduced service quality and reliability, and potentially increased the risk to public health and safety and the environment.

Unfortunately, this is an example where a council has allowed essential assets to fall into a state of disrepair through underinvestment over time. The government has decided to step in and fix the mess and clean up the mess, and I am certainly very keen to work in a constructive way with the council. Unfortunately, there has been some chest beating and some information that is of questionable accuracy being peddled, certainly not by council staff but perhaps at the political level, which is really quite disappointing.

I think at the end of the day what the community want is to see this fixed. What they want to see is SA Water transfer the properties across as quickly as possible to provide a service that will be, on average, $400 a year cheaper. It will also be a much better service. You will not have to tanks cleaned out every four years; you will not have pipes disintegrating or, as in one case, bubbling out in the backyard six times in the last 18 months.

Really, what we need to do is just get on with this and fix it, with no more blames and no more accusing others of forcing the service charge to go up. Apparently, it was ESCOSA's fault the council absolutely had to increase the fee in the way they did. ESCOSA came out and said, 'Well, actually, no, that's not true. They should really have reviewed and should really be reviewing their price in light of the government's announcement,' which I think is exactly what the community expects.

Having said all that, with the exception of the CWMS, I think for the most part the Tea Tree Gully council does do a good job. I think the Adelaide Hills Council does a good job. It has less to do with the Playford council, which has to deal with the kind of situation where the vast bulk of its population is within the metropolitan area, but it does have some what might be like regional areas but are not necessarily classified that way, and that does present some challenges for some of the constituents in those areas. It is a difficult area of work.

We are keen to reform this area to ensure that member capacity is of a high standard and that behaviour where it needs to be improved does so. We will lower costs and enhance the financial accountability of councils and increase the efficiency and transparency of local government representations while simplifying the regulations.

I certainly support the bill and I support these reforms. I commend both the former Minister for Local Government as well as the current Minister for Local Government for their work in this area. I commend the bill to the house.

Ms LUETHEN (King) (16:01): I rise to support the Statutes Amendment (Local Government Review) Bill 2020. The Marshall Liberal government is committed to easing cost-of-living pressures for households and businesses in my electorate and all across South Australia through local government reform. In South Australia, we do not have an effective system to provide effective control over burgeoning council rate increases across South Australia.

At the 2014 election, the Marshall Liberal government took a policy to the South Australian people to cap council rates in South Australia. In 2018, we took that same policy to the people of South Australia and they overwhelmingly voted for it. I have had to explain many times to families in the King electorate why rate capping has not been implemented and this is because council rates continue to be an issue of critical importance and concern to families and households living in King. The Marshall Liberal government has a clear mandate to help put downward pressure on council rates in South Australia.

I have told families living in the King electorate there are only three things standing in the way of lower rate notices: the South Australian Labor Party, SA-Best and the Greens. These are the parties that voted against our new rate capping bill. Now, as we introduce this second bill, one thing is standing in the way of a successful passage: the Labor Party support for lower council rates. I hope that changes.

The Labor Party in South Australia need to decide whether they are on the side of households in South Australia or on the side of political interests. Do they want to see lower bills and cost-of-living relief in South Australia or not? Our government have provided cost-of-living relief across a whole lot of areas. The Minister for Energy and Mining is doing a fantastic job helping to bring down electricity prices in South Australia.

In our first budget, we provided emergency services levy relief of $90 million to South Australian households. This year, we announced the biggest cut to water bills in South Australia's history, undoing the damage done by Labor over their 16 years in office. Now, for the second time over this four-year term, we are providing an opportunity for the parliament to listen to the mandate that South Australian people gave this government: to provide rate relief to South Australian households.

This second bill on local government reform is a test of the Labor Party and the opposition leader about whether they support households in South Australia getting rate relief. If they fail that test, we will take this to the next election and again ask the people of South Australia what they want to see in terms of value for every dollar of their rate money here in South Australia.

I ask the opposition: is it okay to see rates increase at double the rate of inflation? Is it okay to see rate bills go up by hundreds of dollars every year? Is it okay to see so much of ratepayer money spent on servicing millions of dollars of debt? Is it okay to see ratepayers' money spent on non-essential projects? Ratepayers in the Playford council area have told me they cannot understand why we have a huge multistorey car park on Main North Road at Elizabeth when people can park in the shopping centre car park.

My constituents are told time and time again that there is no money in the council budgets for footpaths, for fixing their crumbling kerbs, for improving our local roads, for greening local spaces, to build more bus shelters, to run community buses or to give them a green bin so they can fully participate in recycling, which in turn will save the council money, create jobs in the recycling industry and enable our local community to contribute in a practical way to help address climate change.

I ask the opposition: is it okay to see millions of dollars of ratepayers' money spent on dishonourable conduct by local government elected members? Is it okay that council staff and elected members may not feel safe from sexual harassment in their workplace? Is that okay? On 17 June 2020, the Statutes Amendment (Local Government Review) Bill was introduced into parliament. It contains a wide range of reforms to the Local Government Act 1999 and related legislation.

The Marshall Liberal government have continued to introduce amendments to the bill as a result of ongoing consultation and collaboration with the LGA and statutory authorities. The bill contains many reforms that are strongly supported by councils. The bill contains a range of improvements to how councils operate and are accountable to their communities. Importantly, it will contain initiatives to combat longstanding issues in the local government sector in regard to council member conduct and how councils make critical decisions around rating and other matters.

The reform in this bill resulted from 18 months of consultation with councils, the Local Government Association, local government professional bodies and statutory authorities including

the Independent Commissioner Against Corruption, the Ombudsman, the Auditor-General, the Electoral Commission of South Australia, Essential Services Commission of South Australia and the South Australian Civil and Administrative Tribunal.

Key reforms in the Statutes Amendment (Local Government Review) Bill include a wide range of improvements to the system of local government in South Australia across four main areas of reform: firstly, strongly council member capacity and better conduct, a new and strengthened framework for the management of poor council member behaviour and conduct; and, secondly, lower costs and enhanced financial accountability, with a requirement for councils to receive advice from an independent body on critical revenue and rating decisions and an enhanced role for council audit committees.

Thirdly, the bill includes reform in the area of efficient and transparent local government representation with a range of improvement to local government elections and, fourthly, simpler regulation will simplify a number of processes and requirements to reduce red tape from statutory requirements and councils' own administrative processes. A range of government amendments are proposed that will strengthen this bill even further. Most amendments are technical or minor; however, a range of more significant amendments are proposed.

These include proposed changes to the revised rate capping scheme included in the bill, which have been determined following discussion with the LGA. While maintaining the intent of the scheme to require councils to receive advice from a designated authority on their proposed revenue sources, including rates, which they must publicly release, it is proposed to amend the scheme to clarify within the bill that the designated authority will be ESCOSA and require councils to receive ESCOSA advice every three years rather than every year.

This will focus on councils' financial decisions within the context of their long-term financial plans, with advice based on significant variations in revenue and expenditure from these plans and/or the appropriateness of their revenue rate settings over the period. Councils will be required to publish this advice, and their response to it, with their draft annual business plans each year.

Unfortunately, over the past five years, I have experienced and been told of many instances of women who work in local government, and who are elected to serve in local government, having to put up with inappropriate comments, conduct and behaviour by elected members.

I believe that all people and all women deserve a safe workplace. If women choose to work for a council and if women are elected to serve their community, they deserve to be respected for the contribution they are making and not what they are wearing. I ask all male members of South Australian elected bodies to check in and ask themselves if what they say to their peers or to staff they work with they would say to a male and, if not, the comment has no place in our modern workplace in 2020.

Therefore, I am pleased that this local government reform bill addresses sexual harassment in local government, because sexual harassment is not always what we do to people, for example hit someone on the bottom, but about what we say as well, for example, 'Can you wear red lipstick to the council meeting?' or, 'You look good in those black pants. Can you wear them again on Friday?' These comments are not respectful and they are not welcome.

I have been told by council staff that sexual harassment and unwelcome comments are widespread in local government, therefore there needs to be an easy-to-access confidential path for staff and elected members to speak up with complaints of unwelcome conduct so that together we can create the type of workplace in which we all feel respected and safe. These complaints also need to be dealt with in a cost-effective way, so that ratepayers' money is not wasted. If unwelcome behaviour or sexual harassment is substantiated, there need to be consequences, an effective way to ensure cessation of offensive behaviour, and if there is a pattern of this inappropriate and unwelcome behaviour, there need to be serious consequences.

Today, it is possible that an elected member who repeats sexual harassment may be repeatedly directed by council to apologise and directed to repeat sexual harassment training, but with no changes in their behaviour and no real consequences. For a number of years, the LGA has advocated for a review of the conduct framework for council members, including amendments to the

statutory Code of Conduct for Council Members, that would result in meaningful changes to the way complaints against councillors are considered, investigated, determined and prosecuted.

Ensuring our government reforms adequately address behaviour that could be considered sexual harassment will increase efficiency of councils and provide workplaces free from sexual harassment, reduce stress and staff turnover, increase staff morale and productivity, and save workplaces and ratepayers time and money. In addition, the 'Sexual Harassment National Inquiry Report 2020' called upon all levels of government across Australia to act on the recommendations of the report to call on all employers to join in in creating safe, gender-equal and inclusive workplaces, no matter their industry or size.

The commissioner said that this will require transparency, accountability and leadership. It will also require a shift from the current reactive model, which requires complaints from individuals, to a proactive model, which will require positive actions from employers. Ultimately, a safe and harassment-free workplace is also a productive workplace. I am pleased to say this bill includes a requirement for council CEOs to ensure that employees are provided with appropriate protections from and responses to sexual harassment from council employees or members.

This bill also restricts local government election signs (corflutes) using a similar scheme to that proposed under the Electoral (Miscellaneous) Amendment Bill 2020 to allow display of these signs only as permitted by regulation. Our Marshall government is committed to driving down council rates and costs for South Australian families and businesses, and if this bill is passed ratepayers will benefit from lower council rates under the Marshall Liberal government's new plan to reform the local government sector and drive down costs. To summarise, the key proposed cost savings initiatives include:

- a new mechanism to cap council rate rises following independent advice;
- cracking down on bad council behaviour, helping to reduce the approximately $13 million legal fee bill councils pass on to ratepayers each year;
- capping council CEO salaries through the Remuneration Tribunal;
- capping the number of councillors to 12 per council, saving approximately $666,000 per year; and
- removing the need for a supplementary election if required within 12 months of the periodic election.

The focus is squarely on providing hip-pocket relief for hardworking families and businesses. Our reforms will also deliver a faster, more effective way to resolve repeated and serious misbehaviour by councillors through the behaviour standards panel. The panel will be able to crack down on rogue council behaviour, which will not be tolerated under our reforms, and suspend members for up to three months for repeated and serious misbehaviour.

Currently, councils can spend thousands of dollars getting a complaint assessed to determine whether or not it should be investigated, then tens of thousands of dollars on investigation by lawyers. I think it is fair to say that the legal fees that are billed to South Australian ratepayers due to council infighting and bad behaviour has run into the millions of dollars. Capping the number of councillors able to be elected per council and capping the CEOs' salaries will also help reduce cost pressures on councils that they can pass on the ratepayers.

I wholeheartedly support this bill to reform local government and we really now just need to get on with this for the benefit of ratepayers. In summary, I commend the Statutes Amendment (Local Government Review) Bill to the house and look forward to the contribution of all members and I really do hope that we can achieve bipartisan support so we can deliver to South Australians lower costs and better services. Thank you both to the member for Schubert and the Attorney-General for their ongoing hard work that has gone into this bill to consult stakeholders and to present the second bill to the house.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:16): I wish to acknowledge and thank all speakers who have contributed to the debate. I appreciate the indication from the member for Badcoe of what appears

to be a general support of a number of the aspects of the legislation—however, advising to the parliament that there will be consideration of amendments from the opposition. I would also like to acknowledge in particular the mover of this bill, which of course was the then minister for local government, the now member for Schubert, who had not only introduced this matter in the July session but also wrote to all councils at that time explaining that its introduction was by no means as an indication that discussions should cease; in fact, he invited continued ongoing dialogue about the reforms of this bill.

That is precisely what happened. I thank him for that initiative, having worked with a number of councils and in particular the Local Government Association over the 18 months before that to try to capture and accommodate reforms that they sought on behalf of their member councils and also some initiatives of which were the product of entities such as the Productivity Commission here in South Australia that also has provided to the government valuable advice on how we might best structure the important tier of government, namely local government.

I do remind members that of the 68 councils we also have an Outback Communities Authority, which supports about 4,500 people who do not have a local government entity which is responsible for them. The Outback Communities Authority is a valued body for that purpose, particularly to ensure that the voices of those people who live in the outback are heard.

A number of other entities such as the Yalata Community, the Municipal Council of Roxby Downs, the APY council, the Maralinga community, and the Nepabunna Community Council all have different types of entities for obvious reasons and they have representation through slightly different models. But in different ways there are entities on the ground that continue to serve the local communities they represent.

Indeed, in this house, we have a number of members of this parliament who have also served on council in different ways, either before coming here or there are many who leave this place after a period of service and go on to serve on their local council. That is to be applauded.

I have to say, there are people, such as the member for King, who have made a valuable contribution to this debate and in informing those of us who are new to the job (like me), or who have never served on council (like me) and who need to have an intimate understanding of how it works, what the drawbacks are and what needs to be remedied. So I thank her for that. Of course, I do not mean to diminish others. To be fair, I will perhaps identify the member for Holdfast Bay and the member for Light, who have both served as mayors in their local communities. This is cross-party politics. People have served in this way, and it is valuable to us.

There are those who have served in an executive role, leading a team of staff who work in councils. I think, for example, of Steven Griffiths, the former member for Goyder, now Narungga, who was a long-term serving local government chief executive. Without his clear insight as to how planning worked through the processes in councils, I think many of us would have struggled with exactly how we were going to deal with the Planning, Development and Infrastructure Act when it was in its bill form some five or six years ago. So these are very valuable insights, and I do appreciate them. Again, I thank all speakers for their contributions.

The member for Badcoe reflected on some of the debates that have occurred around the future of local government, I think more particularly within the consideration of how many levels of government we should have. From time to time, how we are governed becomes an issue in the general public discourse. It is interesting because it was a Liberal government, the Tonkin government, that in 1980 introduced a constitutional amendment to the Constitution Act 1934 and inserted part 2A into our state constitution, which provided a guarantee for the continuance of local government in the state. Essentially, it meant that there could be no abolition of the councils without there being a majority vote in each house of parliament.

I think we were the third state in Australia at the time to introduce legislation within our own state constitution to give a bedrock of support, status and recognition to local government. We on this side of the house do recognise its significance. We think it is important. I would also say for the benefit of members that, although some fan this idea of having perhaps two levels of government instead of local, state and federal levels, both the federal government and in fact the state government are children of state governments—that is, they are created by us as a state parliament.

We cannot actually take them away. Sometimes I think about threatening that to the federal arena, but they now have statutory protections, so I cannot actually get rid of them. Most importantly for this debate, this is an endorsement of the state parliament that we recognise the continuance of our local government structure and that the important work that they do must endure.

As an example of other jurisdictions, in Germany I think there are about five levels of government, and this is not unusual. I am told that some parts of the United States have seven levels of government. In Germany, they have the equivalent of local, provincial, regional, state, federal and European, which of course has its own court system and parliamentary structure at the European level. Heaven forbid—elections must be every week in some of these places.

In any event, we should be proud of the fact that we have democratically elected governments in this country. We have a level of government to deal with the provision of services at a community level and with which the community can actually be involved. I think that is the greatest asset of local government, namely, that the people who sit in the decision-making positions actually live in the community, by and large; some do not. For example, on Kangaroo Island they have some off-island representatives on the council, and that is to recognise the fact that about 40 per cent of the ratepayers on Kangaroo Island actually do not live there.

Of course there are different aspects but, by and large, they are representative and live in the community. They have to drive on roads that are perhaps not up to speed, they have to identify whether there is an inadequate water supply, they have to be able to ensure that there is a secure power supply, etc. These are really important elected representatives who are directly accountable. They live in the community. You see them at the local football. You see them at local activities.

In my case, I see councillors who live in the Burnside area or are from the Norwood, Payneham and St Peters community of elected members. I see them out in the general community. They can speak to me; I speak to them. This is really critical to be able to have that link. As I think the member for Badcoe has acknowledged, they are a valuable part of the community. They are on the ground and they have that very clear understanding about what is needed.

I would also like to share the circumstance of the many numbers of councils that have, during the COVID period, done the right thing, if I can put it as general as that; that is, they have not increased their rates or, if they have, it has just been at a very modest level. There has been a respectful recognition of the pain that a lot of people are under in their own communities, and they have understood that. Even though they have had a workforce to continue to maintain and expenses like any other enterprise, they have done that and they have done more.

I know some councils, one I think in the member for Badcoe's area, where they have provided vouchers to their own local people to ensure that they offer the opportunity, or enticement perhaps, to use local businesses to provide services. They have really done a lot of work to try to do the right thing. The Premier has had regular meetings electronically with a huge number of councils under the chairmanship of Mr Sam Telfer as the chair of the LGA.

On the last occasion, I attended with the Premier at the Adelaide City Council, where the venue facilitates this. There is a huge screen up there with all the different CEOs and/or mayors around the state. That has been a very valuable interaction. The Premier undertakes this on a regular basis. It is probably one of the many things we have learned that has been a very helpful and instrumental communication tool that we have learned through COVID, and perhaps it may be meritorious to continue on into the future. Certainly, I appreciate the LGA's contribution in that regard.

The member is correct that there are a number of amendments that have been developed and now tabled by the government. They represent a continued contribution by those who are going to be affected by this legislation. There is an area that has been sought by the LGA on behalf of councils, and that is not to impose a regime of imposition as to the number of councillors who should make up a council as a maximum number. The government are persuaded that it is important that we do move this along.

Although there is provision in this bill to require councils to implement those changes—if this bill is passed, then that will be imposed—I just want to say to councils that there are only two councils in the category under our current law that would be required to do that before the next elections in

November 2022. There are a number of other councils, many of whom might be only one over the proposed limit, but they have until the elections in 2026.

So this is not something that we are asking councils to do tomorrow or by 1 January. We really are doing this over a significant period of time. It is to assist councils to do precisely what the Productivity Commission wants to do in addition to saving money—certainly that has been raised by the member for King—and espouses that it is one of the important reasons for doing these things, but it is also to try to make sure that it is a machine in governance that is effective and efficient for their benefit as well. That is the advice we have received and we are progressing with that.

It is true that both the member for Badcoe and I are new in these roles, so there is a lot to get our head around. In addition to that, the parliament will recess after today and that will mean there will be a couple of weeks during which members will have a chance to look at the comprehensive list of amendments that have been provided. Obviously we will provide detailed briefings particularly to the shadow minister or to any members of the opposition who might seek to have them. Of course, we are more than happy to provide that.

With those few comments, I indicate that I will be asking that the bill be read a second time, then I will ask the house to consider going into committee on clause 1 and then I will be seeking an adjournment.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The CHAIR: I invite questions on clause 1. The Attorney.

The Hon. V.A. CHAPMAN: I propose, Mr Chair, that we report progress.

Progress reported; committee to sit again.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 22 September 2020.)

Dr HARVEY (Newland) (16:33): I rise today to support the Electoral (Miscellaneous) Amendment Bill 2020. After considering the Electoral Commissioner's report on the 2018 state election, the Marshall Liberal government is proposing six key changes to South Australia's electoral laws that will modernise the way South Australia delivers state elections and enables South Australia to keep pace with the electoral modernisation that has occurred in other jurisdictions.

Some of these reforms arise directly from the commissioner's report, while others have been initiated by the government. The first key change is expanding pre-poll voting options. South Australians who were unable to attend a polling booth on polling day were able to vote in the two weeks prior by attending one of 22 pre-poll voting centres established at 10 locations in metropolitan Adelaide and 12 regional locations around the state.

A larger than anticipated turnout in pre-poll voting contributed to large queues and wait times. There has been exponential growth in the number of people who want to vote early, up 241 per cent since the 2010 state election, and it is inevitable that the popularity of pre-poll voting will continue to increase into the future.

Given the complaints that were received due to pre-poll wait times, it is clear that electors expect expanded pre-poll capacity so that they have voting services that are able to meet their changing lifestyles and needs. Under this reform, the Electoral Commissioner will be able to establish pre-poll booths, as he deems appropriate, anywhere in South Australia rather than people having to vote at declared institutions such as nursing homes or hospitals, and limit mobile polling booths to regional centres only.

The second key change is allowing for alternative ways to lodge information with the Electoral Commission. The processing of nominations and other lodged election materials within tight legislative deadlines can be challenging and labour-intensive parts of an election. Despite technological advancements across most parts of society, there has been little change to the way information is lodged such as nomination information, how-to-vote cards and voting tickets.

The process currently uses paper lodgement followed by manual data entry which needs to be checked by senior staff. This reform would allow candidates to lodge this information online, thus significantly reducing time and resources required for processing nominations, how-to-vote cards, voting tickets and other candidate-related information. The electronic lodgement of forms will also enhance accuracy and streamline quality assurance practices. This reform would also allow, through the embracing of changing technological expectations, voters to apply for postal ballots by phone or online with extended application deadlines to reflect delivery times. As in the current act, South Australians would still be required to vote in person if not lodging a postal ballot.

A third key change is changing the publication of election information. Under this reform both election information and public notices would be published on the internet rather than in a newspaper. The Electoral Commission is bound by legislation to publish certain statutory notices in newspapers, often at considerable expense. One example is that section 18 of the act states:

> the Electoral Commissioner must, between the date of the issue of the writ and polling day, give public notice by advertisement in a newspaper circulating generally throughout the State of the position of all polling places for the district.

To meet this requirement and publish the details of all 693 polling booths used at the state election, the Electoral Commission of South Australia (ECSA) was required to book four consecutive pages in *The Advertiser* at a cost of approximately $42,000.

Given the high costs involved in publishing notices in newspapers and the prevalence of online and digital media nowadays, the commission recommends that the act be amended to allow the commissioner the flexibility to publish notices on ECSA's website and by any other means deemed appropriate instead of in newspapers circulating throughout the state. ECSA notes that this amendment would align with other jurisdictions such as Victoria where legislation defines 'publish' as 'by any means including by publication on the internet'.

The publishing of election information on the internet will also help address the issue of voter education and engagement. In 2018, elector surveys showed that 33 per cent were unaware of postal voting, 55 per cent were unaware of absentee voting and 56 per cent were unaware of pre-poll voting. Shortcomings in voter education could also be observed in other data.

Informality at 4.1 per cent for both the House of Assembly and Legislative Council elections was at its highest levels since 1982. The elector surveys showed that 6 per cent of voters were not confident about completing their ballot papers, up from 2 per cent in 2014, with this figure rising to 14 per cent in young voters aged 18 to 24. Under this reform, more engagement and awareness measures targeting youth and new citizens, such as publishing election information and notices on the internet, will help counter the declining levels of participation, formality and youth enrolment witnessed at the 2018 state election.

The fourth key change is in regard to itinerant elector reforms. All Australian jurisdictions, including South Australia, provide a special category of enrolment for people who do not have a fixed address and there is a broad consensus in Australia that the lack of a permanent address should not preclude people from being able to vote.

The Electoral Commission mentions concerns had been raised prior to the 2018 state election from the homeless sector that, under the current legislation, homeless people could be set up for failure. This is because, currently, if a homeless person take the positive step of enrolling as an itinerant elector and then for whatever reason does not vote in an election, they will be issued with a failure to vote notice which they will be unlikely to receive given their lack of a fixed address. A failure to respond will then become a fine, which, left unpaid, leads to accumulated late payment fees and potentially court action.

Thus, the current system is only likely to exacerbate the fears and suspicion that many hold towards government. With this in mind, this reform is designed so that if an itinerant elector fails to vote or is outside South Australia for more than one month, they will not lose their status, with an exemption from compulsory voting for itinerant electors to avoid creating hardship for people experiencing homelessness or travelling retirees.

The fifth key change, and certainly in terms of the conversations that I have had in my community the most popular of the changes, is the banning of the corflutes, which are the plastic posters that in South Australia are plastered all over light poles and Stobie poles throughout the state. This reform proposes to ban the use of corflutes on public roads. Over the years, corflutes have proven themselves to be an outdated method of promoting candidates to the public. They are costly, detrimental to the environment and, particularly given the record of this government, particularly in the case of single-use plastics, quite inconsistent with that. They are also a public safety hazard due to their distracting nature, and they do little to educate voters about a candidate or their platform.

I know that quite a lot of electors find them completely annoying. I think the member for Morialta reflected on the fact that in South Australia we are quite unique in that if you turn up during an election, literally every inch of a pole, particularly in the suburbs and particularly in the marginal seats of our suburbs, is covered by a candidate's poster and their face. It is really quite unnecessary. Democracy exists quite successfully in other states within Australia without such a ridiculous level of postering.

I think the other thing that irritates the public is that there are not really other times when people are allowed to attach things to stobie poles. For some reason we can do it during a particular period of time, but no-one else can. That is not to suggest that everyone should be able to plaster things all over poles all the time. I think it really demonstrates how outdated it is and certainly out of step it is with the views of most people in the community.

The sixth key change, and one that a number of members have addressed when speaking to this bill, is the optional preferential voting for lower house candidates. The introduction of optional preferential voting for Legislative Council candidates in 2018 demonstrated that the system was an effective way of ensuring peoples' votes counted. It also gave voters a clearer understanding of where their vote was going. The government is seeking to introduce a similar reform for lower house candidates at the 2022 election.

This is a purely optional system, and voters wishing to cast a more comprehensive ballot will still be able to do so. This is simply about giving people the choice. Certainly, no-one is having their vote taken away. Every vote is being counted. What we are proposing here is to simply not force voters to effectively, in some cases, vote for a candidate they would rather not vote for if they had the choice.

I would argue this is a more democratic and much more transparent process. If people want to vote for one candidate, or if they want to vote for two candidates, and then they are happy for their vote to end at that point, then that is completely their choice. No-one is having their vote taken away. It is not a first-past-the-post system. We are simply empowering individuals within our community to vote the way they want to, and I do not see how that, under any definition, could be undemocratic.

The reforms in this bill will enable South Australia to meet changing community expectations by integrating technological advancements which better reflect changing lifestyles and work commitments whilst accommodating all electors, including those in remote areas. In conclusion, I would like to commend the Attorney for her work in this area and commend the bill to the house.

Mrs POWER (Elder) (16:44): I rise today to support the Attorney-General's bill, similar to many of my Liberal government colleagues who have spoken in support of bettering our democratic processes. The importance of electoral reform cannot be underestimated. We, as members of parliament, are representatives of South Australian residents and I am proudly the member for Elder and the unique and wonderful community within it.

For the vast majority of South Australians, voting is one of the few times that they interact with the democratic process and their members of parliament (or their potential members of parliament). It is our responsibility to ensure that access to the mechanisms that represent the

choices and views of South Australians are brought into line with, quite frankly, the 21st century and in line with community expectations, not only the modernisation of the voting process, but ensuring that the votes go where they intend, believe and understand them to go.

We should have an electoral system that is based on providing the best possible opportunity for voters' intentions in the ballot box to be reflected in the actual representatives elected and not because of backroom preferential deals. An optional preferential voting system helps to deliver this. I congratulate the Attorney-General in addressing this need within the bill.

Optional preferential voting means, quite simply, fewer votes will be deemed invalid because voters do not have to follow the how-to-vote card handed out by their preferred candidate. Many votes are considered informal and sadly are not counted when every box is not numbered—which is the current requirement—even when the voter's intention for their preferred candidate is so clearly marked. It means voters are not in some cases inadvertently sending their vote to a candidate that was not their intention, directed to do so by how-to-vote card preferences.

Optional preferential voting means voters can vote for one candidate on the ballot card and that vote will be counted. They can place a preferential vote and number just some of the preferred candidates on the ballot or number all the boxes, if they choose. Quite simply, if a candidate—just one candidate—is marked, it is counted. The voter has demonstrated their clear intention for their vote and surely that should not be rejected. This is absolutely consistent with the feedback that I have received from many residents in my local area, who, when they go into vote they feel they are forced to have to put a number next to people they really do not want to. Under our current system, that is the case, they are forced to put a number where they really do not want to, otherwise the vote would be considered invalid.

The Labor Party's objection to optional preferences seems very hypocritical to me, as it was the previous Labor government who introduced the legislation before the last election for optional preferential voting in the upper house. If it is okay for the upper house, why do we not have the same system for members of parliament in the lower house? Why not make it easier and more transparent for voters as to where their vote will go in both houses of our South Australian parliament?

Most likely because, as it has been pointed out by other members, it will impact votes received via preferences for those opposite. It is that simple. I believe introducing optional preferential voting also for our House of Assembly betters our democratic process, as it gives South Australians the best opportunity for their choice of candidate to be expressed at the ballot box and have a parliament that best represents the will of our citizens.

It is not only changing the way we vote that is proposed under the bill but also improving access for all voters in South Australia to vote. The bill gives effect to a number of recommendations in the 2018 election report, including improved administration, allowing for aspects of the voting process to be digitised and allowing for more pre-poll voting options.

As noted in the report, these amendments will assist with incredible growth in the number of South Australians who want to vote early and will bring us into line with other jurisdictions in Australia who accommodate for this by expanding pre-poll voting, ensuring the greatest number of people can vote at their convenience.

The report also noted our electoral system must adapt and integrate technology to better reflect the digital world that we now live and operate in. It comes as no surprise that under 16 years of the previous Labor government South Australia failed to keep pace with the electoral reform that has occurred in other parts of Australia, a fact made very clear in the 2018 election report. It noted and I quote:

> It is now well overdue for South Australia to modernise its electoral act and allow voting services to evolve in order to meet changing community expectations.

Absolutely. I could not agree more with that statement. That is exactly what the Marshall Liberal government is doing. We are getting on with the job, like we have been since the election. Whether it is getting on with the job of improving our electoral democratic processes, improving our healthcare system or building better roads and better schools, we are about getting it done.

Today, in the spirit of getting things done, it is great that voting will become easier under the Marshall Liberal government and the will of the people in our electorates will be more accurately represented in this parliament, assuming those opposite have the courage to also support this bill. I know that is the least they can expect from our state's democratic process. I commend the bill to the house.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:50): I wish to acknowledge and thank all those who have made a contribution to this debate. I am deeply disappointed that the opposition have chosen to indicate that they will be voting against the whole of this bill. There are multiple recommendations made by the Electoral Commissioner, Mr Mike Sherry, who conducts a review of electoral laws after each election, and by his predecessor, who prepared a report after the 2014 election.

Initiatives of this work populate most of this bill, so to reject the whole of this bill is puzzling to me and quite disrespectful to what I think has been a forensic assessment by the Electoral Commissioner and, in some instances, his predecessor. This assessment is worthy of our consideration and positive endorsement. That said, there are novel aspects of this bill.

It is of course not unreasonable that anyone in the house, including the opposition, might raise questions about their value—namely, the abolition of corflutes, if I can describe them in that manner, and the regulation of the provision of plastic or corflute material during election periods. Another aspect is the consideration of the introduction of optional preferential voting as the model of voting for the House of Assembly every four years in this state.

On the first, can I say that there has been comprehensive public endorsement of this. I cannot think of any other occasion where another stakeholder outside of the direct application of state elections should write to me more quickly than the Local Government Association on this issue. They were absolutely spontaneous in their prompt response, in a letter to me as the Attorney-General, to say, 'If South Australian state elections are going to be free of the curse of all these corflutes'—and I am paraphrasing that position—'then please let us join. Please do it for us as well; we want to be relieved of this'.

That is a matter we had not directly canvassed with the LGA at that stage. I discussed the matter with the former minister for local government and it had not been fleshed out in any discussion. Quite rightly, the former minister would not have been asking me, as Attorney-General, to introduce it into this legislation. It had not been discussed at length but the rapidity of which this response came with the urgent request that they be included made me mindful of the fact that we needed to address it.

During the development of this bill, and since its introduction back in July, we have had that conversation. In fact, we have had a number of councils contact me individually to say, 'Let us join in this opportunity to relieve us from corflutes during elections.' They are a blight on the environment, they are expensive in time and money to put up and take down and they raise some traffic safety issues. I have outlined all of the reasons for doing it, but it seems that local government wants relief from this as well.

Initially, I felt that they had, under their own local government regulations, the power to decline the display of these within their area. I note that councils, such as the Mount Barker council, in recent years have identified a limited number that candidates can put up in their own area. Of course, many councils identify certain areas that you cannot put corflutes on, for example Stobie poles at intersections or stop signs—anything that might distract from someone being able to safely navigate the road. I have noted that.

I have also noted, even as late as today or yesterday, that Councillor Marion Themeliotis, who is a councillor at the Onkaparinga council, is apparently going to write to me, according to this media statement, to request that I also remove the exemption from corflute signage during local government elections under our proposed election reform. That is great. I have not received Marion's letter yet, but it is indicative of what is happening. They want to be relieved. Obviously, it is not all councils.

There have been some that have indicated that they want to maintain this position, anecdotally, but others are very clear. In any event, consistent with the requests we have received

from the association representing local government, we have prepared amendments that are outlined in amendment No. 79 of the foreshadowed amendments that have been tabled today for consideration in due course.

I have also discussed with the Electoral Commissioner, Mr Sherry, the fact that the Local Government Association has made this request, because this question of what model is applied to that is significant just from the point of view of not confusing the public. So whatever model we have in the process here, it ought to be the same, he suggested, for local government as we might settle upon as a parliament for state elections to minimise confusion to the public. Accordingly, I indicate that the drafting that has been prepared in relation to the restriction of the display of corflutes is an exact replica of what is proposed to occur in state elections.

I would suggest that, in the 21st century with the modes of communication that we have, we really are in a new era now, just as we were perhaps 40 or 45 years ago when we moved from banners at polling booths to corflutes. We have such electronic transmission now of information and data that it seems to me that we really are looking at a very anachronistic form of communication by the posters. In any event, everyone will have their say on that, but I do not for one minute suggest that, just because it applies in other states, we do not give it some careful assessment and that members do have a chance to make a contribution in that regard.

The second area is the introduction of optional preferential voting as the model of voting for House of Assembly candidates. I do not understand the arguments presented by the opposition against this. I find it rather inconsistent, with the very same arguments that the former Attorney-General the Hon. John Rau presented to us then in opposition about introducing optional preferential voting in the Legislative Council.

Mr Picton: It's a multimember electorate.

The Hon. V.A. CHAPMAN: The member for Kaurna interjects to say, 'Well, that's a multimember electorate.' I assume that means it is his justification for there being some distinguishing between optional preferential voting being fine for the Legislative Council but not suitable for here. I do not understand that distinction at all. I think there is clearly a position where the public have really expressed their view very clearly that they do not want to have to vote for somebody they do not want.

It seems to me that the opposition's argument here has been, 'Every vote must count and even if you don't want your vote to count for somebody you don't like, you still have to vote.' Well, we are the party of choice. We say that the public do need to have a choice to be able to place a name against the people they want or like and not have to be forced to vote for someone they dislike the least. It is just bizarre, really. But, in any event, we offer this model.

Eminent people in the academic world, such as Dr Dean Jaensch, who has written about democracy generally and electoral models and reforms over decades, have placed their support in there being some reform in this regard. I just do not understand the inconsistency there, and I think it will be important to the people of South Australia to have that choice. Of course, they can continue to place a number in order in every box if they wish.

But if they say, 'There are only two people out of these five I would ever want to support. I don't want my name associated with and I don't want to endorse anyone else. I want to be able to say that I did not vote for the person if they are elected,' they ought to be able to say that. We have a secret ballot, of course, and they do not have to say it, but they also really are in a position where they ought not be forced to fill out the ballot paper.

In reality, somebody could go into the ballot box, comply with the law by turning up and having their name removed from the roll and not put one stroke on the paper. They can write, 'I vote for Mickey Mouse,' or they can write nothing on the paper. It will be informal, but they will have complied with the law. They are entitled not to vote for anybody at all, yet the opposition is saying to the parliament that we should not let them not fill in some of the spaces. It is mindbogglingly inconsistent to me and nonsensical that we would not adopt this.

Again, the offer remains for continued briefings if information is sought, and we would certainly ask that members give careful consideration to support of this and, indeed, a number of the

amendments, one of which is proposed, a consequential amendment I foreshadow, which has been tabled and which the Electoral Commission of South Australia (ECSA) supports.

I indicate that I am aware of a significant number of amendments that are sought by the member for Florey, and they commence at proposed amendment to clause 4 and a number thereafter. I note that the member for Florey is not able to move her amendments today and in respect of that I will not go past clause 4 today; I will not ask parliament to consider past clause 4.

The Hon. G.G. Brock: I can do it.

The Hon. V.A. CHAPMAN: You can?

The Hon. G.G. Brock: I can do it on her behalf.

The Hon. V.A. CHAPMAN: I have had an indication that the member for Frome is able to move those on her behalf, in which case we are happy to continue past clause 4 if that is the case. I am seeing the member for Frome furiously nodding, so I will take that as an endorsement of his consent and approval to advance those, and that would certainly help with continuing to deal with the matter. With those few words, I seek that the bill be read a second time.

The house divided on the second reading:

Ayes 24
Noes..... 17
Majority..... 7

AYES

Basham, D.K.B.	Bell, T.S.	Brock, G.G.
Chapman, V.A.	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.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Tarzia, V.A.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

NOES

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

PAIRS

Cowdrey, M.J.	Gee, J.P.	Pederick, A.S.
Hughes, E.J.		

Second reading thus carried; bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PICTON: I am wondering if the Attorney-General can outline any discussions, any meetings or any correspondence that she has had regarding this legislation or other amendments to

the Electoral Act with Ms Sascha Meldrum or anybody from the Liberal Party of Australia administration.

The Hon. V.A. CHAPMAN: I certainly have. Indeed, I would expect, having sent a copy of the bill to every member of parliament in the state parliament, that they or representatives of the political party they represent would have done similarly to identify what aspects they would want to endorse if they are a member of a political party. Certainly, from the Liberal Party of Australia (South Australian Division), we do confer with our party, and in particular the director, on matters in relation to electoral reform, and we value the party's advice in relation to these matters.

Similarly, the Electoral Commissioner has invited political party representatives, including Ms Meldrum, to put submissions in relation to recommendations that are made post election; that is, the election reports and also the extra report that he did after the 2018 election in relation to public funding and the obligations in relation to disclosure, which are now in law and which were implemented for the first time at the 2018 state election. So, yes, absolutely—she has made a very effective contribution to the Electoral Commissioner. I say that because it seems a number of her ideas have been picked up in recommendations that he has published.

They may have also been presented by the Australian Labor Party, the Greens party, alliance SA or the SA-Best party. There are obviously a number of political parties. We have the Child Protection Party. We have all sorts that are registered. In any event, the political parties are instrumental in helping electoral commissions implement the obligations under our electoral laws.

If there is going to be an area of incapacity on behalf of candidates, whether they be via a party or individual candidates to be able to be part of the democratic process of election, then I would expect those political parties and/or individuals to identify that in the course of any reforms that are recommended by the Electoral Commissioner.

Largely, of the many people who received notice of the reforms, the responses received included the Office of Local Government, the Electoral Commission itself, the AGD Royal Commission Response Unit, the Animal Justice Party SA, the National Party of Australia SA, the University of Adelaide, Professor Clement Macintyre on behalf of Professor Lisa Hill, Dr Jonathon Louth and Dr Glynn Evans, the Local Government Association and the Child Protection Party. That is my understanding of those that had provided submissions, some of which, of course, are on their own websites but some of which are internal and which therefore are not disclosable.

In any event, I would hope that the member's own political party has also given consideration, because my recollection is that a number of things that have been recommended by the Electoral Commissioner are consistent with what the member for Kaurna's political party would also be advocating for. But in any event, on the distinctive matter of corflutes and OPV—and I am not suggesting for one minute that that has come from the Electoral Commissioner, and I have not at any time—they are matters which are recommended based on the assessment that the government has made and with the support of the Liberal Party of Australia.

Certainly, they are strongly of the view that the corflutes have had their day, and I think they are very much in sync with the people of South Australia. As to the OPV model, well, of course, this was something that we proposed back when the Labor government proposed OPV in the Legislative Council as to whether we should apply it to the lower house as well. It is not new for our side of politics. It was a question at that point where the representative on behalf of the Labor Party, the Hon. John Rau, was saying, 'Well, look, we are committed to introducing OPV in the Legislative Council but we're not promoting it in the House of Assembly, but that's a matter we can consider at later date.' So here we are, it is a later date and it is on the table.

Mr PICTON: Can the Attorney provide the house with the date upon which was the first time the Attorney or her office provided Ms Sascha Meldrum, or anybody in the Liberal Party, with a draft copy of this legislation, this bill, or any briefing on this legislation?

The Hon. V.A. CHAPMAN: I cannot but I will make inquiry as to the consultation regime. I know that I signed letters to all the members of parliament and all the political parties. I think they were all at the same time, but I will get the date on which when they were all presented.

Mr PICTON: I do think it is pretty incredible that we do have this situation where the Deputy Premier seemingly has had a long discourse of discussion with her own party about this, yet there has been very little public consultation, very little discussion, with other people other than she said that she wrote a letter to members of parliament about it, particularly when we are dealing with a situation where optional preferential voting has been inserted in this legislation, not as a recommendation of the electoral commission but through a mysterious process that we still do not know the origins of.

However, the Attorney is very open about the fact that there were various discussions with the State Director of the Liberal Party about this legislation, yet we do not know how early those were, we do not know when briefings were provided, how early those briefings were provided, as opposed to when other members of parliament were able to see this legislation, or in in fact the public at large. So I would ask the Attorney: how many times did she meet with Liberal Party officials about this legislation? Did she meet or discuss this bill with any political party other than the Liberal Party?

The Hon. V.A. CHAPMAN: I note the comments made. I understand that we have some advisers here to deal with the FOI bill which is to be following this one and, in light of the time, I might propose that we report progress on this matter and I will then call on the parliament to consider the next bill.

Progress reported; committee to sit again.

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

A quorum having been formed:

FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 23 September 2020.)

Clause 6.

The CHAIR: We are up to clause 6, and we have amendment No. 12 standing in the name of the member for Lee. The member for Kaurna is on his feet.

Mr PICTON: Thank you, Chair. In the absence of the member for Lee, which I believe will be a temporary measure until he is shortly here, I am very happy, on behalf of the member for Lee, to move:

Amendment No 12 [Mullighan–1]—

Page 6, line 1 [clause 6, inserted section 4B(1)(b)]—Delete 'subject to subsection (2),'

I believe the accurate words here so described really tell the whole story. I hope that members will consider supporting this very important amendment to this legislation.

The Hon. V.A. CHAPMAN: The government opposes this amendment for the reasons outlined in relation to amendment No. 11. I pointed out that amendments Nos 11, 12 and 13 were really a sort of trilogy proposal that was interlinked. For the reasons applying to amendment No. 11, we oppose it.

The CHAIR: Member for Lee, would you like to speak to this amendment?

The Hon. S.C. MULLIGHAN: Of course I would, sir. Thank you for the opportunity.

The Hon. D.C. van Holst Pellekaan: Build on the foundation you created.

The Hon. S.C. MULLIGHAN: Yes, I am standing on the shoulders of giants this afternoon. The Deputy Premier is correct in part that this amendment is part of not a quite trilogy but a 'quadrilogy' of amendments which provide for an important and necessary change to the concept of the agency insofar as it relates to ministers. As I have outlined previously to the house, it is the view of the opposition that we should no longer prolong the practice of ministers being able to make

determinations on freedom of information applications that involve themselves or their own office. Amendment No. 12 seeks to contribute to those efforts.

It is disappointing that the Attorney does not want to support that effort. It would be, I think, an important reform for the act and would ensure that ministers do not succumb to the temptation to unreasonably deny access to documents which they might find inconvenient or embarrassing to them. So I would encourage the house to support amendment No. 12 standing in my name.

Amendment negatived.

The Hon. S.C. MULLIGHAN: I direct members' attention to clause 6 on page 6 at the beginning, and I move:

Amendment No 13 [Mullighan–1]—

Page 6, after line 11 [clause 6, inserted section 4B]—After inserted subsection (2) insert:

(2a) If the agency is a Minister of the Crown—

(a) despite subsection (1), the Minister is not an accredited FOI officer of the agency; and

(b) the Minister must designate 1 or more accredited FOI officers of other agencies for which the Minister is responsible to act as accredited FOI officers of the agency constituted of the Minister.

As the Deputy Premier was telling us last night, it is not unreasonable for some agencies to enter into arrangements with other agencies, presumably larger agencies with more resources, that may have a greater capacity to manage freedom of information determinations.

If we are to have a regime that allows that to occur, then it is not unreasonable to extend it somewhat to allow the necessary separation of the minister from making determinations regarding applications that involve themselves. This is the most substantive part of that reform, following on from what we have discussed in the previous two amendments. After this amendment No. 13, there follows another amendment a little later, which also contributes to that separation and that new regime.

I would encourage members to support this. It is not appropriate that ministers continue to make these determinations, continue to act in their own interests and not in the interests of the public or in the interests of openness, transparency and accountability. I would encourage members to support this accordingly.

The Hon. V.A. CHAPMAN: I refer to my statement in relation to amendment No. 11, which has now failed, and for the same reasons the government opposes this amendment.

Amendment negatived.

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

Amendment No 1 [AG–1]—

Page 6, line 33 [clause 6, inserted section 4B(4)]—After 'purposes of' insert:

applications under Part 3 for documents containing personal information of the applicant or

This amendment will ensure that the changes to the seniority requirements for accredited FOI officers have the intended effect. It was originally intended that the seniority requirement for accredited FOI officers for an agency be relaxed for officers who deal only with personal information applications, given the straightforward nature of such applications. However, during the course of drafting the bill, this change was inadvertently narrowed so that it only applies to officers dealing with part 4 amendments of records applications. As drafted, this change would not bring the intended flexibility, since there are only few part 4 amendment applications.

Whilst there are agencies that deal with large numbers of personal information applications, such as applications for a person's own medical records, given the straightforward nature of personal information applications there is not the same need for officers dealing with such applications to be senior officers as there is for non-personal FOI applications. The seniority required will remain in

place for accredited FOI officers who deal with the non-personal FOI applications. Accordingly, I seek the house's support for this amendment.

The Hon. S.C. MULLIGHAN: Unfortunately, I was fossicking for a copy of the amendment. If the Attorney could perhaps refresh the house's collective mind as to the incidents in which she thinks this might provide a benefit.

The Hon. V.A. CHAPMAN: Firstly, the amendment is that after the words 'purposes of' in clause 6 we insert the words 'applications under Part 3 for documents containing personal information of the applicant or'. I indicate that it will be of benefit to all non-personal applications. Essentially, it will make the handling of the personal information applications more efficient. Do you want me to repeat what I said in relation to that?

The Hon. S.C. MULLIGHAN: I would not burden you with doing it verbatim, but when you say 'more efficient', could you just outline how.

The Hon. V.A. CHAPMAN: It simply means that because the personal information ones in relation to someone asking for their own material do not need the seniority of the higher level, whereas the FOI officers who are designated in agencies who deal with all the applications external obviously need to be at a much more senior level. That is the reason—so that can be done and provided, obviously with the appropriate consent because it is a request by the individual to seek information, such as their health records. They do not need the same level of seniority as the many more other numbers of applications that are related to external applications for non-personal information.

The Hon. S.C. MULLIGHAN: I think I have this right. If a member of the public, say, is making an application to the health department either to get access or seek some changes to their own personal information, that does not need to be handled by an accredited FOI officer and can be handled by a regular unaccredited person; is that correct?

The Hon. V.A. CHAPMAN: That is correct. It would be in relation to either amending or seeking their own personal information, which is rare. A lot of people ask for their own information, 'Can I have a copy of the medical reports?' or, 'Can I have information that you've got that relates to me? I would like to see what's in it.' That may follow with an application to amend it, but the latter is very much rarer.

The vast number of applications received under the FOI Act are from external people seeking non-personal information. They obviously need to have a level of seniority because things such as identifying somebody's personal information might be in it and that material needs to be dealt with at a senior level. For the run-of-the-mill personal applications, where the person is just seeking their own information, they ought to be able to get that. There are a number of other support people, as I understand it, in agencies who can do that and provide that information promptly.

The Hon. S.C. MULLIGHAN: Just on that, I can imagine that from time to time there might be, hopefully in isolated circumstances, applications made by such individuals in a way that might require a more careful and experienced hand. I am thinking of, for example, seeking access to a particular type of medical record in a circumstance where you might not release that, or if somebody was trying to use the FOI regime perhaps to try to have another go at what might otherwise be a release of documents in a court discovery process.

In those sorts of examples, for the people who will be handling these and who are not accredited FOI officers, will there be some sort of guidance or education available for them so that they know how to manage these applications?

The Hon. V.A. CHAPMAN: Those support persons are required to undergo training so, yes, they are trained to do what they do. I am further advised that accredited FOI officers have certain protections in relation to the FOI Act. They have a status within the structure which requires that they be independent and free of influence.

You might recall the very difficult report prepared some years ago, circa 2014, by the former Independent Commissioner Against Corruption, Mr Lander, where there had been concerns raised about the influence of other senior people in departments and/or ministers. He had done a survey. Accredited FOI officers clearly have to have training, but they also have to be senior enough to be

able to deal with the obligation they have to identify and require the production of material in the agency to comply with the FOI request within the lawful envelope that is prescribed. So, yes, they have a different role.

Generally, if somebody writes in to say, 'Look, I'd like a copy of my medical records,' then the support person would deal with it. Obviously they might have to deal with things such as making sure there is no information relating to someone else's medical records that perhaps might be in the file and may show up when the electronic copy is downloaded or whatever; nevertheless, they are trained.

The member has quite rightly pointed out that the whole demand for setting up freedom of information laws is to make sure that there is a structure where there is independent review of what is available and what should be produced, starting with the presumption of disclosure. The people who do it are in a very important position and they need to be trained, they need to be senior enough and they need to be protected from anyone who might exert some influence adversely on them while they are doing their job.

Amendment carried.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 14 [Mullighan–1]—

Page 6, lines 37 to 40 [clause 6, inserted section 4C(1)]—Delete inserted subsection (1)

If members care to look at the bill, at the bottom of page 6 the first subsection under the newly inserted 4C, subsection (1), provides:

> (1) A reference in this Act to documents held by or in the possession of an agency is, where the agency is a Minister, a reference only to such of those documents as relate to agencies for which the Minister is responsible.

Members who have been following this debate and the thousands of listeners at home of course—

Mr Pederick: Would be riveted.

The Hon. S.C. MULLIGHAN: They would be riveted, yes, or would prefer to be physically riveted to something else and endure the pain rather than listen to this. Members would be aware from earlier comments in this debate of my concern that elements of the Attorney's bill, if not the bill overall, seeks to limit the access of the public to documents rather than expand it.

A good example of the limitation on access to documents is subsection (1) under 4C in clause 6. Effectively, what this would contribute is to ensure that, if a minister or their office had documents in their possession and a freedom of application is lodged seeking access to those documents, if those documents are not documents of one of the minister's own agencies or departments then those documents will not be eligible for release.

For example, if a minister writes to another minister concerning some activities, operations or, say, in the Treasurer's case, budget pressures within the agencies that that correspondent minister is writing to the Treasurer about, and attaches some documents to that, it would seem that certainly the attachments to that correspondence, if not the correspondence itself, would not be captured by a determination made pursuant to the application. That is a significant restriction that is being imposed in this bill. That is a very deliberate attempt to reduce people's access to documents.

You can imagine that when freedom of information applications are made to central agency ministers, like premiers or treasurers or, to a lesser extent, attorneys-general, they would be in the possession of documents that relate to agencies that are not their own responsibility. This basically provides the opportunity for those ministers not to release those documents. That is a significant new restriction on access to government documents, one which should not be supported and one which, without an explanation from the government, appears wholly motivated to reduce access to documents.

I am sure I will hear an explanation from the Deputy Premier that in fact the opposite is true, that this is a massive extension of openness, accountability and transparency, but when we are seeking to reduce access to those documents that a minister might be in possession of, I do not think

that that accords with what the current objects of the Freedom of Information Act are. I do not think that is a predilection to releasing documents. That is nothing more than a restriction on the release of documents from those ministers.

Without rehashing the point that we have just been discussing on those previous amendments, certainly, in the instance where the minister themselves is making the determination as the principal officer of that agency, of themselves as an agency, they, under this proposal, would be able to restrict access to those documents that they are in possession of, that they do currently hold and have access to merely by virtue of this new subsection, which means they do not need to release them. I think that is a very, very poor proposal which is not in the interests of openness, transparency and accountability.

The Hon. V.A. CHAPMAN: I indicate that the government will be opposing this amendment. This amendment would remove the provision in the new section 4C that sets out when a document is considered to be held by an agency. Specifically, it will remove subsection (1), which states that a reference to a document held by an agency—that is, a minister—is a reference to such of those documents that relate to agencies for which the minister is responsible. This provision is currently in the act in existing section 4(3), so the matter that is being removed is already in the act in another place.

The effect of this amendment would be to render information, such as party political correspondence and documents held in the minister's office, within the scope of the act. The FOI Act was never intended to apply to party political correspondence and documents. Opening the act to such documents will unnecessarily lead to time and cost to process applications when such documents will inevitably be subject to exemptions under the act and lead to applications being refused and inevitable internal and external reviews for applications doomed to fail. This existing provision should remain in the act. That is as I am advised and I hope that makes it clear to the member.

The committee divided on the amendment:

Ayes 18
Noes..... 22
Majority..... 4

AYES

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

NOES

Basham, D.K.B.	Chapman, V.A.	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.
Tarzia, V.A.	Teague, J.B.	van Holst Pellekaan, D.C.
Whetstone, T.J.		

PAIRS

Gee, J.P.	Cowdrey, M.J.	Hughes, E.J.
Wingard, C.L.		

Amendment thus negatived.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 15 [Mullighan–1]—

Page 7, lines 4 to 12 [clause 6, inserted section 4C(4) and (5)]—Delete inserted subsections (4) and (5)

This is something that the opposition is quite concerned about. It seems to be part of an attempt by the government in the bill to more clearly define what constitutes a document. Earlier, we saw references to electronic documents and so on, and here we see reference to an electronic backup system. For the benefit of the chamber, subsection (4) provides:

> (4) An agency will only be taken to hold a document stored in an electronic backup system if the document has otherwise been lost to the agency as a result of having been destroyed, transferred, or otherwise dealt with, in contravention of the State Records Act 1997 or contrary to the agency's established record management procedures.

I am looking forward to hearing the Deputy Premier's argument here because, on reading this subsection, what it would mean to our mind, in practice, is that when a freedom of information application is lodged and the applicant puts a description of the documents to which they are seeking access, it is most common practice for the person handling that determination to enter that description, or something similar to the description, in a document management system, not necessarily to riffle through physical filing cabinet after filing cabinet to see if there are hard copy documents that match that description. They conduct an electronic search.

They may also take other steps. For example, they may send an email to their colleagues in the agency outlining the fact that there has been an application, the terms of the application and the description of the documents that are sought by the application, this all being done electronically. Really, what we are concerned about here is the concept of the electronic backup system. We have electronic document management systems, and we also have a server or servers that are used by agencies where documents are stored, their document management system effectively being software that can be used to search through and provide access to documents held on that server.

If the government is intending essentially to remove access to documents because they are held on an electronic backup system, then at first blush it would seem that documents held electronically on those servers—those servers that are backed up usually at least once a day, usually at least overnight if not more often—will no longer be accessible. The reason why, further to that, is that a document will only be held on that system if it has been lost to the agency, destroyed, transferred or otherwise dealt with in contravention of the State Records Act, which provides an even greater stricture.

Maybe there is an explanation for this. Maybe this subsection interacts with another part of this bill, another subsection or another clause, but I have to say on face value this seems to me to be a further constriction of access to documents merely by virtue that they are held and stored electronically and backed up. It is, I would say, the regular and normal thing for electronic backup systems to be interrogated for documents when document searches are being undertaken by those officers responding to freedom of information applications.

If that is now to be constrained by the insertion of this subsection, that is something that is unacceptable to the opposition, and we do not support that. Furthermore, subsection (5) also says:

> (5) An agency that maintains an electronic backup system on behalf of other agencies is taken not to hold documents stored in the electronic backup system on behalf of those other agencies.

Sitting extended beyond 18:00 on motion of Hon. D.C. van Holst Pellekaan.

The Hon. S.C. MULLIGHAN: So that is the first part of the amendment, the deletion of subsection (4). What the amendment also does is delete subsection (5) and, as I was saying, that is:

> (5) An agency that maintains an electronic backup system on behalf of other agencies is taken not to hold documents stored in the electronic backup system on behalf of those other agencies.

I cannot speak with authority as to how many agencies have their servers managed by other, presumably larger, agencies. But I would imagine that if we have a regime where an agency effectively enters into an agreement with another agency to manage its freedom of information obligations—as we have previously discussed, a small agency, for example, entering an agreement with a larger agency to manage freedom of information applications—in a similar vein, it is not unusual then to think that there are small agencies that make use of larger agencies' document backup systems—electronic backup systems, to use the language of the bill—or servers on which documents are held, to describe it another way.

What this would mean is that, reading it at face value, if an agency maintains that backup system on behalf of another agency, it will not be deemed to hold the documents for the purposes of being able to respond to a freedom of information application. On that basis, that is unacceptable to the opposition. So I am looking forward to hearing what the Deputy Premier has to say, as I always do with her contributions, and I stand to be so enlightened.

The Hon. V.A. CHAPMAN: I am advised in relation to this matter that this amendment will delete the proposed new provisions that set out what an agency is expected to do in respect of searching and restoring documents from backups. As I am reminded by my brilliant adviser here, there is an email storage system through DPC, which commonly provides an electronic backup for emails, for example.

This was a recommendation of the Ombudsman. It was part of a series of amendments designed to update the FOI Act to account for the developments in the electronic document management. It is based on provisions contained in the equivalent of the New South Wales and Queensland acts. Cited are examples of what they say are modern freedom of information laws. The Ombudsman has presented to us a recommendation that we look at these and include them. I am being advised, though, that the email system we have in DPC is separate. Can I just try to reassure the member that the proposed new section 14B(4) sets out the following:

> The obligation of an agency to undertake reasonable searches extends to searches using any resources reasonably available to the agency including resources that facilitate the retrieval of documents and information stored electronically.

So there is an obligation to do that in the first instance. If I get this right—I am sure I will be advised if I have not got this right—I suppose what this is relieving is as follows. If the electronic search is done, and say there is no document identified, and there may be an original somewhere but which is entitled to have been destroyed—it may be a very historical document—then there is not an obligation to go on and search for that or for the electronic equivalent of it, if it could have been destroyed under the State Records Act. These would be minor and very old documents.

That is why it is there. The Ombudsman thinks that is reasonable. We think that the member should be satisfied that we have a very clear obligation under new section 14(B), which sets out all of the obligations of the agency when searching for documents held by that agency. So for that reason the opposition will be opposing this amendment.

The Hon. S.C. MULLIGHAN: The government will be opposing the amendment. Old habits die hard. I am to understand from the Deputy Premier's explanation that we have provisions in clause 13, which is the new 14B: agencies must undertake such reasonable searches as may be necessary using the most efficient means reasonably available to the agency, and the obligation extends to searches using resources reasonably available, including the retrieval of documents and information stored electronically.

However, if that is then ceased by these provisions, where, if there is a minor document or a document that is presumably of a certain age, which the State Records Act might say—it is more than five years or seven years, I think—is no longer is required to be kept, then the document is not to be searched for or not to be released if it is found or discovered by some means.

I am surprised that the Deputy Premier, if I have that right, would move such an amendment, because she probably recalls the lengthy fracas that consumed a lot of her efforts and some attention of the government during 2013, when the Deputy Premier and the now Premier were convinced there was some smoking gun in the then Premier's office about who knew what when with regard to a sexual assault at a western suburbs primary school.

There were all sorts of document searches. There were freedom of information applications, of course, as you would expect. There were determinations of not being able to find the document, which—and I cannot say this conclusively because I was not involved in the process—I presume included a search of emails of staff involved. It even proceeded to the point of interrogating the Department of the Premier and Cabinet's email backup server, which did not, to the now Deputy Premier's chagrin, probably satisfy her desire to locate a smoking gun in that regard.

We have that experience that some of us recall, and now what we have is a measure in the bill which, according to the Deputy Premier, would say that the State Records Act says that documents, physical or electronic, are required to be kept, but some documents, if they are only stored in an electronic backup system, are not there to be either discovered or, if they are discovered, are not to be released to an applicant.

I am surprised by that. I do not know whether DPC superintends the email backup server for all state government agency emails. That may be the case but I do not know whether that is the case. I know that we are not strictly part of government, but there is a government agency that superintends our email server in the Department for Transport. I do not know whether, for government proper, all of those emails are managed by DPC and the backup server.

If what the Deputy Premier is saying is that if an email, for example, cannot be located through an initial search—a search of perhaps agency staff computers or documents attached to emails etc.—then they are not required to go to the electronic backup system, that DPC-managed server, to have a look. If that is the case, perhaps I can ask whether the Deputy Premier can confirm that or not.

If that is what is intended here, I find that very surprising because in opposition she railed against not being able to access such documents, notwithstanding the fact that they did not exist. Now, in government, she is telling us that no, indeed, we should not be able to access those documents after all; is that correct?

The Hon. V.A. CHAPMAN: I will try to explain it this way for the member. This is only providing a relief to the person conducting a search if the original document lawfully could have been destroyed, to not have to go back to try to find something in a backup, if it is already able to be destroyed.

The Blewett example, if I could put it as general as that, as it has been referred to, was a somewhat different aspect. That related to an alleged email and trail that was identified in response as being a search having been thoroughly undertaken, and there was no location of the said email is my recollection of what happened in that matter. That is, it did not exist at all. A search was done in relation to the backup and it did not exist. That was my recollection. I may be wrong, but that was my recollection. The then government took the view that there was nothing to produce because it did not exist.

That is somewhat different from this. This only relates to a relief on the searcher if in fact the item that is being searched is lawfully entitled to have been destroyed. You do not have to keep going through that process. I distinguish it from the matter that the member has raised. As I say, this is not something that has had its genesis from the department or from parliamentary counsel. This is the Ombudsman suggesting that this is an approach which is reasonable, which applies in other jurisdictions and, I suppose, is the reconstruction of a document.

Let's be clear, the general position of the Ombudsman was you are entitled to identify the limits about what sits around the obligations and the agency, our department, parliamentary counsel, somebody in the drafting of it has identified this as being commensurate with the Queensland and New South Wales acts. Of course, the Ombudsman has reviewed the bill and endorsed that arrangement.

The Hon. S.C. MULLIGHAN: I thank the Deputy Premier for her explanation. It is difficult for anyone outside the government to know that because, of course, we do not have the Ombudsman's submission on the freedom of information bill. We do not have any correspondence from the Ombudsman about how he feels about the changes in the bill. All we have is the assurance from the Deputy Premier that the Ombudsman has recommended, if I get this right, that an agency

may place limits on how it searches for documents, including electronic documents, and that it is either a member of parliamentary counsel or a member of the Attorney's department or even a member of her staff or maybe even herself who has worked up this particular stricture about how an agency may be restricted in its obligation for searches.

You can probably understand, sir, why we would have some concerns about this. Not only do we not clearly understand the Ombudsman's position on this but we are also not in receipt of corresponding set of examples about what the State Records Act requires in terms of the maintenance of the copies of documents within government—whether they are physical copies; whether they are electronic copies; whether it is an age-related requirement of, say, five or seven years or some other period of time; or whether it is something about the status of documents which requires their retention or otherwise.

Although I appreciate the Deputy Premier's attempts to enlighten me about this, and while I understand her quite reasonable linking of these subsections to the later subsections that she made reference to in the new 14B, unfortunately I remain unconvinced. I still seek that my amendment in this way proceeds and is supported by the house.

Amendment negatived; clause as amended passed.

Clause 7 passed.

Clause 8.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 16 [Mullighan–1]—

Page 7, line 22 to page 8, line 3 [clause 8, inserted section 8A]—Delete inserted section 8A

This is to delete the proactive disclosure principles which, in the opposition's view, would find themselves a much better voice in the objects and principles section of the act. Unfortunately, the far more prescriptive, rigorous and beneficial amendment which the opposition put was not supported by the government. It once again used its numerical majority in this place to crush openness, accountability and transparency in that regard.

However, I seek to proceed with this because the proactive disclosure principles as set out in the Deputy Premier's bill commenced to attempt to require in the act some form of proactive disclosure regime. Unfortunately, all we have in the Deputy Premier's bill are these principles and a fairly vague requirement in the following 8B over the page, which requires that the Premier must come up with a proactive disclosure policy.

It does not really require anything else, other than that policy be published in the *Gazette* and that agencies are subject to the policy. There is nothing that says what the policy should require, which is a serious deficiency of the Deputy Premier's bill. It is making the right noise around proactive disclosure, without actually saying anything.

A proactive disclosure regime, as you will see in my subsequent amendments, should be quite specific about the documents and information that are to be required and, not to foreshadow a later debate, if we are lucky this evening or if we are unlucky on another date, about the minimum requirements of a proactive disclosure regime, you will see in a subsequent amendment that it should be extensive. It should require quite specific disclosures of either types of information or types of documents from government agencies, otherwise this is just window dressing. This is just requiring a proactive disclosure regime without actually requiring that the regime do anything at all.

Indeed, it is conceivable that the Premier might put together a proactive disclosure policy that does not require the proactive disclosure of really anything at all. Maybe that is what the government is seeking to achieve here. Maybe they want the perception of a proactive disclosure regime without actually requiring the publication of any information at all.

I can only presume that that is the case because the bill is so light on in what a proactive disclosure regime might be. Taken in conjunction with the other elements of the Attorney's bill that restrict access to documents and information and waters down the public's right to their government's openness, accountability and transparency, this is something that we cannot support. Accordingly,

our amendment No. 16 seeks to remove this proactive disclosure set of principles because really they do nothing whatsoever.

The Hon. V.A. CHAPMAN: Ye of little confidence. I indicate the government opposes this amendment. This amendment, together with amendments Nos 17 and 18, would replace the proposed broad set of principles of proactive disclosure. That proposed proactive disclosure policy will set out the details of which agencies, including which councils, universities and other public bodies included as agencies for the purpose of the act, must publish what information pursuant to the new proactive disclosure requirements in the act.

The amendment proposes to replace these principles with a detailed list of requirements as to what must be published by agencies. These listed requirements may be responsible for state government agencies and larger councils and are intended to form the basis of the policy as it applies to those types of agencies, but they may be excessively onerous or some not relevant for bodies such as small regional councils and other public bodies falling within the definition of agency for the purpose of the act.

Further, the government is concerned not to duplicate disclosure requirements imposed on councils under the Local Government Act and other legislation. This is a matter that the member for Frome has raised. With impending reforms to local government legislation, including in relation to the publication and sharing of information by councils, the approach of the bill is to leave the details of what must be published under the new requirements to the proactive disclosure policy now proposed to be prescribed in regulations. Members will note that there is an Attorney-General amendment on file to do just that.

This approach ensures flexibility to ensure that the two schemes do not duplicate reporting requirements by council and thereby put upward pressure on council rates. This amendment would also require agencies to publish quarterly reports on an array of statistics detailing their administration of the act, including on each type of application and extension under the act. This information is already published annually in the annual report of the agency's administration of the FOI Act, required under section 54 of the act. Requiring this information to be published quarterly rather than annually is excessively onerous and costly, with the costs likely exceeding the benefit to be derived by the public from the requirement.

The member would have also seen the proactive disclosure amendments which will be no doubt dealt with in committee shortly. In any event, those proactive disclosure policies that were requested to be considered by the member for Frome, which are to be in amendments that will stand in my name, are to accommodate just that. I would just like the member to be assured. It seems he is not. It seems he takes the view that unless now everything is in the statute and there is a prescriptive list, that it is not good enough, they cannot trust the government to have a proactive disclosure.

Just on this recent issue in relation to entitlements of members of parliament, as a government, the Premier has announced now a monthly disclosure of material. We are more than happy and we have demonstrated in the early life of this government that we are proactive in relation to disclosure. I find it quite offensive of the member to suggest that this is something that is contrary to what we are proposing. The government have demonstrated our bona fides in this regard and accordingly oppose the amendment.

The Hon. S.C. MULLIGHAN: I am surprised I was not asked to apologise and withdraw if it is so offensive to the Deputy Premier. The reason why is that the Premier cries crocodile tears over this. The government does not have any bona fides when it comes to transparency, in particular to the specific example that she just gave regarding the country members' allowance. The government has made no commitment whatsoever. The parliament—

The Hon. V.A. Chapman interjecting:

The Hon. S.C. MULLIGHAN: Yes, and you are right to point to the Speaker because they are documents not of the government; they are documents of the parliament. It was not the government or the Premier or any cabinet minister who made a decision to release them. In fact, if we can park the revisionist history for a moment, let's perhaps restore the true and correct record of

what happened which led to the country members' accommodation allowance scandal. There was an ABC investigative report, and subsequent to that there was a demand from the opposition, led by the Leader of the Opposition, that the former Speaker, the member for Hartley, release that information.

In the course of the ensuing days, we had assurances from the Premier that that was not required and that this was merely a series of unfortunate 'administrative errors'. However—and I have to say: credit to the member for Hartley—despite the Premier's insistence that there was nothing to see here, he released 10 years worth of that information, which the Premier deliberately and misleadingly tried to claim in the media was his initiative. It was not his initiative; it was the initiative of the Speaker of the house, someone who is separate from the government.

So please spare us the misleading rehashing of recent history about how open and transparent this government is because those documents were not made available to the public by the government. Those documents are not made available to the public by the government; they are made available by the parliament; they are made available by a decision of the Speaker. It was not the government's initiative to do that. To rely on that in the course of this debate only further undermines any confidence in the government's commitment to accountability and transparency. I am glad we can correct that.

If we even want to take the matter a little further, the Deputy Premier says, 'Trust us. We're open and transparent.' We have several amendments here to clause 8. We have the amendments that I am moving, we have the amendments that the member for Frome is moving and we have an amendment that the Deputy Premier is moving. The Deputy Premier on this clause is seeking to remove the legislative prescription that the Premier must cause a proactive disclosure policy to be issued, and says merely that regulations may require a proactive disclosure policy. So even the Deputy Premier's own bill is getting hosed down further in a further diminution of accountability and transparency.

So, please, spare us the fake offence that has been taken about our distrust of the government and its commitment to openness and transparency. It has not demonstrated its chops in this area. In fact, we get a common media report, whether it is in *The Advertiser*, a TV station, InDaily or some other format, of ministers constantly refusing to meet the current requirements of proactive disclosure. If the Deputy Premier wants to know why we want this enshrined in legislation, it is pretty clear: because the government will not do it and cannot be trusted to do it on its own volition. It must be in legislation, it must be necessarily very prescriptive or, quite frankly, you cannot trust the Liberal government to make the information available to the public of South Australia.

The Hon. V.A. CHAPMAN: I note the position of the opposition in relation to this matter. I maintain on behalf of the government the commitment we have made in relation to proactive disclosure, stimulated by matters raised by the member for Frome and his concerns about extra obligations on councils and smaller agencies.

We have listened to that and we agree. We also agree that it be secured in regulation form. I maintain a position of the government's bona fides in this regard. The initiative of the government was nothing to do with that diatribe that I have just heard from the member for Lee, it was to deal with the obligation to meet monthly disclosure and support of monthly disclosure of material. The member for Lee is quite mischievous in his assertions in that regard. However, given the hour, I propose that the committee report progress.

The CHAIR: Attorney, it is certainly your prerogative to move that. The other thing we could do, and it is entirely up to you, is we could at least deal with this amendment if you want to. We are well on our way through this amendment at least, I understand, member for Lee; and we could at least pass this.

Members interjecting:

The CHAIR: I had better withdraw that. We could at least deal with this amendment.

The Hon. V.A. CHAPMAN: Yes, I am happy if you put it that way.

The committee divided on the amendment:

Ayes.....18
Noes 22
Majority 4

AYES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
Brock, G.G.	Brown, M.E.	Close, S.E.
Cook, N.F.	Hildyard, K.A.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C. (teller)
Odenwalder, L.K.	Piccolo, A.	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.	Speirs, D.J.
Tarzia, V.A.	Teague, J.B.	van Holst Pellekaan, D.C.
Whetstone, T.J.		

PAIRS

Gee, J.P.	Wingard, C.L.	Hughes, E.J.
Sanderson, R.		

Amendment thus negatived.

Progress reported; committee to sit again.

LEGAL PRACTITIONERS (SENIOR AND QUEEN'S COUNSEL) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

SENTENCING (SERIOUS REPEAT OFFENDERS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 18:40 the house adjourned until Tuesday 13 October 2020 at 11:00.

Answers to Questions

CAPITAL WORKS PROJECTS

129 The Hon. S.C. MULLIGHAN (Lee) (17 June 2020). For all agencies reporting to the Minister for Environment and Water:

1. Please list all capital works projects budgeted to incur expenditure in 2018-19 including a breakdown of budgeted expenditure by financial year, for all financials years that the project is anticipated to incur expenditure.

2. Please list all capital works projects budgeted to incur expenditure in 2019-20 including a breakdown of budgeted expenditure by financial year, for all financials years that the project is anticipated to incur expenditure

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

The government has provided response in Question on Notice 116.

ROYAL ADELAIDE HOSPITAL, WARD 9F

199 Mr PICTON (Kaurna) (23 July 2020). Has anyone been disciplined over the case of a patient absconding from secure Ward 9F at the Royal Adelaide Hospital on Friday 18 October 2019?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has been advised:

Ward 9F is a medical ward and is not a secure ward. No absconding incidents in relation to Ward 9F were reported in the safety learning system on the date in question.