HOUSE OF ASSEMBLY

Tuesday, 10 November 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.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:01): I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

Parliamentary Procedure

STANDING AND SESSIONAL ORDERS SUSPENSION

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:01): I move:

That standing and sessional orders be and remain so far suspended as to enable Private Members Business set down on the *Notice Paper* for Wednesday 11 November to take precedence over Government Business on Wednesday 11 November after the completion of grievances for 2½ hours, with Private Members Business, Bills, taking priority over Private Members Business, Other Motions, for one hour, unless otherwise ordered.

Motion carried.

Bills

CORONERS (INQUESTS AND PRIVILEGE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 October 2020.)

Mr PICTON (Kaurna) (11:03): I am impressed at the activity going on in the house at the moment in replacing all the *Notice Papers*, let me add, on the basis of that motion. I rise to speak in relation to the Coroners (Inquests and Privilege) Amendment Bill 2020. This is obviously a very important piece of legislation. Any piece of legislation regarding the Coroners Act is important because the Coroners Court plays such a central role in determination and plays a particular investigative role in making sure that we prevent the deaths of people in the future, that every time a death of a particular type happens in South Australia we can learn from that, we can take action and there is public accountability in terms of investigating that.

We as the parliament receive particular reports and the public sees reports in terms of the deaths that occur. I think this has been a very important part of our judicial system, particularly when you speak to families who have lost loved ones, sometimes in very serious or unexplained circumstances, as I do now particularly in relation to my role as the shadow health minister.

The SPEAKER: The member for Kaurna might indicate if he is the lead speaker.

Mr PICTON: Sorry, Mr Speaker, I am the lead speaker for the opposition under the standing orders. This is something where those families particularly seek—I would not say comfort—to make sure they get an investigation by the Coroner into the cause of death to make sure not only that they derive some closure for what has happened to their loved one but also that the state can learn lessons and make sure that whatever happened is not repeated. Unfortunately, sometimes there will

be people who will need to be held to account for what happened, if they were involved in potentially causing a death, and obviously there are occasions when it leads to other investigations or other prosecutions that stem from a Coroner's inquiry.

This is something where I know the Attorney, in her previous role as the shadow attorney-general, regularly brought matters to the parliament when she believed that Coroner's inquiries should be taking place and she asked the government to take action to instruct the Coroner to undertake particular inquiries in relation to those matters. I presume that was on the basis of the former shadow attorney-general the member for Bragg receiving representations from those families who were concerned as to whether Coroner's inquiries were taking place or not.

I will be interested to hear from the Attorney, during the course of the debate and the committee stage, as to whether there have been occasions, now that she is the Attorney-General herself, when she has used that power under the legislation to instruct the Coroner to undertake inquiries in relation to particular matters or whether that was just something she did in opposition and asked the government to do that she is not doing now in government.

This bill seeks to amend the Coroners Act 2003 and make related amendment to the Guardianship and Administration Act 1993 and there are two key things that this seeks to achieve: (1) amend the definition of a 'reportable death' and the circumstances in which a coronial inquest must be held for a death in custody and (2) address penalty privilege for witnesses in the coronial jurisdiction.

In relation to reportable deaths and deaths in custody, the Coroners Act currently defines a range of circumstances that are deemed reportable deaths where the Coroner must be notified. In section 3 of the current act, reportable deaths include circumstances such as deaths in custody and unexpected, unnatural or violent deaths.

Referring to those deaths, in relation to the interpretation section of the current act, there are a number of particular matters, including home detention, evading apprehension and escaping or attempting to escape from any particular place. I also understand it involves deaths in an aircraft during flight, death of a person under the Children and Young People (Safety) Act 2017 or a protected person under the Guardianship and Administration Act. In any of these circumstances, the Coroner may decide to undertake an inquest or, as I mentioned before, the Attorney-General has the power to direct the Coroner to do so.

The Coroners Act further outlines circumstances in which the Coroner must undertake an inquest, and this includes deaths in custody, as required under section 21. I refer to the current section 21 and in particular subsection (1)(b), which states that, if the Coroner thinks it is 'necessary or desirable' to hold an inquest, or if the Attorney-General directs the Coroner, they can hold inquests in relation to other cases. Section 21 provides:

> (1) The Coroner's Court must hold an inquest to ascertain the cause or circumstances of the following events:
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> (a) a death in custody;
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> (b) if the state Coroner considers it necessary or desirable to do so, or the Attorney-General so directs—
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> (i) any other reportable death or a death that would, but for section 3(2), have been a reportable death; or
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> (ii) the disappearance from any place of a person ordinarily resident in the State; or
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> (iii) the disappearance from, or within, the State of any person; or
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> (iv) a fire or accident that causes injury to person or property;
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> (c) any other event if so required under some other Act.

These cases, as I said, can include events such as fire or accidents that result in injuries or fatalities.

With regard to deaths in custody, these extend well beyond people who are in prison. Obviously, we normally think of somebody in custody in relation to the corrections system or the youth justice system. It is fair to say, I believe, that a large number of those deaths in custody cases that the Coroner sees are in relation to the corrections system. However, there are a large number

that relate to other areas in which the state has people in custody, namely, in particular, the mental health system. So they extend well beyond prison and include those who may be temporarily detained by the police or who are detained under other arrangements.

This bill seeks to clarify the arrangements that apply for people who die under the mental health or guardianship orders. Specifically, the bill amends the definition of 'reportable death' in section 3 of the Coroners Act to include the death of a patient in an approved treatment centre under the Mental Health Act 2009. This is a minor change, noting that the current Coroners Act refers to the Mental Health Act 1993, which has since been repealed a good 11 years ago, so I am not sure how that one did not get picked up until now.

The bill then goes on to amend section 21 to clarify circumstances where the Coroner may hold inquests if they deem it necessary and desirable. Those circumstances include where a person dies from natural causes while subject to an order under the Guardianship and Administration Act 1993. Further, these circumstances include where a person dies under a Mental Health Act order but this happens in the ward of a hospital that is not exclusively set aside for mental health treatment, which I think is an important point that I will get to in a second.

The bill also adds new subsections (4) to (6) to section 21. Subsection (4) outlines that a death by natural causes of a person subject to an inpatient treatment order under the Mental Health Act and held in a ward of an approved treatment centre where the ward is set aside for people with mental illnesses is to be taken to be a death in custody, which, as I understand, would be relevant to the status quo.

Subsection (5) states that death by natural causes of persons subject to an order under the Guardianship and Administration Act 1993 will not automatically be a death in custody, but the Coroner may still undertake an inquest if they deem it necessary. Subsection (5), importantly, also clarifies that the death by natural causes of a person subject to an inpatient treatment order under the Mental Health Act, and held in a ward or an approved treatment centre where the ward, importantly, is not set aside for people with mental illnesses, is not to be taken to be a death in custody.

That is an important point because there are many people in our health system under inpatient treatment orders in relation to the Mental Health Act who are in places that are specifically not set aside for people with mental illnesses. This could include many numbers of wards in our hospital system. This could include emergency departments and, in particular, what we have seen over the past two years has been a quite significant increase in the number of people who have mental illness who are subject to orders within our health system, who have been kept in emergency departments for a very significant period of time.

The number of people who are in that situation, waiting for a specific mental health care bed in our emergency departments, and who have been waiting there for longer than 24 hours, has risen dramatically over the past two years since the government was elected. It has risen to very worrying levels, where it has been often referred to by people, including the Chief Psychiatrist, as human rights abuses. I believe it was only a month or so ago when a case was revealed about somebody who had been held in an emergency department for over 100 hours in that facility, which I think is shocking by anybody's definition.

If you compare our position with that of other states', and in particular look at New South Wales in relation to the way that mental health patients are treated in emergency departments, that is a very significant departure from practice in other states. It is not only clearly detrimental to the health and wellbeing of that person but it is also awful for the staff who have to look after that patient in very less than adequate situations. Clearly, in an emergency department, the lights, the noise and the commotion that would occur in a 24-hour-a-day emergency department would be very detrimental to those people.

We will tease out in the committee stage the definition of a place that is set aside for people with mental illnesses. I will be interested to see if the Attorney can clarify whether that is going to include emergency departments as places that are apparently set aside for people with mental illness. If it does, is it just some parts of those emergency departments or is it all of the emergency department?

I also question whether this would include the definition of people who are held in ambulances. Obviously, we know that our paramedics are on the front line and they have to respond to these cases. Sometimes they end up with these patients for longer than needed because we have very significant ramping issues going on in our emergency departments at the moment, and paramedics are unable to deliver those patients, to transfer those patients, to the emergency department in a timely way.

We also know that there are times when people with mental illness subject to orders will be in a different ward due to capacity constraints in the hospital system. Clearly, you are going to increase the risk if you put somebody in a different area where they do not have the proper mental health training and the proper mental health administration. They are still subject to an order but they are somewhere else in the hospital. Based on this, from what I can gather from what the Attorney is trying to do, it would seem to set them apart as that is not set aside for mental illnesses and is therefore not taken to be a death in custody, even though that person would be subject to an order and therefore would have to be subject to being in that centre.

I am very keen, as we get through the committee stage here, to clarify exactly what is meant in relation to this. Who are the people and what are the situations in which the Attorney-General is seeking to avoid having been declared a mental health patient? It might well be that because, say, for example, the Flinders Medical Centre would be a centre in which mental health care is defined, the entirety of Flinders Medical Centre would be defined as a place that is set aside for people with mental illnesses.

If that is the case, what are the situations in which we are trying to exclude somebody? Is it in relation to a small country hospital where an order would take place but they did not have the mental health services? Is it in relation to an ambulance? Is it in relation to some other element of the health system that we are trying to exclude here? What is the rationale for trying to exclude that and not then have something that is referred to the Coroner? I think that is an important point because if you are not in an area where you have that mental health support then clearly you are subject to a higher level of risk than otherwise might be the case.

Subsection (6) simply updates definitions to align with the Mental Health Act 2009. The bill also repeals section 76A of the Guardianship and Administration Act 1993 to align with the aforementioned changes regarding death by natural causes. The bill's amendments to section 21 are intended to avoid unnecessary inquests, along with the consequent cost to government and the delays to families. I think it would be important to hear some examples of those sorts of cases, where there have been unnecessary inquests.

What we have been told by the Attorney's office is that this may involve a person who is treated for cancer under a mental health order but dies from cancer in a cancer ward. Clearly, I would have thought those situations were relatively rare of people—not just somebody who has a mental health condition which we obviously know is very significant—who are subject to an order of detention under the Mental Health Act but are dying from something else somewhere else in the hospital and why that would not be considered as something that should be investigated. What we are also told by the Attorney's office is that, removing the obligation to undertake an inquest, the Coroner must investigate such deaths to view whether it is necessary or desirable.

The other major element in relation to this is penalty privilege in the Coroners Court. Penalty privilege is often thought of as protecting a person from giving self-incriminating evidence, but it does go further than that. It also covers giving evidence that could expose a person to civil penalties or workplace disciplinary proceedings. It was thought that penalty privilege was a settled matter under law, but that assumption was overturned in a recent Supreme Court case. The issue arose from the tragic death in custody of a 29-year-old Aboriginal man, Wayne Morrison, in 2016.

Mr Morrison was found unresponsive in a prison van in Yatala and later died in hospital. In the Coroner's inquest, 19 staff witnesses refused to answer questions from the Coroner, claiming penalty privilege. They claimed that penalty privilege protected them from giving evidence that could incriminate them in criminal law, subject them to civil penalty or make them liable to workplace penalties, such as disciplinary action by their employer.

The claim was challenged in the Supreme Court in the case of Bell v Deputy Coroner. In Bell, the Supreme Court upheld the claim of penalty privilege by reasoning that the Coroner is unable to make findings or suggestions of criminal or civil liability under section 25(3) of the Coroners Act. Looking at another judgement by Justice Blue, he says, and I quote:

> Turning to the evident purpose of section 23, there is nothing in its evident purpose that demonstrates a necessary intention that common law 'personal' privileges be abrogated. The evident purpose of subsection 23(5) in relation to self-incrimination and legal professional privilege is to address specifically two grounds not to answer a question or produce a document that are likely to apply in many inquests.

It goes on to say:

> The State contends that penalty privilege has a lower status and its subject matter involves lesser consequences than self-incrimination privilege. However, self-incrimination privilege applies to all offences, regardless of penalty. It applies to offences for which a fine is the only penalty. It applies for example to traffic offences. A penalty subject of penalty privilege may have far greater consequences, such as dismissal from office, than the penalty imposed for an offence protected by a self-incrimination privilege.
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> The State points to the nature of the jurisdiction of the Court, which does not involve the adjudication of rights and liabilities such as is undertaken by courts of general jurisdiction. This is not a factor that points towards abrogation of common law privileges.
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> The State points to the function of the Court in making findings of cause and circumstances of the event the subject of the inquest and making any recommendation that might prevent or reduce the likelihood of a recurrence of a similar event, which serves a different public function from the adjudication of rights and liabilities. This may be accepted. However, courts of general jurisdiction also from time to time hear litigation which primarily serves the public interest rather than the determination of private rights and obligations.
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> More importantly, if the public interest in preventing or reducing the likelihood of the recurrence in future of events the subject of inquests were to be regarded as paramount over the interests of an individual in claiming privilege, Parliament would have required answers to questions and production of documents regardless of self-incrimination, probably coupled with a provision that the evidence could not be used in other proceedings. It was readily foreseeable by Parliament when enacting the Act that the privilege against self-incrimination was likely to arise in relation to the investigation of deaths and indeed more likely to be critical to findings made by a coroner than penalty privilege.
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> The Coroner advanced as a reason in support of the construction she adopted of the Act that, if penalty privilege were available, the work of the Court would 'grind to a halt'. There is no basis for such an assessment, or to impute to Parliament that it silently made such an assessment. The availability of self-incrimination privilege is much more likely in a practical sense to impact the ability of the Court to ascertain the cause and circumstances of a death. It will be comparatively rare for a witness to be able to rely on penalty privilege as a reason for not answering questions directed to events occurring before or up to a death. Indeed, this is exemplified in the present case where no witness at the inquest relied on penalty privilege for not answering a question relating to the incidents involving Mr Morrison from the time when Mr Radford opened the door to cell 5 to the time when Mr Morrison was taken to the Royal Adelaide Hospital by ambulance. To the extent that penalty privilege was raised at all (and this is addressed in detail below), it was raised exclusively in relation to post-incident events, which themselves necessarily have only an incidental, and secondary, relevance to the cause and circumstances of Mr Morrison's death.
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> In conclusion, section 23 does not abrogate common law penalty privilege. It was and is available to a witness at the inquest as a ground for declining to answer a question or produce a document, provided that the witness has claimed and established an entitlement to the privilege in answer to a specific question or request for production of a specific document.

That clearly sets out the view of the court in relation to this matter. Particularly now, being involved in the parliament, I always take it with a slight grain of salt when eminent jurists such as Justice Blue infer that parliament has always thought through all these things perfectly in their judgements.

Now, seeing how the sausage is made, sometimes that is not necessarily always the case. Clearly, we have a situation here where, now that this determination has been made by the Supreme Court against what the proposition put by the state and no doubt supported by the Attorney was, there is a move from the Attorney to remedy this in legislation, which clearly was thought previously by the parliament not to be the case.

This bill seeks to override the use of penalty privilege in the Coroners Act by proposing to insert new section 23A into the Coroners Act. Section 23A relates to privilege in respect of self-incrimination and penalty and clearly addresses the Bell case and the Morrison inquest. The main impact of this amendment is that the Coroner can issue a certificate that prevents evidence from being used in other proceedings. This is consistent with how other jurisdictions treat issues of penalty privilege, or privilege against self-incrimination, in the Coroners Court.

New section 23A would allow the Coroners Court to determine, firstly, the reasonableness of an objection to answering a question or producing a record or document raised by a person at an inquest, on the grounds that it may tend to incriminate them or make them liable to a penalty in the workplace or under Australian or foreign law. The bill provides that the Coroners Court may require that person to answer the question or produce the record or document if the potential incrimination is in the interests of justice.

The bill also provides that this court may issue a certificate to the person, both when the court requires them to answer a question or produce the relevant record or document or if a person willingly answers this question or request. The bill provides that this certificate will prohibit the relevant answer, record, or document and derivative evidence from being used against the person in the proceedings. There is one exception: that is, in relation to criminal proceedings about the falsity of any answer, record or document provided in the coronial inquest, the witness may not be protected.

Addressing the operation of penalty privilege, we are told by the Attorney, is essential to ensure the Coroner is able to properly ascertain the cause and circumstances of death through an inquest. By finding an accurate cause and circumstances, it follows that the Coroner should be able to get accurately to the bottom of key issues. The court would, therefore, be better informed and equipped to make more detailed findings or recommendations that will fight to prevent any similar chain of events, and dire consequences, in the future. This goes to the heart of the importance of the Coroners Court, the importance of getting that full inquest and full evidence on the table.

An important part of ensuring the Coroner has access to truth, transparency and the facts surrounding any death in custody is ensuring that there are accurate protections in place for witnesses who are called to give evidence to the Coroner. A similar issue was debated in this place regarding public hearings by the ICAC. Whilst on the one hand we need transparency, we also need to ensure natural justice where public hearings are combined with compulsion.

This was an issue that was dealt with by the Legislative Council previously in relation to the ICAC legislation and, as I understand it, it is still being debated through the parliament. I refer to what the shadow attorney-general, the Hon. Kyam Maher, said in relation to that:

> The opposition has lodged a set of amendments to this bill that further incorporate recommendations of that committee that were not in the second bill introduced by the government and that also incorporate other amendments, some of which were suggested by witnesses to that committee, including the Law Society, and others were suggested by groups such as the Bar Association.
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> In essence, a lot of the amendments seek to treat a hearing, if it is a public hearing, as much more akin to a trial where a defendant is before the public eye and receiving publicity about the proceedings that are occurring. Pursuant to the opposition amendments, a number of things would come into play if a public hearing is called. This would include: the rules of evidence applying to hearings; a witness being entitled to call other witnesses and make submissions; a witness having a right to refuse to participate in an investigation; a person having a right to cross-examine witnesses; that the summons must set out why a person is being summoned; if a public hearing is to be held, that the commissioner must head that public inquiry; that an examiner appointed by the commission must be a legal practitioner; and that the commissioner must decide whether or not to make an inquiry public before witnesses have been examined.
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> Should the commissioner return a public hearing to a private hearing or return parts of it to a private hearing then all the rules that apply to a public hearing continue to apply to those parts that then go back into a private hearing. A legal practitioner can represent a person at other examinations forming part of an inquiry. A person is to be told if allegations of misconduct or maladministration have been made against them, and a disclosure statement to provide additional details is to be supplied before such appearances.
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> In our suite of amendments there are a range of things that we think create more fairness should a public hearing be decided upon by the commissioner.

Clearly, we have in relation to—

The Hon. V.A. CHAPMAN: Point of order.

The SPEAKER: The member for Kaurna will resume his seat. The Attorney on a point of order.

The Hon. V.A. CHAPMAN: I think the member is offending the rules as to the question of reflecting on a vote. This is an entirely different debate in relation to whether ICAC hearings should

be public or not. It is nothing to do with the matter that is before the house now that relates to the rules that are applied to the Coroners Court. So on the question of relevance, I ask that the member be brought back to the relevance of the debate.

Mr PICTON: A point of order on the point of order.

The SPEAKER: On the point of order, the member for Kaurna.

Mr PICTON: This is clearly an issue where we are seeking to make sure that there are protections in place in relation to moves by the government to make sure that people are compelled to give evidence, and I was referring to one situation where we have pursued that in the parliament previously. I think it is entirely germane to the debate about people being compelled to give evidence to refer to another example of that occurring.

The SPEAKER: I have the point of order. The member for Kaurna is reflecting on clause 7 of the bill and I have been listening carefully to it. The member for Kaurna will remain germane to the bill, as he is required to do. The member for Kaurna has the call.

Mr PICTON: Thank you. I do not know who won that debate, but I will continue to be germane to the bill. As I said, this is an issue that has been debated in relation to ICAC. Clearly, that issue is still not entirely resolved but we do believe that, whilst we need transparency, we also need to ensure natural justice where public hearings are combined with compulsion. That is an approach we have taken in relation to the ICAC legislation, and we believe a similar approach needs to be considered by parliament in relation to this legislation: when requiring compulsion, natural justice needs to apply and there need to be protections for witnesses in those circumstances.

In relation to that, the opposition is therefore intending to draft amendments, to be introduced in the other place by the shadow attorney-general, that will ensure reasonable protections for people who are compelled to give evidence by the Coroner. Such protections are needed to ensure that witnesses are encouraged to come forward and are protected from reputational damage and criminal or other liability.

The opposition will be supporting the legislation through this house on that basis, but we do have a series of questions that we believe the Attorney needs to answer in relation to both elements of this legislation. We also believe there are additional protections that could be added to this legislation that we will be seeking to move in the other place. Clearly, in this house the government's decision carries the day, but we are hoping the other place will see the importance of some additional measures to ensure natural justice can occur while at the same time making sure we address the issues that have been raised in relation to the Morrison matter before the Supreme Court.

I am also aware that an amendment will be moved by the member for Mount Gambier. That is in relation to this matter as well, and deals with whether the court must consider whether it should make suppression orders in relation to those issues where there has been a compulsion to give evidence. On the face of it that is something we consider looks appropriate in the circumstances, and therefore we will be supporting it today and considering it fully between the houses before we get to the Legislative Council.

However, while this looks to be along the lines of what we are seeking to ensure, that there are protections in place on a natural justice basis, while we are increasing the compulsion powers of the Coroners Court—for very good reasons, to make sure we get the truth of matters where deaths have occurred—we also need to make sure we balance that out with protecting natural justice for those people who are witnesses. With those remarks, we will be supporting the legislation today but will be seeking to make amendments in the Legislative Council.

Mr BELL (Mount Gambier) (11:37): I rise to make a few comments on the bill and perhaps foreshadow some of my thinking around it. One of the disappointing things, or missed opportunities, in this bill is the requirement to report back to parliament. The Coroner can conduct an inquiry and make recommendations, but I would like to see some work done in relation to the obligation, from a parliamentary point of view, of adopting or not adopting or tabling those.

Of great concern to me is the part around compelling somebody to give evidence. I think it is really important that we thoroughly study what we are aiming to do here: when somebody's right,

a common law right against self-incrimination, is going to be overturned or modified in some way, this parliament needs to have a serious debate and consideration of that. Common law has been around for 850 years—since 1066 roughly—and it has served us pretty well as a society. You can see that something written down very quickly here starts impeding on somebody's common law right, and if it is not drawn to the attention of people it could easily be missed.

I just want to quote a little bit from the Law Society, when they were asked to give feedback on this. This is a letter from the Law Society. They oppose the removing of the privilege against self-incrimination and make the following points:

> The privilege against self-incrimination is 'a basic and substantive common law right, and not just a rule of evidence'. The privilege against self-incrimination is an element of the broader right to silence and reflects 'the long-standing antipathy of the common law to compulsory interrogations about criminal conduct'.

It continues:

> While the Society does not support the abrogation of the privilege against self-incrimination, if this amendment is pursued, it is important that where self-incriminating evidence is compelled, it cannot be used against the witness in other criminal or civil proceedings. It is appropriate that this protection applies not just to evidence given by the person, but evidence of any information, document or thing obtained as a direct or indirect consequence of the person having given evidence. Although the provision of a certificate (as suggested) mitigates the abrogation of the privilege somewhat, the wavering of the privilege against self-incrimination can still be problematic and detrimental to a witness. The High Court has identified that indirect consequences can flow in a diffuse way that is not easy to predict when coercion is exercised upon a person in respect of their giving evidence. This can be relevant to both suspected persons' dignity and privacy but it can also impact upon their capacity to exercise forensic choices should charges later be preferred. The Society also has concerns that potentially if the privilege is abrogated, there may be a strong temptation for investigators to disguise use of any admissions made by the witness in order to build a case against him/her.

When we come to that part of the bill, I certainly have a number of questions around the determining aspects of that right to silence and also the compulsion to give evidence. But I also want to take it further, and that is why I will introduce an amendment. Whilst the Coroner collects this evidence and there is a protection through a certificate against criminal or civil proceedings, my concern is around what happens to that evidence.

The evidence is collected in a coerced way—the person is compelled, normally under threat of gaol or imprisonment and a substantial fine—but once that evidence is deployed in a court setting it is disclosed to the world at large. That may have some unintended consequences for the person who was forced to give up their right to silence, and unintended consequences not necessarily in a civil or immediate criminal way.

All my amendment seeks to do is that the court, when it is considering this aspect of abrogating somebody's right to silence and eroding a common law which has been around since 1066, must consider—it does not say it has to, but it must also consider—that deployment of information to the world at large, and it must consider whether it should make a suppression order under section 69A of the Evidence Act with respect to the information that has been gathered or the record or the document.

So it is trying to put some level of protection in, with the understanding that this is an extraordinary step to take and is circumventing a member of this state's, a member of the public's, right to silence. Of course, that is really borne out by the fact of a basic common law that the state must prove guilt beyond reasonable doubt. With those comments, I raise my interest in this bill and also, hopefully, assist in its construction.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:45): I wish to acknowledge and thank members for their contribution and the indication from the opposition that they will be supporting the bill, subject to the consideration of some amendments that have not been outlined but may well be something that they wish to consider in another place.

I also thank the member for Mount Gambier for his contribution, identifying his concerns as to the application of any determination of how we are to deal with penalty privilege in the future and the model that is outlined in this bill, to the extent of the member foreshadowing an amendment to provide for a court considering ordering a suppression order in the event that they propose to demand

an answer to a question or the production of documents; in other words, in addition to the certificate model, which I think is what is being acknowledged as acceptable, that there be automatic consideration of the order of suppression.

In relation to that matter—as the member for Kaurna has indicated, it may have some merit, and we will consider that between the houses—it may not be necessary. Nevertheless, I think I understand the member's motivation in seeking some clarification of that on the basis that the amendment is not demanding that there be a suppression order in the event of a certificate process operating but is requiring that the court consider whether it is appropriate to make a suppression order. They may do that in any event. It may not be a necessary prescription, but I think I understand the member's motivation in recommending it. I will not be consenting to it today, but we will have a look at that between the houses.

The member for Kaurna had raised other matters, and has done so during briefings provided on this bill, and I am happy to deal with the matters in committee to clarify any of those for which he seeks further information. To be absolutely clear, can I say that although at the time of introducing this bill I had outlined quite a bit more information on the proposed amendments than I had originally planned to do—I think I just did not have my notes with me at the time, so I spoke for the first five minutes—I thought I had made it very clear that parliamentary privilege and legal professional privilege were matters which were well known to the public, and I explained that a penalty privilege was not one that was perhaps as well understood or known about.

To be absolutely clear, in consideration of the bill that is before us I want to say that this bill sets up a model to amend the way in which a privilege against self-incrimination and penalty privilege operate in the coronial jurisdiction only. It does not make any change, attempt to impede or seek some restriction over the operation of legal professional privilege. Legal professional privilege is also well known and will remain available to all witnesses who decline to answer a question in a coronial jurisdiction on the ground of legal professional privilege. Just in case there was any scintilla of doubt in members' minds, I wish to make that absolutely clear.

Of course, although I have spoken about parliamentary privilege, and that is also a matter can be raised, I am not expecting it would be under any consideration here. What we are talking about in the Coroners Act is having a mechanism via a court in which coroners are asked to determine how someone has died and then also have the power to make recommendations. This is a role which has centuries of history and which, on my recollection of the legal history, was one of considerable power of the Coroner to actually undertake this important area of responsibility.

It should always be remembered that the Coroner's role here is not one confined to an investigation; it is a court that is sitting with specific areas of responsibility, and it has its own act and it has its own regime and areas of responsibility. It is very important that we get it right.

As members may or may not know, all our magistrates are also deputy coroners and they can be made available to undertake coronial work—indeed, in the case the member referred to, the Morrison coronial inquiry, Deputy Coroner Basheer was made available from the Magistrates Court to undertake that inquiry—and that has happened now over a couple years and is continuing. I do not need to say anything further about that, other than we have had quite a considerable period when extra money has been made available to ensure that the workload of the Coroners Court is supported to deal with protracted or complicated matters.

During the 2018-19 year, as has already been reported to parliament by Coroner Whittle, extra funding had been provided to resource the four complex inquests that were progressing during that year. That was the Wayne Fella Morrison death in custody, the Graziella Dailler and Dion Muir domestic violence matter, the Alexander Kuskoff police shooting case and also the Jorge Castillo-Riffo workplace death at the Royal Adelaide Hospital.

The member for Kaurna is quite right: I have asked a lot of questions about matters where people have died in South Australia, urging coronial inquest. On two of those cases, I have asked a number of questions in the parliament, including on the murder-suicide in the Graziella Dailler and Dion Muir case in Victor Harbor, which was a shocking case and on which the Coroner has now reported and provided a number of recommendations. But, in a climate of national attention on domestic violence, that was a case that demonstrated repeated occasions on which Ms Dailler was

the victim of alleged domestic violence, she had sought protection of the police from time to time and sought injunctive relief by way of protection and, in the end, she was found shot, with Mr Muir then taking his own life.

The Castillo-Riffo case was well known over the last couple of years, and that determination has also been made. This is the situation where Mr Castillo-Riffo was on a scissor lift, operated on the Royal Adelaide Hospital site, from which he fell to his death. The tragedy of that case was only further expanded when a second death occurred at the Royal Adelaide Hospital, also on a scissor lift as I recall.

A new idea had been put in place to ensure the Castillo-Riffo case had lessons learned—that a second person be on the apparatus when in operation—only to find that it was being moved around the site and that the person who was to be keeping a lookout as such when they were moving, caused a second person to be tragically killed. Even with the best will in the world and with lessons learned, accidents can still happen and recommended action is not always watertight, but it is still important that it be undertaken. Again, this is an area of concern I have raised on many occasions in the parliament. The Kuskoff case has been concluded and, as I have indicated, the Morrison case is continuing.

The extraordinary events during the last financial year between March and the end of June, when we were all in COVID alert and action time, have precipitated, I report to the parliament, an opportunity—with all adversity there is often some advantage—and that is that magistrates became available when the Chief Magistrate operated her courts to ensure the public were protected by having an A team and a B team. The A team would be working in the courts doing their normal duties and the other group of magistrates would be working at home.

Again, this is just one of the many things that had to be done to accommodate the safety of, in that case, workplace lawyers, magistrates and, of course, parties and witnesses in proceedings of the Magistrates Court, which are very busy courts. It availed us of an opportunity where the Chief Magistrate agreed that some of the backlog of cases in the Coroners Court could be dealt with on the documents.

These are not full inquests, of course, but they are able to be received, reviewed, assessed and dealt with by the team that was at home, or at least some of them who agreed to undertake this work. I think the parliament should note how indebted we are to the Chief Magistrate, Judge Hribal, to accommodate a circumstance where we are all having to deal with the protection of safety and wellbeing of the community, but where we can utilise some services to assist in another, because there has been a disturbing backlog of coronial cases.

This was often a plea of former Coroner Mark Johns—that he needed more assistance to be able to progress important cases that were years in the waiting. I am pleased to say that the clearing of some of the backlog of inquests which had been reported on last year has again significantly reduced in the last 12 months, and there will be a full report to parliament shortly, and that is something that we are very pleased has occurred.

We are certainly hopeful that some of the work in relation to the second area of reform in this bill, which relates to removing the obligation for inquests to be heard in certain matters, will assist that because this has been an issue that has been raised with me by the Commissioner of Police. More recently, concerns have been raised as to how we might distinguish between patients in these circumstances where relief can be offered, where there is an unnecessary process being undertaken, and ensure that the Coroner retains at all times the right to conduct the inquests should he wish to do so or consider it appropriate in the circumstances. With those few words, I commend the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PICTON: Just for something different, I ask the Attorney who she consulted in relation to the legislation and, in particular, were there any mental health stakeholders who were consulted by the government before this legislation was drafted?

The Hon. V.A. CHAPMAN: We will start with the Minister for Health and Wellbeing, of course, who has a very important role to play—and he indicated his support, recognising that deaths from natural causes inside psychiatric wards still have a mandatory inquest and the significance of that—the Crown Solicitor; the State Coroner, with whom I had several meetings; the Law Society of South Australia; the South Australian Bar Association; SAPOL; and the Office of the Chief Psychiatrist. Again, given the information in the question, he provided clarity that the distinction between deaths in psychiatric wards and outside psychiatric wards is due to particular vulnerabilities and historical poor treatment of those detained as inpatients.

For a person placed on ITOs outside of psych wards, often due to delirium due to other medical conditions, the primary concern is not the mental illness but the other physical illness. So the Chief Psychiatrist has outlined his reason for the distinction, and probably put it more eloquently than I had. Nevertheless, he has identified that. Of course, as you would expect, the Department for Correctional Services have also been consulted. In their contribution, cases have been referred to involving officers of the Department for Correctional Services. I just indicate that the Department for Correctional Services were supportive of the bill and made some other minor suggestions, which I think have been taken up.

Mr PICTON: From what I understand the Attorney said, it does not sound like any outside government mental health stakeholders were consulted or anybody with lived experience of mental illness. Was there any consultation with the ALRM in regard to the deaths of Aboriginal people in custody? Was there any regard to the recommendations of the Royal Commission into Aboriginal Deaths in Custody?

The Hon. V.A. CHAPMAN: I am advised that formally in relation to this bill they were not. I have certainly had a number of meetings with both the board and Ms Axelby, who is the Chief Executive of the ALRM, in relation to a number of matters relating to deaths in custody. Certainly there has been some conversation about this, but this bill does not deal with deaths in custody generally. We are not changing that, other than to deal with this area specifically in relation to the mental health aspect.

Mr PICTON: Lastly, can the Attorney outline (and she referenced in her summing-up speech some of the matters she has had regard to previously) how many times she has exercised her ability to order the Coroner to undertake an inquest and in relation to which matters?

The Hon. V.A. CHAPMAN: There is one very longstanding case that has been before the parliament on many occasions, of Mr Salvemini, and that was one on which I had asked the previous government to consider a direction. In fact, I asked them to do a number of things. I asked them to have a marine inquiry, which is very rarely held—in the last couple of hundred years I think there have only been several—but that is still a power that is available. They declined to have an assessment done by the then SafeWork SA executives dealing with matters arising out of that case—they did not do that. I asked them to consider a direction to the Coroner if that was necessary, and they did not do that.

The time that has elapsed since that tragic death, which was on a fishing boat, for the son of Mr Salvemini, who has been very distressed by this matter over at least a decade now, was such that, by the time we came to government—I spoke to the former Coroner, Mr Mark Johns, who had made it very clear that he did not consider that was appropriate—I looked at that matter, and it seemed clear from the further information we had that the likelihood of being able to even call primary evidence was really not a viable option, so that has not progressed. I have not in any other cases directed the Coroner to progress any other matter.

Clause passed.

Clause 2.

Mr PICTON: What is the government's intention in relation to when this would come into operation? Presumably it is the government's intention that this would pass through both houses

before the end of the year. If that was to be the case, does the Attorney have a particular date in mind? How much notice would she give between its passing the parliament and its coming into operation?

The Hon. V.A. CHAPMAN: There is no proposed time frame. Obviously, we would be very pleased if the parliament did consider this legislation favourably before the end of the year. The implementation of this, though, would be in consultation with the Coroner and obviously the Crown, because they are significant parties, and probably SAPOL. Although they may be relieved of some of that work, the honourable member may be aware that there are a very large number of cases on which a particular unit within SAPOL undertakes a lot of the work for the Coroners Court in the investigative stage. I am hoping their workload might be relieved a bit, but they are a major player in the work of the Coroners Court and therefore I expect we would need to consult with them. I have to say—I will make this clear again, if it is not crystal clear—it is not intended that this legislation would be retrospective.

Clause passed.

Clause 3 passed.

Clause 4.

Mr PICTON: I am not sure why the Mental Health Act 1993 was not previously updated. I presume we do not know that. Have there been any issues with that act not being appropriately updated in relation to this act? Why are we retaining a reference to the repealed act through the legislation as well?

The Hon. V.A. CHAPMAN: Quite simply, that was parliamentary counsel's advice that we needed to do that. There may be other parts of it. I am not familiar immediately with what they are, but it was on their advice that we needed to keep that reference.

Clause passed.

New clause 4A.

Mr PICTON: I seek leave to move an amendment on behalf of the member for Mount Gambier.

Leave granted.

Mr PICTON: I move:

Amendment No 1 [Bell–1]—

Page 2, after line 14—Insert:

4A—Amendment of section 19—Inquests to be open

Section 19(2)—after 'may' insert:

, subject to section 23A(7a),

That obviously leads on to the addition of section 23A(7)(a), which would be the main amendment, but this is obviously reliant upon that.

The Hon. V.A. CHAPMAN: As indicated, although the notice of the amendment has only just been tabled today, we will of course consider whether that is something that is appropriate, and we may be able to, in consultation with the Coroner, identify fairly early. I do not know, given the late notice of this, as to whether this has even been applied in other jurisdictions around Australia. We have certificate model processes to deal with penalty privilege, but if it is a matter that can be accommodated, then of course we will look at it favourably.

New clause negatived.

Clause 5.

Mr PICTON: As I alluded to in my second reading speech, clearly the government is setting out a distinction between somebody who is subject to a mental health order but is in an approved mental health care facility—whether it be a psychiatric ward or something else—versus somebody

who is not. I think that requires some description and explanation from the Attorney on a number of fronts.

One is: what is the distinction between them? Would an emergency department count? Does an ambulance count? Does another ward in a hospital count? Why is it that we are removing that they should be referred to the Coroner, given they are subject to orders that basically make sure they are subject to the state? Have there been many of these cases that have happened? What is the workload that would be eased for the Coroners Court in doing that?

As I said in my second reading speech, there is a concern that a large number of mental health patients and clients are in areas of hospitals, in areas of the health system that are not dedicated mental health facilities and are not dedicated mental health wards, and seeking to exclude them from being automatically referred to the Coroner seems to be a retraction of those protections for those people.

The Hon. V.A. CHAPMAN: Firstly, the Coroner has provided some information where he considers that it would be in numerical data that an amendment such as this would provide relief from having to have an inquest response; that is, it could be done by affidavit only. For example, in the 2013 to 2017 period, of the 81 ITO deaths at least a majority of 67 affidavit-only inquests into natural cause deaths would have been likely to be listed for an inquest but for the requirement to do so.

In short, 81 people in that time died under ITOs and on the basis that they had died of a natural cause—obviously, there may be many others under ITOs who died but not of a natural cause—then, of those, 67 could be, by this amendment, transferred to being provided an assessment by affidavit only, with the capacity, of course, for the Coroner to still investigate them and provide a full inquest inquiry on those areas.

The bigger question here is: what have they died of—that is, when assessed at the time, whether they have died of a natural cause or not. Just to be clear in relation to where they die, for example, if they are not in a psychiatric hospital, they may be in an emergency department, as you suggest. They may be in an ambulance that is in transit. It is expected that they would obviously have much more significant scrutiny because, at that stage, they may not have even been assessed by anyone as to what they have died of.

Of course, the courts need to be able to have the overriding scrutiny in relation to those. Clearly, if they have died in an emergency department or in an ambulance, they have not died in a psychiatric ward. But I think the Chief—

Mr Picton interjecting:

The Hon. V.A. CHAPMAN: No, the definition has to be in relation to whether a person who is under the ITO has died of natural causes and then there is a capacity for the Coroner to be relieved of the obligation to undertake a full inquest.

I think information has been provided to the member for Kaurna as to how we deal with the natural causes aspect. I am happy to put that on the record, if you wish. Essentially, the Chief Psychiatrist put this fairly clearly as to whether at the time of their being in custody as such, they are being treated for their psychiatric illness or they may have a condition which will produce a physical reason for their dying. The cancer example has been identified. If it assists, I will indicate here that the office of the Chief Psychiatrist reported as follows:

> The reason for making a distinction is that people may be placed in ITOs when they are in wards that are not psychiatric wards due to delirium. This delirium could be secondary to advanced cancer (e.g. advanced lung cancer where a person often becomes hypoxic and agitated) or major surgery and there is a need for some sedation. The primary condition in this circumstance is cancer or problems arising from the surgery—not the mental illness. In this circumstance, it would not be appropriate to require an inquest. There is a higher probability of ongoing or recent medical review for these patients which is likely to provide more relevant information confirming death from natural causes or not.

On the flipside, to again use the example of the reference by the member for Kaurna, if someone who was the subject of an ITO obviously had some psychiatric illness and was presented at an emergency department and had any indication of self-harm or a drug overdose, then clearly this

would be the information which might be relied upon if there was subsequently a death, even if it was by apparently natural causes as distinct from the intervention by the party which may have been as a result of them being under the duress of their own mental ill health. Those sorts of matters would not be ones that would automatically move off for consideration by affidavit.

The natural causes component is something which is complex to the extent that although the Chief Psychiatrist is saying in cases where it is clear—surgery, having a terminal illness, for example, having medication in relation to that—it is his view that we do not need to go through a full inquest in relation to those, so I hope that clarifies the matter. There is quite a bit of data in relation to what is a natural cause death, but I think that information has already been provided to you.

Mr PICTON: That does clarify some of it, but there remains the question as to why the government has gone down the path of making it reliant upon where physically the person is rather than what the treatment is that they are receiving. The Attorney uses a cancer ward as an example, but equally this is now knocking out the emergency department, where we know that mental health patients spend, sadly, a lot of time. It is knocking out ambulances and other elements apart from the specific treatment facilities that they should be receiving treatment in.

I wonder whether the Attorney has considered, or whether she would consider extending this definition under subsection (4), namely:

> (b) held in a ward (however described) of a hospital or other facility that is an approved treatment centre under the Mental Health Act where the whole of the ward is set aside for treatment of persons with a mental illness,

This seems to be designed to knock out emergency departments because, as I understand it, emergency departments are approved treatment centres under the Mental Health Act 2009, but the whole of the ward is not set aside for the treatment of persons with mental illness. That last section of it seems designed to make sure that emergency department care would not be subject to review in this as opposed to cancer wards, etc., which obviously are focused on cancer. Why has the Attorney taken steps to knock out emergency departments and will she consider remedying that?

The Hon. V.A. CHAPMAN: I think that the member perhaps misunderstands. There is no change to the obligation with respect to that person who is in the emergency ward or in the ambulance if they die. It is still a reportable death, irrespective of whether there has been assessment at that time.

If this amendment goes through, it will allow for a circumstance where the Coroner is satisfied that there is (a) an ITO in existence so that it is reportable to the Coroner to give this assessment, and (b) if he is satisfied that it is of natural causes then he can be relieved of not progressing with that inquest. However, this is still a reportable death. It would be dealt with by a different process and it would save, on the data I have given you—16 or 17 inquests a year—which both SAPOL and the Coroner have recommended to us as being really unnecessary. It is a process which, of course, family members have to often deal with as well, so these are not pleasant exercises.

Where it is deemed to be a situation where, in a way, the ITO is almost irrelevant, say, if the person has died and they have died because they have had complications with surgery, is really nothing do with whether or not they have schizophrenia.

Clause passed.

Clause 6 passed.

Clause 7

Mr PICTON: Are we dealing with the amendment or the clause first?

The CHAIR: The amendment is consequential on the first amendment getting up, which it did not.

Mr PICTON: So the member cannot speak to it?

The CHAIR: Well, he can speak to it generally but we are not able to progress it, as I understand it.

Mr BELL: As outlined in the second reading speech, all we are looking to do here is really giving consideration on the gravity of a common law that has been around since 1066 and making sure that we have provisions in there around what you do once the evidence is actually gained in a compulsory manner, where someone's right to silence is abrogated, and making sure that is not just disclosed to the world per se.

In this amendment, all I am seeking to do is put a requirement on the court that, when it determines the reasonableness of the objection to a person who claims a right of silence, it must consider whether it should also make a suppression order under section 69A of the Evidence Act 1929 in respect of the answer, record or document that is compulsorily acquired. It is just to give a level of protection that that information is not disclosed to the world at large without some protection, where the court deems that it is fit to do so. I am not saying that it must do it but that it must give consideration to it.

The CHAIR: The member for Mount Gambier has spoken in general terms about his amendment. Given that it is consequential to new clause 4A getting up, I am happy to have that discussion. The Attorney looks to make some comments on that, I think.

The Hon. V.A. CHAPMAN: I very briefly indicate for the member's benefit that, as previously indicated in this debate, we will give consideration to the general principle of what is being proposed. There are two things, though, that we have been able to learn about. One is that the suppression proposal is not seen in other jurisdictions—perhaps they had already considered whether that was necessary or not. The other thing is this: if we were to apply this obligation every time there is a question or a document being asked to be provided—because this whole charter is not just professional privilege but also self-incrimination—then that may be a very onerous task for the Coroner to have to do each time there is a question asked in relation to that.

I will have a discussion with the Coroner about that, and we will consider it between the houses, but I am letting you know that it may just be something that is impractical.

Mr PICTON: Following on from the discussion, there may well be hearings that occur in open proceedings in the Coroners Court. What consideration has the government given to the concepts of natural justice, the rules of evidence and admissibility, procedural fairness and other protections for people who will be compelled by the Coroner to give evidence?

The Hon. V.A. CHAPMAN: I refer the member to new section 23A(4)(b), where the court may require a person to answer a question or produce a document if the court is satisfied. It provides:

> (b) the interests of justice require that the person answer the question, or produce the record or document.

This is a model that codifies the very thing that you are discussing—that is, this question of balancing the public interest, being able to get answers to identify a cause of death and put recommendations, against an individual witness to the court being able to protect themselves against self-incrimination. The certificate process is seen as a model that is a bit more robust than if the Coroner just says, 'I accept this,' or not, and therefore there is not a clear, delineated circle around what is and what is not to be protected for use against someone in other proceedings.

But, in every other way, I remind the member that this is not just some inquiry. It is not a commission of inquiry and it is not an investigation. It is a court, and the court has its obligations in the general terms that you have raised.

Clause passed.

Schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:35): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (OMNIBUS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 October 2020.)

The Hon. A. KOUTSANTONIS (West Torrens) (12:35): Mr Deputy Speaker, it is good to have you back in the chair again for another energy bill. I know how you enjoy them so much.

The DEPUTY SPEAKER: We all enjoy them, member for West Torrens.

The Hon. A. KOUTSANTONIS: Yes, we all do, sir. The government is proposing, on behalf of what used to be known as the COAG Energy Council, an omnibus bill to make various amendments—

The DEPUTY SPEAKER: Member for West Torrens, sorry to interrupt—

The Hon. A. KOUTSANTONIS: I am the lead speaker.

The DEPUTY SPEAKER: Thank you.

The Hon. A. KOUTSANTONIS: I should point out that the opposition have had a longstanding policy of supporting COAG-agreed national legislation as the state is a lead legislator. I will also point out to the house that, through an arrangement with the minister, the opposition will be formulating its position on this bill between the houses. However, I can say that there is a long tradition of the opposition—no matter who the opposition is at any time—supporting this, given South Australia's important national role as the lead legislator.

From the information given to me by the government—I was briefed on the bill last night, which was the first opportunity that I had to arrange a briefing; the government offered the briefing earlier, so there is no criticism of the government—the omnibus bill makes a series of cleaning-up measures, as it were, of the national energy laws, it amends the National Electricity Law, the National Gas Law, the National Energy Retail Law and the Australian Energy Market Commission Establishment Act 2005.

The council—that is, the COAG Energy Council, or whatever its new term is now—has agreed that there be a legislative package to reduce some administrative burdens and clean up the act. Broadly, this seems to me to be a very simple and commonsense piece of legislation that the government is bringing on behalf of the Energy Council. I am advised that the omnibus bill clarifies the meaning of a participating jurisdiction to address an ambiguity in the context of participation of non-interconnected jurisdictions to the National Electricity Market. That includes the Northern Territory, which is a member of the NEM, and Western Australia, which is not a member of the NEM but a state, nevertheless, that participates in the Energy Council.

Of course, the bill also amends the meaning of 'minister', for consistency. I am not quite sure what the disparity was in the representative acts, but I am sure it makes complete sense. It removes, of course, a redundant reference to the limited merits review regime. You might remember, Mr Deputy Speaker, that former energy minister and current Treasurer, the Hon. Josh Frydenberg, committed to removing the ability of a limited merits review from regulated assets. He believed, as I think many people believe, that the process was flawed and that it enabled regulated assets to be able to inflate their return and they were gaming the process.

The commonwealth government acted unilaterally, without the consent of the COAG Energy Council, in my opinion in the national interest, and removed the limited merits review, and this now recognises that change. It is probably not the best process to act unilaterally, as they had, but nevertheless the outcome was good—a more political process than a negotiated process, if memory serves me correctly.

It also removes the current limitations on the National Gas Law, which will enable any party to be able to propose rule changes. Currently, I am advised only the Victorian minister, and I assume the commonwealth minister, can propose rule changes for the Victorian gas market. Given this is

truly a national market, the amendments will allow all jurisdictions, I am advised, to request rule changes of the Australian Energy Market Commission.

A controversial move by the Energy Council, I think, is to halt the process of allowing advertising or requiring advertising in newspapers. I am sure that is news to the ears of media outlets across South Australia, but I think it reflects what the council believes is a more efficient and timely way of getting information out to community.

I am not quite sure that this is necessary. I am sure the bureaucracy of each department around the country thinks this is a good idea, a way to save money but, in truth, this advertising money is crucial to many papers and crucial to many regional publications that rely on this advertising. It might be redundant in the minds of many bureaucrats, but I suspect it is just another blow to the viability of mainstream media. Given it is a national reform, the opposition will be supporting it, but I am not quite sure it is necessary.

The government was also very kind to refer me to the 'COAG Energy Council, Senior Committee of Officials, Omnibus legislative amendments, Explanatory note for stakeholder consultation', which goes through the package in detail, talking about which act is amended and what the amendments do. I am informed that submissions were requested to be provided by May this year. I have not seen the outcome of what the stakeholders have advised, but I assume the council has done its due diligence and negotiated and discussed the changes with stakeholders, but it is a very thorough package.

I think the most interesting one for me, which was not included in the briefing note but I think the house should have some view on—and the minister may have detailed it in his second reading contribution, which I have not had the opportunity to read as yet—is the commercial arbitration provisions. The briefing paper I am quoting from the 'COAG Energy Council, Senior Committee of Officials, Omnibus legislative amendments, Explanatory note for stakeholder consultation' states:

> Under the national electricity rules (the Rules), certain disputes between parties in relation to matters arising under the Rules may be determined by a 'dispute resolution panel'. For each jurisdiction applying the NEL, the NEL provides that the 'Commercial Arbitration Act' of that jurisdiction…

So every state has its own arbitration measures and the current National Energy Law requires you to use those. I understand that is being amended to give these requirements, and both make reference to certain provisions of the Commercial Arbitration Act of this jurisdiction. I think that means that there would be one set of rules across the entire jurisdiction for commercial arbitration. If I am wrong, I am sure the minister will correct me.

The other reforms do not seem to be that controversial, which is why, I imagine, the passage of this legislation will be swift through the House of Assembly and hopefully pass the upper house before the new year so the government can inform the council that it indeed has fulfilled its requirements as part of being the national lead legislator. Stakeholders, I understand, are broadly supportive, although I have not seen anything that would contradict that.

The last part that I wish to discuss is, 'Limitation of Duty on Commonwealth Officers or Bodies amendments'. Apparently, the commonwealth government has requested that the states implement legislation in the governing national statute, and I quote from this document again:

> The amendments in the Omnibus Bill complement the Competition and Consumer Act 2010 and address constitutional issues raised in R v Hughes…These amendments are modelled on section 6AAC of the Therapeutic Goods Act 1989.

The bill removes inconsistencies in the constitutional reading down provisions in the NEL, the National Gas Law, the National Energy Retail Law and the schedules so as to avoid commonwealth officers being subject to state legislation. I assume that is what it means. Again, the opposition takes the government on face value that this is an important amendment.

I thank the minister for arranging the briefing that he did yesterday and his understanding, in that the opposition has not yet formed a position but will allow the speedy passage of this bill. Given that I am the only speaker on this bill, I do not propose any amendments; therefore, the opposition is not seeking to go into committee to ask any questions. I commend the bill to the house. The opposition will be stating its position in the other place.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (12:47): I acknowledge the comments and the contribution from the shadow minister. This is a pretty straightforward bill. It is an amalgamation of a lot of small pieces, each one being fairly separate, so it is not trying to be anything more complicated than exactly what is on the paper in front of us. Of course, some of these pieces are very important, and I might just step through a few of them again—not to redo the second reading contribution but just to address a couple of things the shadow minister has commented on.

With regard to newspaper advertising, it is important to point out that this is not a prohibition on newspaper advertising but is actually the removal of an obligation for newspaper advertising, and that is really just so that the system can keep up with modern times. The member for West Torrens says—and I will not get the words just right—that this is essentially another blow to mainstream media, or thereabouts is what he said.

I do not agree with that because our state government over the last 2½ years has similarly removed some obligations upon ourselves with regard to advertising, and particularly with regard to public notices and things like that, in newspapers, including regional newspapers around South Australia, and yet we have increased our spend in regional newspapers around Australia.

So we have removed the obligation to spend, made it voluntary and deliberately—actively, with our eyes wide open—increased the total spend because we still believed that that was the effective way to get messages out to people. I do not think there is any reason to believe that keeping up with the times, as is suggested in this bill for national electricity, gas and other energy matters, is necessarily going to be harmful to any newspaper baron anywhere in the country.

The shadow minister also asked about the commercial arbitration provisions. Essentially, that is about removing the situation we have at the moment, which is that, whenever there is a dispute, it is the commercial arbitration act of the particular jurisdiction in which the dispute is raised that oversees the dispute resolution. While there is no implied or explicit criticism of any of those acts or those jurisdictions, we are trying to get as much consistency as possible around the nation with regard to how we deal with these matters.

At its simplest, this is about saying that regardless of where a dispute is raised and the jurisdiction the dispute is raised in, we will try to deal with it with one set of dispute resolution guidelines. That one set will be provided through the regulations attached to this bill. As a person who was in opposition and even in government, I understand that it is not ideal to be asking anybody to agree to a bill that has important regulations attached to it without being able to see the regulations.

For Liberal or Labor, it does not matter what the issue is, it is something that all of us at one point in time have found frustrating for one reason or another because, naturally, we all want more information. Even if there is only a small amount of information left to be shared from the development of the regulations, of course we would all still like to have that extra bit of information. Let it just be very clear that there is not intended to be anything untoward or any difficulty here whatsoever.

The National Electricity Law and the National Gas Law will be amended to allow that reference to commercial arbitration act provisions to be prescribed by the relevant regulations. This will ensure that references can easily be amended in future as required, and the National Electricity (South Australia) (Commercial Arbitration Acts) Variation Regulations 2020 and the National Gas (South Australia) (Commercial Arbitration Acts) Variation Regulations 2020 include changes to procedural provisions of the relevant commercial arbitration act of the jurisdiction.

As the member for West Torrens said, this is something that has come through COAG Energy Council; I believe it was agreed to on 19 August 2019, so it has taken a while to make its way to this place. The relevant energy ministers from each of these jurisdictions, no doubt on behalf of their other cabinet colleagues, who are even more involved in dispute resolution and their relevant obligations in their states, all agree that they are comfortable with this direction. This is something that has broad support.

Essentially, we are just trying to tidy things up. The words the member for West Torrens used with regard to the NEM and the sentiment he put forward I agree with entirely. We know that we are way beyond states operating on their own in energy, whether that be electricity, gas or other forms

of energy. We know that that cannot operate anymore. If we did that, it would be to our detriment to try to just have supply and demand contained within our borders.

Of course we do not do that anymore but, as we progress further and further down that pathway, we need to make sure that legislation and regulation keep up with us. Even in some of these things that may seem to be hardly the most consequential matters with regard to making sure we reduce prices, improve reliability and continue to improve with regard to emissions reductions, they are still nonetheless very important.

I believe we all expect that it is highly unlikely there will be an interconnector built between South Australia and Western Australia anytime soon or an interconnector built between Western Australia and the Northern Territory anytime soon or any of the other things that, in an ideal world, might make this the complete utopian National Electricity Market.

Nonetheless, we have to do the very best we can with what we have, and we already have Queensland, New South Wales, Victoria, South Australia and Tasmania interconnected. There are moves afoot among all those states to try to further enhance that interconnection. They are very important and very significant pieces of work, and every member in this house would certainly know the government's position with regard to the proposed interconnector between South Australia and New South Wales.

We are trying to the best of our ability to get synchronisation in energy between as many states as possible around the nation. That comes at the top tier of interconnection and sharing of very significant generation assets and very significant demand loads between states. It also applies at what might seem to be far less consequential but still very important areas: removing obligations on market bodies to advertise or provide information in specific ways.

They still must do it effectively, they still must do it expediently, they still must do it so that those who require the information would get it, but it is removing obligations on how they do it, removing limitations on the National Gas Law by enabling any party to propose a rule change request and, of course, dealing with the declared Victorian wholesale gas market, as the member suggested.

The government is fully supportive of this bill. The government hopes that it gets through the other house. We appreciate the support in this chamber of the opposition. As the shadow minister says, there is a longstanding convention, and not just out of habit but out of a strong sense of practicality, that the former opposition and the current opposition have supported the legislation of the government of the day when it comes here on behalf of the COAG Energy Council.

I acknowledge that the member opposite has said that the opposition has not come to a formal position yet on this bill, but I am very hopeful and very optimistic that when the opposition deal with this in the other place very shortly they will come to a position of supporting this bill as is, unamended, because that is what is good for South Australia and that is what is good for the nation.

Bill read a second time.

Third Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (12:58): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting suspended from 12:58 to 14:00.

STATUTES AMENDMENT (SENTENCING) BILL

Assent

His Excellency the Governor assented to the bill.

EQUAL OPPORTUNITY (PARLIAMENT AND COURTS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

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

Assent

His Excellency the Governor assented to the bill.

TEACHERS REGISTRATION AND STANDARDS (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

APPROPRIATION BILL 2020

Message from Governor

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Message from Governor

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following paper was laid on the table:

By the Speaker—

Local Government Annual Report—Robe, District Council of, 2019-20

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Mr CREGAN (Kavel) (14:05): I bring up the 125th report of the committee, entitled Affordable Housing Initiative.

Report received and ordered to be published.

Mr CREGAN: I bring up the 126th report of the committee, entitled 'Happy Valley water treatment plant asset renewals project'.

Report received and ordered to be published.

Mr CREGAN: I bring up the 127th report of the committee, entitled Nairne Intersection Upgrade Project.

Report received and ordered to be published.

Question Time

SUPERLOOP ADELAIDE 500

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:06): My question is to the Premier or the Minister for Tourism. Why hasn't the Premier announced a single new event to replace the Adelaide 500?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:06): I thank the Leader of the Opposition for his question. As he would be more than aware, we have announced a new event for

next year, which is Illuminate Adelaide. This responds to a statement or a contribution that was made at the TiCSA event earlier in the year that was held down at the Showground. I am surprised that the Leader of the Opposition missed this because one of the things that the industry has been calling for for an extended period of time is to not just have events in one month but to spread them out right throughout the year. So that's exactly and precisely what we responded to.

We announced earlier this year that we would have Illuminate Adelaide, which would be held over two weeks and three weekends. This is the type of event which we will now see populating our entire calendar and spread out the benefit to more businesses in the event sector, the tourism sector and the accommodation sector. We have recently made a decision not to continue with the Supercars as a street circuit in Adelaide. Motor racing is a sport which has enjoyed a lot of support in our state, and the Supercars have been a great time of celebration and a great time of economic contribution to our state.

But what we have seen in recent times is diminishing revenue and increasing costs. We were coming up towards the end of our contract with Supercars. We had one further event to be held and that was for 2021. We made an announcement some months ago that we wouldn't be holding it in early 2021 and we formed an opinion in recent weeks that we wouldn't be having an event of this size or scale during 2021.

All mass events changed very significantly around the world. We were very proud that South Australia was probably one of the last places in the world which held a mass event. That was the Adelaide Festival and the Adelaide Fringe Festival, both in their 60th anniversary year. They were probably the last mass events that the world had seen, but things have changed with the coronavirus. So what we have decided to do is not continue with a Supercars event in 2021—in fact, we will not be signing an agreement to continue from 2022 onwards—instead quarantining that money that can go to transforming, if you like, to move away from having one single event to a larger number of smaller events which will support more employment right across the year in South Australia.

ILLUMINATE ADELAIDE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:09): A supplementary question to the Minister for Tourism: when the Premier announced the Illuminate event in August this year, what was the forecast number of overnight accommodation stays that event would have generated?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:09): I don't have that number with me, but what I do know is that there will be a large number of people because this is a festival that will bring people from interstate and potentially people from overseas into Adelaide, and this was a key reason for supporting this event. What we want to see is more people in accommodation here in South Australia and more artists employed right across South Australia. I don't have the figures for last week, but I know that the week before the CBD occupancy for accommodation was up to 66 per cent, by far and away the highest in South Australia.

Members interjecting:

The Hon. S.S. MARSHALL: For last week, of course, when we get those figures, we expect that to increase because we had the NRL State of Origin match here in South Australia, and this is the type of event we will see more of—events that can exist in a COVID environment where you have large crowds but they are outdoor, they are seated and they are ticketed, because what Nicola Spurrier and Dr Louise Flood (the head of the Communicable Disease Control Branch) tell us is that best practice during the coronavirus is to be able to put people who may have come into contact with an infected person into isolation within 48 hours.

This is possible when it is an outdoor, ticketed, seated event, or even if it is an indoor, ticketed, seated event, because if somebody has been identified as having the coronavirus you can go to those people who might have spent an extended period of time adjacent to them and you can put them into isolation. This is very difficult with large mass gatherings, and it is one of the reasons why we had to make the transition from the National Pharmacies Christmas Pageant, which, of course, attracts 200,000 to 300,000 people per year.

This wasn't possible in this environment, so with regret we had to cancel the normal format, but I was very pleased that we were able to pivot this event to a new format for this year, where there will be a broadcast out to the people of South Australia who can watch this incredibly much-loved event in their own homes, but also there will be some people who will go along to the Adelaide Oval, and again an outdoor, ticketed, seated event which can be done in a COVID-safe manner.

There has to be a lot of change. The reality is that there has to be a lot of change as we adjust to the new COVID normal. I think that South Australia has done this extraordinarily well. It has been a wonderful partnership between the government, the health professionals and, of course, most importantly the people of South Australia, who have recognised that this is a very dangerous disease.

What they have done is they have, if you like, learnt about this disease, they have educated themselves about this disease and they have protected themselves, their families, their communities and their workplaces. We are now all the beneficiaries of this wonderful observance by the people of South Australia, and I think it will continue into the future.

The SPEAKER: Before I call the leader, I call to order the Minister for Education. I call to order the member for Reynell, the member for Ramsay and the member for West Torrens. The leader.

ILLUMINATE ADELAIDE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:12): My question is to the Minister for Tourism. Regarding the Adelaide Illuminate event, is that entirely ticketed and indoors and seated, and can the Premier please commit to bring back to the house the forecast number of overnight accommodation stays that event will generate?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13): As I just outlined in my previous answers, lots of things which were envisaged have got to morph and change, so what was envisaged with Adelaide Illuminate will have to have a changed program because we won't be able to have the mass gatherings that might be envisaged down the track for this type of event. But what we will be able to have is a fantastic program which will be announced soon. What we know, for example, is that the Art Gallery is now enjoying very significant visitation—

Mr Malinauskas: Is that seated?

The Hon. S.S. MARSHALL: —because we can conform with a new COVID-safe environment. The Leader of the Opposition asks whether it is a seated, ticketed event at the Art Gallery. It shows his complete and utter ignorance of exactly and precisely what is going on in South Australia.

Members interjecting:

The SPEAKER: Order!

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader!

The Hon. S.S. MARSHALL: This sort of constant chip, chip, chipping away. He's like a yapping dog chasing after a car. When the car stops he's got nothing to say, nothing to do. He still hasn't announced a single—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —solitary policy—

Dr Close interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. S.S. MARSHALL: —and we're just 16 months away from the next election.

The SPEAKER: Premier, resume your seat. The member for Lee, on a point of order.

Members interjecting:

The SPEAKER: Order! The leader is called to order.

Members interjecting:

The SPEAKER: Members on my right! The member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. It is unparliamentary for the Premier to refer to another member as an animal.

The SPEAKER: I have the point of order. An expression has been used. I understood that to be directed possibly towards the leader. If the leader takes exception to it—

The Hon. S.C. MULLIGHAN: Sorry, sir, it wasn't about causing offence—

The SPEAKER: On the point of order, the member for Lee.

The Hon. S.C. MULLIGHAN: —it was about unparliamentary language. There is a long precedent about that, including when the member for Norwood was accused of being a cockroach scurrying into the corner previously.

The SPEAKER: On the point of order, the Minister for Energy and Mining.

The Hon. D.C. VAN HOLST PELLEKAAN: There is no point of order that prevents anybody from talking about animals. The point of order—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —might apply if a particular member takes offence at being described that way, in which case that member can stand up and express that offence.

The SPEAKER: With regard to the member for Lee's point of order in relation to whether the language used by the Premier is parliamentary or not, I propose to take that matter on notice. If there are individual members who take offence at words used to describe individual members, then I will hear a point of order in that regard, should that become relevant. That's not for a moment to indicate that there isn't any substance in the member for Lee's point of order. I will, just in the interests of consistency, take that matter on notice. If members are offended—I wish to emphasise—by words used and directed at them, then they are free to raise points of order accordingly. The member for Flinders.

Members interjecting:

The SPEAKER: The member for Flinders has the call.

Members interjecting:

The SPEAKER: I think the Premier had finished his answer. The member for Flinders has the call.

NAIDOC WEEK

Mr TRELOAR (Flinders) (14:17): My question is to the Premier. Can the Premier advise the house what he is doing to mark NAIDOC Week in 2020?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17): I thank the member for Flinders for his question about NAIDOC Week, which this year of course is significantly delayed from when it is normally held in July. NAIDOC stands for the National Aboriginal and Islanders Day Observance Committee and it can trace its origins right back to the 1920s. It's a time each year when we can celebrate the history and the culture and the language and the achievements of Aboriginal and Torres Strait Islanders here in Australia, and what a contribution they have made.

This year, of course, it has been very much delayed, so it will be held from 8 to 15 November and the theme this year is 'Always Was, Always Will Be'. This, of course, relates to the land, the

country, that is inextricably linked to the culture of the oldest living civilisation on this earth—65,000 years.

I note that I was only recently up at Oak Valley on the Maralinga Tjarutja lands with the member for Flinders, meeting that community, and they, like so many other communities in South Australia, worked very hard to protect their communities in a lockdown under the Biosecurity Act during the height of the infectious period of the coronavirus. I congratulated that community like I congratulate all communities in South Australia who have protected their communities during this year.

This is a time to celebrate. It's a time to celebrate some of the magnificent achievements of Aboriginal and Torres Strait Islanders. Yesterday, I had a great opportunity to speak with Vincent Namatjira after he had been to Government House to receive his Order of Australia medal from His Excellency the Hon. Hieu Van Le, Governor of South Australia. This was a great celebration.

He was in fact joined by two other people from the Anangu Pitjantjatjara Yankunytjatjara lands. He was joined by Nyurpaya Kaika Burton from Tjala Arts on the Amata community and also Tuppy Goodwin from Mimili, who was receiving the Order of Australia medal on behalf on her late husband Mumu Mike Williams. These are incredibly talented artists. They have a major contribution to make: to preserve, to tell and to share with the world 65,000 years of Aboriginal stories and songlines, and that is exactly and precisely what we plan to do here in South Australia with the establishment of the Aboriginal Art and Cultures Centre.

In a few moments' time, the Treasurer will come in, and I am very proud that during NAIDOC Week we will be announcing significant increased funding for the Aboriginal Art and Cultures Centre in South Australia. This is a great opportunity to create a globally significant centre that will preserve the wonderful art and artefacts that we have and to share that with the globe. It will create a wonderful tourist attraction and, most importantly, it will preserve and share those wonderful stories and songlines.

In addition to that, we will be addressing one of the longstanding issues left unresolved by the previous government, and that is the storage of Aboriginal art and artefacts, which have been left in a deplorable condition down at Netley. We will be establishing a new storage facility which will be based on best practice internationally. These two announcements we could not be more proud to make during NAIDOC Week. It is our great wish that these will resolve some of the issues left completely without resolution by the previous government.

On Sunday just gone, I was down at the Royal Flying Doctor Service Adelaide site at the Airport, and that was a great opportunity to meet with two incredible artists from the Ceduna area. I met with Kelly Taylor and also T'keyah Ware. They are very proud Antikirinya/Yankunytjatjara/Kokatha women who have designed a new uniform for the Royal Flying Doctor Service. It is a wonderful recognition of the contribution that the Royal Flying Doctor Service has made to rural and remote communities and will now be a permanent connection with Aboriginal people here. I hope everybody gets to enjoy and celebrate the wonderful Aboriginal and Torres Strait Islander contribution to Australia during NAIDOC Week this year.

NAIDOC WEEK

Ms BEDFORD (Florey) (14:22): Supplementary: Premier, in your role as Minister for Aboriginal Affairs, how will the parliament be celebrating NAIDOC Week, and does parliament have a RAP plan yet?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:22): Parliament will have to speak on that issue, so that is not something that I have responsibility for.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It's extraordinary to be attacked on an issue when we are actually celebrating NAIDOC Week—a government that has very significantly leant into this opportunity. The member—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: I am responsible for the work of the government and I have taken on the portfolio of Aboriginal Affairs and Reconciliation; I am not responsible for the parliament. I am sure the member reflecting on that question would understand that. In terms of what we have done as a government, we very proudly delivered an Aboriginal action plan within the first 12 months of coming to government, and we will very soon be releasing the second iteration of that plan.

We pulled together in excess of 30 separate areas that we would focus on as a government. Every member of the cabinet has a fundamental responsibility to deliver and improve the lives of Aboriginal people in critical areas like jobs, in terms of capacity building and also in terms of services to Aboriginal people in South Australia. I am very proud that the South Australian Aboriginal Advisory Council comes to cabinet. In fact, they are the only group which comes to cabinet and they hold cabinet ministers to account for the fulfilment of various aspects of that Aboriginal action plan.

At the moment, as I said, we are working on a new iteration of this plan and we will do that in conjunction with the refresh of the Closing the Gap strategy which has recently been published by the joint council. We would like not to have two separate plans but one plan which brings those two important documents together, so there is a lot of work which is being done.

One area which I am also responsible for is the Premier's NAIDOC Award. As I said before, this year is a year of changed dates for a range of events, and we will be making the Premier's NAIDOC Award in December. That gives all the leaders of the various communities who kept their communities safe during coronavirus the opportunity to come to Adelaide to be presented with their award and recognition. We are very, very grateful for the Indigenous leaders that we have in South Australia in very remote parts of our state acting very quickly to lead their communities and protect their communities during this difficult period.

The SPEAKER: Before I call the leader, the member for Playford is called to order, the member for Lee is called to order, the member for West Torrens is warned and the member for Florey is called to order.

SUPERLOOP ADELAIDE 500

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:25): My question is to the Minister for Tourism. How much will South Australian taxpayers have to pay Supercars Australia for the government cancelling the contract in the 2021 race?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:25): Obviously, there is a contract which exists between the people of South Australia and Supercars. As I mentioned in my previous answer, we had one year to run of that contract. That won't be going ahead, so there are negotiations which are currently underway between Supercars and the SATC. Ultimately, after this year, when we did have a successful race, we will not be having the street circuit.

We would like to maintain a good relationship with Supercars. We would like Supercars to continue to come to South Australia. They had three events here in South Australia this year: one with the street circuit and two up at The Bend, which is a fantastic facility. In fact, many people say it is one of the greatest circuits that exists anywhere in the world, and we should all be very proud that it is right here in South Australia.

Of course, that is only part of motorsport opportunities. Supercars have been a fixture on the calendar for an extended period of time. They were one of the replacement events that came after South Australia relinquished the Australian Grand Prix—the Formula One Grand Prix—and, after we lost that, there was a lot of gnashing of teeth and a lot of people were very concerned about losing that event.

What came out of that was a rebirth, with a number of new events. One of them was Supercars, but also events like the Tour Down Under, Tasting Australia and a range of other events which continue to this day; and that's exactly and precisely what we need to do with the completion of the contract with the Supercars. We need to ring-fence that money and put that money into a series of events, smaller events, albeit. Importantly, they can go ahead and employ people over an extended period of time.

I was speaking with a contractor over the weekend who supplied into the Supercars, and he was telling me that, whilst it was excellent work for the local contractors during that four-day period, of course the capacity requirement for the hiring was well beyond the capacity in South Australia. So a lot of the money went to interstate firms that had to truck their work over to South Australia. And he agreed—like the entire SATC board agreed—that what would be far better to create more jobs in South Australia would be to have a series of events over the year, and that's exactly and precisely what we need to have.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: When we look at the economic analysis, this is an interesting point, because the Leader of the Opposition was on radio the other day saying his number one priority was jobs; he wanted to keep jobs here in South Australia—

Mr Brown interjecting:

The SPEAKER: Order, member for Playford!

The Hon. S.S. MARSHALL: —so I went back to the SATC board and I said, 'The Leader of the Opposition is making these points about creating jobs.' They said, 'This was our number one issue in framing the advice to the government, that we need to move away from a four-day event to many more events to maximise the amount of jobs coming to South Australia.'

Economic analysis was done, which has been released and people have seen it. It has been in the media; I'm surprised those opposite haven't taken the time to take a look. What it showed was that this year's event created a total full-time equivalent of 353 jobs. That is not nearly enough for the expenditure that we were making—and this was pre-COVID when many people said this would be the biggest event—

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader!

The Hon. S.S. MARSHALL: —because it was the last Holden v Ford event. So it was a very important historic event: the last Holden v Ford event. It was before COVID, yet the economic advice, which those opposite often say is overly generous, created a total of 353 full-time equivalent jobs. What we want to do is to create many more jobs from that expenditure. It's supported by industry. It's supported unanimously by the SATC board. There's only one group of people that are not on board and, unfortunately, that is the Leader of the Opposition opposite.

Mr Brown interjecting:

The SPEAKER: Before I call the leader, I warn the member for Playford.

TOURISM

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:29): My question is to the Premier. Apart from the Illuminate event announced in August this year, can the Premier please name one event that has been conducted in this series of new events that is supposed to replace the Supercars?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:30): I know he's anxious and excited about the opportunity of our new strategies.

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. S.S. MARSHALL: All will be revealed. What I will say at this stage is that we have had successful events already introduced since coming to government. I noticed that those opposite were talking them down, but we did refurbish Memorial Drive and we did have a very successful Adelaide International event, which was held—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —in January this year. This was a combination ATP and WTA event. We were delighted to have people coming from interstate and overseas into Adelaide. It was very successful, and we are looking forward to having future WTA and ATP events here in South Australia.

It is a very conducive place to having tennis events because Memorial Drive is right in the centre of the city. I know that a lot of the competitors were saying how wonderful it was to be able to stay in the city, walk across that bridge, walk across the Torrens, and go to the Adelaide Oval precinct and, more particularly, Memorial Drive. Those opposite were talking down the event. Those opposite were talking down the refurbishment of Memorial Drive.

The Hon. S.C. Mullighan: When?

The Hon. S.S. MARSHALL: What we need to—

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: I'll send you the clippings.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: But let's be serious, sir: we have only just announced our situation with regard to Supercars. We thought it was only fair to give as much warning as possible that we would not be holding an event in 2021 and we would not be renewing the contract going forward. We are seeking advice, input from people, about the types of events that can be held in a COVID-safe environment.

We know that these are going to be different next year from what they might be the year after and the year after, depending on how we progress with our response to the coronavirus and as to whether or not a vaccine is found. We feel very confident that we will be able to come up with a suite of new events that will maximise employment in South Australia and continue to bring people from interstate and, when it's safe, people from overseas.

GREAT STATE VOUCHER SCHEME

The Hon. Z.L. BETTISON (Ramsay) (14:32): My question is to the Premier. Why were tour operators, smaller accommodation providers and other critical parts of the visitor economy excluded from participating in the Great State Voucher scheme?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:32): I would like to thank the member for her question regarding the Great State Voucher program, which was an enormously successful program. When we are out talking to operators in the CBD, they are very grateful to this government for backing them and increasing their occupancy. We spoke to operator after operator after operator who was telling us that they are putting more people on, and that was exactly and precisely what it was designed to do.

The question that the member asks is: why wasn't it extended to other sectors of the tourism sector across South Australia? A decision was made to start with accommodation. Often, accommodation is a driver for those other add-on services. This was the recommendation that was given and it was one that we were very pleased to support. This year is going to be a very different year for the SATC and for tourism more broadly.

We will have to remain very nimble and flexible because what we know is that we are going to have a very significantly diminished international visitation to South Australia, so therefore we need to make sure that we are not spending money advertising into areas of the world where we simply can't be attracting visitors, so we've got to pivot and we've got to pivot quickly.

Obviously, we have been extraordinarily pleased with the response that we had from the people of South Australia with regard to intrastate travel. The Welcome Back campaign was particularly very successful, and we are very grateful for the support that we had from people of South Australia, who are probably normally heading interstate and overseas throughout the winter

months here in Adelaide. What has happened during that is they have spent time in Adelaide, they have absolutely loved what they have seen and they have made bookings for next year.

I'm not sure that we haven't seen a permanent change in the spending of South Australians over the winter period. I have spoken to so many people, especially in regional South Australia, who have told us that they have had their best months ever. It started out with those ubiquitous Zoom meetings all day, every day, right throughout April, May and June, and some very long faces, very concerned people, very anxious people, but the smiles started to appear; they basically started to appear from the middle of the year onwards.

We were the first state in Australia to open up for intrastate travel and the first for caravanning and camping. We know that the Minister for Environment and Water has very significantly invested into nature-based tourism, and a range of initiatives is sending messages to the market that we want to lean into this. Then, of course, we came out from the tourism portfolio and said that we wanted to have a tourism industry development fund, $20 million to leverage up—we hope tens and tens of millions of dollars of private sector investment in a range of programs to increase amenity across regional South Australia because we don't want to just have a little lift this year: we want to have a sustained increased visitation to our wonderful regions in South Australia.

The SPEAKER: Before I call the member for Ramsay, I call to order the Minister for Police, Emergency Services and Correctional Services, the Deputy Premier and the member for Cheltenham.

I thank the house for the opportunity to consider the point of order raised by the member for Lee and to deal with it thoroughly in the interest of consistency. I uphold the point of order and refer, in this context, to the ruling of the Speaker on 6 February 2013, which members might have had in mind and I think might have been referred earlier—it's a different expression—and I ask the Premier to withdraw the words that he used.

The Hon. S.S. MARSHALL: I'm very happy to withdraw those words, sir.

The SPEAKER: Thank you, Premier. The member for Ramsay.

GREAT STATE VOUCHER SCHEME

The Hon. Z.L. BETTISON (Ramsay) (14:37): My question is to the Premier. Why were Great State vouchers worth more in the marginal electorate of Adelaide than they were in regional South Australia?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:37): I don't like the insinuation in that question whatsoever.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I think the sector will be quite alarmed by the assertion in that question. It should be obvious to anybody in this parliament, and certainly the Labor Party spokesperson on tourism, that the CBD in South Australia has been very, very hard hit. For her to assert in her question that this was a marginal government seat is absolutely disgraceful—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. S.S. MARSHALL: —but it's exactly and precisely what we have come to expect from Labor, who are always talking down the state. It was a disgraceful—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —assertion and I think the shadow minister might like to reflect and ultimately apologise to the many businesses in—

The Hon. S.C. Mullighan interjecting:

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

The Hon. S.S. MARSHALL: —the City of Adelaide who have been doing it extraordinarily tough. I have had the opportunity to speak to very many business owners and employees.

Mr Brown interjecting:

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

The Hon. S.S. MARSHALL: They would be disgusted, disgusted with the assertion that the shadow minister has made. The CBD has been doing it tough in South Australia and we have been backing the CBD.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: In fact, the interventions that we have made in South Australia have been very much welcomed by the CBD. One of the things that we have been doing for months now is to message people to get back to work. We have been frustrated in this quest, which has had a detrimental effect on businesses in the CBD. We have had—

Members interjecting:

The SPEAKER: Order! I was struggling myself. We are now a significant way through question time. The Premier has the call. I remind members on my right and on my left that, when a question has been asked, the minister who is answering the question is entitled to be heard in silence. The Premier has the call.

The Hon. S.S. MARSHALL: Thank you very much, sir. As I was saying, we have been working very hard with the businesses in the CBD. One of the things that we have been doing is messaging businesses to say, 'Come back to the CBD. It is safe to come back to the CBD.' We now have the highest population, if you like, back in the CBD of any capital city in the country, which is helping to stand up businesses and, importantly, employment.

One of the reasons why the vouchers had a higher value in the CBD on all nights except for Saturday night was because that is where the problem was. We didn't have people coming in to the CBD; we did have them going to regional South Australia. We even had them going into suburban South Australia. What we have done is to—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —move from the big, broad brushstrokes to a more nuanced approach to supporting those businesses and employees who are doing it tough. I go back to the fundamental issue that the shadow minister was trying to assert: this is done for some political gain. What she needs to understand and what this parliament I am sure already understands is that many of the people who work in the CBD are not voters in the CBD; in fact, they are voters in her very own electorate, so she is talking down her own electorate, her colleagues' electorates, every single person in South Australia—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: —by trying to put her grubby political overlay on a very important program to support employment in this state. We are in the midst of a global pandemic—a global pandemic, which, by the way, the people of South Australia are working with the government to make the best of, to optimise performance, to create as many jobs as possible, to provide confidence for further investment in South Australia. It is a pity the opposition couldn't do the same.

Mr Malinauskas: We are allowed to ask questions. That is sort of the way it is supposed to work.

The SPEAKER: Order, the leader! Before I call the member for Ramsay, I warn the member for Cheltenham for a first time, I call to order the deputy leader and I warn the leader. Member for Ramsay.

GREAT STATE VOUCHER SCHEME

The Hon. Z.L. BETTISON (Ramsay) (14:41): My question is to the Premier. Who designed the Great State tourism voucher scheme and was it the same person who authorised the 'old mate' advertising campaign?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42): As the parliament would be more than aware, the South Australian Tourism Commission is a statutory authority and they made a decision with regard to their advertising contract. That was well underway under the previous government and under the previous minister. It was one of the first things that came to us. We did not interfere in that decision and that contract was awarded. With regard to specifically who did the work on the voucher, if it really is of genuine interest to the member, I will follow it up. It is a slightly obscure question but that is what we are used to.

The SPEAKER: The member for Colton.

Members interjecting:

The SPEAKER: Order! The member for Colton has the call. The member for Colton will be heard in silence.

MARINE INFRASTRUCTURE

Mr COWDREY (Colton) (14:42): I was starting to think you couldn't see me, sir. My question is to the Minister for Infrastructure and Transport. Can the minister update the house on how the Marshall Liberal government is investing in regional communities by upgrading and improving marine infrastructure facilities?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:43): I thank the member for Colton for his question. He is very interested in the fact we are building what matters for South Australia.

The Hon. A. Koutsantonis interjecting:

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

The Hon. C.L. WINGARD: Very shortly, the Treasurer will sail in here and of course announce more spending on infrastructure across South Australia, which is incredibly important to everyone in this house. It is infrastructure that South Australia needs and it is infrastructure that will create jobs for South Australians and we look forward to that.

Very recently, we announced our $40 million upgrade of jetties, boat ramps, bridges and structures across South Australia, which is a really, really important policy that we are rolling out—$40 million to build what matters for South Australia. Of that, $20 million will go over three years into upgrading bridges and $20 million will go over three years to upgrading jetties and boat ramps in particular, neglected by those opposite for far too long. This initiative will create 80 jobs in the process, which is more jobs for South Australia and which is exactly what we need. In particular, it is more jobs across the regions.

When we made this announcement, it went swimmingly. People were 'ferry' excited. I can tell you that they haven't seen this sort of investment in South Australia's marine infrastructure for a long, long time, so people are very happy. In fact, one gentleman came up to me and he said, 'I like the cut of your jib.' I said, 'Thank you, sir. This is a great policy to be delivering.' At the moment, we have a record $12.9 billion pipeline of infrastructure works here in South Australia and the Treasurer, I think, is going to come in here very shortly and blow that out of the water.

An honourable member: What?

The Hon. C.L. WINGARD: I know—more puns. It's a little bit too much. I'm getting in too deep, so I will stop. But jetties and boat ramps have supported commercial and recreational activities in South Australia since the 1850s and they continue to be of social, economic and historical

significance in local communities today, especially in the regions. Not so long back, I was on the West Coast with the member for Flinders, having a look at some of the jetties in his local community, and we know how important they are, especially in the summertime when people head out on their holidays.

The benefits they get out of those and the money they bring to the local community are truly appreciated. Whether it's people going and buying a rod for the first time and trialling it with their kids, or getting their bait when they do go out and use the boat ramp and go fishing, it's really important to the community, so that is vitally, vitally important for South Australia.

We know again, as I stressed, those opposite ignored these facilities for many, many years, and that's why they are run-down. Some of the boat ramps and jetties that we are starting on over the next 18 months, if I can list them off: Anxious Bay boat ramp on Eyre Peninsula, Cape Jervis jetty, Streaky Bay shelter, the Coffin Bay jetty, and of course the O'Sullivan Beach boat ramp, which was ignored for so long by those opposite, but we are fixing it, we are improving it, we are getting it working. The West Beach—

Members interjecting:

The SPEAKER: Order, member for Reynell!

The Hon. C.L. WINGARD: —boat ramp as well, that will take a little bit longer, probably in the two-year vicinity, because a bit more planning work needs to be done there. Those on the other side did no planning for this, but we are getting on and fixing it. We've got over 250,000 recreational fishers here in South Australia and more than 100,000 people with boat licences, and these upgrades will directly benefit them.

Any South Australian who wants to take their mate out on the water, go out with their family, do a spot of fishing either in their boat or on their jetty, will be well aware that we are building what matters for them. Bridges which will be upgraded over the next 18 months include the Barrier Highway at Burra (I was up there on the weekend), Mawson Road at Meadows, and the Hindmarsh Tiers Road over Hindmarsh River—three of the bridges, again, ignored by those opposite.

The Marshall Liberal government is working hard, along with the local government sector, to deliver an SA jetty strategy plan as well. We are working to further do more work in this space because we know the money we've put in here already will deliver great outcomes for the community and we'll continue to do more. That's why we are building what matters.

Members interjecting:

The SPEAKER: Order! Before I call the member for Waite, I warn the member for Reynell.

SPRINGBANK SECONDARY COLLEGE

Mr DULUK (Waite) (14:47): My question is to the Minister for Education. Can the minister please provide an update to the house on the future developments of the recreation stadium at Springbank Secondary College, and an important lease partnership with the Sturt Basketball Club? Sir, with your leave and that of the house, I will further explain.

Leave granted.

Mr DULUK: The Sturt Sabres Basketball Club, who seek to take on the lease of the stadium, finally have a home base again where they can continue to develop strong basketball players, a venue for spectators and build a sense of community. They would love to become the full-time residents at Springbank Secondary College.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:47): I thank the member for the question and I will indicate that I have also received some correspondence from members of the community relating to this issue, many of whom are interested. Of course, there are other interested parties. What I will do in this case is, appreciating the interest from the member and a number of people in this community, take the question on notice and I will investigate where the responses to that correspondence are up to and give it further consideration. I will also, as a result of this question, bring back an answer to the house.

TREASURY WINE ESTATES

The Hon. L.W.K. BIGNELL (Mawson) (14:48): My question is to the Minister for Primary Industries and Regional Development. Before the minister made the decision to reject applications by the Onkaparinga council to remain GM free, was he aware that Treasury Wine Estates had strict rules in place that growers must have a zero tolerance approach to GMOs in all aspects—

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

The Hon. L.W.K. BIGNELL: —of producing wine grapes?

The SPEAKER: Order! The member for Mawson will resume his seat. The Minister for Energy and Mining, on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: If the member would like to introduce alleged fact, then he can seek leave to do so.

The SPEAKER: I uphold the point of order. I will give the member for Mawson the opportunity to rephrase the question and/or seek leave, should he wish.

The Hon. L.W.K. BIGNELL: Yes, I seek leave to explain.

Leave granted.

The Hon. L.W.K. BIGNELL: Treasury Wine Estates (TWE) provided a letter which was tendered to the minister via the Onkaparinga city council where they pointed out that they would like to draw their attention to the following:

> Membership to the National sustainability program, Sustainable Winegrowing Australia is a contractual requirement by TWE and as per our recent correspondence we strongly encourage our entire grower network to ensure they join or renew their Sustainable Winegrowing Australian membership. With the newly released Sustainable Winegrowing Australia logo, our marketing and sales teams are excited to be able to use this mark for the TWE portfolio.
>
> Specific TWE Agro-chemical requirements:
>
> Read 'What's New for 2020/21…This includes new products available to use, reminders on recent changes and a list of products no longer available.

There is a reminder that you can't use iprodione. The letter continues:

> Herbicide Restrictions on Use—No herbicides are to be applied within 30 days of harvest and all herbicide applications must be recorded in Grapeweb.

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. L.W.K. BIGNELL: I can go on. I am happy to table the letter. But I think the minister is well aware of Treasury Wine Estates. I am pretty sure—

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

Members interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: I believe the member has finished introducing alleged facts and he is moving into debate.

The SPEAKER: I think the member has finished his question. I think the member for Mawson has finished his question. The Minister for Primary Industries and Regional Development.

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (14:51): I thank the member for Mawson for his question. This process has been very clearly defined under the Genetically Modified Crops Management Act 2004. That act was put in place under the Rann government. The objectives of that act are quite clear that any decision that is made around exemptions are applied to any particular region, and in this case we are talking about council applications that were provided under an amendment that was put earlier into this act this year.

That amendment was at the suggestion and request of those opposite. We agreed to put that amendment into the act to allow councils to make applications. But it's very clear under the act that those applications are limited to trade and marketing aspects which apply. As part of the act, it also requires that I must consult with the GM Crop Advisory Committee. That committee—

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker.

The SPEAKER: The minister will resume his seat. The member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: It has been attended to by the ever efficient Clerk, sir. There was no clock.

The SPEAKER: The minister has the call.

The Hon. D.K.B. BASHAM: As I was saying, it's very clear under the act. The advisory committee was established under the act, and it's very clear that that committee must be consulted by the minister when making decisions. Interestingly, the members of that committee, all of them, all nine who are currently there, were appointed by the previous minister for agriculture back in 2016. I wonder who that person was back in 2016.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. D.K.B. BASHAM: So this committee has a very important process of actually going through these applications and assessing them against that trade and market activity that is required to be assessed. Their recommendation to me from assessing those was unanimous. All 11 councils did not meet the needs of the act. Therefore, it would be unwise of me as minister not to listen to that committee and to make the declaration that I have out in the media that I am not going to gazette any of the councils. So very much of this information has been provided to me. I have gone through that information. I agree with the committee's findings and stand by the decision.

The SPEAKER: The member for Narungga.

The Hon. L.W.K. BIGNELL: A supplementary, sir. I think it went one from there, one from here, one from—

Members interjecting:

The SPEAKER: Order! The member for Narungga has the call.

NATIONAL PARKS

Mr ELLIS (Narungga) (14:54): My question is to the Minister for Environment and Water. Can the minister update the house on how the Marshall Liberal government is building what matters by investing in South Australia's parks and reserves of the state?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:54): I particularly thank the member for Narungga for that question, because—

Members interjecting:

The SPEAKER: The minister will resume his seat. The member for Playford will leave for the remainder of question time under standing order 137A.

The honourable member for Playford having withdrawn from the chamber:

The SPEAKER: The minister has the call.

The Hon. D.J. SPEIRS: Thank you, Mr Speaker. It is a great disappointment that the opposition does not want to hear about our record investment in our national parks, and it is probably because they are ashamed because they drove them into such a state of disrepair over their 16 bleak years in office when our national parks were so forgotten, ignored and let to fall into a state of disrepair.

Of course, that does not only have conservation and environmental detriment associated with it, it also is a significant problem for economic development in regional South Australia because

we know that if our national parks have a certain level of amenity which encourages people to go along and enjoy them and have a pleasant, high quality experience in and around them, those people will spend more money, they will stay longer, they will return, they will recommend that friends and family should visit those areas as well. And because the vast majority of our national parks are located in regional South Australia, of course that means people spending in local service stations, buying souvenirs along the way, eating out and paying for accommodation.

Investing in our national parks is great for conservation and it is great for our natural environment, but it also has a very important economic contribution to make to regional South Australia in particular. We've got so many great national parks across our state from one corner to the other: on Kangaroo Island and its wilderness areas; in the outback; and on our beautiful peninsulas—the Yorke Peninsula, the Eyre Peninsula, and the Fleurieu Peninsula. These are places that we want people to go to, and that is why the Marshall Liberal government's 2020 budget—really, our COVID-recovery budget—is putting parks at the heart of that recovery, because we know we can get that bang for buck when it comes to investing in our national parks.

The member for Narungga asked me specifically about the latest round of Parks 2025. This is our investment strategy for parks. We announced the first tranche of money, more than $20 million towards parks announced earlier in the year in March off the back of bushfires, and now we have added another $17 million, which was announced on the weekend and which is included in Treasurer Lucas's state budget today which looks at how we can make the most out of our national parks in terms of where we can lift the amenity, where we can get the picnic sites, the walking trails and the areas where we can enhance disability access to make our parks as equitable as possible in terms of getting people in there and maximising that visitor experience for all South Australians to enjoy no matter what their circumstances or what walk of life they come from.

In the latest round of investment, we are investing $3 million in the recently co-named Dhilba Guuranda-Innes National Park, and I will be heading over there on Saturday catching up with the new co-management board led by Doug Milera and talking about what they plan to do to advance the cause of traditional owners around Dhilba Guuranda-Innes National Park and also to talk about what we can do to maximise the economic benefits that flow from the $3 million we are investing there.

We are investing $2 million in the parks around Eyre Peninsula, and the member for Flinders will be excited to hear that news. We are investing $2.5 million in the Northern Flinders Ranges. The Minister for Energy and Mining will be excited by that news. That is building on the Southern Flinders' $10 million investment announced earlier in the year.

We've got parks all across our state, Mr Speaker. They are an incredible part of what makes South Australia one of the most livable places in the world. This budget is backing it. We are building what matters, and for many, many South Australians our national parks really do matter.

GENETICALLY MODIFIED CROPS

The Hon. L.W.K. BIGNELL (Mawson) (14:58): My question is to the Minister for Primary Industries and Regional Development. Why does the minister believe that losing $5.1 million per annum in export value and potentially up to $20.1 million per annum in crop value—

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

The Hon. L.W.K. BIGNELL: —should GM crops be grown in the McLaren Vale region—

The SPEAKER: Order! The member for Mawson will resume his seat. The Minister for Energy and Mining on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: The member is offending standing order 97 by introducing argument into his question and implying a way of thinking or belief on behalf of the minister before he is even halfway through asking his question.

The SPEAKER: I have the point of order. The member for Mawson appears to be introducing fact. He might seek to rephrase and/or seek leave again, to do so—

The Hon. L.W.K. BIGNELL: I am about to seek leave, if I can just finish the last six or seven words.

The SPEAKER: The member for Mawson might seek leave, if he wishes to introduce facts.

The Hon. L.W.K. BIGNELL: I wish to seek your leave and that of the house to explain my question.

Leave granted.

The Hon. L.W.K. BIGNELL: In a submission to the minister, members of the McLaren Vale—

Mr Knoll interjecting:

The SPEAKER: Order, member for Schubert!

The Hon. L.W.K. BIGNELL: —Grape Wine and Tourism Association stated that the McLaren Vale region risks losing at least $5.1 million per annum in export value and potentially up to $20.1 million per annum in crop value should GM crops be grown in our world-renowned McLaren Vale region, yet the minister stated in his media release, dated 2 November 2020, that there was no substantial evidence to justify any council area remaining GM free.

Members interjecting:

The SPEAKER: Order! The member Schubert is called to order. The minister has call.

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (15:00): I thank the member for his question. It's a very interesting thing to look at in this regard: the rest of mainland Australia has allowed GM crops to be grown and there are still particular businesses around Australia that are actually able to maintain their GM freedom if they choose to. It's very much up to the individual choice of a particular business. We actually see businesses operate in Margaret River, for example. Post the opening up of the availability of GM to be grown in Western Australia, they have continued to operate and maintain their GM-free status if they wish to.

Here in South Australia, the same thing is actually available to those members of any industry that operates within South Australia on the mainland. Kangaroo Island is the exception; it was carved out there under the act that it will remain GM free, but the rest of South Australia now has the choice. The producers on the mainland have the choice whether they would like to or they would like not to. Likewise, the businesses that are buying from those growers can choose to buy from those growers if they are GM free if that's what they want, or they can buy a GM product if that is what they want.

It's very much allowing the choice of the individual businesses to do what they would like to do without government telling them they have to do one thing or another. This is very much enabling the choice of the individual, to enable them to choose what is best for the business. It's very much up to them. That's how we have considered it. Again, I would like to reiterate that I support the opinions of the committee.

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

The SPEAKER: The minister might resume his seat for a moment. Is the member for Mawson rising on a point of order?

The Hon. L.W.K. BIGNELL: No, sir.

The SPEAKER: The member for Mawson might resume his seat. The minister has the call.

The Hon. D.K.B. BASHAM: As I said, I would very much like to again say that I am pleased that the advisory council, all appointed by the former minister, and I don't understand why he doesn't accept the views of people he appointed—I very much accept their unanimous agreement—

Members interjecting:

The SPEAKER: Order, member for Mawson!

The Hon. D.K.B. BASHAM: —that the 11 councils were not able to show that they had a marketing advantage for the councils' areas to remain free. There is nothing saying that individual businesses within those councils can't remain free if they wish. This very much opens the opportunity

for many, including grain growers, with the opportunity to take up canola now right around the state. That's the only crop that is available at this point in time, but there are other exciting things in the future that we may want to take advantage of in this state. I think this is a great decision. We have headed forward with the choice for farmers now being front of mind.

INFRASTRUCTURE PROJECTS

Mrs POWER (Elder) (15:03): My question is to the Minister for Local Government. Can the minister inform the house about the Marshall Liberal government's $100 million investment in local infrastructure projects to leverage job creation in local communities right across our great state?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:04): It is with great pleasure that I receive and am happy to answer the question of the member for Elder, and her interest in local government is greatly appreciated.

Can I start by saying that over the last two weeks I have had the opportunity to address both mayors and other advisers in relation to the Local Government Association Annual General Meeting, and indeed, just last Friday, chief executives of councils from across South Australia, to convey firstly the government's appreciation, in particular the Premier's really constant accolade, for the conduct of local government—in particular, showing leadership in restraint of their own expenditure, in trying to understand and appreciate their ratepayer base and support base and recognising the limitations some of their districts are particularly under.

COVID on top of bushfires has created enormous areas of strain for local government and the local government sector have stepped up. They have been complimented by the Premier and appreciated by us all in government. The other important message was to be able to bring to the fore this $100 million Local Government Infrastructure Partnership Program, another fifty-fifty program with state government money to be leveraged to enable us to fast-track, provide economic recovery, more jobs, and of course much-needed infrastructure within councils.

It's required councils to have projects ready to be able to do the preparation and planning in the full knowledge that this enormous stimulus opportunity is on its way through and, of course, it comes on top of an extra $15 million over the last financial year and this financial year for projects out of the Planning and Development Fund. What we have asked councils to do is to have those projects ready and to submit them early.

Just last week, from last year's program, the Premier and I were down at Wigley Reserve a couple of weeks ago now to see the launch of a playground in action with children all over it and, of course, locals coming forward to be able to say what a wonderful activity and refreshment that's given to the area. The local mayor and I think almost the whole council were present for the launch of this park, and it's a great testament to them, particularly because they had it ready, in the bag and ready to put on the table for this opportunity.

Energy, water, stormwater infrastructure, libraries, tourism facilities, arts and cultural facilities, sport, recreation, skate parks, barbecue facilities, bike paths, tennis courts, swimming pools—we are just about as good as you at this point—projects of all those kinds are ready and available to go. We've got the money on the table ready to fund it—$200 million total. We want to see that rejuvenation across the state, particularly for those who are in urgent need of building facilities for their local communities.

Just this last weekend, back on Kangaroo Island, on behalf of the Premier I was able to see the benefits of money being put very quickly into the community to be able to operate. Incidentally, the Variety Bash cars were very happy, Mr Premier, to receive your money to make sure that their cars could come back and forth on the ferry. It really is important, I think, for all governments to step up at this time. We're partnering with local government—we are proud to do so—and they are stepping up with those programs on the table, money is being spent and we are very proud of them.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:07): I move:

That the house at its rising adjourn until Wednesday 11 November 2020 at 2pm.

Motion carried.

BUDGET PAPERS

The following papers were laid on the table:

By the Premier (Hon. S.S. Marshall)—

Budget 2020-21—
Budget Overview, Budget Paper 1
Budget Speech, Budget Paper 2
Budget Statement, Budget Paper 3 [Ordered to be published]
Agency Statements, Budget Paper 4, Volume 1 [Ordered to be published]
Agency Statements, Budget Paper 4, Volume 2 [Ordered to be published]
Agency Statements, Budget Paper 4, Volume 3 [Ordered to be published]
Agency Statements, Budget Paper 4, Volume 4 [Ordered to be published]
Budget Measures Statement, Budget Paper 5 [Ordered to be published]

Bills

APPROPRIATION BILL 2020

Introduction and First Reading

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:08): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the year ending 30 June 2021 and for other purposes. Read a first time.

Second Reading

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:09): I move:

That this bill be now read a second time.

The SPEAKER: Pursuant to the suspension of standing orders, the debate is adjourned on motion and the Premier already has leave to continue his remarks, therefore admit the honourable Treasurer.

The Treasurer (Hon. R.I. Lucas) was admitted to the chamber.

The Hon. R.I. LUCAS (Treasurer): Mr Speaker, thank you again for your invitation to visit with you briefly to present the third budget of the Marshall Liberal government. God willing, there will only be one more occasion and then I will leave you alone.

Members interjecting:

The Hon. R.I. LUCAS: God willing, that was. Last year's budget speech warned that the 'national and international economic backdrop to this budget presents a number of challenges' but no-one ever envisaged we would confront a challenge as sinister and momentous as a global pandemic. Of course, the COVID-19 pandemic came immediately after the carnage wrought by one of the worst bushfires in the history of our state.

COVID has changed the world in ways none of us could ever have imagined and in ways none of us will ever forget. Once thriving businesses fell to their knees, thousands of workers lost their jobs, some South Australians fell ill and, tragically, four lost their lives, despite the best efforts of intensive care nursing staff and doctors who worked around the clock to save them. In the eight months since COVID hit, the government has thrown everything at our response in order to save as many lives as we could and to save as many jobs and businesses as we could.

To help combat the threat of COVID-19, the government virtually wrote blank cheques for health, such as $93 million for millions of protective masks for our healthcare workers and other staff, and our government was the first state government to launch a massive economic stimulus package to help save jobs and businesses. This budget will continue to fund whatever is necessary to maintain our health response but will now provide even greater focus on whatever is needed to assist our state's economic recovery.

The economic context for this budget has been outlined by the Governor of the Reserve Bank, Dr Philip Lowe, who has strongly urged all governments to provide massive financial stimulus through investment in publicly funded infrastructure. The focus of this budget will therefore be on economic recovery and directed to creating jobs and inspiring confidence in businesses and households—confidence in businesses to invest and help create jobs, and confidence in households where workers have jobs to resume spending at usual levels rather than increasing levels of savings. For this to occur, businesses and households need to have confidence in their leadership and governments that they have a clear plan and vision for how to implement policies required for economic recovery.

Last week's survey by Business SA—William Buck, showing record jumps in business confidence to levels higher than existed just prior to the pandemic, is an encouraging sign. The government has decided that this budget needs to jump-start our economy through the largest ever economic stimulus in our state's history: a $4 billion state stimulus package, which will leverage another $1 billion in commonwealth and local government, and business stimulus. The total stimulus package will therefore inject more than $5 billion into the state's economy.

The emphasis of this $4 billion state stimulus package will be on projects that can be completed or significantly completed within two years. This is consistent with the emphasis outlined by the commonwealth government in its recent budget and with the advice of the Reserve Bank. This two-year state stimulus package will not only assist our state's economic recovery post COVID-19 but will also assist a transition to the exciting jobs of the future in defence, space, cybersecurity and related advanced technology industries.

In terms of economic recovery and creating jobs, South Australia has a significant competitive advantage in that we have a locked and loaded commonwealth government commitment of at least $90 billion in defence investment in offshore patrol vessels, Hunter class frigates and Attack class submarines. This is an unprecedented pipeline of jobs and business opportunities right here in our state for decades to come.

Jobs have already been created, but we will see a significant acceleration of thousands of jobs over the next two to five years. In last year's budget, the government was pleased to report that, after inheriting a budget deficit of $313 million, it had delivered a budget surplus of $289 million in its first budget and forecast modest budget surpluses over the forward estimates.

The funding of a record state stimulus package and many other new projects and programs, together with the impact of COVID-19 on GST and other revenue, will mean significant increases in the budget deficit and debt levels. This is an inevitable consequence of the COVID-19 pandemic and is consistent with the response of the commonwealth government and other state and territory governments.

The budget deficit for last year was $1.49 billion and will increase to $2.59 billion this year and $1.42 billion next year. As outlined earlier, the government's stimulus response is time-limited to two years, so the forward estimates outline a return to a $406 million budget surplus in 2023-24. One of the major impacts on these deficits has been a massive reduction in actual and estimated GST receipts. Last year's GST return was actually $663 million less than estimated in last year's budget and this year will be $1.34 billion less than last year's budget estimates.

The government's state stimulus package and a record infrastructure program will mean that total non-financial public sector net debt almost doubles to $33.17 billion by 2023-24. Whilst these numbers are eye-watering for any Treasurer, they are mouth-watering for workers and businesses, as they are the means of saving thousands of jobs and businesses in South Australia.

One of the reasons why the Reserve Bank has urged governments to borrow more to fund stimulus and infrastructure projects is that interest rates are at historically low levels, and the

Reserve Bank has pledged to take action to maintain that position. For example, over the last 10 months we have borrowed $6.65 billion at an average rate of 1.3 per cent. In fact, term interest rate borrowings conducted over 2020 have varied from 0.69 per cent for two-year bonds in April to 2.29 per cent for 20-year bonds in September.

As a result, even though debt will increase significantly, our estimated interest costs for general government sector debt over the next three years will be $447 million less than the estimate in last year's budget. As outlined earlier, the primary objective of this budget is jobs—both saving as many jobs as we can and creating as many jobs as we can.

Since the 2018 election, the government's clear policy plan has been that long-term and substantial economic growth and jobs growth will be achieved by ensuring the costs of doing business in South Australia are nationally and internationally competitive. Government policies already implemented to abolish payroll taxes for all small business, slash ESL costs, further reducing workers compensation costs and driving down electricity prices are all consistent with that objective.

This budget continues that policy, with further relief on payroll tax, land tax, water prices and electricity costs. Further payroll tax relief of $233 million is outlined in this budget. All small and medium businesses with annual Australian grouped wages of up to $4 million will pay no payroll tax for the period from April 2020 to June 2021. Larger businesses with annual Australian grouped wages greater than $4 million and who are eligible for the extended JobKeeper payment from 4 January 2021 also will pay no payroll tax for the period January 2021 to June 2021.

In addition to these payroll tax waivers, larger businesses with payrolls greater than $4 million and who were also adversely impacted by COVID-19 are able to defer their payroll tax due for the period April 2020 to December 2020. Extended payment arrangements will be available for these deferred payroll tax liabilities. This deferral is estimated to have a cash-flow benefit to businesses of up to $180 million. In addition, the estimated cost of the decision to exempt JobKeeper payments from payroll tax is about $69.5 million.

Finally, the government has also decided to provide the equivalent of payroll tax relief for 12 months for wages paid to eligible new apprentices and trainees who commence a relevant contract of training with an employer from 10 November 2020 to 30 June 2021. The cost of this relief is estimated to be $5.7 million.

The government's land tax reform commenced from July 2020 and this budget now confirms that with the further land tax relief announced since then, land tax relief in 2020-21 will now be $106 million and will be $237 million over three years.

From 1 July this year, businesses as well as households have started benefiting from massive reductions in water costs. Average businesses are receiving savings of around $1,400 a year, but some high volume water users have saved up to $1 million per year.

A significant feature of the record $4 billion state stimulus package is an $850 million 'Tradies Package', which will see steel caps, hard hats, high vis and overalls all over our state in a direct and targeted response to the greatest economic challenge of our time. Included in the 'Tradies Package' are significant increases in funding for essential maintenance of government assets such as schools, preschools, regional health facilities, country theatres, roads and bridges.

For example, the government has allocated $37 million to provide grants of between $20,000 and $100,000, depending on need, to government schools to undertake priority maintenance works in the 2021 school year. Similarly, grants of $30,000 for every government preschool to undertake maintenance will provide significant work for tradies and local businesses. This builds on a $32 million government school and preschool maintenance package implemented by the department by repurposing funding. This package provided $20,000 to government preschools as well as additional maintenance works in government schools. Other projects include:

- $100 million in road maintenance to improve road safety, which will unlock an additional $168 million of commonwealth funding for small-scale road safety projects;
- $10 million for sustainability works at regional health facilities;
- $40 million to upgrade boat ramps, jetties and road bridges;

- $44 million in Parks 2025 projects, including tourism and visitor facilities in the Flinders Ranges, Eyre Peninsula and Yorke Peninsula; and
- $10 million for works at the Botanic Gardens and the Torrens Parade Ground.

The 'Tradies Package' is part of the economic adrenaline hit of the $4 billion state stimulus package and is geared towards creating jobs immediately and over the next two years as our economy recovers from a global pandemic.

The $4 billion state stimulus package includes a significant number of projects, which are too numerous to list but are detailed in the budget papers. The more significant funding commitments include:

- $82 million for a second round of $10,000 grants for small businesses and not-for-profit organisations adversely impacted by COVID-19, and a $3,000 grant for owner-operated small businesses conducted from a commercial premises but do not employ staff, funded from the Business and Community Jobs Support Fund;
- $220 million increase for the Economic and Business Growth Fund;
- $245 million increase for the Business and Jobs Support Fund and the Community and Jobs Support Fund;
- $100 million from the Community and Jobs Support Fund for a Local Government Infrastructure Partnership Program, which, after matching funding, will fund at least $200 million of projects;
- $76 million for a Housing Construction Stimulus Package from the Community and Jobs Support Fund designed to support the sector after the HomeBuilder stimulus wanes. This package will include initiatives such as shared equity for new home construction and opportunities to promote community and affordable housing;
- $60 million for capital upgrades to government buildings to improve energy efficiency and deliver long-term electricity saving;
- $320 million expanded non-government schools loan scheme, which will be interest free for the first five years and low interest rates for the remaining term;
- $30 million for Golden Grove Road—stage 2 and an extra $25 million for the $33 million Golden Grove park-and-ride;
- $37 million for maintenance related works on the Port Bonython jetty to ensure the ongoing use of the port for oil and gas exports;
- $25 million funding for Regional Growth Fund projects; and
- $16 million to upgrade the South Australian Aquatic Sciences Centre.

One of the industry sectors that has been most impacted by the COVID-19 pandemic has been the tourism and hospitality sector. Whilst the easing of restrictions in South Australia has assisted the viability of many businesses, there is no doubt there are significant challenges for some businesses in the sector. The government has therefore decided in this budget to fund a tourism and hospitality sector support package.

This budget includes significant increases in funding to secure new major leisure events and conventions to further drive future visitation and protect and create jobs in the sector. An extra $12 million over three years has been provided to help attract new events to South Australia. One such event will be Illuminate, which will run over two weeks and three weekends in July and is being led by homegrown creative leaders Rachael Azzopardi and Lee Cumberlidge, who are working in collaboration on the event with representatives from the creative, scientific, business and entrepreneurial sectors.

This budget also commits $10 million per year, or $40 million over four years, to continue existing levels of funding available for events and conventions. The government has also committed

to reallocating millions of dollars per annum from Adelaide 500 funding to these funds to attract new events and conventions.

The government is also committed to more than $120 million over four years to tourism marketing. Funding previously directed to international marketing is being reallocated to domestic marketing—both intrastate and interstate. This will continue whilst international travel remains restricted.

The government has also committed $20 million over two years for a Tourism Industry Development Fund to help stimulate private sector investment in new and improved regional accommodation and the development of quality tourism products and experiences. The government allocated $4 million for up to $100 Great State travel vouchers for accommodation across the state to boost the sector.

The government will reallocate any unexpended funding in a new scheme early in 2021 and details of the scheme will be announced in the near future. It should also be noted that tourism and hospitality businesses significantly impacted by COVID-19 will be major beneficiaries of the payroll tax relief and small business grant scheme outlined in this budget.

As we emerge from the pandemic and seek to grow jobs in the sector in the future, public and private investment in improved tourism visitor experiences is essential. The $40 million resort and visitor centre at Monarto to provide the biggest safari experience outside of Africa is one example and this budget's further funding boost for Parks 2025 is another example.

The budget also commits another $50 million to the $200 million Aboriginal Art and Cultures Centre at Lot Fourteen, which will be a major visitor experience boost for our state when concluded. The government recognises the importance of this sector in terms of creating new jobs in the future and the government will continue to work with industry leaders to assist that growth.

Last year's Mid-Year Budget Review committed $12.9 billion over four years for a record infrastructure program. Consistent with the recommendations of the Reserve Bank and many other stakeholders, this budget further increases funding by almost $4 billion. This budget now allocates a record $16.7 billion over four years for the biggest public sector infrastructure program in this state's history. This record $16.7 billion funding is designed to build what matters, and $7.6 billion is allocated to road and public transport infrastructure and $3 billion to health and education facilities. However, there are also significant new infrastructure commitments across virtually all other portfolios.

This budget allocates $204 million over four years to progress the implementation of the state Sport and Recreation Infrastructure Plan. This investment is a game changer for sport and was developed after widespread consultation by the government with individuals and organisations across the state. The clear message to the government was that people welcomed past investment in major sporting facilities such as Adelaide Oval but now they wanted a focus on community and state-level facilities.

This budget allocates an extra $35 million over the next two years for community sporting and recreational facilities in both the metropolitan area and the regions. The success of this type of investment is demonstrated by existing grant programs which, by partnering with communities and sporting codes, turned $15 million of taxpayer funding into about $60 million worth of projects. The State Sport and Recreation Infrastructure Plan identifies a number of existing state sport facilities which need significant upgrades to ensure they can position South Australia as a premier sporting destination.

The government today announces the first two of these projects. This budget commits $44 million for implementing stage 2 of the Memorial Drive Tennis Centre redevelopment. This investment will build on the momentum of stage 1 and continue the transformation of one of the nation's most iconic sporting precincts into a state-of-the-art arena for sporting, arts and entertainment events. This redevelopment, which will be completed by the end of 2021, includes:

- four new grandstands to increase seating capacity to 6,000;
- areas for event activities and general function spaces;

- elite training and recovery facilities;
- improved access to the Adelaide Oval precinct; and
- digital infrastructure.

This budget also commits $45 million to bring Hindmarsh Stadium up to a contemporary elite sport standard which is suitable for bidding for elite national and international-level events. It is intended for the project to be completed by the end of 2022 or the start of 2023 in readiness for the FIFA Women's World Cup should South Australia be successful in hosting games. This redevelopment includes:

- shade covering over the east grandstand;
- new stadium lighting (3,500 lux);
- new and upgraded change rooms and toilets;
- replacement pitch;
- improved disability access, media, broadcast and corporate facilities and air conditioning; and
- improved food and beverage outlets and kitchen and catering facilities.

An additional $8 million will also be spent on technology enhancements, including two new superscreens. Over the coming weeks, the government will announce a number of other new projects highlighted in the State Sport and Recreation Infrastructure Plan.

The government's record $16.7 billion infrastructure program is a healthy mix of stimulus-type projects, which will be completed or significantly completed within two years, and long-term projects which the government had promised to deliver. One of these long-term projects was the completion of the most complex part of the north-south corridor project from Darlington to the River Torrens. When we were elected just over two years ago, we discovered that under the Labor government:

- no business case had been commenced or completed;
- tunnels had been considered and rejected in the period 2012-14;
- not a single dollar had been allocated to this project in the budget forward estimates, other than for a planning study; and
- funding promises for tram projects to various suburbs had been given higher priority.

In recent weeks, there have been a significant number of inaccurate claims about the government's supposed decisions on this project. Those inaccurate claims, amongst many, included that the project would not conclude until 2035 and that the government had decided on a 5.8-kilometre tunnel from Tonsley to Anzac Highway and an open motorway from Anzac Highway to the Torrens.

It is fair to say that over recent months dozens of different options for this project have been considered and rejected. The government has rejected the all tunnel option which was estimated to cost $12 billion and the at-surface motorway option, which was similar to the option adapted by the Labor government for other stages of the north-south corridor project. The government has now decided on an option which combines two separate tunnels and lowered and surface motorway sections. Stage 1 of the option includes:

- one kilometre of surface road and lowered motorway from the tie-in to the Darlington interchange until the commencement of the southern tunnel;
- a 4.3-kilometre southern tunnel ending just south of the Glenelg tramline; and
- one kilometre of lowered motorway under Glenelg tramline and Anzac Highway.

Stage 2 of the option includes:

- a further two kilometres of surface motorway, from Gallipoli Underpass to just south of Richmond Road, then a lowered motorway under Richmond Road until the commencement of the northern tunnel just south of Sir Donald Bradman Drive;
- two kilometres of northern tunnel, ending just south of West Thebarton Road; and
- 1.1 kilometres of lowered motorway under West Thebarton Road until south of the River Torrens and then surface motorway from River Torrens until the tie-in with the Torrens to Torrens section.

This project, creating up to 4,000 jobs, will be the biggest ever job-creating infrastructure project in South Australia's history which will be completed by 2030. This project will remove thousands of vehicles a day from South Road and slash up to 24 minutes in travel time during peak hour. This option will require about 480 fewer property acquisitions when compared to the Labor government's open motorway option. This will significantly reduce impacts on businesses and will protect community and heritage assets such as the Thebarton Theatre, Queen of Angels Church, Hindmarsh Cemetery and Hoffman Brick Kiln.

The current estimated cost for this option is $8.9 billion, but that final cost estimate will be determined later next year after a detailed business case is concluded by midyear and considered by Infrastructure SA and Infrastructure Australia by later next year. This budget allocates $1.96 billion over four years towards the project, with an allocation of $30.5 million in 2020-21, $151.4 million in 2021-22, $394.8 million in 2022-23, and $1,384.9 million in 2023-24, whilst the commonwealth budget has currently budgeted a total of $536 million over the forward estimates, including funding already paid.

The government is confident that it will be able to negotiate a bring-forward of commonwealth funding currently beyond the forward estimates, as we have done successfully over the last two budgets. Early works, including ground investigations, are already underway, with relocation of utilities commencing mid next year and continuing for about two years. Major construction will commence in late 2023. Other transport projects in the budget include:

- $250 million over four years for the Hahndorf traffic improvement project;
- $135 million over three years towards the total $180 million total cost of the sealing of the Strzelecki Track;
- $185 million over five years for works on the Main South Road and Victor Harbor Road;
- $52 million over three years for upgrades of regional roads such as the Stuart, Dukes, Spencer and Riddoch highways; and
- $58 million over two years on road maintenance works in the metropolitan area.

Given the massive size of this record infrastructure program, it will not be possible to list all the funded projects in this speech, so again I will refer members to the details in the budget documents. However, some of the major projects included are:

- $685 million allocated towards the final cost of the new Women's and Children's Hospital, estimated to be completed in 2025-26;
- $50 million at the current Women's and Children's Hospital for works such as a new Special Care Baby Unit and Paediatric Emergency Department upgrade;
- $50 million towards the total $314 million cost of stage 3 of The Queen Elizabeth Hospital redevelopment;
- $15 million for the expansion of the Gawler Hospital Emergency Department;
- $196.8 million over three years to complete the rollout of the Sunrise Electronic Medical Record and Patient Administration System;
- $10 million over two years to upgrade the recently purchased former Investigator College site in Goolwa;

- $34.9 million over four years on the Mobile Workforce Transformation program which will establish remote connectivity for all SAPOL staff and in SAPOL vehicles;
- $86.5 million over five years for a new Cultural Institution Collections Storage facility;
- $11.5 million over four years for MFS fire appliances;
- $7.2 million over four years for CFS fire truck replacement; and
- $18.7 million over three years to consolidate the provision of youth custodial services into a single site at Cavan.

The government continues to spend record amounts on education and skills development. This budget continues that record with an extra $805 million to be spent on education in 2023-24, when compared to spending levels in 2019-20. The government will also be employing an extra 1,768 full-time equivalent employees in education by 2023-24.

There is an additional $68.9 million over two years to deliver on the JobTrainer Fund national agreement to deliver additional training options as the economy recovers. The budget also provides $5 million this year to subsidise small businesses in accessing business advice to support the development of sustainable business strategies.

The government's Skilling SA Public Sector program has been supporting more than 2,600 participants over four years to undertake a vocational qualification. This budget is now providing additional funding to agencies of $32.9 million over four years to support a further 750 traineeships and apprenticeship places in areas such as cybersecurity, aged care, disability services and housing construction.

The government has allocated $120 million for a Digital Restart Fund to invest in projects that support an improved digital experience and access to information for businesses and individuals dealing with government. The budget has also allocated $18.3 million over four years for a Statewide Electric Vehicle Charging Network, as well as a number of other measures to increase the uptake of electric vehicles.

Governments have provided significant resources to their health departments in coping with the COVID-19 pandemic but also to many other agencies undertaking important roles, including:

- $330 million in state and commonwealth funding to protect the health and wellbeing of South Australians and also supporting health workers. This includes $21.2 million in extra resources to SAPOL;
- $13.8 million to provide support for international students impacted by COVID-19;
- $27.5 million for a once-off $500 boost to the 2020-21 Cost of Living Concession;
- $350 000 in multicultural grants to support the needs of vulnerable migrants coping with COVID-19; and
- additional funding for COVID-19 self-isolation payments.

This budget continues to provide additional resources to help protect vulnerable members of our community. An additional $124 million over four years has been provided to meet the costs of an increase in the number of children and young people in care. A further $9.8 million over four years has been provided for the Child and Family Assessment and Referral Network program supporting children and families with complex needs and a trial to support young women under 23 years of age with child protection histories.

This budget provides $3.8 million over four years for domestic violence measures, including the continuation of the Domestic Violence Disclosure Scheme to ensure people who request information about a partner's criminal history have support from the specialist women's domestic violence service. Funding is also provided for:

- $13.6 million over three years to provide short-term emergency accommodation and support services to rough sleepers, including those from remote Aboriginal communities, in response to the COVID-19 pandemic;

- $3.5 million over four years to expand the Adult Safeguarding Unit to include adults living with a disability who may be vulnerable to abuse; and
- $5.1 million over four years in funding for the new National Agreement on Closing the Gap.

This budget demonstrates that the government recognises that South Australia's regions are critical for the future of our state. There is significant new investment in our regions to help grow economic opportunity and improve community infrastructure. This funding comes in addition to the $293 million that has been provided in bushfire support funding, which provided immediate relief, recovery and response to regions impacted by bushfires.

The government was elected with a clear commitment to lower costs for households and businesses in South Australia, and this budget continues to deliver significant cost-of-living relief, driving down the cost of average household bills. From 1 July this year average households are saving approximately $200 per year on their SA Water bills.

In June the government took the first opportunity to reverse the decision of the Labor government and revised down the value of SA Water's regulated asset base, which helped deliver big savings to households. Businesses also have benefited with average bills dropping by about $1,400 but some businesses with high-volume water usage saved up to $1 million per year. This decision has a big impact on the state budget as well because there is an estimated reduction of around $214 million this year in the contribution SA Water makes to the budget in dividends and income tax equivalents as a result of the reduced water and sewerage prices.

The budget continues the ESL remission of $90 million per year, which saves an average household $163.60 this year. Funding continues for the doubling of sports vouchers from $50 to $100 for primary school-age children whilst savings of $100 per car on average from the CTP reforms also continue.

The government continues to fund and implement policies to drive down electricity prices. Our reforms already have resulted in an average saving to households of $158 per year. All these reforms mean that a two-child, two-car household will be saving more than $800 per year since the election just two years ago. The size of these household savings swamps the impact of some increases in fees and charges announced last year.

In addition to these savings, this budget allocated $17 million over two years to provide hospital staff with free car parking and public transport during the COVD-19 pandemic. This budget also introduces a limited number of revenue measures, including:

- fees and charges increased by around 1.9 per cent on 1 July 2020, reflecting the average increase in the cost of providing services;
- an increase to the victims of crime levy by 50 per cent from 1 January 2021, with the exception of youth levy fees, which remain unchanged;
- requiring an up-front payment of vehicle clamping and impound fees at the time of the vehicle's release; and
- an increase in the Public Trustee investment management fee for the growth common funds increases from 1 per cent to 1.2 per cent from 1 July 2021.

The government is intending to introduce a road user charge for plug-in electric and zero emissions vehicles. The charge will include a fixed component (similar to current registration charging) and a variable charge based on distance travelled. Electric vehicles do not attract fuel excise and therefore make a lower contribution to the cost of maintaining our road networks. The proposed road user charge will ensure road maintenance funding is sustainable into the future. The government is consulting with other jurisdictions about the details of the proposed road user charge. Current estimates are that less than about $1 million per year will be collected by the charge.

The economic outlook since the 2019-20 Mid-Year Budget Review has obviously changed significantly due to the impact of the COVID-19 pandemic. For example, the International Monetary Fund in its October 2020 World Economic Outlook is projecting a deep recession in 2020. The

IMF comments that 'economies everywhere face difficult paths back to pre-pandemic activity levels' and predicts that advanced economies will contract by 5.8 per cent in 2020.

Economic growth in South Australia during 2019-20 has been shaken firstly by drought and bushfires and then by the COVID-19 pandemic, with real GSP expected to contract by 1.75 per cent and employment to decline by 0.6 per cent. The easing of restrictions in South Australia from the end of June is aiding the recovery of the state economy. Whilst employment declined significantly in April and May, employment has recovered significantly in each of the four months since then.

Encouragingly, as of September, about three-quarters of the almost 50 000 jobs lost between March and May had been recovered. As outlined earlier, confidence levels have also recovered significantly. The budget estimates economic growth this year at -0.75 per cent but rebounding strongly in 2021-22 to 4.25 per cent growth.

This budget has a critical role to play in providing resources to manage the response to the COVID-19 pandemic but also to provide the resources for a clear plan for the economic recovery as we emerge from the pandemic. The focus for this budget therefore has been a $4 billion stimulus package to jump-start our economy, with an emphasis on projects that can be completed or significantly completed within two years.

However, at the same time, the budget provides a basis for long-term economic growth and jobs growth by continuing to focus on ensuring the costs of daily business in South Australia has to be nationally and internationally competitive whilst also completing long-term infrastructure projects such as the north-south corridor, the new Women's and Children's Hospital and the projects at Lot Fourteen such as the Aboriginal Art and Cultures Centre.

On behalf of all South Australians, I want to take this opportunity to place on the public record our thanks to all the hardworking staff, in particular in health and related portfolios, and all the other public servants who have continued to work very hard to keep us all safe from the COVID-19 pandemic. I again want to thank all my ministerial colleagues for their cooperation during the budget process. I have to say they seem to enjoy this particular budget process much more than any previous budget process that I have observed.

I also place on the record my thanks to all the hardworking Treasury staff who have worked long hours in putting together this budget. However, I have to say that after this budget result I may need to speak to the Minister for Health about the need for counselling and support for Treasury staff, as they are not used to saying yes to so many budget requests! Finally, I want to thank all the staff in my ministerial office without whose hard work and commitment to the job we would never have met the deadlines required. Mr Speaker, I commend the budget to the house.

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:50): I move:

That the second reading be now resumed.

Motion carried.

I seek leave to have the second reading explanation of clauses inserted in *Hansard* without reading it.

Leave granted.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2020. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

This clause provides for the issue and application of the sums shown in Schedule 1 to the Bill. Subsection (2) makes it clear that the appropriation authority provided by the *Supply Act* is superseded by this Bill.

5—Application of money if functions or duties of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

6—Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

7—Additional appropriation under other Acts

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the *Supply Act*.

8—Overdraft limit

This sets a limit of $150 million on the amount which the Government may borrow by way of overdraft.

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2021

Debate adjourned on motion of Mr Brown.

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Standing Orders Suspension

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:51): I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

The SPEAKER: There being an absolute majority present, I will accept the motion.

Motion carried.

Introduction and First Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:51): Obtained leave and introduced a bill for an act to amend the Aged and Infirm Persons' Property Act 1940, the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007, the Emergency Services Funding Act 1998, the Independent Commissioner Against Corruption Act 2012, the Land Acquisition Act 1969, the Legislation (Fees) Act 2019, the Mining Act 1971, the Police Act 1998, the Police Complaints and Discipline Act 2016, the Public Sector Act 2009, the Public Trustee Act 1995, the Security and Investigation Industry Act 1995 and the State Lotteries Act 1966, and to repeal the Protective Security Act 2007. Read a first time.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:53): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and the explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The 2020-21 Budget is focussed on the government's priorities of increasing economic growth and jobs, supporting our businesses and the community and providing better public services for South Australians.

As part of the 2020-21 Budget, the government has announced measures to:

- Bring Protective Security Officers within the *Police Act 1998* as Police Security Officers with appropriate non-sworn officer powers. Implementation of this measure requires the consequential amendment of a number of pieces of legislation and the repeal of the *Protective Security Act 2007.*

- Address an administrative inconsistency between the Statutes Amendment (Mineral Resource) Act 2019 and the Statutes Amendment (Budget Measures) Act 2019.
- Require the payment of all impounded or clamped vehicle fees up front at the time of vehicle release.
- Update an outdated reference to the Motor Accident Commission as the body responsible for determining CTP insurance premium classes to the CTP regulator.
- Clarify amendments to the *Land Acquisition Act 1969* to make aspects of the land acquisition process simpler and more transparent including to allow land acquisition to be expedited in appropriate cases to facilitate economic stimulus measures.
- Allow the Public Trustee to charge an increased investment management fee on common funds.
- Amend the *Legislation (Fees) Act 2019* to clarify the intended operation of the Act in relation to the making of fee notices.
- Amend the definition of net gaming revenue in the *State Lotteries Act 1966* to exclude agents' commissions.

Mr Speaker, I turn now to a more specific discussion of the detail of these important amendments.

Aged and Infirm Persons' Property Act 1940

The Bill introduces an amendment to the *Aged and Infirm Persons' Property Act 1940* to allow an investment management fee as determined by the Minister by fee notice under the *Legislation (Fees) Act 2019 to* be charged by the Public Trustee.

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007

This Bill amends the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* so that offenders will be required to pay the impounding fee, at the time of the release of their vehicle.

Currently, prior to the finalisation of criminal proceedings, an alleged offender is able to recover their impounded vehicle after at least 28 days without paying the relevant impounding fee. The ability for SA Police to recover its costs is therefore dependent on the successful conviction of the alleged offender, the court making an order that the person is liable to pay the relevant fee and the convicted offender paying the fee.

This Bill will ensure the payment of impounding fees upfront, at the time of release of the vehicle even when court proceedings for an individual have not been finalised. In situations where the alleged offender is not found guilty of a prescribed offence, the charge of the prescribed offence has been withdrawn or proceedings for the prescribed offence have been discontinued, the fee paid will be reimbursed.

The requirement to pay the impounding fee at time of release will result in additional revenue of approximately $1.5 million per annum.

Similar arrangements for the payment of impounded vehicles are in place in Victoria and Tasmania.

Emergency Service Funding Act 1998

These amendments are administrative in nature. The emergency services levy is paid on mobile property, such as motor vehicles, at the time of registration.

The amount of levy payable is set with reference to compulsory third party premium classes.

The amendments reflect that responsibility for determining these classes now rests with the CTP Regulator.

Land Acquisition Act 1969

Following the commencement of the *Land Acquisition (Miscellaneous) Amendment Act 2019* (the Amendment Act) in July of this year, it has been determined that a small number of clarifying amendments are needed to ensure the provisions introduced in the Amendment Act operate as intended.

These amendments will also make aspects of the land acquisition process simpler and more transparent. One new provision is included to allow land acquisition to be expedited in appropriate cases to facilitate economic stimulus measures, which is important in the uncertain times we find ourselves in, Mr Speaker.

The provisions amend the *Land Acquisition Act 1969* to provide that the Minister may, by notice in the Gazette, fix a possession date for land to be acquired that is less than 3 months from the date of the notice of acquisition for a specified project or projects.

The provision will allow land acquisition for relevant stimulus projects, such as lane widening and additional overtaking lanes to begin more quickly in appropriate cases.

The amendments also clarify that where land is acquired but an owner remains in occupation of the land, that a market rent can be charged by the acquiring authority three months after the date of the notice of acquisition.

This was the original intention of the amendments dealing with this issue in the Amendment Act, and these provisions operate to clarify this intention.

Mr Speaker, the Bill also clarifies the definition of vacant land. 'Vacant land' is now defined to include residential land on which no person is lawfully residing at the time, or non-residential land that is not genuinely being used for income producing purposes at the time, or primary production land that is not actively being used for grazing, cropping, horticultural, horse keeping, intensive animal keeping, animal husbandry or other primary production purposes at the time. This will avoid unnecessary disputes and delay when vacant land is acquired. The remaining amendments are consequential amendments to section 24.

Legislation (Fees) Act 2019

The Bill makes minor amendments to the *Legislation (Fees) Act 2019* to clarify the intended operation of the Act in relation to the making of fee notices.

In particular, the Bill amends the definition of 'relevant authority' in the Legislation (Fees) Act to make it clear that where an Act authorises:

- a specified person or body other than a Minister to prescribe a fee by regulations; or
- both a Minister and a specified person or body to prescribe a fee by regulations;
- the relevant authority for the purposes of the Legislation (Fees) Act is the Minister to whom the relevant Act is committed.

The *Statutes Amendment (Budget Measures) Bill 2020* contains amendments to the necessary legislation to implement these measures.

Mining Act 1971

In 2019, the Budget removed the practice of returning 95% of the rental payments to mining lease and licence holders who were also the freeholder owner of the relevant land, ensuring 100% of the rent is paid into Treasury general revenues. As the *Statutes Amendment (Mineral Resource) Act 2019* pre-dated the 2019 budget, this amendment will ensure the 2019 budget measures are not inadvertently unwound.

Police Act 1998

The amendments to the *Police Act 1998* and the *Police Complaints and Discipline Act 2016* together incorporate the appointment, duties, powers and accountability of Protective Security Officers. The terms of the *Protective Security Act 2007* relating to appointment, powers and duties etc will be included within the *Police Act 1998,* with the complaint and disciplinary matters to be the subject of the *Police Complaints and Disciplinary Act 2016.*

The amendments are directed to the future of policing. The public is best served by having experienced and highly trained police focussed on policing; and by enabling others to become engaged in policing support types of roles. Our recent and continuing experience with the COVID-19 pandemic has underlined the need for this development.

The Bill includes regulation making powers to enable police security officers to perform other roles, duties and powers in support of policing so that the important work of police officers can focus on the safety of our community, the prevention of crime, and the investigation and apprehension of those engaged in unlawful activity.

The Bill provides for the transition of current protective security officers into the new police security officer roles and makes consequential amendments to the *Independent Commissioner Against Corruption Act 2012,* the *Public Sector Act 2009* and the *Security and Investigation Industry Act 1995.*

The amendments and repeal of the *Protective Security Act 2007* will come into effect on a date to be fixed by proclamation, as will the contemplated regulations.

I am pleased to note that this initiative has arisen from enterprise bargaining negotiations with the Police Association of South Australia. I welcome the Association's foresight and support for the future of policing and community safety.

The contemplated regulations to address other additional roles, duties, powers, and accountabilities of the new police security officer role will be the subject of development by the Commissioner of Police in consultation with the Police Association of South Australia. The Commissioner of Police will also implement a consultation process with protective security officers and their industrial representatives.

Public Trustee Act 1995

The Public Trustee will be increasing the investment management fee for growth common funds from 1.0 per cent to 1.2 per cent per annum, commencing on 1 July 2021.

The investment management fee for defensive common funds will remain at 1.0 per cent, reflecting the lower returns achieved for this product.

The proposed management fee for growth common funds will remain lower than those able to be charged in the Northern Territory, Western Australia and Queensland.

State Lotteries Act 1966

Under the *State Lotteries Act 1966* a payment of 41 per cent of net gambling revenue for lotteries conducted by the Commission is payable into either the Hospitals Fund or Recreation and Sports Fund.

The definition of net gambling revenue currently includes agents' commissions, which is a charge included in the price of each ticket in a lottery to be paid to the agent who sells the ticket.

Representations have been made that the inclusion of agents' commissions in the calculation of net gambling revenue is a barrier to increasing agent commission rates, noting that certain commission rates paid in South Australia are below rates in other jurisdictions.

The amendments to the *State Lotteries Act 1996* will exclude agents' commission from the definition of net gambling revenue, offset by a revenue neutral increase in the rate of distributions from net gambling revenue to the Hospitals Fund and Recreation and Sports Fund.

Different payments as a proportion of net gambling revenue will be introduced for keno lotteries and other types of lotteries to achieve a revenue neutral outcome for distributions to relevant funds.

Mr Speaker, the 2020-21 Budget is a responsible budget focused on creating jobs, backing business and building what matters. The measures contained in this Budget Measures Bill 2020 support the efficient operation of government, the ongoing collection of necessary revenues and provision of better services.

I commend this Bill to the House.

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Aged and Infirm Persons' Property Act 1940*

4—Amendment of section 20—Percentage of moneys collected payable to Public Trustee

This clause amends section 20 to allow commission or fees to be paid from an estate in respect of which the Public Trustee is appointed manager to the Public Trustee at amounts or at rates prescribed by the Minister for the purposes of the Act by fee notice under the *Legislation (Fees) Act 2019*.

Part 3—Amendment of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

5—Insertion of section 4A

This clause inserts new section 4A into the Act to combine in an interpretation clause for Part 2 of the Act a number of defined terms currently used in discrete sections.

6—Amendment of section 8—Early determination of clamping or impounding period

This clause amends section 8 of the Act to remove those subsections that are proposed to be moved into new section 9 (see clause 7).

7—Substitution of section 9

This clause substitutes section 9 of the Act. Currently the Act requires that a motor vehicle is released at the end of the clamping or impounding period (section 8) and that the offender, on being found guilty of the prescribed offence or another prescribed offence arising out of the same course of conduct, is liable to pay the clamping and impounding fees under section 9.

Proposed new section 9 provides that a motor vehicle may not be released unless the clamping and impounding period has ended and the clamping and impounding fees have been paid to the Commissioner. Exceptions to this requirement are where the Commissioner determines that:

(a) grounds did not exist under section 5 to clamp or impound the motor vehicle;

(b) the motor vehicle was, at the time of the offence in respect of which the motor vehicle was clamped or impounded, stolen or otherwise unlawfully in the possession of the person or was being used by the person in circumstances prescribed by regulation under section 8(2)(a);

(c) the offence in respect of which the motor vehicle was clamped or impounded, occurred without the knowledge or consent of any person who was an owner of the motor vehicle at the time of the offence;

(d) it is appropriate in the circumstances of the particular case to release the motor vehicle without payment of the clamping or impounding fees at the time of release because—

(i) the imposition of the fee or the continued clamping or impounding of the motor vehicle would cause severe financial hardship to a person other than the alleged offender or a person who was knowingly involved in, or who aided or abetted, the commission of the offence; or

(ii) other grounds exist that warrant the release of the motor vehicle without payment of the fees.

In addition, a person who has paid the clamping and impounding fees for the release of a motor vehicle is entitled to a refund of the amount paid if the offender is subsequently found not guilty of the offence (and not charged with another prescribed offence arising out of the same course of conduct), the charge of the prescribed offence has been withdrawn (and no charge of another prescribed offence arising out of the same course of conduct has been laid) or proceedings for the prescribed offence have been otherwise discontinued (and no other criminal proceedings for a prescribed offence arising out of the same course of conduct have been commenced).

In addition, if a court finds a person guilty of a prescribed offence in respect of which a motor vehicle has been clamped or impounded (or guilty of another prescribed offence arising out of the same course of conduct), the person is, on being found guilty—

(a) liable to pay to the Commissioner all outstanding clamping or impounding fees payable in relation to the clamping or impounding of the motor vehicle (including where the motor vehicle has been released without payment of fees under section 9(2)) and those fees are recoverable by the Commissioner as a debt; and

(b) liable to pay to any other person the amount that the other person has paid to the Commissioner in clamping or impounding fees in relation to the clamping or impounding of the motor vehicle and that amount is recoverable by the other person from the offender as a debt.

No fees are payable at all in relation to the impounding of a motor vehicle if on application by an owner of the vehicle made to the Commissioner within 7 business days of the impounding of the motor vehicle, a relevant authority causes the motor vehicle to be destroyed. An applicant for the destruction of a motor vehicle must pay the prescribed fee to the Commissioner.

8—Amendment of section 12—Court order for impounding or forfeiture on conviction of prescribed offence

This clause amends section 12 of the Act for greater consistency with the *Legislation (Fees) Act 2019*.

9—Amendment of section 20—Disposal of vehicles

This clause amends section 20 of the Act so that the Commissioner may dispose of a motor vehicle that has been impounded under this Act and not collected by a person legally entitled to possession of the motor vehicle within 10 days of the motor vehicle ceasing to be liable to be impounded. Currently that period is 2 months.

In addition, the notice period that must be given to a each registered owner of the vehicle and each person registered under the *Personal Property Securities Act 2009* of the Commonwealth as a secured party in relation to a security interest for which the motor vehicle is collateral is reduced to 7 days (from 14 days).

10—Amendment of section 24—Regulations and fee notices

This clause amends section 24 of the Act for greater consistency with the *Legislation (Fees) Act 2019*.

11—Transitional provision

This clause provides that the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* as amended by this Act applies only in respect of the clamping or impounding of a motor vehicle for an offence committed after the commencement of this Act.

Part 4—Amendment of *Emergency Services Funding Act 1998*

12—Amendment of section 3—Interpretation

This clause inserts the definition of *CTP Regulator* for the purposes of the Act which means the CTP Regulator established under the *Compulsory Third Party Insurance Regulation Act 2016*.

In addition, this clause deletes the redundant definition of the Motor Accident Commission.

13—Amendment of section 24—Declaring the amount of the levy

This clause updates the references to the 'Motor Accident Commission' in the clause to references to the 'CTP Regulator'. This clause also updates the reference to the 'Premium Class Code published by the Motor Accident Commission' to the 'premium classes for motor vehicles determined by the CTP Regulator for the purposes of the *Compulsory Third Party Insurance Regulation Act 2016*'.

Part 5—Amendment of *Independent Commissioner Against Corruption Act 2012*

14—Amendment of Schedule 1—Public officers, public authorities and responsible Ministers

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the *Police Act 1998*.

Part 6—Amendment of *Land Acquisition Act 1969*

15—Amendment of section 24—Entry into possession

This clause amends section 24 to enable an Authority to take immediate possession of vacant land in relation to certain acquisition projects, as well as defining what vacant land is for the purposes of the section.

The clause also clarifies the position that, while rent is to be payable from the date on which notice of acquisition is published in the Gazette, rent will not be charged for the first 90 days of the tenancy.

The clause limits the period during which a matter can be referred, and provides that matter relating to a declared acquisition project cannot be referred into court under subsection (8) of the section.

Part 7—Amendment of *Legislation (Fees) Act 2019*

16—Amendment of section 3—Interpretation

This clause makes a minor amendment to clarify the definition of *relevant authority*.

Part 8—Amendment of *Mining Act 1971*

17—Amendment of section 56M—Rental

This clause amends the section to provide an exemption from the scheme under section 56M(4) for a tenement holder or any related body corporate who is also a registered proprietor of an estate in fee simple of land in relation to which rental is payable.

Part 9—Amendment of *Police Act 1998*

18—Amendment of section 3—Interpretation

This clause amends section 3 to define terms being introduced into the principal Act by this measure.

19—Amendment of section 9—Commissioner also responsible for control and management of police cadets, police medical officers and police security officers

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

20—Amendment of section 10—General management aims and standards

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

21—Amendment of section 11—Orders

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

22—Amendment of heading to Part 6 Division 2

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

23—Amendment of section 41A—Interpretation

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

24—Amendment of section 41B—Drug and alcohol testing

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

25—Amendment of section 41C—Drug and alcohol testing of applicants to SA Police etc

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

26—Amendment of section 41D—Procedures for drug and alcohol testing

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

27—Amendment of section 41E—Biological samples, test results etc not to be used for other purposes

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

28—Amendment of section 48—Right of review

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

29—Amendment of section 52—Review of certain transfers

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

30—Amendment of section 53—Interpretation and application

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

31—Amendment of section 55—Right of review

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

32—Amendment of section 56—Grounds for application for review

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

33—Insertion of Part 9A

This clause inserts new Part 9A into the principal Act, transferring the appointment, powers, disciplinary and employment arrangements for police security officers from the *Protective Security Act 2007* (which is to be repealed) into the principal Act. With the exception of their title (they are now to be called police security officers rather than protective security officers) and new section 63E, the provisions are consistent with the *Protective Security Act 2007*.

New section 63E allows the Governor, by regulation, to modify the operation of the principal Act and other Acts to enable the Commissioner to assign additional duties to police security officers that were traditionally undertaken by police officers or others.

34—Amendment of section 65—Protection from liability for members of SA Police and police security officers

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

35—Amendment of section 67—Divestment or suspension of powers

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

36—Amendment of section 69—False statements in applications for appointment

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

37—Insertion of section 71A

This clause replicates section 42 of the *Protective Security Act 2007*.

38—Amendment of section 74—Impersonating police or police security officer and unlawful possession of certain property

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

39—Amendment of section 75—Annual reports by Commissioner

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

Part 10—Amendment of *Police Complaints and Discipline Act 2016*

40—Amendment of section 3—Interpretation

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

41—Amendment of section 7—Code of conduct

This clause amends section 7 to enable the establishment of separate codes of conduct for police security officers and designated officers.

42—Amendment of section 10—Making a complaint about conduct of designated officer or police security officer

This clause amends section 10 to prevent complaints about police officers, police cadets and special constables from being made to police security officers.

43—Amendment of section 14—Assessment of complaints and reports by IIS

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

44—Amendment of section 15—Commissioner may decline to act in relation to certain complaints

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

45—Amendment of section 18—Dealing with matters by way of management resolution

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

46—Amendment of section 21—Investigations of complaints and reports by IIS

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

47—Amendment of section 26—Commissioner may sanction designated officer following offence or breach of discipline

This clause amends section 26(1) of the principal Act to set out sanctions that are available to the Commissioner in the case of police security officers.

48—Amendment of section 35—Proceedings before Tribunal

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the principal Act.

Part 11—Amendment of *Public Sector Act 2009*

49—Amendment of section 25—Public Service employees

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the *Police Act 1998*.

Part 12—Amendment of *Public Trustee Act 1995*

50—Amendment of section 29—Common funds

This clause amends subsection (11) to increase the management fee charged against money invested in a common fund on account of an estate from one-twelfth of 1% to one-twelfth of 1.2% of the value of the fund attributable to investment of the estate as at the first business day of the month.

Part 13—Amendment of *Security and Investigation Industry Act 1995*

51—Amendment of section 4—Application of Act

This clause makes an amendment consequential on the inclusion of police security officers into the scope of the *Police Act 1998*.

Part 14—Amendment of *State Lotteries Act 1966*

52—Amendment of section 3—Interpretation

This clause inserts definitions required for the purposes of other amendments.

53—Amendment of section 16—The Lotteries Fund

Subclause (1) amends section 16(3)(b) of the Act to provide that the Lotteries Fund must be applied by the Commission in payment of the GST in respect of agents' commission, a definition of which is inserted by the amendment in subclause (4).

Subclause (2) amends section 16(3)(c) of the Act to increase the percentage of net gambling revenue from lotteries payable into the Recreation and Sports Fund from 41% to 48.9%.

Subclause (3) amends section 16(3)(d) of the Act to provide that a percentage of 48.9% of net gambling revenue is payable into the Hospital Fund in respect of all lotteries except sports lotteries, special appeal lotteries and keno lotteries, and a percentage of 61.1% of net gambling revenue is payable into that Fund in respect of keno lotteries.

Subclause (4) defines *agents' commission*, being a charge included in the price of each ticket in a lottery to be paid to the agent who sells the ticket.

Subclause (5) provides that for the purposes of the definition of *net gambling revenue*, the total amount subscribed or contributed to, or paid for the purchase of, tickets does not include the agents' commission.

54—Transitional provision

This clause makes transitional provisions consequent on the amendments in this Part.

Part 15—Repeal of *Protective Security Act 2007* and savings and transitional provisions

55—Repeal of *Protective Security Act 2007*

This clause repeals the *Protective Security Act 2007*.

56—Continuation of appointments of protective security officers

57—Suspension of protective security officer to continue

58—Identification of protective security officers taken to satisfy section 63I of *Police Act 1998*

59—Continuation of determinations of protected persons, places or vehicles

60—Continuation of certain orders

61—Continuation of certain directions of Police Minister

62—Continuation of determination of structure of ranks

63—Continuation of certain directions of protective security officers

64—Continuation of custody of certain objects and substances

65—Continuation of code of conduct

66—Continuation of certain investigations of breach of code etc

67—Continuation of certain directions of Officer for Public Integrity

68—Abolition of Protective Security Officers Disciplinary Tribunal

These clauses continue various determinations, codes, investigations and make various other transitional arrangements consequent on the repeal of the *Protective Security Act 2007* and the inclusion of police security officers in the scope of the *Police Act 1998* and the *Police Complaints and Discipline Act 2016*.

Debate adjourned on motion of Mr Brown.

Adjournment Debate

REMEMBRANCE DAY

Mr BOYER (Wright) (15:54): I rise just briefly to contribute to this adjournment debate by acknowledging that tomorrow is, of course, Remembrance Day—a very solemn and important day on our calendar.

Mr Speaker, 102 years ago, at 11am on the 11th day of the 11th month, the guns fell silent on the Western Front after more than four years of continuous bloodshed. World War I came to an end after the signing of an armistice and, from that day forward, what is now known as Remembrance Day was referred to as Armistice Day. Following the horrors of World War II, 11 November became the day to remember all those who made the ultimate sacrifice serving their country and has, from that day on, been known as Remembrance Day.

In 1997, Governor-General Sir William Deane issued a proclamation formally declaring 11 November Remembrance Day, urging all Australians to observe one minute's silence at 11am on 11 November each year to remember those who fought and died for our nation in all conflicts. Remembrance Day can sometimes be overshadowed by ANZAC Day, but is an important day in its own right. I am glad that parliament will, in a small way, acknowledge its significance by delaying our start tomorrow to allow members of this place to attend services and pay their respects on behalf of their constituents.

COVID changed the way we commemorated ANZAC Day this year, and Remembrance Day will be different, too, but no less significant. I encourage all South Australians to pause at 11am tomorrow, wherever they may be, and remember those who made the ultimate sacrifice.

NAIDOC WEEK

Mr SZAKACS (Cheltenham) (15:56): I also rise to briefly contribute to this adjournment debate to note and recognise NAIDOC Week. In doing so, I recognise that parliament gathers and meets today on the traditional lands of the Kaurna people. I pay my respects to elders past, present and emerging, particularly all members of both this place and the other place of Aboriginal or Torres Strait Islander descent.

NAIDOC Week is a very important week for South Australia, at a community level as well as at a sporting and community club level. On the weekend, I had the pleasure to present an Aboriginal flag to Woodville District Cricket Club. They along with their opponent on the day, West Torrens, marked the day with a very special Acknowledgement of Country by B-grade player Liam Connors, who is also of Aboriginal descent. On that day, I joined with players of both sides in a ceremony where we took our shoes off and were barefoot on the pitch on Kaurna land to recognise the very important lived continuous cultural heritage of Kaurna people on that land of 50,000 years.

I would like to pay special thanks to the chairman of the club, Tim Pillion, and president of the club, Sean Connors, who flew the Aboriginal flag very proudly that day and will be flying the Aboriginal flag over the clubrooms at Woodville Oval all week. I am informed that it may just be the first time in the history of the club, keeping in mind this club was formed in 1874. So, for the first time since 1874, the Aboriginal flag is flying proudly over the Woodville District Cricket Club clubrooms and, in doing so, I congratulate the club profoundly on their recognition of this week.

COOBER PEDY SERVICES

Mr HUGHES (Giles) (15:59): I also rise to speak on the adjournment debate. I spent the weekend in Coober Pedy. One of those things that, especially as a regional member representing remote communities, you are offended by, especially if you have a strong, egalitarian ethos is that the people in our remote communities are seriously disadvantaged when it comes to education attainment and outcome, when it comes to health outcome, when it comes to access to basic services. Coober Pedy in our Far North is the second largest community after Roxby Downs. Provisions and basic services in Roxby Downs are very good, but in Coober Pedy they fall well behind.

The issues that Coober Pedy face are profound, and they lack the resources within the community to fully address the challenges they face. They receive electricity at grid parity pricing, but water continues to be an ongoing issue, a basic essential service. The people of Coober Pedy pay up to three times as much for their water as people do in Adelaide, Whyalla, Port Augusta, Port Pirie or a place like Roxby Downs. Not only do they pay a lot more for water, but there is a whole set of challenges around the treatment, supply and distribution of water in Coober Pedy.

I have called upon the government to release the recently completed SA Water report into the water situation in Coober Pedy. I understand that, in that report, costs in the order of $30 million are being flagged to address the water issue in Coober Pedy. That is clearly not within the capacity of the Coober Pedy community, a remote community, a socio-economically disadvantaged community, a community with a small population of roughly 1,700 people and a community that, through the actions of their council in the past, carries a very significant debt.

When it comes to Coober Pedy addressing some of the issues that it faces, it will require serious government support, serious government intervention. It is not enough to sack a council and appoint an administrator. A lot more needs to be done to get the community back on an even keel. I would be a supporter of significant support for the community. When it comes to water, we should also be looking at what we do elsewhere in the state that is supplied by SA Water: we should be looking at parity pricing.

We did that with electricity. The same set of arguments applies when supplying the people of Coober Pedy with water, that they should not have to pay more than people in other regional centres and the metropolitan area in our state. They are, after all, South Australians and they deserve support. From the state government's perspective, Coober Pedy is an important service centre. State government employees make up a significant number of people in Coober Pedy, not just to service Coober Pedy but also to service that extensive Far North community of Coober Pedy. We should be

doing far more to assist that community when it comes to the delivery of essential services such as water.

Clearly, there are also challenges in relation to health outcomes in a community like Coober Pedy. They are challenging, but nowhere near as challenging as in the APY lands. I think we should all hang our heads in shame when we consider life expectancy in the APY lands. Average life expectancy is 48 years. In a First World country that is just an absolute disgrace. Improved health services in Coober Pedy will also assist, to a degree, people from the APY lands.

Educational statistics from Coober Pedy are also deeply concerning. If they are not addressed, it makes it difficult for families to commit to staying in that community. An administrator has been appointed, but it is beyond the capacity of the administrator, beyond the capacity of the Coober Pedy community, to address its problems. It will need outside assistance. It will need state assistance and, possibly, federal assistance. I attended a three-hour roundtable meeting on Friday evening, and the local federal member was also there, so that is a measure of how seriously we are taking some of the issues in Coober Pedy.

Once again, I call upon the government to release the SA Water report so we can have a look at it, analyse it and determine if the costing that has been provided is accurate. Irrespective of that, it is going to require some significant assistance from the state government and that clearly has not been flagged in this budget.

ENTREPRENEURIAL SPECIALIST SCHOOLS

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:05): It is a great pleasure to be able to talk a little bit about some of the tremendous work underway in our schools. One of the significant programs that the Marshall Liberal government introduced in 2018 upon coming to government was a program of entrepreneurial education in entrepreneurial schools.

As you would be aware, sir, the Heathfield High School in your electorate is one of five schools that were chosen after a competitive process to be one of our five first entrepreneurial schools. It was joined by Murray Bridge High School in the member for Hammond's electorate, Mount Gambier High School, Seaton High School and Banksia Park International High School in the member for Newland's electorate.

They have been doing great work and I thought it would be a good opportunity to update the house and the community on some of the progress they have made in the last two years, some of the dramatic progress that we are extremely happy about in supporting the work of our students to be able to engage and to have the skills, the aptitude and the mindset to be entrepreneurial, whether that means a student is given the best opportunity to learn about how to start a business or, indeed, how to be entrepreneurial to enhance their employment capacity in a large organisation or how to be entrepreneurial in a social setting or a social entrepreneurial setting or so many other ways.

The implementation of the strategy is progressing extremely well. We have a group of schools that is working together, supported, indeed curated, by the pathways team in the education department. It includes developing and delivering entrepreneurial subjects and building the capacity of other schools. The learnings and the projects they are doing will be shared with other secondary alliances and other secondary schools around the state.

The entrepreneurial specialist programs, the formal ones, commenced at the beginning of term 1 with more than 300 semester 1 enrolments across the five schools and additional students enrolling in semester 2. A key focus for this year has been building the capacity of the specialist schools and their alliance schools to deliver those learning opportunities that build the student's entrepreneurial mindset and supporting schools to engage industry and employers in the design, development and delivery of entrepreneurial learning projects and activities.

In one example of the fantastic work our specialist schools are leading, Seaton High School in the western suburbs has developed nine integrated SACE packages that combine existing SACE programs with entrepreneurial learning, vocational education and training qualifications with industry certificates. It is an exceptional step forward and it is really fast-tracking some of the work that can now be shared across South Australia.

These programs are developed and delivered in partnership with business, industry and universities, and they are framed around real-world industry applications. Seaton High School has started working with teachers and leaders from other entrepreneurial specialist schools to build their capacity to develop and deliver their own similar integrated packages framed around their own school's specific expertise, community needs and networks.

The collaborative work between the specialist schools has resulted in the development of a training package that will be refined and ultimately used to empower curriculum leaders in schools across the state to develop similar approaches to meet the needs of their students in a local context with their local businesses, industries and communities. To further embed entrepreneurial capabilities, the five schools are collaborating with the SACE Board in a project to develop the capabilities relating to an entrepreneurial mindset. The scope of this project includes the testing of these capabilities in our entrepreneurial schools this semester.

Another example of capacity building within their own schools and across the alliances is that the schools have partnered with the Academy for Enterprising Girls, a national initiative funded by the Australian government that offers girls aged 10 to 18 the opportunity to develop their skills across a range of design, STEM and business disciplines. Working in collaboration with one of the initiative's key facilitators, Young Change Agents, the specialist schools have participated in a series of workshops that offer immersive design but thinking-based learning opportunities for students and teachers.

Work continues to be underway. The schools are doing terrifically well and the students who are engaged in these programs are very much enjoying them. I have so much enthusiasm and excitement seeing what is going to be achieved in the years ahead by these young people and, indeed, by these excellent schools.

I would like to take this opportunity to reflect on the 82nd anniversary of Kristallnacht, one of the key moments in what was described last night by the Governor as a stain on the history of the world—the Holocaust. It was on the 82nd anniversary of Kristallnacht that the Adelaide Holocaust Museum and Steiner Education Centre was launched last night. It is now going to be open to the public and open to school students to deliver Holocaust education, which is so important not just for our Jewish community in South Australia but as a moral obligation for us to continue telling the stories of the Holocaust.

People like Andrew Steiner, an Adelaide artist and Holocaust survivor who has been telling his story and the story of the Holocaust to Adelaide school students for 30 years, are not going to be with us forever so, at this moment in time, it has never been more important to have a facility such as the Holocaust Museum established, as we launched it last night.

I appreciated the Deputy Premier being there. I was sitting next to her. It was an emotional evening. It was MC'd very well by Councillor Greg Mackie, underlining the role that the History Trust played. The South Australian government contributed $100,000 to the development of education programs and support for infrastructure through the education department and the History Trust.

James Stevens, the member for Sturt, not so long ago came to see me, in my role of education minister, to talk about how he was keen to lobby the federal government for more support. Along with the Premier, I supported him in that endeavour. Josh Frydenberg, the federal Treasurer, just recently visited the museum, which was almost complete. I thought it was in pretty good nick when we were visiting a few weeks ago. It is going to be delivering an excellent experience for our young people from day one.

I will tell you what: the announcement of $2.5 million that the commonwealth has put in is going to enhance that facility so much in the years ahead. Schools will be engaged in the program and we will deliver further curriculum supports. We will continue to support our schools, so that they can give that program to their students so they can be exposed to education about the Holocaust in the years ahead.

This is a tremendous development and commendations to Nicola Zuckerman and her board, all the contributions from donors and philanthropists and especially Andrew Steiner OAM, the man whose idea has become a reality now and will into the future have an amazing impact on our community.

MURRAY BRIDGE SOLDIERS' MEMORIAL HOSPITAL

Mr PEDERICK (Hammond) (16:11): I rise to say a few words after we have had the budget speech today, the biggest budget in this state's history. I just want to talk about a project that I worked on as an election commitment pre the last election in 2018 and that is the new emergency department at the Murray Bridge Soldiers' Memorial Hospital.

It was with great pleasure that on Wednesday 21 October—alongside the health minister, the Hon. Stephen Wade; some very excited health professionals; local mayor, Brenton Lewis; and many people from the region—I saw this new emergency department open. It is vital not just for Murray Bridge but for the whole Murraylands and Mallee electorate and the Upper South-East regions because people from all around the region are drawn into the catchment of the emergency department at Murray Bridge.

The old emergency department, which had not had any significant upgrades for about 40 years, only had one resuscitation bay, three treatment bays with no separation security—basically curtains between the treatment bays—a waiting room with no airlock, a very small doctor's office, no nurses' station and no undercover ambulance bay. In fact, there was just one small office people could go into if they needed a safe place and there was only one way in and one way out if things turned dangerous, as they can do sometimes.

It is great to see that, with the $7 million investment, we now have two resuscitation bays, seven treatment bays, two procedure rooms, two consulting rooms, a relatives' room, a waiting room with airlock, a nurses' station and an undercover ambulance bay with thoroughfare. Certainly, I commend all the health staff and I commend the doctors at Bridge Clinic who have worked the emergency department on behalf of the state government, especially Dr Martin Altmann, Dr Peter Rischbieth, their whole team and all the health professionals around them who worked to get this project up.

As I indicated, it is such a leading edge environment now, vitally needed for the fast growth in Murray Bridge, the second fastest growing regional city in South Australia after Mount Barker. This will do such a great job in looking after the emergency health needs of our people into the future for at least the next 50 or 60 years.

This took a lot of planning and a lot of work. It will make work a lot safer for all the health professionals involved. It is a magnificent building. It was well put together and has been integrated with the other sections of the hospital. As I said, it is such a great boon, not just for residents of Murray Bridge but for those within the surrounding area, for emergency health needs well into the future.

At 16:15 the house adjourned until Wednesday 11 November 2020 at 14:00.

Answers to Questions

GREAT SOUTHERN BIKE TRAIL

221 The Hon. Z.L. BETTISON (Ramsay) (25 September 2020). What is the current status of the feasibility study for the Great Southern Bike Trail? When will it be publicly released?

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

The government has fulfilled its commitment to review the feasibility of the Great Southern Bike Trail proposal.

The government continues to consider the project.

EXPORT INITIATIVES

222 The Hon. Z.L. BETTISON (Ramsay) (25 September 2020). What is the South Australian government doing to diversify South Australia's goods and services export destinations?

Mr PATTERSON (Morphett—Minister for Trade and Investment): I have been advised:

The Department for Trade and Investment (DTI) has a number of strategies in place to support businesses diversify export destinations. These include:

(a) Expanding the offshore network of international trade and investment offices. As at October 2020, South Australian representatives are located in:

- China
- Japan
- South Korea
- Malaysia
- United Arab Emirates
- United Kingdom
- United States of America

(b) Expanding digital engagement initiatives to connect businesses to new market opportunities. These include:

- Sector months of focus digital campaigns showcasing a different South Australian sector to a global audience each month:
    - Hi-Tech South Australia (May 2020)
    - Health-Tech South Australia (June 2020)
    - Mining South Australia (July 2020)
    - International Education South Australia (August 2020)
    - Food & Wine and Creative Industries (September 2020)
    - Clean Energy and Defence sector series planned in October 2020
- Global in-market updates webinars in partnership with South Australia's global trade offices and Austrade.
- Industry Capability Network webinar workshops.
- eCommerce Accelerator Program webinar workshops.
- Virtual food, wine and beverage tastings in key markets – virtual events paired with real wine, targeting wine buyers, media representatives, influencers and wine professionals.
- Deployment of new digital assets, including increased web interactivity, an Investor Portal, video case studies, and a one-stop shop for investors enabling them to digitally view South Australian investment ready opportunities on-demand, virtual missions and trade events.
- Dedicated social media accounts overseas to connect South Australian businesses to buyers and customers.

Virtual showcases and sales events connecting South Australian exporters with importers, distributors and customers internationally.

(c) Establishing an export recovery task force to identify and coordinate industry and government responses to supply chain interruptions for South Australian exporters, working in parallel with Australian government initiatives such as the International Freight Assistance Mechanism (IFAM), which has kept exporters of time sensitive and perishable goods connected to global markets.

2. DTI also continues to support exporters build capability and awareness of new market opportunities by:

(a) Delivering the TradeStart program in partnership with Austrade.

(b) Providing export funding support through the SA Export Accelerator Program.

(c) Launching the eCommerce Accelerator Program (eCAP) in May 2020.

(d) Delivering export education; the Export Fundamentals Program, through the Australia Industry Group (Al Group).

SISTER STATE AGREEMENTS

223 The Hon. Z.L. BETTISON (Ramsay) (25 September 2020). What South Australian sister state agreements are currently active? If applicable, when are each of these agreements due for renewal or expiry?

Mr PATTERSON (Morphett—Minister for Trade and Investment): The Premier has advised:

South Australia has six sister state agreements. These are:

	Jurisdiction	Est.	Expires	Status
1	Shandong Province, China	1986	Ongoing, no expiry date	Active
2	Okayama Prefecture, Japan	1993	Ongoing, no expiry date	Active
3	Chungcheongnam-do Province, South Korea	1997	Ongoing, no expiry date	Active
4	West Java Province, Indonesia	2015	Sept 2020	Bilateral discussions on renewal underway
5	State of Rajasthan, India	2015	Nov 2020	Active
6	Region of Brittany, France	2017	Sept 2020	Bilateral discussions on renewal underway

SOUTH AUSTRALIA POLICE

302 Mr ODENWALDER (Elizabeth) (14 October 2020). What was the number of sworn police officers as at the end of each month of 2020, up to and including September?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

The number of sworn police officers that includes community constables as at the end of each month of 2020 is as follows:

SAPOL 2020		Total Sworn
As at EOM	January	4608.8
	February	4602.9
	March	4617.1
	April	4628.8

SAPOL 2020		Total Sworn
	May	4670.1
	June	4700.5
	July	4665.6
	August	4641.8
	September	4622.3

SOUTH AUSTRALIA POLICE

303 Mr ODENWALDER (Elizabeth) (14 October 2020). What was the number of protective security officers employed by SAPOL as at the end of each month of 2020, up to and including September?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

The FTE data for Protective Security Officers has been summarised below:

SAPOL 2020		Total PSO's
As at EOM	January	122.6
	February	122.6
	March	134.6
	April	133.6
	May	134.6
	June	133.6
	July	131.6
	August	127.6
	September	147.6

SOUTH AUSTRALIA POLICE

304 Mr ODENWALDER (Elizabeth) (14 October 2020). What was the number of SAPOL employees who are not sworn police officers or protective security officers as at the end of each month of 2020, up to and including September?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

The number of SAPOL employees who are not sworn police officers or Protective Security Officers as at the end of each month of 2020 are as follows:

SAPOL 2020		Total Unsworn (excl PSOs)
As at EOM	January	946.5
	February	937.0
	March	965.7
	April	965.9
	May	965.2
	June	982.4

SAPOL 2020		Total Unsworn (excl PSOs)
	July	967.9
	August	983.6
	September	988.2

SOUTH AUSTRALIA POLICE

305 Mr ODENWALDER (Elizabeth) (14 October 2020). On how many occasions, since January 2019, have SAPOL sniffer dogs been invited onto school grounds by school principals to look for drugs under protocols agreed between SAPOL and the education department?

(a) Which schools invited them?

(b) On what dates?

(c) Were any illicit drugs found on any occasion and what action was taken by either the school or SAPOL?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

One

(a) Birdwood High School

(b) 19 November 2020

(c) No offences.

GEL BLASTERS

340 Mr ODENWALDER (Elizabeth) (15 October 2020). When did SAPOL first advise the minister or minister's office of their concerns about the use of gel blasters?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

South Australia Police (SAPOL) provided advice during 2019 regarding gel blasters and how they were being used in the community. The advice provided during 2019 concluded that gel blasters were not firearms.

On 12 March 2020, SAPOL advised the former minister that since the provision of SAPOL's advice in 2019, there had been advancements in the evolution and modification of gel blasters. At that time, SAPOL advised that it would further consider, review and research potential response options.

GEL BLASTERS

342 Mr ODENWALDER (Elizabeth) (15 October 2020). What consultation was undertaken with gel blaster importers, users, enthusiasts, or the gel blaster industry, and when was this consultation undertaken?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services): I have been advised:

From February 2020 until the declaration was made on 8 October 2020 SAPOL has provided advice to persons involved in the gel blaster industry regarding gel blasters. This has included meetings and telephone conversations with numerous persons.

GEL BLASTERS

343 Mr ODENWALDER (Elizabeth) (15 October 2020). How–if at all–were the concerns of the gel blaster industry addressed by the minister or the minister's office before the making of the firearms regulation regarding gel blasters?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):

The decision to declare gel blasters a regulated imitation firearm was an operational decision of the Commissioner of Police, in his capacity of the Registrar of Firearms under the Firearms Act 2015.

MEDICAL CANNABIS

In reply to **Mr DULUK (Waite)** (9 September 2020).

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has been advised:

SA Health is currently developing options to ensure the most appropriate delivery of a pilot program for access to medicinal cannabis for children with severe epilepsy, who are not responding to other treatments. This includes consideration of the outcomes of national assessment processes for cannabidiol (CBD) pharmaceuticals.

KEOLIS DOWNER

In reply to **the Hon. A. KOUTSANTONIS (West Torrens)** (10 September 2020).

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing):

On 18 September 2020 the Minister for Infrastructure and Transport and the Rail Commissioner entered into a contract with Keolis Downer Pty Ltd for provision of heavy rail passenger services for the Adelaide metropolitan passenger rail network for an initial contract term of eight years, with a contract extension option of four years.

Under section 39 of the Passenger Transport Act 1994 the Minister must prepare a report on this contract for laying before both houses of parliament and provide to the Auditor-General a copy of the contract and a report describing the processes that applied with respect to the awarding of the contract to enable the Auditor-General to examine the contract and prepare a report to Parliament on the probity of the processes leading up to the awarding of the contract.

The government is fully complying with the probity and accountability requirements that necessarily apply to a contract of this nature.

PUBLIC TRANSPORT

In reply to **the Hon. A. KOUTSANTONIS (West Torrens)** (10 September 2020).

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing): I have been advised:

The provision of bid-cost contributions is a standard practice in the industry for all manner of procurements and service contracts. When the state purchases the intellectual property that has been put forward by the unsuccessful proponent, it can be used to the benefit of the state.

The purchase of intellectual property has been undertaken by the state government on previous projects including:

- North-South Corridor, Torrens Road to River Torrens (2015, $3,300,000 including GST)
- O-Bahn City Access (2015, $550,000 including GST)
- Torrens Rail Junction (2016, $1,100,000 including GST)
- Gawler Rail Electrification (2017, $1,100,000 including GST)
- Oaklands Crossing Grade Separation (2017, $880,000 including GST)

On 18 September 2020 the Minister for Infrastructure and Transport and the Rail Commissioner entered into a contract with Keolis Downer Pty Ltd for provision of heavy rail passenger services for the Adelaide metropolitan passenger rail network for an initial contract term of eight years, with a contract extension option of four years.

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The government is fully complying with the probity and accountability requirements that necessarily apply to a contract of this nature.

TRAMCO

In reply to **the Hon. A. KOUTSANTONIS (West Torrens)** (10 September 2020).

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing):

On 18 September 2020 the Minister for Infrastructure and Transport and the Rail Commissioner entered into a contract with Keolis Downer Pty Ltd for provision of heavy rail passenger services for the Adelaide metropolitan passenger rail network for an initial contract term of eight years, with a contract extension option of four years.

Under section 39 of the Passenger Transport Act 1994 the Minister must prepare a report on this contract for laying before both houses of parliament and provide to the Auditor-General a copy of the contract and a report describing the processes that applied with respect to the awarding of the contract to enable the Auditor-General to

examine the contract and prepare a report to parliament on the probity of the processes leading up to the awarding of the contract.

The government is fully complying with the probity and accountability requirements that necessarily apply to a contract of this nature.

JOY BALUCH BRIDGE

In reply to **the Hon. G.G. BROCK (Frome)** (23 September 2020).

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing): I have been advised:

This was not a South Australian government run tender and therefore was not issued through the SA Tenders website.

Since the formation of the Port Wakefield to Port Augusta Alliance in March 2020 an ICN Gateway profile has been active to provide publicly available information for all businesses to register their interest for works packages being procured by the Alliance, including the Joy Baluch AM Bridge Duplication Project.

The ICN Gateway provides the details and information necessary for businesses to register with the Alliance's procurement system. Following an eight-week market sounding process the tender for the supply and fabrication of steel pile sections for the Joy Baluch AM Bridge Duplication Project was released by the Alliance on 17 June 2020 and closed on 27 June 2020.

The tender was issued to 10 companies in total including six South Australian companies. Of the six South Australian companies, Williams Metal Fabrications Pty Ltd and Ferretti International Ottoway Pty Ltd (Ferretti) submitted a price to perform the works. ABFI Steel Group Pty Ltd (ABFI), J Steel Australasia Pty Ltd and Sino Pacific Supply Chain also submitted a price.

Following an evaluation of the tenders Ferretti and ABFI were short-listed to proceed to the next stage of the procurement process to submit a final price. Following further negotiations and an evaluation of price and non-price criteria, ABFI were recommended as the preferred.