HOUSE OF ASSEMBLY

Tuesday, 8 June 2021

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 the parliament is assembled and the custodians of the sacred lands of our state.

Bills

CHILDREN AND YOUNG PEOPLE (OVERSIGHT AND ADVOCACY BODIES) (COMMISSIONER FOR ABORIGINAL CHILDREN AND YOUNG PEOPLE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 December 2020.)

Ms HILDYARD (Reynell) (11:01): I rise today to speak to the Children and Young People (Oversight and Advocacy Bodies) (Commissioner for Aboriginal Children and Young People) Amendment Bill 2020 and to indicate that I am the lead speaker for the opposition on this bill.

This bill provides the legislative framework to set up and underpin the Commissioner for Aboriginal Children and Young People role. I indicate that Labor is broadly supportive of the bill. We flagged introducing a similar role prior to the last election and we are pleased that the position has progressed, and we are also very appreciative of the important work that the commissioner undertakes.

Labor intends to propose a small number of amendments that we believe will further strengthen the commissioner's role. These amendments include inserting a new provision to enable an advisory committee to be appointed by the commissioner in all areas but particularly so in matters relating to the wellbeing, safety, care and protection of children and young people. It is vital that Aboriginal people lead decision-making processes concerning Aboriginal children and young people.

We are also proposing a new provision to provide for mediation between the two children's commissioners to enable them to determine who best responds to particular issues before a matter is escalated to the minister. There is currently no provision for mediation before a matter is escalated as such. This amendment focuses on inserting a clause requiring the two commissioners to develop a memorandum of understanding about notification and discussion of the exercise of their respective powers.

Finally, we are proposing an amendment to not only ensure that the commissioner is an Aboriginal person but that they also have demonstrated experience in systems affecting Aboriginal children and young people. I believe these are sensible amendments that will only enhance the government's bill, strengthen the commissioner's remit and role and ensure that Aboriginal people are more deeply engaged in processes relating to the wellbeing, safety, care and protection of Aboriginal children and young people.

Appointed in December 2018, inaugural Commissioner April Lawrie is deeply dedicated to improving the lives of Aboriginal children and young people and to empowering the voice of Aboriginal children and young people, their families and their communities. Ms Lawrie has raised a number of important systemic issues impacting Aboriginal children and young people, and she tirelessly advocates for awareness about these issues and for resolution.

Commissioner Lawrie, a Mirning and Kokatha woman from the Far West Coast of our state, has relentlessly and rightly used her independent position and her voice to promote the rights and wellbeing of Aboriginal children and young people in South Australia. This includes, rightly, working to ensure that government places Aboriginal children within their family or cultural group before placing them with non-Aboriginal families. Currently, just 31 per cent of Aboriginal children in care are being placed within their family and kinship group.

The commissioner's role is one that is desperately needed, given one in 11 Aboriginal children in South Australia is in state care. As a proportion of the total population of children in care, 36.7 per cent (1,519) children in state care in South Australia are Aboriginal. The Guardian for Children and Young People's recent shocking report showed that this number is growing. It stated that there is a continued worsening rate of Aboriginal children and young people being drawn into the child protection system, indicating that South Australia will not meet its Closing the Gap target without significant reforms.

The same report showed that just 23.3 per cent of young Aboriginal offenders are being diverted away from the courts, compared with 55.6 per cent of non-Aboriginal young people, the lowest number since records began. Along with Commissioner Lawrie, the Commissioner for Aboriginal Engagement, Dr Roger Thomas, has also highlighted in his report to parliament last year the need for a more stringent focus on supporting Aboriginal children and families.

Despite the deeply worrying figures in the guardian's report, just a few weeks ago in this place the Minister for Child Protection sadly refused to accept any of Labor's amendments to the Children and Young People (Safety) (Miscellaneous) Amendment Bill to enable Aboriginal families and communities to be more meaningfully engaged in the child protection process—a very disappointing refusal.

It is clear that much more needs to be done in terms of early intervention and prevention. Recent tinkering by the government with the Aboriginal Family Scoping Unit and the Infant Therapeutic Reunification Service has not helped. Young Aboriginal women must be engaged with early in their pregnancy so that they have the appropriate supports around them as they raise their children. Aboriginal families and communities must also and always be engaged in and enabled to lead processes to support vulnerable children and their families. We must always listen to Aboriginal community members and ensure that their voices are absolutely at the forefront of decisions relating to Aboriginal children and young people.

The commissioner will continue to focus our collective attention on this. I feel privileged to work alongside her, and I am deeply grateful for the wealth of knowledge, connection, compassion and understanding that she brings to this crucial role. I thank her and her office for her extraordinary, impactful and thoughtful work to date. Again, we support this bill. We also hope that the government carefully considers these very well-intentioned amendments.

Ms LUETHEN (King) (11:08): I rise to support the Children and Young People (Oversight and Advocacy Bodies) (Commissioner for Aboriginal Children and Young People) Amendment Bill 2020 introduced by the Minister for Education and thank him for his commitment to delivering world-class education for every child in South Australia.

An election commitment was made to establish a Commissioner for Aboriginal Children and Young People in South Australia. This would include powers and functions to conduct inquiries and to promote the safety and wellbeing of Aboriginal children and young people. The current Commissioner for Aboriginal Children and Young People, Ms April Lawrie, was appointed under section 68 of the Constitution Act 1934 on 15 October 2018.

This bill will establish legislative provisions for the Commissioner for Aboriginal Children and Young People, equivalent to those of the Commissioner for Children and Young People as they relate to Aboriginal children and young people. This is consistent with findings of the statutory review of the Children and Young People (Oversight and Advocacy Bodies) Act 2016 and stakeholder feedback, which recommended that the Commissioner for Aboriginal Children and Young People be legislatively reserved for an Aboriginal person, have equal standing with the Commissioner for Children and Young People, and be granted the power to conduct own-motion inquiries.

Two other Australian jurisdictions, Victoria and Queensland, currently have commissioners for Aboriginal and Torres Strait Islander children and young people. Under the proposed legislation, the commissioner would be able to conduct independent inquiries and formal investigations into issues brought to her office's attention. She would also have the authority to advise and make recommendations to government ministers, state authorities and other non-government bodies on matters relating to Aboriginal children, as well as to ensure that the state is held accountable to international obligations under the rights of First Nations children.

The minister has told parliament that Aboriginal children are disproportionately represented within the state's most disadvantaged and vulnerable children and youth. He said they were more likely than non-Aboriginal children not to attend school and generally be poorer in health. As a government, as a community, as a state, we must do more to improve the outcomes for Aboriginal children and young people. The Commissioner for Aboriginal Children and Young People will provide a voice for Aboriginal children and young people in this state to have greater agency in the making of decisions that affect their lives and can improve their lives.

This has been a long time coming, and it certainly marks a huge step forward for South Australia and Aboriginal and Torres Strait Islander people. The new commissioner's term ends in December this year. The government bill specifies that her replacement must be an Aboriginal person. I commend the Minister for Education for progressing this bill. I call for support from others in this house to support the bill, empowering the commissioner to act on behalf of the best interests of Aboriginal and Torres Strait Islander people, and I thank both the minister and the Premier, who have been displaying leadership on this front.

It is important that we address together systemic issues highlighted by the commissioner. Every South Australian child equally deserves the opportunity to reach their full potential, and we must be working together across this house to remove any impediments and to drive change so that more early intervention initiatives and whatever the commissioner has called for are put into place to pave the way for the future.

It was important, insightful and so valuable earlier on to hear from South Australia's Commissioner for Aboriginal Engagement, Dr Roger Thomas, in his first address to the House of Assembly as part of a new voice to parliament initiative. This has to keep happening. Dr Thomas has been reporting on work underway to reform how Aboriginal communities engage with the government, and he is also giving them a much more powerful voice. Each of these steps we are taking forward is important, and I commend this bill to the house.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:13): I thank members for their contributions to the debate. I thank the member for King for her lovely words, I thank the member for Reynell for her contribution, and I thank the opposition for their indication of support for the bill. The member for Reynell indicated in her second reading remarks that the opposition would be suggesting some amendments. I indicate for the record that I was advised, just prior to the resumption of parliament this morning, that the opposition would be tabling amendments, but I have not had the opportunity to read them yet.

However, I propose that when the parliament does upon the second reading go into committee, while the government will not be in a position to support any amendments offered by the opposition this morning, not having yet read them, we will give some consideration to those amendments between the houses, should the house support the government in not accepting those amendments at this stage. They relate to issues that have had some consideration, up until this point certainly, and the specific mechanisms proposed for things like resolving a disagreement or a memorandum of understanding between commissioners in the roles that they have. We are certainly very happy to look at those suggestions.

I note that the state budget is due to be progressed, or certainly introduced, in this house in the next parliamentary sitting week. I would be loath to defer consideration of the bill by the Legislative Council any further and I hope that members will support its passage this week in the positive spirit of bipartisanship, as I believe we are all seeking to enhance the position of Aboriginal children and young people in their lives, in their self-confidence, in their welfare and in their success and prosperity in life. I do believe this is a role that will help that.

The position of the Commissioner for Aboriginal Children and Young People has existed under provisions allowed in the Constitution Act since the end of 2018. I am very proud to be the minister responsible for this area of public policy and instituting the first Commissioner for Aboriginal Children and Young People here in South Australia. We looked around Australia at other models that were either in place or proposed and there was a series of consultation in 2018. We settled at that time on a model that used the existing legislative framework for the Commissioner for Children and Young People and under provisions in the Constitution Act, enabling the appointment of a person to be the Commissioner for Aboriginal Children and Young People and work collaboratively with the commissioner.

I think that there are opportunities for enhancement. Richard Dennis, a former head of parliamentary counsel, who would be well known to members, led a review of the act. That took place a couple of years ago now. Indeed, we have been interested in his recommendations, in particular in relation to legislating for a commissioner for Aboriginal children and young people. We settled on the view that it was necessary to provide standalone legislation to have these powers enunciated and legislated. The mechanisms have been subject to further consultation, feedback and review, and the bill has come to the house. I am pleased that it is now on a passage to progression.

Once more, I thank all parties for their interest in the debate and I thank parliamentary counsel. In particular, I thank the education department legal policy unit, which has supported the development of the legislation and has provided briefings to other members, and Sarah Hennessy in my office, my adviser, who has assisted through this process. I am looking forward to the passage of the bill and I commend the second reading to all members.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms HILDYARD: I have just received from your office a list of who was consulted during the preparation of the bill, which is very helpful, so thank you very much for that. I am interested to understand a little more about the consultation process, particularly about what feedback was given on the bill as a whole and also whether particular issues were traversed about the Commissioner for Aboriginal Children and Young People's ability to set up committees and to mediate, etc., with the Commissioner for Children and Young People.

The Hon. J.A.W. GARDNER: The range of stakeholders that were consulted provided a range of views on different aspects of the bill. There was, I would say, a significantly positive tenor to the proposal for there to be a bill. People had suggestions, and some of those had the opportunity for reflection.

The current Commissioner for Aboriginal Children and Young People certainly suggested a provision be included in the bill to enable the commissioner to appoint an advisory committee similar to the Child Development Council's provision. We have had advice from the boards and committees section of the Department of the Premier and Cabinet that such committees as the commissioner was proposing could be established administratively without the reference needed in legislation.

Ms HILDYARD: In terms of the part of my question about the ability for mediation to occur between the two commissioners, did that issue come up specifically in feedback and also, particularly, the ability for mediation to occur prior to the elevation to the minister of decisions relating to matters that could best be resolved through that mediation?

The Hon. J.A.W. GARDNER: Through the consultation process, the Commissioner for Aboriginal and Young People did suggest the bill include a provision requiring referral of a dispute to mediation prior to referral to the minister. I have been advised of the view that, under the bill as it is, commissioners can choose to engage in mediation if they are unable to resolve who should conduct an inquiry and that does not require legislation.

I feel I should put it slightly into further context. This whole process, with or without mediation, only arises in the event of the conversation between the commissioners on who might undertake specific inquiries being unable to resolve the process. I have every confidence that whether the commissioners are the current ones or any future ones, the range of work that they will do will sometimes, but I imagine rarely, overlap to the specificity of two proposed inquiries taking place at the same time in a way that would provide some level of challenge to the success of either inquiry to proceed.

The range of public policy available for both commissioners to undertake their work on at any one time is significant. It is possible that they both might be narrowly interested in the same issue at the same time. In that circumstance, I would propose that the first port of call would be for them to discuss the matter and who would be best placed to conduct an inquiry first. If there were a slight

variance in the thing that they were inquiring into, it would be quite seemly for them to do in a timely fashion one and then the other, or potentially combine the scopes of their proposed inquiry into one.

It is only in the circumstance where the two remain in dispute and being unable to resolve that through a professional courtesy or through a conversation, if you like—to use the technical term—that you would need to have the dispute escalated to somebody to decide. It would be available to them without it being in the legislation for mediation to be proposed at that time. I have just been handed a copy of amendment No. 9, which talks about requiring that mediation take place between that conversation and the dispute resolution process, and we will consider that additional matter between the houses, as I have suggested, should the amendment not gain the support of the majority of this house.

Instinctively, my own view is that I do not think it is necessary. In the rare circumstances where there is an overlap in proposed inquiries at the same time, the commissioners would be able to resolve that professionally. Were there an inability to do so, I would imagine there is the possibility of mediation, if they wanted it but, otherwise, moving onto a decision-maker to make the decision so they can get on with whatever inquiry is proposed would be a preferable solution.

Clause passed.

Clause 2.

Ms HILDYARD: Minister, could you explain why it has taken until June 2021 for this bill to be presented and debated, given the Commissioner for Aboriginal Children and Young People was appointed in December 2018?

The Hon. J.A.W. GARDNER: There was a discussion about whether to rush a bill into the house in 2018 and try to have it legislated from the start. Consultation that took place at that time identified a range of different suggestions as to how the legislation should work, and the government formed a view that, when we had advice that we were able to make an appointment without the legislation and start the work of the commissioner without the legislative framework, other than that which already existed, that would be a preferable alternative.

It also provided the opportunity for the commissioner to start that work to provide feedback on any future legislative framework, as has indeed taken place, for us to utilise the opportunity that was coming with the Dennis review of the oversight and advocacy bodies legislation to inform the creation of that legislation. By my recollection, we were looking at what form that legislative process might take in 2020 when a bill was formed. There is no doubt that we would have been here some months ago were it not for the pandemic. Certainly, I was hoping to have the bill through in the last calendar year.

The priorities placed on the parliament by the pandemic should not in any way lessen the priority the government puts on the work of the Commissioner for Aboriginal Children and Young People. The position we are in, though, is that the Constitution Act has given us the opportunity to have a Commissioner for Aboriginal Children and Young People appointed and doing her work from December 2018 to December 2021. The time frame I would suggest that is absolutely necessary to have this bill through the house in order for the regulations to be drafted is certainly by December. I would not want to be using the Constitution Act again to make an appointment when we have the opportunity of this legislation having the framework to identify the role going forward.

It is unfortunate that it has taken a little bit longer than had been hoped, but, in the absence of this legislation having been passed, the intent of this legislation has been very clear for some time—giving some security and confidence to the community of the importance of this position so April Lawrie can go about doing her work at the moment and for the last period knowing that the position would have this status and that was on its way.

Secondly, I think the other important part is that the work has been able to be undertaken under the current arrangements. We think these arrangements will be better when we are in a position at the end of the current term of employment to have either a new appointment or a reappointment going forward, but that will be under the new legislative framework.

Ms HILDYARD: Minister, could you talk a little bit about why this act and therefore the Commissioner for Children and Young People and the Commissioner for Aboriginal Children and Young People are both committed to you, rather than the Minister for Child Protection, as is the

Guardian for Children and Young People? Could you talk a little bit about why that decision was made, why that is so and how those departments interact in relation to particular issues that will arise relating to matters that I imagine both departments would contemplate?

The Hon. J.A.W. GARDNER: To be clear, the Commissioner for Aboriginal Children and Young People and the Commissioner for Children and Young People are not just interested in matters of child protection, nor are they just interested in matters of education; they are also interested in matters relevant to the Department of Human Services, the Attorney-General's Department, the Department of the Premier and Cabinet, Aboriginal Affairs and Reconciliation, the Department for Health, the Department for Innovation and Skills, the Department for Trade and Investment and the Department for Transport. There are things that are happening in local government that are relevant for children and young people and the way we define spaces.

The Guardian for Children and Young People reports through the Minister for Child Protection because her role is specific to children under guardianship. Her role is policy focused, laser like, on the responsibilities of the minister to whom she reports. The remainder of the oversight and advocacy bodies reports to me because there is a significant level of strength in the Department for Education's external relations unit that is able to provide a level of administrative support to that range of bodies, but they do not take their work plan from me; they have statutory independence.

From a public policy point of view, I would suggest that they could sit quite comfortably with the departments of the Attorney-General, the Minister for Human Services or the Premier as easily as the Department for Education. I think it would actually be problematic in some ways for them to fit into child protection because child protection has such a narrow focus on supporting that particular cohort of vulnerable children.

Indeed, from a public policy point of view, not just the Commissioner for Children and Young People and the Aboriginal children's commissioner but also other bodies fit into the Children and Young People (Oversight and Advocacy Bodies) Act. For example, the Child Death and Serious Injury Review Committee is engaged with education, child protection, health and human services on a very regular basis and Attorney-General, corrections and police. The Child Development probably has a higher level of engagement with education but also with health and human services and some of the others as well.

The point I make is that they fit very neatly within education from an administrative point of view. Indeed, having them grouped together in education probably makes the most sense from that administrative point of view. I enjoy a positive working relationship with all those oversight and advocacy bodies. I enjoy getting the opportunity to be informed, challenged and advised. I appreciate their assistance from time to time on things where they are keen to help the government in delivering on our ambition for every child and every young person in the state to be supported in their education, to grow their education.

Their interaction with the child protection department I see as a positive opportunity as one of the departments that they are interested in, but they are also interested in health, innovation and skills, transport, human services and indeed, from time to time, the policy decisions and levers that happen within education as well.

Ms HILDYARD: I appreciate the explanation and understand the points you have made. I also concur that of course they are independent statutory bodies that will create their own work plans and directions, etc. The bit of the answer that I am not quite clear on is the Guardian for Children and Young People and why that is under the remit, for want of a better word, of the Minister for Education, because, as you just said, they are required to have a laser-like focus, I think were the words that you used, on child protection matters broadly relating to children in care.

I appreciate the comments you have made about the two commissioners, but I am a little confused about why the Guardian for Children and Young People also sits in education, particularly given your comments about the focus that is required on child protection.

The Hon. J.A.W. GARDNER: That is why the guardian reports to the Minister for Child Protection. Administratively, there is an administrative level of support effectively for the office that comes through the Department for Education's external relations directorate, because they handle the office arrangements and liaise on budget matters with Treasury for all of the oversight

and advocacy bodies. The circumstance started at the end of the previous government when the then Minister for Education and Child Development, as it was, had responsibility for all manner of things: training, TAFE, education, skills, higher education and child protection. That was not working out so well. We took a different view.

We thought we should have a specific dedicated minister for child protection, and in the machinery of government arrangements, when the adjustment was made to reflect that we wanted the oversight and advocacy bodies to be moved to remain with the Department for Education while indeed many of the other functions were split off into the discrete Department for Child Protection, it was determined that the Guardian for Children and Young People, having such a focus on children in care, should remain reporting through the Minister for Child Protection, and that is the state of affairs that we have now.

Ms HILDYARD: I have a very quick point for clarification. I think the reason I am confused about this is that from memory—and I will double-check this—during the estimates process, when I tried to ask the Minister for Child Protection a number of questions relating to the role of the Guardian for Children and Young People, and particularly in relation to community visits, from memory (again, I will check the exact content of that), it was referred back to the Minister for Education as being under your remit.

The Hon. J.A.W. GARDNER: In relation to community visitors, there was also another hat that the guardian would have been wearing and that was one in which she was relating to the youth training visitor and that reports to the Minister for Human Services. As I say, there is an administrative arrangement because the Department for Education external relations directorate handle accommodation and budget arrangements for all the oversight and advocacy bodies.

On a policy point of view, reporting to the house, indeed, providing advice in relation to policy matters that are relevant to her portfolio, the guardian reports to the Minister for Child Protection. I would categorise the relationship with education as administrative in the sense of office accommodation, financial and lease arrangements and those sorts of things. I think in terms of identification of policy suggestions or the arrangement of how children in care are supported or unique cases that are to be brought to the attention of anyone, it is a relationship between the guardian and the Minister for Child Protection.

Clause passed.

Clauses 3 and 4 passed.

Clause 5.

The Hon. J.A.W. GARDNER: I move:

Amendment No 1 [Education–1]—

Page 4, lines 19 to 25 [clause 5(1), inserted definition of *Aboriginal child or young person*]—Delete the definition of *Aboriginal child or young person* and substitute:

Aboriginal child or young person means a child or young person who—

(a) is of Australian Aboriginal descent; and

(b) regards themselves as Aboriginal, or is regarded as Aboriginal by at least 1 of their parents or the relevant Aboriginal community,

and includes, for the purposes of this Act, a Torres Strait Islander child or young person and a reference to *Aboriginal children and young people* is to be construed accordingly;

This amendment, together with amendments Nos 2, 3 and 4 in my name, have been drafted in accordance with advice from Aboriginal Affairs and Reconciliation in the Department of the Premier and Cabinet. Amendment No. 1 proposes the following changes to clause 5: the term 'Indigenous' is replaced with 'Aboriginal', as the use of the term 'Aboriginal' is strongly preferred in South Australia. Secondly, the community recognition element of the definition is updated to reflect that Aboriginal children and young people may not live in the community to which they are connected.

The drafting of this definition, together with the others I have referenced, aligns with the nationally accepted three-part definition for Aboriginality—descent, self-identification and community recognition—and includes terminology that reflects the definition's operation within a South Australian context. The community recognition element to the definition relating to Aboriginal and

Torres Strait Islander children and young people continues to be an optional rather than a required element, an adaption recommended by Aboriginal Affairs and Reconciliation in the Department of the Premier and Cabinet.

Aboriginal Affairs and Reconciliation has advised that requiring the community recognition element of the nationally accepted definition may not be appropriate for children and young people, as there may be instances where community confirmation may not be immediately attainable due to the impact of the stolen generation. Corresponding changes are made to the definition of a Torres Strait Islander child or young person by way of amendment No. 3, which we will get to.

Amendment carried.

The Hon. J.A.W. GARDNER: I move:

Amendment No 2 [Education–1]—

Page 4, after line 25 [clause 5(1)]—After the definition of *Aboriginal child or young person* insert:

Aboriginal person means a person who—

(a) is of Australian Aboriginal descent; and

(b) regards themselves as Aboriginal; and

(c) is accepted as an Aboriginal person by the relevant Aboriginal community,

and includes, for the purposes of this Act, a Torres Strait Islander person;

The bill provides that the Commissioner for Aboriginal Children and Young People and the Acting Commissioner for Aboriginal Children and Young People must be an Aboriginal person. These are the new sections 20B(3) and 20C(2) respectively.

The Aboriginal Affairs and Reconciliation unit has recommended that the bill include definitions of 'Aboriginal person' and 'Torres Strait Islander person' for the purposes of the Commissioner for Aboriginal Children and Young People and the Acting Commissioner for Aboriginal Children and Young People appointment provisions, and that all elements of the nationally accepted three-part definition of Aboriginality to be required: descent, self-identification and community recognition.

Amendment carried.

The Hon. J.A.W. GARDNER: I move:

Amendment No 3 [Education–1]—

Page 5, lines 2 to 8 [clause 5(4), inserted definition of *Torres Strait Islander child or young person*]—Delete the definition of Torres Strait Islander child or young person and substitute:

Torres Strait Islander child or young person means a child or young person who—

(a) is of Torres Strait Islander descent; and

(b) regards themselves as Torres Strait Islander, or is regarded as Torres Strait Islander by at least 1 of their parents or the relevant Torres Strait Islander community.

The amendment to the definition of Torres Strait Islander child or young person ensures consistency with the changes made by way of amendment No. 1 to the definition of Aboriginal child or young person. The term 'Indigenous' is removed and the community recognition element to the definition is updated to reflect that Torres Strait Islander children and young people may not live in the community to which they are connected.

Ms HILDYARD: I have just a very quick clarifying question. I presume that the consultation you outlined in relation to amendment No. 1 occurred in the same way in relation to this amendment and the next one as well.

The Hon. J.A.W. GARDNER: I am advised that is the case.

Amendment carried.

The Hon. J.A.W. GARDNER: I move:

Amendment No 4 [Education–1]—

Page 5, after line 8 [clause 5(4)]—After the definition of Torres Strait Islander child or young person insert:

Torres Strait Islander person means a person who—

(a) is of Torres Strait Islander descent; and

(b) regards themselves as Torres Strait Islander; and

(c) is accepted as a Torres Strait Islander person by the relevant Torres Strait Islander community.

As discussed in relation to amendment No. 2, which inserted a definition of Aboriginal person into the bill for the purposes of the Commissioner for Aboriginal Children and Young People and the Acting Commissioner for Aboriginal Children and Young People appointment provisions, the Department of the Premier and Cabinet Aboriginal Affairs and Reconciliation unit has recommended that the bill include a definition of 'Torres Strait Islander person' for the purposes of these appointment provisions.

The drafting of the definition of 'Torres Strait Islander person' is consistent with that of 'Aboriginal person' and requires all elements of the nationally accepted three-part definition for Aboriginality: descent, self-identification and community recognition.

Amendment carried; clause as amended passed.

Clause 6.

Ms HILDYARD: If it is okay, I will combine a couple of questions that are about clause 6(1), (2) and (3). I am interested in the consultation around inserting the United Nations Declaration on the Rights of Indigenous Peoples and the discussions around that particular provision. Also, in relation to subclauses (2) and (3), it seems fine, but I am interested in terms of who informed the minister about the insertion of 'cultural' and the substitution of 'identity, safety'.

The Hon. J.A.W. GARDNER: I am advised that the addition of 'cultural' and the replacement of 'welfare' with 'identity' and 'safety' in (2) and (3) were the suggestions of April Lawrie, the Commissioner for Aboriginal Children and Young People.

In relation to the United Nations Declaration on the Rights of Indigenous Peoples, my advice is that when the following words 'and rights set out in any other relevant international human rights instruments' were initially drafted, it was assumed that they would refer to the UN Declaration on the Rights of Indigenous Peoples and potentially others. I get the sense it was almost informal. It was April's suggestion that we explicitly identify that one while leaving in the opportunity for others to potentially be considered as well.

Clause passed.

Clauses 7 to 11 passed.

New clause 11A.

Ms HILDYARD: I move:

Amendment No 1 [Hildyard–1]—

Page 6, after line 2—After clause 11 insert:

11A—Insertion of section 10A

After section 10 insert:

10A—Committees

(1) The CCYP may establish committees—

(a) to advise the CCYP; or

(b) to carry out functions on behalf of the CCYP.

(2) The membership of a committee will be determined by the CCYP and may, but need not, include the CCYP.

(3) The CCYP will determine who will be the presiding member of a committee.

(4) The procedures to be observed in relation to the conduct of the business of a committee will be—

(a) as determined by the CCYP; and

(b) insofar as a procedure is not determined under paragraph (a)—as determined by the committee.

This amendment is simply to enable the CCYP to establish committees and to receive advice from those committees to potentially carry out investigative or research or contemplative functions on behalf of the CCYP.

The commissioner, of course, will have the opportunity to ensure that the committee is conducted in the way that she determines it should be and focuses on the particular issues that she determines that it should be. This will ensure consistency between this and my later amendment relating to committees being able to be established by the Commissioner for Aboriginal Children and Young People. So it is about the content of the committees and the ability to set those up. It also ensures there is the consistency, given my forthcoming amendment, between both of the commissioners and their ability to do that.

The Hon. J.A.W. GARDNER: As I indicated earlier, the government does not propose to support this amendment at this time. We will be happy to have a discussion further about this between the houses, so I might leave it there.

Ms Hildyard: And I appreciate that.

New clause negatived.

Clauses 12 to 17 passed.

Clause 18.

Ms HILDYARD: I move:

Amendment No 2 [Hildyard–1]—

Page 6, after line 34 [clause 18, inserted section 14A]—After its present contents (now to be designated as subsection (1)) insert:

(2) The CCYP must enter into a memorandum of understanding with the CACYP about matters of common interest and the means by which the CCYP will collaborate with the CACYP on such matters.

(3) A single memorandum of understanding between the CCYP and the CACYP may give effect to both subsection (2) and section 20J(2).

Amendment No 3 [Hildyard–1]—

Page 7, line 5 [clause 18, inserted section 14B(1)]—Delete 'may' and substitute:

must

Amendment No 4 [Hildyard–1]—

Page 7, after line 17 [clause 18, inserted section 14C]—After subsection (2) insert:

(2a) Before a matter is referred to the Minister under subsection (2), the CCYP and CACYP must attempt to resolve which Commissioner should inquire into the matter by undertaking mediation in accordance with any requirements set out in the memorandum of understanding under section 14A.

I think that I canvassed this in my remarks earlier and that the minister also spoke briefly to them either in his speech or earlier in the committee debate, but I cannot recall which one. This is about enabling both the Commissioner for Children and Young People and the Commissioner for Aboriginal Children and Young People to develop a memorandum of understanding to ensure that they have a process, a framework, that enables them to consider matters of common interest and that they are very clear in the consideration of those matters of common interest about what systems may determine who particularly takes up a particular issue, a particular matter of interest.

It is about being absolutely focused on enabling the two commissioners to establish those rules of operation, a memorandum of understanding, to enable them to operate in the particular ways they choose. I do note the minister's comments that the commissioners will have particular conversations, etc.—of course they will. They work very well together—of course they do.

This is about making sure that, yes, there are those conversations, those ongoing interactions, but also that, before a matter is elevated to ministerial level to be determined, there is another process that those two commissioners can engage in in relation to particular issues.

The Hon. J.A.W. GARDNER: As identified, I am happy to talk further between the houses, as is the government, but not support these at this stage. To identify some background, in Mr Dennis's review he discusses the need for collaboration in the performance of functions under the act. I think he used the word 'protocol' about collaboration as a suggestion, and the government agrees that it is important for the commissioners to collaborate. New section 14A in clause 18 suggests:

> 14A—Collaboration between CCYP and CACYP
>
> The [Commissioner for Children and Young People] CCYP should, in the performance of their functions, collaborate on matters of common interest with the [Commissioner for Aboriginal Children and Young People] CACYP to such extent as is reasonably practicable.

In the drafting of this legislation, our view has been that the flexibility for those commissioners to develop such protocol arrangements should not be constricted by a form of MOU that is set out in legislation that might potentially be restrictive in a way that is harder to move back and forth. We are happy to talk about it further because I do not think there is any difference in the intent of what the member is proposing and what the government seeks to achieve.

I do not claim to have any special insight over and above that of anyone else as to which mechanism works better. I prefer, and indeed the government prefers, a more flexible arrangement as is the unamended legislation, but we are happy to talk about it further.

Ms HILDYARD: As just a brief comment, it sounds like we might be able to find somewhere between a protocol and a MOU, and I look forward to those discussions. The other important point I would make in relation to the amendments I have just moved is that in amendment No. 3 we are also moving an amendment that I did not really address before in my earlier words—that is, to ensure there are provisions that require the Commissioner for Children and Young People to refer particular matters to the Commissioner for Aboriginal Children and Young People. In amendment No. 3 is reference to the word 'may' and my amendment refers to the word 'must', so that is a slightly different part of the amendment that I wanted to draw the minister's attention to. I am sure that we will also be able to discuss that between the houses.

The Hon. J.A.W. GARDNER: I thank the member for drawing to my attention that aspect of the amendments that are hot off the press. I note that in changing 'may' to 'must' it still relies on the phrasing earlier on in the same clause that it is 'in the opinion of the' Commissioner for Children and Young People in the first place. So while 'must' sounds like an absolute, that absolute only applies on the occasion when the Commissioner for Children and Young People themselves has formed a view that the matter should be referred to the Commissioner for Aboriginal Children and Young People.

I would encourage members to give some thought to this one. Unless one is going to identify a delineated definition of those matters that are one and not the other, then I would argue that 'may' is actually more appropriate here. I would further argue that there are going to be occasions when the Commissioner for Aboriginal Children and Young People has a full work plan.

The Commissioner for Children and Young People has a work plan that also relates to Aboriginal children and it is entirely appropriate for the Commissioner for Children and Young People to retain the power and the authority to do some work in that particular area as well. I would not like to see such a delineation that would exclude the power of the Commissioner for Children and Young People being able to deal with the matter themselves.

The Commissioner for Children and Young People remains the Commissioner for Children and Young People for all children and young people in South Australia, including Aboriginal children. The new position is an extra targeted resource to support Aboriginal children and young people, given their particular level of disadvantage and our historical moral obligation to each of those children and young people to ensure that they have the best lives humanly imaginable.

Ms HILDYARD: I do appreciate the minister's comments. What I do want to draw his attention to—and I do so because I know that we have filed these amendments very late—is that amendment No. 8 is also an amendment that changes 'may' to 'must' for the Commissioner for

Aboriginal Children and Young People to refer particular matters to the Commissioner for Children and Young People.

I just want to draw the minister's attention to that and, in doing so, say that I think our intention is similar, in that we want to make sure that is absolute reciprocity in terms of the matters that are shared and that are required to be shared. Again, I look forward to discussions about that particular issue.

Amendments negatived; clause passed.

Clause 19.

Ms HILDYARD: I want to understand what the minister sees as occurring when systemic issues are raised that particularly relate to Aboriginal children and young people in the context of this clause, which sets out that the Commissioner for Children and Young People has discretion to deal with those particular systemic issues. I want to understand what you see as the relationship and the operation of the relationship between the two commissioners when we are talking about systemic issues relating to Aboriginal children and young people and how that works in practice.

The Hon. J.A.W. GARDNER: The Commissioner for Children and Young People, in the circumstances the member has described, I would suggest would start by having a conversation with the Commissioner for Aboriginal Children and Young People and determine if the Commissioner for Aboriginal Children and Young People, obviously being empowered to make an investigation into the matter with a particular level of interest and resource, would like to do that.

It may be possible that the Commissioner for Aboriginal Children and Young People might like to take that opportunity at that time and the matter would be referred. It might also be possible that the Commissioner for Aboriginal Children and Young People, potentially in the circumstance where they were in the middle of a very serious investigation into another matter, might welcome the support of the Commissioner for Children and Young People undertaking an investigation themselves.

Indeed, were that not able to be sorted out with a conversation, a professional discussion, as I imagine would be the case in any imaginable circumstance I can foresee, then obviously we have the dispute mechanisms we discussed earlier and will come to again later.

Clause passed.

Clauses 20 to 24 passed.

Clause 25.

Ms HILDYARD: I move:

Amendment No 5 [Hildyard–1]—

Page 8, lines 32 to 34 [clause 25, inserted section 20B(3)]—Delete subsection (3) and substitute:

(3) A person appointed to be the CACYP must—

(a) despite a provision of the *Equal Opportunity Act 1984* or any other Act or law—be an Aboriginal person; and

(b) have demonstrated experience in systems (whether Governmental or otherwise) affecting Aboriginal children and young people.

This amendment is very straightforward. It ensures that the Commissioner for Aboriginal Children and Young People must be an Aboriginal person and that they must demonstrate experience in systems, whether they are government systems or any sort of systems, affecting the wellbeing, safety, care and protection of Aboriginal children and young people. I imagine that is a clause that could be referred to by any particular selection committee or body that appoints the Commissioner for Aboriginal Children and Young People.

The Hon. J.A.W. GARDNER: As indicated in the other amendments, we are happy to consider this further between the houses and have some discussions with the opposition too, potentially. I should say that my instinctive reaction is that I am reluctant to further limit the pool of potential applicants for the role.

I would think that there are a number of outstanding Aboriginal and Torres Strait Islander Australians who might potentially have relevant experience, and I would need to be satisfied, more than in the three-quarters of an hour or so since we got the amendment, that the drafting of this amendment would not potentially restrict somebody from applying who might have apposite skills but not potentially meet the definition here.

That said, obviously the current person holding the role would meet this definition. I do not know if there are other people in future years or decades who might be good applicants who might not. I would value the opportunity to consider that further between the houses.

Amendment negatived.

Ms HILDYARD: I move:

Amendment No 6 [Hildyard–1]—

Page 11, after line 12—After inserted section 20D insert:

20DA—Committees

(1) The CACYP may establish committees—

(a) to advise the CACYP; or

(b) to carry out functions on behalf of the CACYP.

(2) The membership of a committee will be determined by the CACYP and may, but need not, include the CACYP.

(3) The CACYP will determine who will be the presiding member of a committee.

(4) The procedures to be observed in relation to the conduct of the business of a committee will be—

(a) as determined by the CACYP; and

(b) insofar as a procedure is not determined under paragraph (a)—as determined by the committee.

I canvassed this issue when I spoke on the earlier amendment about the ability for the Commissioner for Children and Young People to appoint committees to provide advice, to research, to comment on or to explore particular issues relating to children and young people. This particular amendment focuses on the Commissioner for Aboriginal Children and Young People to similarly establish committees and appoint members to those committees to explore and investigate particular issues and circumstances. It is reflecting that both commissioners should have that ability to do so.

The Hon. J.A.W. GARDNER: The government is not in a position to support this amendment at this time, but we will consider it further with the opposition between the houses.

Amendment negatived.

Ms HILDYARD: I move:

Amendment No 7 [Hildyard–1]—

Page 13, after line 14 [clause 25, inserted section 20J]—After its present contents (now to be designated as subsection (1)) insert:

(2) The CACYP must enter into a memorandum of understanding with the CCYP about matters of common interest and the means by which the CACYP will collaborate with the CCYP on such matters.

(3) A single memorandum of understanding between the CACYP and the CCYP may give effect to both subsection (2) and section 14A(2).

Again, I have made particular comments about the benefits that we see of having a memorandum of understanding so that, as the minister has outlined (and I wholeheartedly agree with him), of course there will be conversations and deliberations, constantly, I would imagine, between the two commissioners. Between those conversations, deliberations, etc., and referring particular matters to the minister, it is our belief that there should be some other sort of process. The minister referred to a protocol; we have referred to a memorandum of understanding. I look forward to discussions about this particular issue.

The Hon. J.A.W. GARDNER: I also look forward to those discussions.

Amendment negatived.

Ms HILDYARD: I move:

Amendment No 8 [Hildyard–1]—

Page 13, line 19 [clause 25, inserted section 20K(1)]—Delete 'may' and substitute:

must

I think I spoke about this amendment when I spoke to amendment No. 3. This amendment, as I said in those earlier comments, refers to the requirement for the Commissioner for Aboriginal Children and Young People to refer particular matters to the Commissioner for Children and Young People, just as my earlier amendment required the Commissioner for Children and Young People to refer particular matters to the Commissioner for Aboriginal Children and Young People.

The Hon. J.A.W. GARDNER: I think the comments I would make now reflect those I made earlier on the comparative clause, and I will consider them in the same light.

Amendment negatived.

Ms HILDYARD: I move:

Amendment No 9 [Hildyard–1]—

Page 13, after line 31 [clause 25, inserted section 20L]—After subsection (2) insert:

(2a) Before a matter is referred to the Minister under subsection (2), the CACYP and CCYP must attempt to resolve which Commissioner should inquire into the matter by undertaking mediation in accordance with any requirements set out in the memorandum of understanding under section 20J.

This amendment is about ensuring that, before a matter is referred to the minister, the two commissioners have the ability to attempt to resolve which particular commissioner should inquire into the matter by undertaking mediation in accordance with any provisions set out in a memorandum of understanding. Again, I would say that we have already spoken and canvassed the need to have a discussion about a memorandum of understanding, protocols, some sort of process. This is simply requiring mediation to occur as dictated by that process, protocol, MOU—wherever that discussion lands.

The Hon. J.A.W. GARDNER: The government is not in a position to support this amendment at this time, but we will consider it and discuss it between the houses.

Amendment negatived.

Ms HILDYARD: I move:

Amendment No 10 [Hildyard–1]—

Page 14, after line 18 [clause 25, inserted section 20M]—After subsection (2) insert:

(2a) To avoid doubt, and without limiting any other provision of this section, a matter will be taken to raise an issue of particular significance to Aboriginal children and young people if the matter relates to a disproportionality of Aboriginal children and young people in a particular system or systems (whether Governmental or otherwise).

This amendment is simply about strengthening and ensuring there is no doubt that a matter that is raised that has particular significance to Aboriginal children or young people, and that would include if the matter disproportionately affects Aboriginal children and young people, is referred or that the Commissioner for Aboriginal Children and Young People has the remit to inquire into those particular matters.

The Hon. J.A.W. GARDNER: The government will not be supporting this amendment today but will be happy to discuss it between the houses. As in relation to a range of the other amendments, the government will be eager to seek feedback from relevant stakeholders and interested parties, such as the Commissioners for Children and Young People and for Aboriginal Children and Young People, the other oversight and advocacy bodies, many of whom will have an interest, the Child Death and Serious Injury Review Committee, the Child Development Council and also the Guardian for Children and Young People, whose reporting functions, as we discussed earlier, are delegated

to the Minister for Child Protection. We will seek feedback from them all in relation to all these amendments, and indeed from other interested parties who will have enjoyed the opportunity to read the *Hansard* from this morning's discussions.

The CHAIR: If they have not been tuned in.

Amendment negatived; clause passed.

Remaining clauses (26 to 41), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (12:13): I move:

That this bill be now read a third time.

I thank members for their contributions. I thank the member for Reynell for the thoughtful and efficient way that we went through the committee process. I thank the member for King for her second reading contribution. I thank parliamentary counsel, Mark Herbst and Karina Dearden; the Department for Education staff, Joanna Blake, Jamie Burt and Audra Field; and Sarah Hennessy, from my office, for their work on this bill.

I congratulate the inaugural Commissioner for Aboriginal Children and Young People, April Lawrie, in particular, and thank her for the work that she is already doing and the opportunities that she is seeking to provide for the children and young people, whose systems and supports I am sure her work will enhance, and as a trailblazer in her own right for those other Aboriginal leaders in the years ahead who will at some stage follow her in that position, a position which will be set out in legislation but which is already in actuality a role being undertaken. I thank her for that work, and I commend the bill once more to the house.

Bill read a third time and passed.

CORPORATIONS (COMMONWEALTH POWERS) (TERMINATION DAY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 May 2021.)

Mr PICTON (Kaurna) (12:16): I rise to speak on this bill and indicate that I will be the lead speaker for the opposition, perhaps even the only speaker, in relation to this legislation—perhaps from both sides, you will be shocked to know. Before the Speaker became the Speaker I am sure he would have spoken as he was keen—

The Hon. V.A. Chapman interjecting:

Mr PICTON: There you go, the Attorney says she has spoken three times on this previously. This bill seeks to amend the Corporations (Commonwealth Powers) Act 2001, to extend the referral of powers in the act for a further 10 years. The existing referral of power is due to expire on 15 July 2021, and this bill seeks to extend the current arrangements until 2031. That is a significant period of time in the future to think about.

In simple terms, the referral of powers means that corporate registration and regulation can occur at a national level. The act enables the application of commonwealth corporations legislation, being the combination of the Corporations Act 2001 and the Australian Securities and Investments Commission Act 2001. These acts provide for the registration, administration, regulation and oversight of corporations, along with financial products and services. Importantly, this work includes the activities of the Australian Securities and Investments Commission that administers the relevant acts.

The referrals are made under section 51(xxxvii) of the Australian Constitution, and all other jurisdictions make equivalent referrals to support a nationally consistent scheme. In her second reading speech, the Attorney noted section 5(1) of the Corporations Act 2001. I remember that at law school you had to buy the textbook for the Corporations Act, and it was like the phone book. It

would change so often that there was a new one out every year, so my copy of the Corporations Act from around that time is probably completely worthless and it is time now to take it for recycling.

Section 5(1) of the Corporations Act 2001 provides that corporations legislation applies only to those states that have referred powers to the commonwealth. I think that if we do not do this there is a bit of a question as to what would happen. Section 4(6) of the same act provides that a state ceases to be a referring state if the state's referral powers cease, which is currently due to occur just next month, so we are cutting this a little bit fine bringing this now.

All other jurisdictions have the capacity to refer powers simply by proclamation, but South Australia requires legislation, and this is the driver for the bill before us today. Obviously, at some stage there has been an agreement or a decision that we should have the primacy of parliament as part of this decision-making, which I think is appropriate. I am sure the Attorney in one of her previous contributions on that would have been making those points.

In the absence of a new referral by the termination date, serious questions would arise about the operations of corporations in and from South Australia. I think it is fair to say that it would be quite a messy situation if we suddenly pulled out of the national Corporations Regulations framework and were off on our own. I am not sure if Mr Dini Soulio is quite ready to regulate all corporations in South Australia as of next month.

While the probability is low, a failure to extend the national scheme could lead to little or no corporate regulation in South Australia in the absence of a functioning state system. It may require any corporation registered in South Australia to transfer their registration elsewhere, which obviously we would not want to see. As such, the argument to support the bill is strong; however, this clearly raises the question of why we are debating this bill in the second to last week of parliament before the scheme expires. Presumably, somebody had on their calendar that this was coming up in July.

We have had a number of sitting weeks this year and it is not a complex piece of legislation, so why we could not have dealt with this earlier and avoided any potential issue does need to be asked. Notably, this is not the first time this bill has come before the house. An extension of the referral powers has been granted by parliament on three previous occasions, all during the term of the member for Bragg: 2005, 2011 and 2016. I have not gone back and researched the speeches of the member for Bragg on each of those occasions, but I am sure they were riveting affairs, as is my contribution today.

The government has advised the opposition that the longer extension proposed in this bill is due to the act having operated well for 20 years and the desire to provide more certainty for business—as it did during our term of government, over those three times the Attorney spoke, presumably when it was moved by former attorneys Atkinson and Rau. Labor will support the extension of the national scheme. I do not think there is really a strong alternative as to what we should do. I guess there would be a question as to why we are going for 10 years rather than five years, but I do not think there is a strong appetite to bring these powers back and to stop the federal scheme being in place, which would cause significant disruption.

I do have a couple of questions. Maybe I will raise them with the Attorney now and she might want to answer them in her summing-up speech, and we can avoid the need for our learned advisers to help us in the committee stage. Why is this being debated in the second to last week before the referral expires? What is the barrier to the government seeking to do what other jurisdictions do, that is, extend this by proclamation? Why is this extension period for 10 years rather than five years, as has previously been the case? Are there any contingency plans in place should this legislation not pass our strenuous parliamentary examination process over the next month and get proclamation and cause an issue before then?

With those remarks, Mr Speaker, I will have to imagine what excellent contribution you may have made to this speech, to this bill, had you not been the Speaker. I am sure you would have taken it to a full 20 minutes, as opposed to my short contribution. I hope we can get the answers to those questions to the Attorney in her summing-up speech; otherwise, we support this legislation through the house.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:23): I wish to acknowledge and thank the opposition for their

indication of support for the bill. On the issues raised by the member for Kaurna, I indicate that I am advised, firstly, that when these proceedings were issued in May it followed a period of attempt to have some consensus around Australia as to what the time frame would be for all to move ahead. I am advised that for all but Western Australia, which still has not issued a decision, it is 10 years.

The only reason for attempting to discuss that was to give an opportunity for the states which have had an election, which I think are the two Labor states of Queensland and Western Australia and, this year, the Liberal state of Tasmania. In between their elections and doing other things like doorknocking, no doubt, it has been a little slow but we have had adequate time for bringing this: instituting it in May, consideration in June and the expiry date in July.

As to the question of proclamation versus determination by the parliament, throughout the life of this legislation the South Australian parliament has dealt with this after review by the parliament. I think most of the other states do it by proclamation. All the other states, I am advised, do it by proclamation. There has not been any indication or request for that to change. I personally am of the view that these matters should have the oversight of parliament. I had that view in opposition, and I have not changed since being in government.

I think it is fair to say that in the relatively short time that I have been Attorney-General there does not appear to have been any action by the commonwealth or its instrumentalities, including ASIC, who actually attend to the management and regulation of corporations now in Australia, that would cause us concern as a state on behalf of the corporations that operate in South Australia, that would justify us suggesting or presenting an argument that we should either withdraw from the scheme or in some way place any demands upon the commonwealth that they do or not do certain things.

To the best of my knowledge, it is progressing as it was intended, that is, a national uniform law under national bodies of enforcement, which allows us, of course, to have consistency across the country to deal with our corporations and companies in the 21st century, as they have been, frankly, for some years. Many of them, of course, do operate and trade nationally, and to be able to maintain our position on the national stage it is important that we continue to have that regime.

In short, there is no justification for us trying to take that role back, which, as the member has pointed out and I have indicated in the second reading, could be problematic for enforcement and universal coverage for the corporations that operate in our state. With that, I thank the member for his indication of support.

I should just say one other thing. Whilst the crossbenchers in this house may not be giving immediate attention to this bill, I mention that the opposition took a briefing on 1 June, which was of course made available to the opposition. It has been offered to the crossbenchers. To date, they have not availed themselves of that. I was advised before we came in that they are saying that they will not be available until 21 June to be briefed on this and apparently other bills. The fact is it is a matter that needs to be resolved, and I thank the opposition for the indication of support. Let me say, I am not coming back here on 21 June to give a briefing to anyone. It is my birthday. It is bad enough that we have to deal with the eve of budget day at that time. I will not be giving a briefing on that day.

Bill read a second time.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:28): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION (DRIVING AT EXTREME SPEED) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 May 2021.)

Mr ODENWALDER (Elizabeth) (12:29): I rise to speak on the Criminal Law Consolidation (Driving at Extreme Speed) Amendment Bill, and indicate that I will be the lead speaker for the opposition.

This bill was born of comments made by the Commissioner of Police in February this year, particularly regarding a specific incident of a motorcyclist who had been detected travelling at more than 200 km/h. I think that most of us have seen the vision of the motorcyclist the police put out recently in response to this bill—a pretty harrowing video I think everyone who has seen it will agree.

I think that measures like this are long overdue. I think it is a good bill. It is a good response. It has been a bit slow in coming. It was mooted in February, but I am glad that the Attorney has introduced it, and I indicate that, pending any untoward mishaps during the committee stage in this place, we will be supporting it, certainly through this place and through the other place as well.

That is, indeed, because it is something that the commissioner has been calling for. Specific concern was that penalties were too low for people, unless, of course, they caused harm or death. So the simple act of driving dangerously with the potential to cause harm was not being properly dealt with by the law.

Under current laws, the most serious speeding offences are dealt with under the Road Traffic Act. These are driving at excessive speed, which is defined as more than 45 km/h over the posted limit. The same people could potentially be charged with reckless or dangerous driving, but this comes with a maximum penalty of only two years. This maximum penalty is the same as a simple common or basic assault, and, of course, when you compare that with the level of risk presented by a vehicle travelling at 200 km/h it simply does not make sense to have them being equal before the law.

At the time of his public comments, the Commissioner of Police likened driving at 200 km/h to firing a gun down Rundle Mall. In both situations the offender is placing unknown lives at risk, so again it is about the potential for risk, the potential for danger, the potential for death rather than death itself, which is dealt with in other provisions. Firing of a weapon will currently be charged under something like acts endangering life under section 29 of the CLCA, with a penalty of up to five years in prison, even if no-one was harmed.

In simple terms, this new bill proposes to insert new section 19ADA into the Criminal Law Consolidation Act, which creates a new offence of driving at extreme speed. Under this bill there are two possible extreme speed offences. The first is travelling at more than 55 km/h over the posted limit on roads where the limit is 60 km/h or less. The second is travelling at more than 80 km/h over the posted limit on roads where the limit is 60 km/h.

There will be maximum penalties: three years for a basic offence and five years for an aggravated office, in addition to an immediate loss of licence. With regard to the immediate loss of licence, this was part of another recent bill, and at the time Labor did query why there were no provisions administratively to reverse the immediate loss of licence where there may have been unintended or administrative errors.

Despite the government not seeing this as an issue at the time, we do note that this bill amends the as yet uncommenced previous legislation to deal with this matter. I do welcome the government including as part of the bill the ability for the commissioner to withdraw these notices without going to court. As already exists, people who drive at extreme speed may be subject to a range of other penalties, including the impounding or crushing of vehicles.

The bill also includes potential exemptions for police and emergency services, of course. Labor, as you know, sir, has a long history of passing strong road safety laws and supporting police in deploying new technology to detect and prevent traffic offences. Our support for this bill is consistent with this approach.

It is important to remember that all deaths on our roads in some way or another are preventable, and sadly for younger age groups it is one of the leading causes of death. I am incredibly conscious that road safety is critical and that young people bear a heavy burden from death and injury on our roads. As someone who travels regularly in our regional areas, I do appreciate the heavy burden that falls on regional communities from death and injury on our roads, particularly on

volunteers. As a former police officer, I know firsthand how injury and fatality on our roads weigh heavily on all first responders who attend these scenes. I do hope and trust that this bill will help reduce the burden on these members of our community by sending a very clear message.

As I said before, Labor has a very strong and proud history of supporting strong road safety measures. Reforms have included the graduated licensing scheme, which has now been extended to motorcycle riders; static and mobile driver testing for alcohol and drugs; the increased use of seatbelts and driver restraints; mandatory alcohol interlock programs; the introduction of the 50 km/h default speed limit in urban areas; increased and better targeted enforcement with higher penalties; a network of safety cameras at high-risk intersections; point-to-point speed cameras in regional areas to enforce average speed limits over long distances; blackspot programs to improve sites with poor crash histories; infrastructure safety programs, such as road shoulder sealing; increased numbers of four and five-star safety rated vehicles that provide better protection for occupants; and topically, of course, legislation to impound vehicles and crush the vehicles of hoon drivers.

In earlier terms of government, Labor reduced the legal blood alcohol limit for drivers from 0.08 to 0.05 and implemented a whole range of other safety measures. Labor looks forward to making our roads safer. Road safety has always been a passion of mine and I look forward to supporting this bill and asking some questions in the committee stage.

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (12:35): I am very pleased to have the opportunity to speak on this bill. Too often, we see examples of hoon drivers playing with their own lives but also the lives of others on our roads. This bill sends a strong message to drivers who have no regard for public safety and choose to drive at extreme speeds on our roads that this behaviour will not be tolerated.

Extreme speed on our roads can be fatal and hoon drivers are putting not just themselves at risk. I cannot imagine the pain felt by the families and friends of people who have lost their lives or others who know people who have suffered loss on the road as a result of hoon driver behaviour. To think that people can be so reckless and put others at so much risk is quite frankly incomprehensible.

In 2020 alone, speed was a contributing factor in 38 per cent of all lives lost on South Australian roads. The five-year average between 2015-19 is 29 per cent. These are staggering figures and we simply cannot accept dangerous driving as being inevitable. We need to have strong laws in place that reflect community expectations and send a clear message to hoon drivers that their behaviour simply will not be tolerated.

The government has worked closely with SAPOL to develop this legislation, which categorises the dangerous act of extreme speeding as a criminal offence. The bill makes it an offence where the speed limit is 60 km/h or less to exceed the speed limit by 55 km/h or more, and where the speed limit is more than 60 km/h to exceed the speed limit by 80 km/h or more. The offence will attract serious penalties, including up to three years' imprisonment for a basic offence and a mandatory minimum licence disqualification of two years for a first offence or five years for subsequent offences, and up to five years' imprisonment for an aggravated offence and a mandatory minimum licence disqualification of five years.

Where a person is charged with this offence, police will be empowered to impose an immediate licence disqualification or suspension to ensure the person is barred from driving until finalisation of the charges. The person may appeal the police-issued licence disqualification or suspension on the basis that exceptional circumstances exist and the person does not pose a substantial risk to other members of the public.

The bill provides a higher penalty for offences committed in aggravated circumstances, including where serious harm or death was caused to another, the offence was committed in the course of attempting to escape police pursuit, the offender was driving a motor vehicle that was stolen or being driven without the consent of the owner, the offender was disqualified from driving and knew of the fact, the offender had a prescribed drug present in their oral fluid or a blood alcohol concentration of .08 grams or more in 100 millilitres of blood, and the offender was driving under the influence of drugs or alcohol.

These aggravating circumstances recognise how factors such as drugs and alcohol can increase the risk of serious harm and injury or loss of life when driving at extreme speeds. In addition,

provisions will include forfeiture offences for the purposes of the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007.

As part of this government's crackdown on hoon drivers, we have also changed the fees that apply for the release of vehicles and we are requiring the fee to be paid in full as another measure to deter bad behaviour and improve road safety. This bill also allows SAPOL to instantly remove the alleged offenders from our roads. The bill recognises how dangerous driving at extreme speeds is by creating a standalone offence for this reckless act.

We know that speed is a prevalent factor in serious injuries and fatalities on our roads, which is why we have taken the step to criminalise this behaviour under the Criminal Law Consolidation Act. This legislation brings the penalties for hoon driving in line with community expectations. As Minister for Police, I hear from members of the public frequently who are concerned about hoon drivers. To the people of South Australia: let me assure you that our government is listening.

This bill is a powerful measure to deal with this incredibly dangerous and reckless behaviour. It is another tool for SAPOL to deal with hoon drivers on our roads. Members may have seen the very powerful video released by SAPOL recently, just a couple of weeks ago, showing the devastating results of extreme speed. It is our emergency services volunteers and the men and women of SAPOL who unfortunately are left to pick up the pieces when there is a crash caused by extreme speed.

I would like to personally thank the police commissioner for his assistance in helping to bring this legislation to life, and I commend the Deputy Premier for her work on the bill. We are committed to providing our police with the tools and the resources they need to keep our community safe, and we will continue to investigate and implement new measures to support the work of SAPOL.

Since coming to government, the Marshall Liberal government has delivered over $170 million in extra funding to keep South Australia safe and strong. Of course, we have also delivered on yet another of our election commitments by implementing the Traffic Watch app component of the SAPOL app. This enables community members to report dangerous road use instantly to SAPOL, giving a greater chance for the offenders to be found.

Driving is a privilege that should be reserved only for those who do the right thing on the road. This bill delivers a clear message to dangerous road users that their behaviour has no place in our community, and I commend the bill to the house.

Mr ELLIS (Narungga) (12:42): I rise ever so briefly to get just a few thoughts on the extreme speeds bill on the record and to articulate ever so briefly a couple of the concerns that I hold about this bill and the impact it might well have on regional people.

In a number of situations, I believe that country residents would be unfairly convicted of travelling at an extreme speed and subjected to the extreme penalties that this bill lays out. In my view, country residents are accustomed to speed limit signs being left out or blown over, even when the roadworks that they are supposed to be policing or applied to have long been completed. Motorists on country roads often frequent that route multiple times a day and recognise that these signs are left out unnecessarily.

It is not unusual, in my view, on a second or third trip past a sign or a site for someone to disregard that 25 or 40 km/h speed limit when it is completely safe for the usual speed limit to be maintained through that area. It is also common, in my view—and we had a big storm last night—to see signs blown over or impeded by fallen branches or something like that, which can obstruct speed limit signs from view and deny motorists the opportunity to adhere to the correct speed limit, thus rendering them subject to what this bill might provide.

Again, in another situation where regional motorists might well be unfairly implicated in the punishment that this bill provides, a police car might have pulled someone over with lights on just around a bend and, when a motorist comes around, they do not have time to physically slow down and decrease their speed to the 25 km/h in time to go past that police car. In these situations, just to name a few, country motorists would be unfairly convicted, in my view, of travelling at an extreme speed and be subjected to the extraordinary penalties that this bill provides for.

I also believe that the licence disqualification penalties under this bill also have a disproportionate effect on country people. For a basic offence, an offender under this bill receives a mandatory licence disqualification of two years and, for an aggravated offence, an offender's licence is disqualified for a minimum of five years.

In the country, Mr Deputy Speaker, as you would well know, you cannot just walk to work or to the supermarket or to an appointment. While we are lucky on the Copper Coast and in the Copper Coast Council that we do have a few taxis, quite a few regional communities do not have access to taxis or public transport, so that makes it extraordinarily difficult for people to get to work or where they need to go, and for five years that punishment could be quite debilitating for those people.

I also take issue with this bill's unreasonable, in my view, imprisonment penalties. For a basic offence, an offender could be facing up to three years' imprisonment and, for an aggravated offence, up to five years' imprisonment. I understand that these penalties are in place to deter the extreme speed offences that this bill relates to but, in my view, when we are talking about road safety, it is often a race amongst politicians to do something when there is a concerted media effort and speeds or speed limits are always the issue that is put forward to counteract those campaigns.

I would put to this house that there are countless other examples of other offences that should also be deterred that would have just as significant an impact on road safety but still attract a much lower penalty. To name but one single example of that, based on my research today, a driver caught under the influence of drugs with a child on board is disqualified for driving for three months and fined up to $1,300. That is significantly less than this bill provides for in terms of a speeding offence.

There is no gaol time for these drug drivers and no two to five-year licence disqualification for those offenders, but they are deliberately putting the safety of a child at risk and driving while impaired. Based on that comparison and other comparisons like it, I think the penalties in this bill are unreasonable. Although I am not sure it will be required, I am not sure that I would support this bill if it were put to a vote.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:46): I acknowledge and express my appreciation to the Minister for Police for his contribution and assistance in the development of this legislation and for his support in bringing this to the parliament. He outlined and repeated the sentiments that a number of people have expressed, including the Commissioner of Police, who really started the conversation on this matter when, in the midst of discussions about death by dangerous driving law reforms, he stated that there was another area of concern he had and that related to hoon driving at extreme speed. That started the conversation for us to work out how this might best be addressed.

It is fair to say that, on the issue raised by a member of the opposition—incidentally, I acknowledge and thank him for his indication of support—on the question of the three-month delay in the introduction of this bill, there was considerable work done to ensure that a number of the issues noted by the member for Narungga have been addressed. I will outline those for the benefit of the member for Narungga because the sorts of issues he raised are important issues. They are very important for people who live in the country, in particular, and they have been considered in the development of this bill to ensure that we do not adversely impact those who may be innocently going about their own business and are inadvertently caught by this legislation.

There has to have been that work done and we have worked hand in glove with the police on this matter because they are the people who, quite frankly, are frequently first responders, cleaning up the tragic mess in these cases and having to employ sanctions in relation to prosecutions and the like.

That is not to underestimate the significance for other road users who might witness these occasions and/or assist in helping to save lives at the scene of these accidents. Quite frankly, when they are out in the country where the speeds are higher, these can be vicious, in the sense of shocking injuries and/or death of drivers or passengers or even innocent people who are pedestrians or cyclists or motorcyclists and so on who are other road users at the time.

The faster the speed, often the uglier the mess. Any members who have had the experience of attending road accidents, whether it has been as a police officer, as a witness or in our emergency services—ambulance services and the like—will know these are really gruesome occasions. Sadly,

scenes involving decapitated people, children injured, children dead, pets yelping in pain, etc., are shocking situations and the ugly consequences of a high-speed road death or injury.

Let's just look at the concerns raised by the member for Narungga. He outlines generally that he feels that regional people could be more unfairly treated as a result of this type of regime of mandatory loss of licence and/or imprisonment, which can flow from a conviction in relation to these new offences. I will not go through the details of aggravation and the threshold to which they apply and whether they will attract a charge because that has been traversed in the bill.

Firstly, the member for Narungga raises the question of roadworks. These are the bane of most road users, I think, especially when, annoyingly, there are roadworks signs up, a request to slow speed, and when you drive through them there are no apparent works actually happening. They are probably the most annoying, especially if it happens more than once when you are going through that section and the road signs are all still there and there is still nobody doing any work.

I want to reassure the member of the obligations on the prosecution and the onus on the prosecution to establish that someone might be charged and found guilty of extreme speed within a roadworks speed zone. Not only must they prove that the offender is the person driving the car and is driving that speed—that is obvious—but the onus is on a prosecution to prove, firstly, that workers were present and engaged and, secondly, that the signs were clearly visible to a driver when approaching the roadworks. There are four elements, if I could describe them as such, of what has to be the onus on the prosecution to prove in relation to those circumstances.

If the example is used that the roadworks signs had blown over and they were not immediately visible, then that would be a matter that would be taken into account, firstly, as to whether there was any charge even laid, and to have a successful prosecution the onus is on the prosecution to actually establish that. I think that is important, especially when there may be a very late notice of the sign, there is nobody visible actually doing any work, and somebody may attempt even to slow down but does not do it enough and then is maybe caught. That prosecution would fail on that basis because there was no evidence to support that there were even people working and engaged on the site. These are the sorts of things again that we have had to work through to make sure that these sorts of circumstances the member for Narungga has raised are actually dealt with.

The second is in relation to someone driving in an emergency. I took this as a situation where there might be a vehicle with ambulance or police lights flashing, and of course there is a 25 km/h speed limit in relation to that. That is a situation where the prosecution has to prove that the emergency vehicle was present and that the same vehicle had red or blue flashing lights when the alleged offence occurred. There has been a carve-out to cover that, so that has dealt with the issue.

The third matter that has been raised—and I do not think the member raised this, but it is possible, and I will mention it anyway for completeness—is when the driver themselves might be racing along in an emergency; for example, in the country, a couple is sitting in their car, the wife is having a baby, they are in a hurry to get to the hospital, which may be half an hour or an hour or more away and, of course, there is some pressing emergency to deal with that.

I advise the house that there is already provision in the Criminal Law Consolidation Act under section 15E, which makes provision, for example, for a sudden or extraordinary emergency, including a medical emergency. That is codified in that section of the act. Again, these are matters that I bring to the attention of the house so that people do not feel that there may be some unfair treatment of people in those circumstances and, particularly, as the member for Narungga has raised, in country regions.

The member for Narungga also raised whether this was comparatively severe relative to other offences. There may be cases—we often find this—where the review of laws, which is worked out on a comparative basis, relative to the Criminal Law Consolidation Act standards, may be significantly more severe than other offences which sit, for example, in the Summary Offences Act. But I will have a look at the matter the member for Narungga has raised. I think that these are all things worth having a look at so that we constantly review these matters.

There was a recent article, I think it must have been in the last 24 hours, relating to parties who are driving children to school and they are alcohol or drug-affected. This is an issue that is raised from time to time, especially by police, and it is brought to the public's attention via the media. The

police are concerned about this issue. Not only is it grossly irresponsible but it is unlawful, and we need to have a reminder from time to time to make sure that we do not put our children, or indeed any other drivers or users of the road, at risk in those circumstances.

I thank all members for their contribution. I will just make one other observation on loss of licence, which is to be mandated. There is no doubt that when we are dealing with death by dangerous driving offences, the concern raised by some of the victims' families was the offence that they took—and they were quite distressed—at seeing somebody who had caused the death of the person they loved and they were able to keep driving. This is something that was really quite offensive to them, so it was brought to this parliament to tidy up and ensure that the loss of licence on-the-spot process could happen, and in the course of that obviously there were discussions in relation to the review of this legislation as to how we might deal with that.

Equally, I think people would feel very aggrieved if they saw someone who had been charged with hoon driving or who was evading police in the circumstances that have been outlined here; they ought to be charged with extreme speed and they ought to suffer the immediate loss of licence. Again, quite a bit of work has had to be done to ensure that we get the balance there. In conclusion, I thank the opposition for their indication of support. I thank the member for Narungga and of course the minister for their contribution to the debate.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Progress reported; committee to sit again.

Sitting suspended from 13:00 to 14:00.

SUPPLY BILL 2021

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWERS TO QUESTIONS

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General Reports—Report 10 of 2021—ICT vulnerability management in South Australian public sector entities [Ordered to be published]

By the Premier (Hon. S.S. Marshall)—

ElectricSuper—
- Board Summary Report as at 30 June 2020
- Report to the Board on the Actuarial Investigation as at 30 June 2020

Regulations made under the following Acts—
- Aboriginal Heritage—Fees Notice (No. 2)
- Dangerous Substances—
  - Fees Notice—Dangerous Goods Transport (No. 2)
  - Fees Notice (No. 2)
- Employment Agents Registration—Fees Notice (No. 2)
- Explosives—Fees Notice (No. 2)
- Fair Work—Fees Notice—Representation (No. 2)
- Land Tax—Fees Notice (No. 2)

Petroleum Products Regulation—Fees Notice (No. 2)
Work Health and Safety—Fees Notice (No. 2)

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

Regulations made under the following Acts—
Administration and Probate—Fees Notice (No. 2)
Aged and Infirm Persons' Property—Fees Notice
Associations Incorporation—Fees Notice (No. 2)
Authorised Betting Operations—Fees Notice (No. 2)
Births, Deaths and Marriages Registration—Fees Notice (No. 2)
Building Work Contractors—Fees Notice (No. 2)
Burial and Cremation—Fees Notice (No. 2)
Child Safety (Prohibited Persons)—Fees Notice (No. 2)
Conveyancers—Fees Notice (No. 2)
Co-operatives National Law (South Australia)—Fees Notice (No. 2)
Coroners—Fees Notice (No. 2)
Criminal Assets Confiscation—General
Criminal Law (Clamping, Impounding and Forfeiture of Vehicles)—Fees Notice (No. 2)
Disability Inclusion—Fees Notice—NDIS Worker Check (No. 2)
District Court—Fees Notice (No. 2)
Environment, Resources and Development Court—Fees Notice (No. 2)
Evidence—Fees Notice (No. 2)
Expiation of Offences—Fees (No. 2)
Fines Enforcement and Debt Recovery—
Fees Notice (No. 2)
Prescribed Amounts (No. 2)
Freedom of Information—Fees Notice (No. 2)
Gaming Machines—Fees Notice (No. 2)
Guardianship and Administration—Fees Notice (No. 2)
Housing Improvement—Fees Notice (No. 2)
Labour Hire Licensing—Fees Notice (No. 2)
Land Agents—Fees Notice (No. 2)
Liquor Licensing—Fees Notice (No. 2)
Lottery and Gaming—Fees Notice (No. 2)
Magistrates Court—Fees Notice (No. 2)
Partnership—Fees Notice (No. 2)
Plumbers, Gas Fitters and Electricians—Fees Notice (No. 2)
Public Trustee—Fees Notice (No. 2)
Relationships Register—Fees Notice (No. 2)
Roads (Opening and Closing)—General
Second-hand Vehicle Dealers—Fees Notice (No. 2)
Security and Investigation Industry—Fees Notice (No. 2)
Sheriff's—Fees Notice (No. 2)
South Australian Civil and Administrative Tribunal—Fees Notice (No. 2)
State Records—Fees Notice (No. 2)
Summary Offences—Fees Notice (No. 2)
Supported Residential Facilities—Fees Notice (No. 2)
Supreme Court—Fees Notice (No. 2)
Surveillance Devices—Corresponding Law
Terrorism (Police Powers)—Police Powers
Victims of Crime—Fund and Levy (No. 2)
Youth Court—Fees Notice (No. 2)

By the Minister for Planning and Local Government (Hon. V.A. Chapman)—

Regulations made under the following Acts—

Planning, Development and Infrastructure—
Fees Notice
Fees Notice—Accredited Professionals (No. 2)
Fees, Charges and Contributions—Miscellaneous (No. 3)
General—Fee Notices
Private Parking Areas—Expiation Fees (No. 2)

By the Minister for Energy and Mining (Hon. D.C. van Holst Pellekaan)—

Regulations made under the following Acts—
Mining—
Fees Notice (No. 2)
Rental Fees
Opal Mining—Fees Notice (No. 2)
Petroleum and Geothermal Energy—Fees Notice (No. 2)

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

Regulations made under the following Acts—
Controlled Substances—Fees Notice—Pesticides (No. 2)
Education and Children's Services—Fees Notice (No. 5)
Food—Fees Notice (No. 2)
Retirement Villages—Fees Notice (No. 2)
SACE Board of South Australia—Fees Notice (No. 2)
South Australian Public Health—Fees Notice (No. 2)
Tobacco and E-Cigarette Products—Fees Notice (No. 2)

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

Regulations made under the following Acts—
Adoption—Fees Notice (No. 2)

By the Minister for Infrastructure and Transport (Hon. C.L. Wingard)—

Regulations made under the following Acts—
Heavy Vehicle National Law (South Australia)—
Expiation Fees (No. 3)
Fees Notice (No. 2)
Motor Vehicles—
Expiation Fees (No. 2)
Fees Notice—Accident Towing Roster Scheme (No. 2)
Road Traffic—
Miscellaneous—Expiation Fees (No. 2)
Miscellaneous—Fees (No. 2)

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

Regulations made under the following Acts—
Animal Welfare—Fees Notice (No. 2)
Botanic Gardens and State Herbarium—Fees Notice (No. 2)
Crown Land Management—Fees Notice (No. 2)
Environment Protection—Fees (No. 2)
Heritage Places—Fees Notice (No. 2)
Historic Shipwrecks—Fees Notice (No. 2)
Landscape South Australia—Fees Notice (No. 2)
Marine Parks—Fees Notice (No. 2)
National Parks and Wildlife—
Fees Notice—Hunting
Fees Notice—Lease Fees (No. 2)
Fees Notice—Protected Animals—Marine Mammals

Native Vegetation—Fees Notice (No. 2)
Radiation Protection and Control—Fees Notice (No. 2)
Water Industry—Fees Notice (No. 2)

By the Minister for Police, Emergency Services and Correctional Services (Hon. V.A. Tarzia)—

Regulations made under the following Acts—
Correctional Services—Miscellaneous
Fire and Emergency Services—Fees Notice (No. 2)
Firearms—Fees Notice (No. 2)
Hydroponics Industry Control—Fees Notice (No. 2)
Police—Fees Notice (No. 2)

By the Minister for Primary Industries and Regional Development (Hon. D.K.B. Basham)—

Regulations made under the following Acts—
Fisheries Management—Fees Notice—Fishery Licence and Boat Device Registration Application and Annual Fees (No. 2)

Question Time

COVID-19 QUARANTINE FACILITIES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10): My question is to the Premier. Does the Premier believe the Prime Minister is pushing fear and division by supporting the construction of a dedicated quarantine facility in Victoria? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: In November last year, the Premier said in response to my calls to build a dedicated quarantine facility that it was 'pushing fear and division'.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:11): No, I do not believe that is the motivation of the Prime Minister. I think what the Prime Minister is wanting to do is to repatriate as many stranded Australian citizens back to this country as he possibly can. We have a situation at the moment where there are approximately 30,000 people—it does fluctuate quite a bit—30,000 Australian citizens who are wanting to come back to Australia.

The Hon. A. Koutsantonis: What did you call them?

The Hon. S.S. MARSHALL: Stranded Australian citizens.

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

The Hon. S.S. MARSHALL: They want to come back, but they need to do that 14 days of hotel quarantine. Now every state has been asked to play their part in this national repatriation. We have taken the strain. There are some who have suggested we shouldn't be part of this national repatriation—well, we believe that we should. These are Australian citizens and we should play our part. We have currently a cap of 530 per week and we have had it much higher than that. In fact, going back to September/October last year, we were up around 600 per week; we have negotiated that down to 530.

From time to time, sir, as you would be aware, we've had to ask to pause people coming in because we were concerned, especially with the new variant of concern in India. We said we needed to pause because we didn't want to overwhelm our dedicated facility at the Tom's Court Hotel. But we have played our part, we continue to play our part and we are currently, on the most recent figures, dealing with the repatriation of about 8 per cent of those coming back into Australia per week.

That is actually slightly above our population percentage, so we are not interested in increasing that further, and there are a range of reasons why we are not interested in increasing that further. One of them, of course, is that every time you do bring somebody back from overseas there

is an added risk. There is a workforce element to it and there is a cost element to it, and so for those reasons we have settled on 530.

What the Prime Minister is offering in Victoria is quite separate. The Prime Minister with his offer to Victoria is to provide the capital to set up new and expanded capacity for that hotel quarantine situation. It is not available to states to essentially exchange, so with the Labor opposition saying we should take up the Prime Minister on this they are effectively saying, 'Well, we need to bring back a lot more than our 530 per week.' Our priorities—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I can only suggest that those opposite then listen very carefully to what is on offer from the Prime Minister. It is not about swapping facilities; it's about additional capacity. We have made the decision, as a government, seeking advice from the experts, like we have since day one, to limit our passenger numbers for those repatriation flights to 530 per week.

Now, of course, we have put in additional capacity to that 530 per week to support bringing Pacific workers to South Australia to expand the productive capacity of our state. Also, we have a submission to the federal government at the moment to bring international students back to South Australia because we know that this will have a massive positive economic benefit in South Australia. I hope this clarifies the situation for the Leader of the Opposition.

COVID-19 QUARANTINE FACILITIES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:15): My question is again to the Premier. Does the Premier believe that Jane Halton, a member of the Prime Minister's National COVID-19 Coordination Commission, is pushing fear and division by supporting the construction of a dedicated quarantine facility? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: Last night on the ABC's *7.30 Report,* Ms Halton said, 'Certainly the new announced facility in Victoria is a really good idea.'

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:15): I didn't see the comments by Ms Halton, but I am familiar with her work because she was the one who provided the independent assessment of the hotel quarantine capacity that we had in Australia. I don't think that there is anybody who says we don't welcome additional hotel quarantine capacity in Victoria. What we are not talking about and what the Victorian government is not talking about is closing down the existing capacity and transferring it to a new facility.

I'm not quite sure why the Leader of the Opposition and his office haven't been following this matter. It has been very clear, and it was canvassed—

Members interjecting:

The SPEAKER: The member for Playford is called to order.

The Hon. S.S. MARSHALL: —extensively in the media on Friday morning. It was discussed further in national cabinet Friday morning.

Members interjecting:

The SPEAKER: Member for Mawson!

The Hon. S.S. MARSHALL: The Prime Minister spoke about it on Friday afternoon and it has been extensively covered in the media ever since. Even somebody with a modest intellectual level, with a cursory glance at all the information, would be able to determine very clearly that what the Prime Minister is offering is for additional capacity. So either the Leader of the Opposition is not following the logic of the conversation so far or he is conflating a couple of issues for his own purposes, but the reality is—

Mr Malinauskas interjecting:

The SPEAKER: The leader!

The Hon. S.S. MARSHALL: —what he is proposing is not something which is on offer. I personally am of the opinion that the medi-hotel arrangements in Australia have served us well. We have brought back well in excess of—

Members interjecting:

The SPEAKER: Deputy Premier!

The Hon. S.S. MARSHALL: We have brought back well in excess now of 330,000 Australian citizens through our hotel quarantine arrangements. In that time, with 330,000-plus people coming back through our hotel quarantine arrangements, there have been transmissions within that environment totalling 21. This is by far and away the most robust—

Members interjecting:

The SPEAKER: The leader!

The Hon. S.S. MARSHALL: —arrangement that exists anywhere in the world. There are those opposite who think that for some reason this disease knows which postcode it's in at the time. We personally are of the opinion that just transferring the hotel quarantine to—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: —a new facility, which may not be in the CBD, doesn't, in and of itself, actually reduce the risk of transmission. What we need to be doing is understanding and constantly looking at the reasons as to why these transmissions occur and then identifying those risks and mitigating against those risks. That's precisely what's happened. We have an excellent focus within SA Health and within SA Police in monitoring our hotel quarantine arrangements. I think we are still the only place in Australia which has a dedicated facility for those people who are COVID positive.

Mr Malinauskas interjecting:

The SPEAKER: The leader will cease interjecting.

The Hon. S.S. MARSHALL: And, of course, we are devastated by the recent situation that occurred where we can now see from a genomic linkage that the person who started this current wave in Victoria was linked to a patient who was here in South Australia. We have not been able to determine exactly and precisely how that occurred.

We quarantine people for 14 days, but we know that some people develop symptoms beyond that 14 days. We know that these two people were on the same flight together. There is no conclusive evidence to suggest that it definitely happened in that hotel. It is very likely to have, but we don't have that information. What I can assure this house of is that we have looked very, very carefully at the CCTV footage. There has been no obvious breach but, at the same time, we continuously look for ways to improve the security of the hotel quarantine arrangements here in South Australia.

The SPEAKER: Before I call the leader, I call to order the member for Schubert, the member for Mawson, the member for Wright, the member for Kaurna, the member for Lee and the Deputy Premier. I warn the member for West Torrens and I call to order the leader.

Members interjecting:

The SPEAKER: Order!

COVID-19 QUARANTINE FACILITIES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20): My question is to the Premier. Does the Premier believe the Australian Medical Association undermines the public health experts we have here in South Australia by calling for alternatives to hotel quarantine for returning Australians? With your leave, sir, and that of the house, I will explain.

Leave granted.

Members interjecting:

The SPEAKER: Order, member for Schubert!

Mr MALINAUSKAS: In response to my suggestion for purpose-built quarantine in November last year, the Premier said, and I quote, 'It undermines the public health experts we have here in South Australia.' Then, this morning on ABC radio, Dr Michelle Atchison from the Australian Medical Association, the South Australian president, said, and I quote, 'It has come time now to start thinking of alternatives or add-ons to hotel quarantine.'

Members interjecting:

The SPEAKER: Order! The Minister for Education is called to order and the member for Chaffey is called to order. The Premier has the call.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:21): We have just had the comments from the cherrypicker. It is always good—

The Hon. J.A.W. Gardner: He forgot to leave out the awkward bit.

The SPEAKER: Order!

The Hon. S.S. MARSHALL: The cherrypicker-in-chief is at it again. The reality is we do need to look at alternatives to the hotel quarantine arrangements as we deal with the rolling situation with regard to this disease and that is precisely what we are doing. We already have no quarantine arrangements for those coming from New Zealand, for example.

There may be a time when we look at other countries going into that green zone. There may be a time when we are vaccinated and when other countries are vaccinated that there may be changed arrangements. There may be a situation where people can complete part of their quarantine at home when the risk is sufficiently understood, monitored and mitigated against, but that doesn't mean we throw out the current arrangements immediately.

What I think the AMA president is suggesting, and I haven't had a chance to speak with her—I do congratulate her on her elevation to this role and I do also acknowledge and thank Dr Chris Moy, who served in that role previously through a very, very difficult period. The AMA know that what we need to be doing is constantly looking at the evidence and the science, listening to the experts and responding accordingly. One thing I do know is there are a lot of experts—

Mr Malinauskas interjecting:

The SPEAKER: The leader will cease interjecting.

The Hon. S.S. MARSHALL: —when it comes to the coronavirus and many of them are sitting opposite. We've got our own panel. We are not relying solely on those opposite, but the reality is we do need to constantly make ourselves aware of the changing face of this disease, the variants of interest, the variants of concern and the way the vaccination program is rolling out.

I must say the vaccination program here in South Australia is doing extraordinarily well and is increasing that run rate virtually every single day. I am very grateful to the people of South Australia for the way they are turning up to those mass vaccination clinics, to their GPs and to the country clinics to get themselves vaccinated.

There will come a time when not every person travelling across international borders needs to go into a 14-day quarantine arrangement. There will be other methodologies. We've got to make sure that we are constantly looking at this. The national cabinet has not considered in detail any such consideration, but I am quite sure the AHPPC would be starting to look at some of these issues because it is very expensive to have people in hotel quarantine situations and it may not be necessary going forward as we become vaccinated.

One of the things I have been very excited about is seeing the outcomes of vaccination in other countries, where we have seen a significantly lowered level of transmission of the disease but, most importantly, lower level symptoms and lower level severity, if you like, of the acuity of this disease, especially in older people.

We are seeing that death rate significantly reduce, that hospitalisation rate plummet in countries that have successfully rolled out that vaccination program. That is our goal in Australia. That is one of the key areas of focus for the national cabinet. It is also a key area of focus of my

government and the team at SA Health, and it was great to be down at Wayville today. Yesterday was a record, with 1,232 doses administered. Michelle, who is looking after the operations down there today, tells me that we are going to provide 1,500 vaccination doses today. So every day it's increasing, and that's very important to keep our state safe.

COVID-19 QUARANTINE FACILITIES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:25): My question is to the Premier. Does the Premier accept that his position on dedicated quarantine facilities is confusing health experts. With your leave, sir, and that of the house, I will explain.

Members interjecting:

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

Members interjecting:

The SPEAKER: Order, members on my right! Leave is sought; is leave granted?

Leave granted.

Mr MALINAUSKAS: This morning on ABC radio, Dr Michelle Atchison, the South Australian President of the AMA, said and I quote:

> It confused me a little that we were going to be building facilities for overseas students or workers but not returned travellers, I don't understand the logic behind that.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:26): I thank the Leader of the Opposition for that question. What we need to do is design our quarantine response in accordance with the risk and so we put a lot of effort into understanding that risk—the risk varies depending on what country somebody is coming from, what age somebody is, the variants of interest or concern which may be in those countries, the pre-test arrangements in terms of isolation testing—and ultimately forming a view. That view is determined in consultation with SA Health and the experts.

What I can say is it may be confusing to some not have a single response, if you like, to every single person, but if we had the same response to every person and we didn't close the borders to India recently we would be in a very problematic situation. So we've got to be nimble, we've got to be flexible, we've got to listen to the experts, science and evidence and respond accordingly.

That is what has happened in South Australia since day one. Every South Australian should be very proud of that. So, rather than going out and getting matters conflated, I would just suggest to the Leader of the Opposition that, if he would like a detailed briefing in the arrangements, then I think that would be welcome. I think it would be fabulous if the Leader of the Opposition was provided—

Mr Brown interjecting:

The SPEAKER: The member for Playford is warned.

The Hon. S.S. MARSHALL: —with a briefing so that he could better understand these matters before he asks questions in parliament or makes comment in the media.

Mr Malinauskas interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Well, the experts are there, sir. They've got incredible credentials and they've got runs on the board. They have kept South Australia safe. That ultimately has kept our economy strong, and we should be very grateful. Whether they be the experts within the Communicable Disease Control Branch, within SA Pathology, whether they—

Mr Malinauskas interjecting:

The SPEAKER: The leader, order! The Premier will resume his seat for a moment. The leader is warned. The leader will not interject in the course of the Premier's answer. The conclusion of the question is no occasion to commence an ongoing commentary across the floor of the chamber. The Premier has the call.

The Hon. S.S. MARSHALL: The reality is there are experts who are available. They will work with the government to design the appropriate response. For some reason, the Leader of the Opposition thinks that we are building a new facility out at Parafield. I don't know whether he has ever been to Parafield; he might like to lean across and ask one of the local members. I'm sure the member for Chaffey would welcome him up there.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We are not building any new facilities whatsoever—

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

Mr Brown interjecting:

The SPEAKER: The member for Playford! The member for West Torrens has the call.

The Hon. A. KOUTSANTONIS: I have two points of order. The first one is 127: digression and personal reflections on members, and the second one—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: —is debate: standing order 98.

The SPEAKER: The point of order has been raised before. I again indicate the requirements in relation to standing order 127. There is no point of order in that regard. In respect of the point of order pursuant to standing order 98, I am listening carefully to the Premier's response to the question, which was in relation, with leave, to observations made on radio this morning about how the community may be responding to messages that have been made public. I am listening carefully to the Premier's answer. The Premier's answer is responsive to the question. The Premier has the call.

The Hon. S.S. MARSHALL: Thank you very much, sir. My understanding of the question was that there may have been some confusion with regard to quarantine, and I thought the assertion in the question was that we were apparently building new facilities for international students and Pacific Islanders. The reality is, no, we are not. They are already there. You can go out to Parafield. You could ask one of your colleagues who has responsibility in and around the north of the state to tell the Leader of the Opposition about what is out at Parafield. We have looked at that school which already exists. It has brought people in from overseas and it has housed them previously. We think it's an ideal location.

Ultimately, the federal government will make a decision on this. They said that there were two criteria for them to determine whether or not they would allow this to go ahead: No. 1 is that it needs to be above the 530 cap per week, and, secondly, it needs to be signed off by our Chief Public Health Officer, Professor Nicola Spurrier. I can tell this house today that in fact our application, our proposal to the federal government, achieves both of those criteria, so we are hopeful for a positive outcome.

We want to bring those international students back because we know that that will have a very positive effect on employment here in South Australia, but we are not going to do it if it involves risk. That is why we do have a nuanced approach to the risk associated with our quarantine arrangements, and that's why it does vary based upon what country people are coming from and their specific circumstances.

COVID-19 QUARANTINE FACILITIES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:32): My question is to the Premier. Has anyone anywhere within the South Australian government given any thought, held any discussions, done any preliminary work or analysis on a dedicated quarantine facility for returning Australians here in South Australia?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:32): Well, not that I am aware of. The reality is we have done work obviously on dedicated quarantine facilities for the Pacific program, and

that's based currently at Paringa. We have done work out at Parafield, and in terms of the repatriation of Australian citizens, we have worked very hard.

The Leader of the Opposition might recall the extraordinary work put in by SA Health after the Parafield cluster, which really looked at the issue of how we make the facility for those who have contracted the coronavirus to be in the most secure facility possible. We have limited very significantly the number of times that the door is open every day. We have made sure that the people who are working in that Tom's Court facility are SA police officers or SA protective services officers and of course SA health workers themselves.

Tom's Court Hotel is ideally set up to minimise airflow out into the corridor. It's been retrospectively fitted with CCTV so that we can monitor every single time that door is open. In fact, the environment was chosen because it could accommodate people making their own meals in the room so that, again, that would massively minimise the number of times that door is ever open.

We have looked at every single possible opportunity for a transmission of that disease within our hotel and then tried to do everything we can to mitigate it, but we can't be complacent. We are dealing with a very, very sneaky disease, as Nicola Spurrier refers to it. It's highly transmissible. It can't be taken lightly.

Currently in the world we have between 10,000 and 15,000 people losing their lives every single day and, although we are enjoying at the moment very low-level restrictions here in South Australia, we can't be complacent. Other parts of the world, where I was reliably informed by many so-called self-appointed experts that they had the right approach to dealing with the coronavirus—well, look at their performance now. We can never become complacent with this disease and that's why we have to work as quickly as we can to vaccinate everybody who becomes eligible.

We have to make sure that we are abiding by the restrictions that are put in place in terms of limiting people coming from overseas and from other high-risk areas in Australia. We have to use that QR code when we are out in public so that our Communicable Disease Control Branch has access to information and data as quickly as possible. By doing all these things, we put ourselves in an enviable position.

I know that these restrictions are tough and I want to thank the people of South Australia because it's these individual sacrifices, these collective sacrifices, that are being made that have kept our state safe and our economy strong. When I look at those statistics and I see that we now have more people employed in South Australia than any time before in the history of South Australia, then every South Australian should feel very proud because they have played a part in providing that outcome.

It's not to say that some people haven't been disproportionately affected but, in total, we have more people employed and more wages paid now than before COVID, and there are very few other places in the world that can say that. That's because we have had a good health response. We have listened to experts, we have listened to evidence and we have listened to science. We have worked with the people of South Australia and we still have a way to go with the vaccination rollout.

PROJECT ENERGYCONNECT

Ms LUETHEN (King) (14:36): My question is to the Minister for Energy and Mining. Can the minister please update the house on how the Marshall Liberal government is backing South Australian energy users through interconnection with New South Wales, and are there any alternate views?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:36): Thank you to the member for King for that very important question. Yesterday was a fantastic day for South Australia. It is all systems go. ElectraNet and TransGrid are going ahead now that the regulatory hurdle has been surpassed. Project EnergyConnect will deliver cheaper, cleaner and more secure power in South Australia.

Members interjecting:

The SPEAKER: Member for West Torrens!

The Hon. D.C. VAN HOLST PELLEKAAN: We have delivered already an average of $269 annual savings for household electricity consumers and the interconnector will slash an additional $100 a year off for households and even more for businesses. This is a huge change after Labor drove up power bills by $477 or 26 per cent in their last two years in office. Project EnergyConnect has been deemed as a critical and as a No Regrets project by the Australian Energy Market Operator. Everyone agrees Project EnergyConnect is necessary—everyone except those opposite.

First, they supported it. They committed in 2002 to deliver an interconnector under Mike Rann, a commitment the member for Torrens stood by back then. When he, the member for Torrens, was the minister—

Members interjecting:

The Hon. D.C. VAN HOLST PELLEKAAN: West Torrens—he even put together a $500,000 package—

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

The SPEAKER: The minister will resume his seat for a moment.

The Hon. D.C. VAN HOLST PELLEKAAN: Stop the clock please, Mr Clerk.

Members interjecting:

The SPEAKER: Order! The member for Schubert will cease interjecting. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: It's West Torrens, not Torrens.

Members interjecting:

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

Members interjecting:

The SPEAKER: Members on my right! There is no point of order. The member for West Torrens is warned for a second time. The minister has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: I know he wants credit for what's coming next. The member for West Torrens said in 2016, 'It would be a wise investment to build greater interconnection between South Australia and New South Wales.' Another quote from 2016—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —is: 'We need to upgrade interconnection into New South Wales.' But when in 2017 we announced it as a policy, all of a sudden they ran an election campaign against it. The member for West Torrens preferred to lump taxpayers with over $600 million for dirty diesel generators.

The member for Lee could not have been clearer on their views. He said to FIVEaa, 'We think it's a terrible idea.' Then, after three years opposing it, they tried to do a backflip. The opposition leader told ABC 891 on 23 March, 'We are not opposed to the interconnector. If that happens, that's fantastic, but it doesn't look like it is.' Well, I have news for the opposition: it is happening—and no thanks to Labor—thanks to our government and thanks to industry.

The Deputy Leader of the Opposition then doubled-down, supporting the leader but not the member for West Torrens, saying, 'Labor has not opposed the interconnector.' But you can't keep down the member for West Torrens. He is now back opposing it. He is claiming it will shut power stations that have already given notice of their closure, like the Osborne power station. They can't even land a backflip properly.

In the end, Labor's pride means that they can't accept that they were wrong on energy. They stuffed it up, pure and simple. We are fixing it up, pure and simple. They are not fooling anybody and they cannot stand the fact that we are fixing the mess that they left us. Electricity prices were going up and up, and now, under the Marshall Liberal government, they are going down. We had a growing

number of blackouts previously under the former Labor government, and we are having fewer and fewer of those blackouts since.

We came to government promising more affordable, more reliable and cleaner electricity and that is exactly what we are delivering, and those opposite cannot get their act together whether they think that is a good thing or not.

Members interjecting:

The SPEAKER: Order, member for Playford! Before I call the member for Kaurna, I call to order the Premier, I call to order the Minister for Energy and Mining and I warn for a second time the member for Schubert.

COVID-19 QUARANTINE FACILITIES

Mr PICTON (Kaurna) (14:41): What was it Keating said about wet lettuce? My question is to the Premier. Will the Premier publish health advice that has been provided to him that says the system of medi-hotels currently used is superior or no different in safety for hosting international arrivals from a purpose-built quarantine facility.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42): I am not sure what report the member is referring to. As I have tried to outline in my I think four, five, six or seven answers on this topic so far today, this is an iterative process because we are learning more and more about this insidious disease every single day.

If we go right back to the beginning of this, back to March/April last year, the best advice that we received at the time was that we needed to do everything we could, which was to reduce the peak and push it out as much as possible, build up our critical care capacity within our hospitals and brace ourselves for the tsunami of infections that was coming because at that time that's what we were seeing in the media that was coming out of, initially, countries like Italy and Spain and then further expansion into Europe and the US, of course. We had a stance that we adopted there and we resourced that response as quickly as we could.

You might recall that we worked very hard to stand up additional bed capacity. We recommissioned the Wakefield hospital, and we worked with the owners of College Park to repurpose that as quickly as possible. We put wards back in place down at the Repat, ready to, if you like, brace ourselves for the increased critical care capacity that we needed.

Mr Malinauskas: Answer the question.

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: We made sure that we put all that personal protective equipment like masks in place and respirators in place. That's how we responded to it initially. But, as we learned more about the disease, and we responded accordingly, especially with closing our international borders, we adjusted that response. That's exactly and precisely what has happened with regard to the quarantine arrangements in South Australia. When the original Halton report was done, South Australia got an extremely good report card. You might recall that Ms Halton went around and looked at all of the facilities nationally—

Members interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: Well, the report that the—

Members interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. S.S. MARSHALL: The report that was completed by Jane Halton went to the national cabinet and, as you would know, sir, South Australia was highly regarded with regard to the arrangements. But even though that was in place, we then had the Parafield cluster develop in South Australia. So what we do is we go back, we review what happened and then we respond accordingly. That is exactly what has happened with the most recent incident—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: That is what has happened with this most recent incident at the Playford Hotel. SA Health have conducted a thorough and robust investigation and, as I said in an earlier answer, they were not able to identify any breach whatsoever. Regardless of that, it does cause us to look at the arrangements that are in place with our quarantine arrangements and continuously improve them.

Not only do we look at our own investigations regarding incidents that occur here in South Australia but we also avail ourselves of similar types of analyses that are done with regard to hotel quarantine arrangements around the rest of the country and, of course, internationally. The AHPPC (the Australian Health Protection Principal Committee) is constantly looking at this issue. There is no specific tabled report that the member might be referring to, but it is a constant focus of continuous improvement to keep our state safe.

Members interjecting:

The SPEAKER: Order! Before I call the member for Kaurna, I warn for a second time the member for Playford, I warn the member for Kaurna, I warn the member for Lee for a second time, I warn the leader for a second time.

COVID-19 QUARANTINE FACILITIES

Mr PICTON (Kaurna) (14:46): Why have the states of Victoria, New South Wales, Queensland and Western Australia all received advice that dedicated facilities are safer but South Australia has received no such advice?

The Hon. J.A.W. GARDNER: Point of order: the question doesn't comply with standing order 97 or the requirement to seek leave if the member is seeking to introduce alleged fact.

The SPEAKER: I uphold the point of order. I will give the member for Kaurna an opportunity—

Members interjecting:

The SPEAKER: Order, member for Chaffey!

Mr Pederick interjecting:

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

Members interjecting:

The SPEAKER: Order! The question, which I listened to carefully, referred to circumstances in a number of other states and referred to the state of affairs in South Australia. I will give the member for Kaurna an opportunity to seek leave should he wish to do so.

Mr PICTON: Thank you, sir. I seek leave before asking a question to the Premier.

Members interjecting:

The SPEAKER: Order, members on my right! Does the member for Kaurna seek leave to introduce facts?

Mr PICTON: Yes, sir.

Leave granted.

Members interjecting:

The SPEAKER: Order, members on my right! The member for Kaurna has the call. He is entitled to be heard in silence.

Mr PICTON: My question is to the Premier. Why have the premiers of Victoria, New South Wales, Queensland and Western Australia all received advice that dedicated quarantine facilities are safer, but you have not?

Members interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: It's not allowed, under standing order 97, to make an argument in a question and then later on seek leave to insert some of the statements.

The SPEAKER: I have the point of order. I would like to listen to the remainder of the question. I will give the member for Kaurna the opportunity to complete the question and to seek relevant leave. The member for Kaurna has the call.

Mr PICTON: I will ask it again. They don't seem to want to answer this question.

Members interjecting:

The SPEAKER: Order, members on my right!

Mr PICTON: My question is: why is every other state premier receiving advice that dedicated quarantine—

Members interjecting:

The SPEAKER: Order!

Mr PICTON: —is safer, but this Premier is not? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PICTON: In every other mainland state—Queensland, New South Wales, Victoria and Western Australia—premiers have received advice that dedicated quarantine facilities are safer, and they are now proceeding to apply and to plan for the construction of those except here in South Australia.

Members interjecting:

The SPEAKER: Leave has been granted.

Members interjecting:

The SPEAKER: Order, members on my right! Leave has been granted to the member for Kaurna to introduce facts. The member for Kaurna has done so. I will give the minister the opportunity to answer the question.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51): Sorry, sir, I lost concentration. Can I have the question again?

The SPEAKER: Does the member for Kaurna wish to repeat the question?

Members interjecting:

The SPEAKER: The member for Playford will cease interjecting.

Mr PICTON: Thank you. If he puts the phone down, I will ask the question and he can listen.

The Hon. L.W.K. Bignell: We'll put this on YouTube and show everyone how hopeless you are as a premier.

The SPEAKER: The member for Mawson is warned.

Mr PICTON: Why has every other state premier received advice and is acting upon dedicated hotel quarantine facilities except here in South Australia? With your leave, sir, and that of the house, I will explain.

The SPEAKER: Leave has been granted. You can repeat the explanation, member for Kaurna.

Mr PICTON: In every other mainland state—Queensland, New South Wales, Victoria and Western Australia—premiers have said that they have received advice that hotel quarantine is safer,

and they are proceeding to develop plans for dedicated quarantine facilities and get out of hotel quarantine except here in South Australia.

The Hon. S.S. MARSHALL: I thank the member for Kaurna for his question. It was a little bit difficult to follow for a while. It is a little bit like the member for West Torrens' idea about the interconnector, which I also find a little bit confusing.

Members interjecting:

The SPEAKER: Members on my left!

The Hon. S.S. MARSHALL: For starters, I am not responsible to this house for what other states and what other premiers determine to be the best action for their states, but I would point out that I think the assertion made in the question may not be 100 per cent correct, and who would think that an assertion made by Her Majesty's Loyal Opposition may not be 100 per cent correct?

Again, what we are talking about here is additional capacity versus replacement capacity, and I do know that some premiers have said that they think that, if the commonwealth government do want to have additional capacity, the federal government should build and operate those additional services, but that is actually not what we are talking about here: we don't want to bring in additional international passengers to South Australia. Now, it is quite clear that the Leader of the Opposition does. The Leader of the Opposition wants to bring more international—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: —arrivals into South Australia. He has made it very clear that he wants to have a new quarantine facility—

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

The SPEAKER: The Premier will resume his seat. The member for West Torrens rises on a point of order.

The Hon. A. KOUTSANTONIS: Standing order 98, sir: the Premier is implying an opinion on the Leader of the Opposition that is not accurate. It's debate, sir.

The SPEAKER: The question—

Members interjecting:

The SPEAKER: Order! The question was quite specific in its terms insofar as it related to advice that may have been received in other states. Leave was obtained in order to introduce facts in relation to the question. I direct the Premier to the question, and in so doing I uphold the point of order and I will listen carefully to the remainder of the Premier's answer. The Premier has the call.

The Hon. S.S. MARSHALL: As I was saying previously, I am not influenced by what other state premiers form as the best situation for their state. Secondly, I make the point very clearly that with regard to Premier Berejiklian's comments in the media it was very clear on my reading that, if the federal government wants additional capacity for repatriating Australians coming back to this country, then the federal government should build that and operate it themselves. There has never been any suggestion anywhere in terms of a replacement like for like. It is not clear to me what the Leader of the Opposition is arguing for. It seems to me that he is arguing for medi-hotels and a dedicated facility.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We are not interested in that. We think that we have the right number of people coming back at the moment.

Mr Malinauskas interjecting:

The SPEAKER: The leader will cease interjecting. The Premier has the call.

The Hon. S.S. MARSHALL: The Leader of the Opposition hasn't identified a place for this dedicated facility. He has been asked about this repeatedly. He's got no plans—

Mr Malinauskas: Yes I have. You're not paying attention. You've got to wake up and start paying attention.

The SPEAKER: The leader will cease interjecting.

The Hon. A. Koutsantonis: Because he's debating, sir.

The SPEAKER: The Premier has the call.

The Hon. S.S. MARSHALL: Thank you very much, sir. I don't think it's fair to say that all other premiers in mainland Australia have received advice and are acting on advice and, in fact, lobbying the federal government for a change of their existing facilities to dedicated quarantine facilities. I was at the national cabinet. I was there on Friday and, whilst we don't talk about what goes on in national cabinet, it was crystal clear that the comments that the Prime Minister has made in the public domain reflect his offer in the national cabinet, and that is that those states that would like to build their quarantine capacity outside of their existing caps could be supported by the federal government.

We are not proposing that. The Leader of the Opposition needs to determine his own policy. It seems to me that the Leader of the Opposition wants to have existing medi-hotel arrangements and a new dedicated quarantine arrangement. That means new people and additional people coming in. We think that increases the risks, so we have arrived at the position that we are in at the moment.

ENERGY SECURITY

Mr WHETSTONE (Chaffey) (14:56): To the Minister for Energy and—

Members interjecting:

The SPEAKER: Order! The member for Chaffey will resume his seat for a moment. Interjections on my left will cease. The member for Chaffey.

Mr WHETSTONE: To the Minister for Energy and Mining: minister, can you update the house on how the Marshall Liberal government is delivering energy security here in South Australia?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:57): Thank you to the member for Chaffey. Energy security is extremely important. We on this side of the house are very well aware of it. When we came to government, Labor had ignored report after report, many of which they had commissioned themselves, about power systems security. That is why we have stuck by our guns and achieved, in partnership with industry, the largest investment in the national power grid in the history of the national energy market—the SA-New South Wales interconnector.

It will improve our grid that was left so weak by the former Labor government. It allows us to securely export excess renewable energy and rooftop solar so that we can reach net 100 per cent renewable energy generation by 2030. Unlike Labor, we have not ignored the expert advice. We took the advice of the Australian Energy Market Operator, which deemed it critical and No Regrets. We backed it with over $70 million of early works to keep the building of it on the same appropriate timeline and on track.

Since coming to government, we have made dozens of changes to shore up the grid—new standards, operating protocols and protection schemes—and Labor had the gall to oppose some of those. They have criticised the synchronous condensers, which will deliver minimum inertia to our grid. They opposed energy security standards for solar, which we know are critical to managing low demand conditions—

The Hon. A. Koutsantonis interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: —and they actually thought they would fix the mess that they left by spending $612 million of taxpayers' money on dirty diesel generators. The diesels were more expensive than just the SA side of the interconnector alone that ElectraNet is building at no cost to the South Australian government. The simple truth is that if they were in

government we would have more blackouts and higher electricity prices. So what was their view on the project? I will leave it to the words of the opposition leader, and I quote:

> I guess the position of Labor in regard to the interconnector is that it will stand or fall on the basis of its own private investment.

Guessing—guessing is what they used to do in government and guessing is what they do in opposition. You can't take guesses when it comes to energy security.

The Hon. A. KOUTSANTONIS: Point of order.

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

The Hon. A. KOUTSANTONIS: Standing order 98: this is entirely debate. Implying Labor's motives on any policy outcome is debate, sir.

The SPEAKER: I uphold the point of order. The question, as I noted it, was asking the Minister for Energy and Mining about how the government is delivering energy security. The minister will direct his answer to the question.

The Hon. D.C. VAN HOLST PELLEKAAN: Anyone who is guessing on energy policy is letting down whoever they represent, and that is exactly not what we are doing. You cannot take guesses with energy policy: you either fix the grid or you don't. They ran an election campaign against the interconnector.

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

The SPEAKER: The minister will resume his seat.

The Hon. A. KOUTSANTONIS: The minister continues to talk about Labor and its claimed policy. It's debate, standing order 98.

The SPEAKER: It's a point of order pursuant to standing order 98. I again uphold the point of order. I will give the minister an opportunity to direct his answer more specifically to the question. The minister has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: It's a statement of fact, but fortunately we have come a long way in South Australia with a change of government in 2018. They still say, though, that it's a terrible idea.

The Hon. A. KOUTSANTONIS: Point of order: standing order 98 again, sir.

The SPEAKER: The Minister for Energy and Mining will resume his seat. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: The minister is again attempting to purport to say what Labor's policy is and he uses that in his answer. It's debate, sir.

Members interjecting:

The SPEAKER: The member for Chaffey is warned. I again uphold the point of order. The question, and I remind the minister, was directed to how the government is delivering energy security in this state. I direct the minister to the question. The Minister for Energy and Mining has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: We are delivering energy security to our state with no help from those opposite, but we are determined to get on with the job. Electricity prices are going down, emissions are going down and the number of blackouts are going down as well. You don't guess on energy policy: you follow the expert advice, you get on with the job and you get it done. Our strong energy solution and our strong energy policies are delivering for South Australians.

We have one public exponent who is opposed to the interconnector, we have one public exponent who is not opposed to the interconnector and one public exponent who is guessing on the interconnector—and they all sit right in front of me next to each other.

Members interjecting:

The SPEAKER: Order, members on my left! Before I call the member for Kaurna, the member for Wright is warned. The member for Giles is called to order.

COVID-19 HOTEL QUARANTINE

Mr PICTON (Kaurna) (15:02): My question is to the Premier. Who has conducted engineering and ventilation studies into all the SA medi-hotels and will the government make their reports publicly available?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:02): I don't have information which looks at that matter specifically at my fingertips, but I can update the house that this is one of the critical areas that we looked at after the Parafield cluster developed at the Playford Hotel. For the very first time, I think we became acutely aware of the possibility for airborne transmission. This was, of course, very concerning. We took action immediately to look at the pressure in the rooms and whether it was positive pressure, or indeed negative pressure, so that when the doors opened in the room the air wasn't rushing out, potentially with those airborne particles, but in fact was coming in.

Beyond that, we also looked at significantly reducing the number of times that that door was opened. I know, because I discussed it at the time with Professor Nicola Spurrier, that there were some changes made to the configuration at Tom's Court Hotel—this is a dedicated hotel. You might recall that we decided, in response to the Parafield cluster, we would isolate those who were COVID positive. Initially, we did that I think on some dedicated floors within the Pullman complex. We did this in advance of being able to transfer people over to the Tom's Court Hotel.

For quite some weeks, we looked at what the alternatives were, whether it would be standing up the Wakefield hospital, whether it would be like in Queensland, where people are transferred into their major teaching hospital, or whether it be Tom's Court. There were probably a number of others, but I can't recall what they were at the moment. The group that was looking at it was quite convinced that the Tom's Court Hotel provided the optimal response to the changed scenario with regard to COVID.

A big part of that decision was the better airflow management, the ability for us to also space out people who were COVID-19 positive within that facility and, if you like, develop a much higher level response: fewer times that doors were opened, dedicated personnel from SAPOL, protective services, SA Health doing all the work and a completely different testing regime that existed at that hotel.

So the member is right: airflow is absolutely crucial. Again, we didn't know this a year ago. There will probably be other things that we learn about the transmission of this disease going forward, both lessons that we learn here in South Australia and lessons that we can pick up from working and collaborating with those people interstate and, indeed, overseas.

The AHPPC at the moment is meeting extraordinarily regularly, sometimes several times per day in the last couple of weeks, to look at information particularly with regard to new infections from Victoria. I've got to say, we are very fortunate in Australia to have this mechanism to share ideas, share best practice and make sure that we can keep South Australia and the broader country protected.

SEPARATION OF CHURCH AND STATE

The Hon. A. KOUTSANTONIS (West Torrens) (15:06): My question is to the Minister for Environment and Water. Does the minister stand by his comments regarding the separation between church and state? Sir, with your leave, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: In what was described by InDaily as a 'barnstorming speech', the minister told the congregation he attended, and I quote:

> Pay very close attention to what's happening in your parliament and what your local members of parliament are doing… this idea of the separation of church and state—forget it.

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:07): As the member for West Torrens would be more than aware, the Minister for Environment and Water is not responsible for this as part of his portfolio arrangements and I will respond on behalf of the government. I think we are very fortunate in South Australia to be established as an act of the British government, the British parliament, in 1834, and we were very different right from day one. We were differentiated in terms

of religious freedom and we were differentiated in terms of democracy and in terms of enterprise. These are areas that I think we should all be very proud of here in South Australia.

An important part of that was that separation of church and state, which didn't exist in other parts of the world and, in fact, became one of the reasons why many people chose to come to live here. In fact, the settlement of the Barossa, and those fabulous wines that come from the Barossa, is really because we had George Fife Angas supporting those Lutherans in what was then Prussia, now Germany, coming here to escape religious persecution.

I think right from day one we have wanted to separate out the issues of church and state, but this does not mean that Christians or in fact anybody of any faith should be excluded from the political process. One of the great things about the democracy that we have here in Australia, and specifically here with our fabulous heritage and history in South Australia, is that we encourage everybody to be involved in the political process.

We encourage a broad church in South Australia. We would like to have as many people engaged in the political process as possible. Separation of church and state—the government is not told by the church what to do and of course they would not seek to do that. We have a very good working relationship with church leaders and church attendees and faith leaders here in South Australia—a good working relationship where, during COVID, we had very regular meetings asking them to work with us to keep their communities informed about this disease, and that's exactly and precisely what they did.

But we also believe that people of faith should not be excluded from the political process. In fact, all South Australians should be actively encouraged. I think that it's wonderful in this place—and one of the happiest times that I ever spend in this chamber—when a school group comes in. That school group could come from one of the fabulous schools in my electorate. Some of them are faith-based schools.

I always think it's wonderful that students are brought in here to learn about the wonderful rich history that we have in South Australia, the wonderful heritage that we have in South Australia, one that every student in South Australia should be very proud of. We do support the separation of church and state, but we actively encourage the participation of all South Australians in the political democratic processes that we love here in our state.

PATIENT ASSISTANCE TRANSPORT SCHEME

Mr BELL (Mount Gambier) (15:11): My question is to the minister representing the Minister for Health. Can the minister inform the electorate of Mount Gambier when the results of the PATS survey will be released, and will this lead to the closing of the PATS office in my electorate?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:11): I thank the member for the question on behalf of electors in Mount Gambier. As the minister representing the Minister for Health in the House of Assembly, while I don't have that information to hand I will make inquiries of the Minister for Health and I will bring back an answer for the house and, indeed, for the member and his electors.

TARGETED LEAD ABATEMENT PROGRAM

The Hon. G.G. BROCK (Frome) (15:11): My question is to the Minister for Energy and Mining. Can the minister update the house on the progress of the new or updated agreement with the TLAP Port Pirie program, which is due to expire in 2024? With your leave, and that of the house, sir, I will further explain.

Leave granted.

The Hon. G.G. BROCK: In 2014, this agreement between the South Australian government, the Department for Health and Nyrstar was formulated to address issues with regard to reducing lead in the blood of our children and also the environment in Port Pirie. There was an independent review undertaken during early 2020, which passed the halfway mark of this agreement when it was supposed to have been done before that; however, to my information, it was completed in April 2020, with a new agreement to be brought back.

Minister, it's now nearly 15 months since the draft was presented to the parties and neither the mayor nor myself have seen a final report before it being made public, which the minister has

mentioned in this house during estimates on 24 November 2020 and also in answering my question on 31 March this year. With your leave, I will quote both of those:

> I have certainly committed to the member for Frome that he would get a copy of that report before it goes public—no change whatsoever on that from my perspective.

That was on Wednesday 31 March. In estimates, it was the same question and the same answer.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:13): I start with the last part of the member's question. Those quotes are accurate and those quotes remain accurate. As I have said to the member on numerous occasions in and outside this chamber, he will receive that information and he will receive it in advance of the public receiving it—so nothing has changed there.

To the substance of the question, it is actually about the TLAP program. For those who may not know, the Targeted Lead Abatement Program is a program that the previous government, when the member for Frome was a minister in the previous government, devised in partnership with Nyrstar, the company running the smelter. The member for Frome was integrally involved, deeply involved in creating this program.

This program has done some good things, but not good enough for our government. We have been very respectful with regard to allowing that program and the people running it to get on with the work. The member for Frome set them a task, as did his ministerial colleagues under the former Labor government. We wanted it to have every opportunity to achieve the results the former government said it would achieve. Let me thank the people who have worked on that program. They have worked hard, they have done a good job and they have made a contribution.

The program that the member for Frome and his colleagues back under the former Labor government put together has not delivered enough. As the member for Frome would know, on Friday last week I was in Port Pirie with Mr Peter Dolan, who is currently the second in charge of the EPA. Mr Peter Dolan has taken up an employment contract to work and to lead the TLAP program. The second in charge of the EPA is moving from Adelaide. He has bought a house in Port Pirie. He is going to live in Port Pirie and he is going to run this program, because our Marshall Liberal government and I, as the lead minister for this area of work, are determined to make sure that the people of Port Pirie get a better deal, get better results, get better outcomes and have healthier lives than they have received under the former Labor government.

We are determined to make sure that this happens. Step 1, and one of the recommendations from the independent review that has been undertaken, was to put a new leader in place, and we are doing that. We will also restructure the way it works. We have had many discussions with the company on this, keeping in mind that this is a program which is jointly overseen by the Nyrstar company and the South Australian government. We are working very, very closely with them. We are making sure that the community gets the very best results.

Another complaint the community has had about the program that the member for Frome and the previous government developed has been with regard to transparency. We have made sure that information is going to be available for the community, for the local media who want it, for anybody who wants it. The new structure which we are going to put in place will work extremely well for the people of Port Pirie.

The Hon. A. Koutsantonis: Too little, too late.

The Hon. D.C. VAN HOLST PELLEKAAN: The member for West Torrens says 'too little, too late'. Well, guess what?

The SPEAKER: Order! The minister will not respond to interjections.

The Hon. D.C. VAN HOLST PELLEKAAN: I have not given up on the people of Port Pirie. Perhaps the member for West Torrens has given up on the people of Port Pirie, but I have not given up on those people. They will get a better deal—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. D.C. VAN HOLST PELLEKAAN: —under the Marshall Liberal government than they got before. Mr Peter Dolan starts his job on 12 July, and on 12 July we will have much more information to share not only with the member for Frome but with the Port Pirie community more broadly and this chamber.

The SPEAKER: Before I call the member for Frome on a supplementary question, the member for West Torrens and the member for Playford will leave for the remainder of question time under standing order 137A.

The honourable members for West Torrens and Playford having withdrawn from the chamber:

TARGETED LEAD ABATEMENT PROGRAM

The Hon. G.G. BROCK (Frome) (15:17): So, minister, your advice in the house is that there has been no-one outside who has a copy of or seen the final report or the draft report of the TLAP investigation that was independently carried out by Lew Owens.

The Hon. J.A.W. GARDNER: Point of order: standing order 97. I am not entirely sure there was a question in there. It certainly didn't comply with the standing orders.

The SPEAKER: I did take the member for Frome's contribution as a question. The member for Frome may wish to seek leave to introduce facts in relation to a report.

The Hon. G.G. BROCK: Can the minister confirm to the house what was his indication before, that this report has not been made public to anyone to see—the final report, which was handed out by Lew Owens in 2020?

The SPEAKER: I will give the Minister for Energy and Mining an opportunity.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:18): The member for Frome the first time asked if I would confirm that nobody outside this house has seen the report, and then the member for Frome asked the second—

The Hon. G.G. BROCK: Just for some clarity, I said outside of this house or in the public domain outside of this house, yes.

The SPEAKER: The member for Frome might have repeated the question. The Minister for Energy and Mining has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: Let me try to help the member on this issue the very best I can. The first question was: has anybody outside this house seen a copy of the report? The answer to that is, yes, people in my office have seen it and very senior people in the Department for Energy and Mining have seen it. It's a report that was commissioned quite appropriately. It will need to go to cabinet before it can be made public. I expect that will happen, without wanting to pre-empt my colleagues' decision.

The second time that the member asked he said, 'Has anybody in the public seen it?' No, I don't believe that's the case. I am not aware of that being the case. I can't say any more clearly than I have perhaps half a dozen times to the member for Frome that I will make sure that he gets to see it before it goes to the public. I think that's a fair courtesy and respect to a local member on a local issue.

I can say, and have already, that one of the recommendations that has come out of this report is to make some very significant changes to the TLAP program as it was developed by the member for Frome and the former government. So we are doing that, and that is not about throwing the baby out with the bathwater. The people who worked on that program have done a lot for Port Pirie. Port Pirie would be in a more difficult position with regard to lead on surfaces, etc., than they would be if those people had not done their work.

But we are not satisfied that enough has been achieved, so we are not prepared to continue with the program as it stood any longer. We wanted, out of an abundance of respect to the people involved and to the member for Frome who developed that program with his colleagues at the time, to give it every opportunity. But it has not delivered the results that we are determined to provide for the people of Port Pirie.

There are two things which I have shared: one is a new structure and a new leader, and the other is greater transparency. Both of those things have been announced. In fact, I said to the media people who came to hear of this announcement in Port Pirie on Friday that I would give each and every one of them Mr Peter Dolan's mobile number on 12 July when he starts his job, not sooner for obvious reasons. They were all very glad to hear that.

People from the local media were saying that they just got stonewalled by the previous government. They just got stonewalled every time they were looking for information on very straightforward things to do with this very important topic. They just hit brick walls everywhere they went. I have assured them that that will not be the case under the leadership of Mr Peter Dolan—and I say again, second in charge of the EPA in South Australia. We have brought an incredibly high-calibre person into this work who is incredibly focused on getting better results for the people of Port Pirie.

I should also share something with the house for those who may not be completely aware. One thing is with regard to contemporaneous emissions from the stack at Port Pirie that the EPA oversees. The TLAP program is about dealing with 130 years of legacy lead in the city—lead that's in the ground, below the ground, that comes up when people are excavating, lead that comes up in dust, lead that lands on playgrounds, lead that has been in houses in some cases for decades. We are determined to make sure that the people of Port Pirie get a better deal under our government.

STATE EMERGENCY SERVICE

Mr DULUK (Waite) (15:22): My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister please update the house on how the state government is supporting the SES across South Australia who have seen a reduction in their active volunteer hours due to COVID-19 responsibilities? Sir, with your leave and that of the house, I will further explain.

Leave granted.

Mr DULUK: Recently, I met with my local Sturt CFS group to discuss their constraints and needs. They mentioned that the state government has been using volunteers to help with COVID-19 related activities such as airport and medi-hotel assistance. What is the government doing to support local SES branches who have lost active volunteer hours due to these volunteers working in COVID-related roles?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (15:23): I thank the member for Waite for the question and I do appreciate his interest in this area. I have had the great pleasure of visiting some of his SES units in recent times. Obviously, our SES are highly trained. If you look at just overnight, they have been involved in incidents right across South Australia. Obviously, in the cold and wet conditions, hail, we had water entering properties and, whilst most of us were tucked away in bed, many of our volunteers were out there in the hundreds attending to dozens of incidents overnight. I thank them for that.

But, as the member has pointed out, in recent times, we have all had to make adjustments and our SES have been fundamental in being able to bolster our SAPOL capability in recent times. They have provided absolutely crucial assistance with some of our COVID operational roles, and before that they have actually also assisted with Operation Nomad during the bushfire season. Obviously, sir, you would remember we had over 80 persons of interest and our SES played a fundamental role in being able to assist SAPOL during that time. I couldn't be more proud of our emergency service volunteers across the board, especially during the last 12 to 18 months. They have answered the call whenever anything has been asked of them.

I believe about 42 members have been employed on short-term contracts. I believe we have had three short term and I have no reason to think otherwise. I believe that that term will also roll over to the fourth short term. Many of these volunteers, for the first time, have actually been able to work shoulder to shoulder and bring their professional skills and incorporate them into what SAPOL are doing. We couldn't do it without them. They play an absolutely pivotal role in managing the emergency situations that we have at the moment.

In response to the member's query and in terms of training and local activity, it goes without saying that volunteering across the state and across the country, volunteering and engaging with membership are things that all governments of all persuasions need to continue to work on. We will certainly be working with that organisation to make sure that we can do what we can to provide support so that we can grow volunteers into the future.

Grievance Debate

COVID-19 QUARANTINE FACILITIES

Mr PICTON (Kaurna) (15:26): When we look across Australia, we see state government after state government taking action in addressing the risks of medi-hotels and hotel quarantine, but not here in South Australia. We have seen the Western Australian Premier come out strongly, calling on the commonwealth to establish dedicated facilities. We have seen Queensland put forward a proposal to establish a dedicated facility at Toowoomba airport. We have seen Victoria put forward a proposal, which has now received support from the commonwealth government, to establish a facility at Avalon Airport.

Now we have seen the New South Wales Treasurer say that they would welcome a dedicated facility in New South Wales as well, yet here in South Australia our Premier is the chief defender of medi-hotels as a situation going on seemingly in perpetuity and no work is being undertaken in regard to establishing permanent facilities in this state.

On this side of the house, we have been advocating for the need to get out of medi-hotels and to establish permanent facilities since we had the Peppers hotel outbreak in November last year. When we made that suggestion constructively—this was on the back of significant bipartisanship that we have had through the pandemic—the Premier's response was completely out of control. He said that this made no sense whatsoever. He said that he finds it disgusting. He said that it is an attempt at pushing fear and division. He said that it undermines public health experts. That is the Premier's view on dedicated quarantine facilities, yet we see movement across the rest of Australia towards establishing quarantine facilities.

We know SA Health and SA Police are doing the best they possibly can with what they have in terms of medi-hotels, but we know that they are inherently risky. We have seen two significant outbreaks of the virus here in South Australia. Only in the last few days, we saw that an entire floor had to be evacuated and quarantine had to recommence for that entire floor of people because of another scare. We have seen 21 separate breaches of medi-hotel quarantine in relation to the virus across Australia, but how many have we seen in the dedicated facility in the Northern Territory? Not one—absolutely zero in that dedicated facility in Howard Springs.

We are now 16 months into this pandemic. Why are we not taking action to establish dedicated facilities here? This is what is being called for by the national health experts, by epidemiologists, by the Australian Medical Association. We are hearing it around the country from different premiers, from different ministers, from different chief health officers, yet here we are seeing no action. In fact, the Premier said today that he has no advice on this. He said that there is basically no difference between hotels. He has no awareness of why having a different facility would be any safer, despite all the evidence absolutely to the contrary.

What we have seen in the last few minutes is that the spin doctors on level 15 of the State Admin Centre, the geniuses up there, have taken to Twitter to put out absolute lies on their SA Liberal media account, disgraceful lies, saying, '@alpsa suggest significant expansion of the number of international arrivals through SA quarantine'. That is a shameful lie. That is an absolute disgrace. No reading of what we have said over the past six or seven months could be interpreted like that. At every point we have been raising the risks of medi-hotels.

Even though SA Health and SA Police are doing the best they can, they are working with a tool that is not up to the job. We want to get out of medi-hotels. We do not want to have continual risks to our economy or to our community from outbreaks in the Adelaide CBD anymore. We have seen the impact of the latest outbreak at the Playford Hotel, which has now led to a state of 6½ million people being in lockdown. We do not want that to happen again here or anywhere else across the country.

It is time for the Premier to show a bit of leadership, to show a bit of backbone, and go to that national cabinet and say, 'We want a dedicated facility here. We want to get out of medi-hotels.

We want to move to a dedicated facility. We don't want to have this risk for the people of South Australia, our economy or our community any longer.' It is time for this Premier to show some leadership at last.

MORIALTA ELECTORATE

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:31): The Marshall Liberal government was elected just three years ago and in that time there have been substantial improvements to a range of infrastructure projects, transport intersections and transport services around my electorate of Morialta. These are very significant projects, a number of which I have been campaigning on since 2008, when I was first chosen as the candidate, and in the 11 years I have been in the house.

I am so proud to be part of a government that is delivering on the commitments we made to the people of South Australia, the people of my electorate, ahead of that 2018 election. As a member of the community, I know how much difference the significant projects we have already completed are making to our daily commutes and to safety on our roads—and there is more to come.

In recent weeks, in recent months, I was very pleased that the Minister for Infrastructure and Transport, through his department, made available funds for further road-sealing projects. Gorge Road is one road that has often been in need of that support, and it has improved dramatically going east from Stradbroke Road. However, just west of that roundabout ground has been broken on a project that has been sought for many years, and that is traffic lights at the intersection of Gorge Road and Silkes Road, on the boundary of the member for Hartley's electorate and my own.

When I was collecting signatures on a petition as long ago as 2011-12, the resealing of Gorge Road was the number one request. Some of it was resealed by the former government, and we have resealed a great deal more now, but traffic lights are a solution to make traffic flow better for people leaving Athelstone and Paradise, getting to Lower North East Road if they are going that way because it is the closest route, and enabling those who are able to come out on Gorge Road to safely do so. These traffic lights are going to make a big difference. That is a $3.6 million commitment now underway, and I am looking forward to seeing it completed.

I can inform the house that people in Paradise, in Newton, in Athelstone, in Highbury, in Dernancourt and even in parts of Rostrevor who use the Paradise Interchange are very pleased with the work that has been done, the $18 million upgrade as a result of the Marshall Liberal government's election. It is possible to get a park in the car park at Paradise at 8 o'clock in the morning now, something that could not have been said on any workday, even in school holidays, for many years leading up to this stage. There are hundreds of extra parks there in a well-landscaped design that is delivering benefits for commuters and encouraging continued and increased use of the excellent O-Bahn service, making life easier for residents in my area.

Works are currently underway that benefit not only the residents in my electorate but also the residents in the electorates of the member for Hartley and the member for Norwood, and indeed importantly the productive section of our economy, which will benefit dramatically from reduced freight times as a result of the improvements to the Portrush Road and Magill Road intersection. This is a significant $88 million project that is underway now, supported by the state and commonwealth Marshall and Morrison governments, and I cannot wait to see it finished. It will be a dramatic improvement for many residents.

I bring to the attention of the house the Dernancourt shopping centre and the traffic lights that have made life much easier for residents in my electorate—in Highbury and Vista—who use that shopping centre, as well as residents in the member for Newland's electorate. People in Hope Valley use that shopping centre, as do people in Dernancourt, in the electorate of the member for Torrens.

I commend the member for Lee when he was the transport minister. He came out and had a look at some of the challenges. We sat at that intersection waiting to turn right into Lower North East Road for a long period of time and, to its credit, the former government put in place a model for an upgrade, but it did not put in place the gold standard upgrade that the people in that community deserved. The traffics lights that have come since the election as a result of our election commitment are doing the trick and have made a dramatic improvement. I know that shop holders and residents alike are very much appreciating them.

Soon to be appreciated will be the $4.4 million upgrade at Chain of Ponds on North East Road. It is not going to be part of my electorate going forward. It is very sad for me to be losing that part of my community to the electorate of Schubert, and I think the member for Newland is feeling similarly sad that he is losing it too. However, I tell you what, we will be happy every time we visit Gumeracha or Birdwood, or go out into that area, out to Kersbrook, as a result of the safety improvements.

The tragic loss of life that has occurred so many times at that intersection I expect to be dramatically reduced as a result of the $4.4 million project, the benefits of which people will be seeing very shortly. Improvements to traffic lights at Graves Street and Newton Road and the Thorndon Park Primary School crossing have been completed. The $13.5 million Magill Village project is about to start.

I can report improved footpaths and little bridges at Mount Torrens, the Lobethal footpaths, and indeed the school crossing on Lower North East Road for the Highbury Primary School, are all projects delivered by the Marshall Liberal government. It is a government I am proud of, and I am very pleased that the work we are doing will continue and the benefits will continue for our local residents.

Time expired.

LEE ELECTORATE

The Hon. S.C. MULLIGHAN (Lee) (15:36): I rise today to talk about some happenings in the electorate of Lee, starting most recently on Friday night with Westport Primary School's absolutely wonderful event, FringeDigenous—a fringe event put on at the end of Reconciliation Week to celebrate Aboriginal culture at Westport Primary School's campus in Semaphore Park.

It was a wonderful event. There were two stages for performances, including performances not only by the children at Westport Primary but also by invited Indigenous artists. It was MC'd by Kevin Kropinyeri, the Welcome to Country was done by Major Sumner, or Uncle Moogy as many people know him, and Ben Davis, the Crows footballer who designed the Crows Indigenous guernsey for this year's AFL Indigenous round, was also present.

It was a really wonderful turnout by the community and an absolutely extraordinary effort by the Westport Primary School community, led by their principal, Rebecca Huddy, the teaching staff, parents and volunteers. It was a wonderful event. It was also great to see the leadership of the education department there. Western suburbs local Rick Persse was working the stalls that were available for merchandise sales, and arts and crafts were offered there as well.

Unfortunately, the rest of the weekend did not continue in the same vein, because on Sunday the Premier stood up and announced in Seaton that $8.2 million would be spent on renewing Housing Trust stock, which on the face of it sounds like a good idea. However, when you learn that 35 Housing Trust houses are to be bowled over, to be replaced by only 16 public houses, then that is not a good outcome for public housing tenants and people of the western suburbs.

What is even more galling is that the remainder of the land to be developed is to be sold off as lots, not even as completed dwellings. A further 85 lots are to be sold off by the government in an effort to make a profit of more than $7 million. This is not about a redevelopment to replace ageing Housing Trust homes with the same number or even more dwellings. There is an overall cut.

In fact, land will be sold off for profit in order to go back to the Housing Authority for other projects in areas other than Seaton. That is not how you redevelop houses. That is not how you support the renewal of public Housing Trust stock. This is a bad project. It is not in the interests of the electorate of Lee or the people of Seaton, and I will continue to not only oppose this project but also look forward to proposing a much better way of doing this in the near future.

It was also bad news from the Deputy Premier. Of course, we are used to that. This time, in her role as Minister for Planning, I finally received some correspondence back from her about why the government for the last three years has stalled any progress on the Coast Park project, finishing the linear coastal path section in my electorate between Semaphore Park and Grange. The correspondence I got back from the Deputy Premier unfortunately now says that one part of the Coast Park is still being progressed by this government—the section between Semaphore Park and

the Tennyson Dunes reserve—but that another part of it, between the Tennyson Dunes reserve and Grange, is now merely a possibility.

This government is walking away from completing the Coast Park project. This was a project that the former Labor government committed nearly $4 million to so that the council could complete it. When a small group of wealthy, vested interest landowners took the council to court in an effort to stop this project, the former Labor government changed the law, changed the Linear Parks Act, so that this project could be declared a linear park and the government could get on with it and finally get it delivered after nearly 30 years of delay.

All the power has been placed back into this government's hands. The Liberal government have access to the funds committed by the former Labor government and they have access to the legal power to deliver this project, and now the Deputy Premier and the Minister for Transport are walking away from delivering the Coast Park project. The overwhelming majority of the community supports this project.

I did a survey of my electorate, and of just under 500 respondents to that survey only in my electorate 490 supported it. The government's own consultation on the Coast Park showed that out of 650 respondents less than 10 per cent opposed this project. This government should not walk away from the Coast Park project. It should stand next to those Labor members of parliament, like me as the local MP, who are committed to delivering this Coast Park project and finally get on with the job of delivering it.

KING ELECTORATE SPORTING CLUBS

Ms LUETHEN (King) (15:42): I am delighted to be a part of the Marshall Liberal government that has delivered over $8 million of investment into sporting clubs and organisations, which King constituents and their families care about and participate in. We are certainly delivering what matters to people in King.

One of these investments locally includes the Marshall Liberal government's $6 million in funding through the Local Government Infrastructure Partnership Program towards the Harpers Field upgrade. Many King constituents are eagerly awaiting the completion of the City of Tea Tree Gully's prudential report so further progress can be made toward new clubrooms, change rooms and car parking at Harpers.

As the state member, I have collaborated with the clubs, and I have written letters to the City of Tea Tree Gully, pushing for plans and costings for upgrades to address car parking, ovals, clubrooms and change rooms, suggestions made by my clubs and my community members. I am now so excited for the King community that we are making real progress towards our shared goals. Again this year, I sent letters encouraging the three King councils to apply for the latest state government sports funding programs, and I am excited to announce that we have had further success.

In a recent infrastructure project grant round, the Pegasus Pony Club was successful in receiving $5,700 to install 150 metres of irrigation lines, including sprinklers and controllers. Pegasus Pony Club president, Sylvia Usher, told me that she was so excited with this news, as the irrigation lines will save her personally a lot of work and are critical for the club to upgrade its watering system. Thank you to Sylvia, Geoff, Kathryn, Benito and the committee at Pegasus for coming out to receive this fantastic news from the Minister for Sports and Recreation.

I was over the moon to hear the excellent news from Jose, President of the Modbury Bowling Club, of the state government's investment of $739,250 for a roof over the fantastic greens at the Modbury Bowling Club, which is being matched by council, showing great community support for the club. Many King constituents participate at the Modbury Bowling Club. I was equally excited to hear that the City of Playford was successful with two large grant applications, including one for $894,436 to construct three new unisex change rooms at the Elizabeth Oval. I am sure the Central District Football Club female players will be over the moon with this outcome.

Sporting participation is important. It is good for us and it is so apparent how successful it is in bringing our community together, as we have seen with the state government's $369,800 investment at the Golden Grove Tennis Club for the construction of their new clubrooms.

This is now a very valued community facility. The Golden Grove Tennis Club President, Craig Mousley, told me that the club has been rallying for this investment for over 10 years, and I am proud it is the Marshall Liberal government that has delivered it.

Another local upgrade I am proud of is the South Australian Districts Netball Association car park, traffic flow and court resurfacing, worth around $400,000. It was great to collaborate with the City of Tea Tree Gully council on these projects. Thank you to the community and SADNA President, John Adams, for your advocacy and support with this project. Over 34 netball clubs and nearly 3,000 players benefit from these improvements.

Like my One Tree Hill community, I am extremely keen to see the McGilp Recreation Park redevelopment plans progress and I will be putting my strong support behind future grant applications from the City of Playford. There is yet another opportunity for our community, as the next grant round has opened now and I will certainly write a strong support letter for the council's next funding application, as I have done in previous rounds.

Finally, I wish to update the house on how I am encouraging my local community to have their say on the Marshall Liberal government's Sports Vouchers program. The Marshall government is proud to have invested $29.7 million over four years since March 2018 to extend and expand the Sports Vouchers program, first, by doubling the value of the voucher from $50 to $100, then to include dance activities and swimming lessons, and now I am going out to my community to ask them, 'Would you like to see it extended further? If so, jump on my website and fill out my survey.'

Time expired.

MEN'S HEALTH WEEK

The Hon. A. PICCOLO (Light) (15:47): Today, I would like to briefly speak about Men's Health Week, which is next week, from 14 to 20 June. Men's Health Week is an opportunity for the community to focus on the health and wellbeing of men and boys in our community and what we need to do to improve health outcomes for them.

I provide the house with some data from the latest edition of the Australian Institute of Health and Welfare. In 2018, half of Australia's population—49 per cent or 12.4 million people—were male. On average, Australian males experience different health outcomes from Australian females. I quote from the report:

> They are more likely than females to engage in risky health behaviours and to die prematurely. They are also more likely to be homeless or in custody. Compared with females, males experienced more of their total disease burden due to dying early from disease and injury than from living with disease.

The importance of that fact is that when men get sick they tend to die, more so than women. Women tend to be able to manage their illnesses and live longer. In the case of men, it is quite fatal when they get ill.

Yesterday, it was interesting to read in the paper that men seem to delay reporting heart attacks. That is a topic sensitive to my heart, you might say, that men are for some reason delaying reporting or seeing a doctor when they actually have a heart attack. I am not sure why. Today, my message is: if you are not feeling well, see a medical practitioner or health practitioner because it is very important for your health. In the case of heart attacks, I have now learnt from experience that the quicker you get medical help and the quicker you get fixed up, the less danger of any long-term effect to your heart walls, etc. I am abiding by my health rehabilitation program at the moment and men need to do that.

Interestingly, men actually undertake more physical activity than women. When it comes to diet, though, their diet is poorer than women's, particularly when it comes to fruit and vegetables and sugar. Men are sadly more overweight and obese than women; in fact, 75 per cent of men are either overweight or obese. Men smoke more, drink more alcohol and use more illicit drugs, which are some of the high-risk factors of poor health.

When it comes to work, nine in 10 people who are killed at work are men, so either men are doing more dangerous work or men are not looking after themselves at work. When it comes to violence, two in five men have experienced violence since the age of 15—over 40 per cent of men have actually been on the receiving side of violence since the age of 15—with 41 per cent of that

being physical violence, 4.7 per cent being sexual violence and 6.1 per cent having experienced cohabitating partner violence since the age of 15.

These are often data and issues that we do not talk about in the community and, as a result, we actually do not have a policy response. One woman is killed by her partner every nine days and one male is killed by their partner every 21 days. One-third of women and one-fifth of men with a disability experience emotional abuse from a partner.

While these stats portray a very sad picture of men's health in this country, on a positive note there are people doing research to make sure we actually get changes in practice and policy. I would like to mention the Freemasons Centre for Male Health and Wellbeing, which brings together researchers and stakeholder organisations across the Northern Territory and South Australia via its divisions based at the Menzies School of Health and SAHMRI respectively.

The mission of the centre is to improve the health and wellbeing of all males and consequently their families and communities while upholding the principles of equity, respect and integrity. Since 2012, when Professor Gary Wittert was appointed director, Marg McGee was appointed executive officer and Dr Roger Sexton was appointed principal patron, the centre has had a really good track record in research to improve the quality of health in this state.

MORTLOCK SHIELD

Mr TRELOAR (Flinders) (15:52): I rise today to speak about a significant event coming up next weekend in Port Lincoln that impacts the whole of Eyre Peninsula and the entire seat of Flinders, and that is the Bendigo Bank Mortlock Shield. The Mortlock Shield is a football carnival that was first played way back in 1936. It is officially Australia's longest running football carnival and was played in the first instance in Port Lincoln on Centenary Oval, that wonderful ground that is such a feature of the Port Lincoln Football League.

The Port Lincoln Football League is the host of this year's Mortlock Shield and has been for quite some years. As I said, Bendigo Bank are major sponsors and the event is also particularly reliant on any number of volunteers who come along and help it become a great weekend. It is held over the Queen's Birthday long weekend in June here in South Australia. Nobody on Eyre Peninsula—not a person—knows it as the Queen's Birthday long weekend. It is always referred to as the Mortlock Shield weekend—

Ms Cook: That's treason!

Mr TRELOAR: I am not going to go there. It would be treason if you referred to it as anything but the Mortlock Shield weekend, I think. Footballers from all over Eyre Peninsula converge on Port Lincoln, on Centenary Oval, and ply their trade.

Football leagues come and go. This year, we have a few changes again, and it really is on the back of last year's lack of football as a result of COVID. The only football that was played on Eyre Peninsula was in Port Lincoln itself, when the Port Lincoln Football League played a competition. Once we went over Winter Hill, there was no football at all played.

There have been changes within the leagues this year, when we have seen football return. Wirrulla and Streaky Bay have both gone to join the Far West league and are now known as Western Eyre, which I hear is unveiling a new association guernsey for the Mortlock Shield. Wudinna United joined with Central Eyre and went to the Eastern Eyre Football League—you have to stay with me on this, Mr Speaker—which meant that the old Midwest League was defunct, essentially.

From that we saw Elliston Districts come down to my home league of Great Flinders. We are one less league on Eyre Peninsula but that means we will have a round robin event over the two days playing football on the Saturday and the Monday, and we will have a clear winner. That is particularly exciting.

Of course, we are now in the Norwood Football Club zone, and Norwood have been great supporters of football on Eyre Peninsula. They are looking to become more involved. I know they will be present on the day, not just scouting for potential footballers for the Norwood league side but also supporting football and communities right across Eyre Peninsula. I know they have some plans to unfold on the coming weekend.

This coming Sunday will be what we call the Norwood Cup. It is an under-15 competition, so the same situation again. Leagues from all over Eyre Peninsula come to Port Lincoln, and the best of our under-15 junior footballers will play on that Sunday. It is not only a football carnival but also a great social event. It is a feature event in the yearly calendar and the social calendar. In fact, I am going to share with the house that my birthday is coming up—it is on 14 June—and I can distinctly remember spending my 18th birthday at the Mortlock Shield. Unfortunately, not having the football skills to be on the field, I did spend a very enjoyable afternoon with my new-found adulthood on the hill at Centenary Oval.

Incredibly, my 60th birthday is coming up in the next few days, and my plan is to spend some time on the hill again—what is that: 42 years later or something?—this time as patron, so I probably will be more cautious about the celebrations. It just goes to show the significance of the event. One last thing: it is not all about football, and football is not the only sport, but it is such a core part of community and social life on Eyre Peninsula.

Also in Port Lincoln this coming weekend, the Port Lincoln Gymnastics Club is hosting its annual championships. There are 14 clubs from around the state converging on Port Lincoln at what really is a brilliant venue and facility at the Port Lincoln Gymnastics Club. Over 250 athletes from around the state will be taking part in that gymnastics competition. So all the best to all the athletes for this coming weekend.

Time expired.

HOOD, MS G.

Mr BELL (Mount Gambier) (15:57): I would like to make a contribution to the house today on Georgia Hood. I want to give thanks to Bailey Rosenthal from my office, an admin officer, who is studying at our local university as well. I often set staff in my office a task, and Bailey's task was to research and put a speech together, so this is actually Bailey's speech. She is a great young person who will make a fabulous admin officer or future politician—who knows—and her parents should be rightly proud of her energy, professionalism and—

Ms Bedford: Dynamism.

Mr BELL: —dynamic nature—that is correct. Mount Gambier local Georgia Hood is a member of the 23 Australian women's softball squad fighting for a spot on the official Australian team for the Tokyo Olympics in 2021. In the lead-up to the 2020 games, Georgia was cut in 2019, not making the final selection. However, when COVID-19 hit she got a second chance to impress the judges.

After four years of travelling to and from Mount Gambier, she decided to relocate to Adelaide to further advance her training. Lining up as first base, pitcher, and as a hitter, Georgia has landed in Japan and is ready to claim her spot in the team at the Tokyo games this year. Georgia first started playing softball at the young age of five or six, eagerly following in the footsteps of her mother and father, Tanya and Andrew Hood. She began playing juniors for Mount Gambier's Warriors Softball Club before moving to city softball with Seacombe Softball Club and Hills Heat.

Georgia became very successful at a state level, winning South Australian Junior Softball Athlete of the Year, South Australian softball A Grade Women's Rookie of the Year and winning Most Valuable Player for South Australia under-17 girls state team in 2016. The following year, Georgia again won South Australian Junior Softball Athlete of the Year, whilst also winning Most Valuable Player for the South Australian under-19 girls state team.

At a national level, Georgia represented South Australia in under-17s in the national championships in 2015 and again in 2016, as well as winning Best Batter award at the same event. In 2016, she was also selected in the All-Tournament Team at the Australian national girls under-17 softball championships. In 2017, Georgia represented South Australia under-17s and under-19s softball teams in the national championships. In the same year, at just 16 years of age, Georgia represented her country when she was selected in the under-19s Australian softball team—not a bad effort for a 16 year old—and competed in the world Junior Women's Softball World Championship in Clearwater, Florida, USA.

The following year at the under-19 nationals, Georgia won Most Valuable Player. In 2019, she won Rookie of the Year at the open women's softball championship, also winning the

under-19 nationals Best Batter. Georgia represented her country again in 2019, as she was selected to compete in another world championship, competing in the junior Australian team for the 2019 world cup. The team overall placed seventh; however, after her exceptional performance, she quickly became Australia's go-to pitcher for critical games.

At just 20 years of age, Georgia has achieved an extraordinary amount throughout her softball career. I wish Georgia the best of luck and hope to watch her performance in the Olympics. It goes to show the extraordinary effort and commitment that country athletes have to make and go through to compete at an elite level. The number of kilometres and the hours away from home, travelling to and from both Adelaide and other city venues, are a credit to not only herself but her mum, Tanya, and her dad, Andrew, whom I had the pleasure of watching when I was growing up in Mount Gambier as elite sportspeople. Congratulations, Georgia, and all the best for the Olympics.

KERNEWEK LOWENDER COPPER COAST CORNISH FESTIVAL

Mr ELLIS (Narungga) (16:02): I rise today to speak about the Kernewek Lowender, and I am proudly wearing my Cornish tartan tie to signify the occasion. I note that it was held recently, between 17 and 23 May, on the Copper Coast and celebrate its wonderful success yet again, despite the fact it was subject to some trying circumstances, which I will touch on later.

The first Kernewek Lowender was held in 1973, which means the next one in 2023 will be the 50th year of the Kernewek Lowender and a very exciting milestone indeed. I doubt whether those involved in the inaugural one could have ever foreseen the size of the event that it was to become. I am led to believe that it was started thanks in no small part to a $1,000 grant gifted by former Premier Don Dunstan. That was its leg up and what got it going, and since then it has gone on to great heights.

I do not know how big the field is—I suspect it is rather small—but I am led to believe that the Cornish festival on the Copper Coast, the Kernewek Lowender, is the biggest Cornish festival outside Cornwall itself and attracts a large crowd every second year when it is hosted at Kadina, Wallaroo and Moonta.

This year was particularly special. It got started on the Tuesday with Dressing the Graves, and that evening there was one of my favourite events, the Kernewek art prize, which always attracts a wonderful quality of local art contributions. I am not much of an art afficionado myself, but I do enjoy local art shows and getting to see the quality of the artists we have in our local communities. This year was no exception. This year, the winner was a local artist by the name of Georgia Ivens, who is a tremendous local artist. She is extraordinarily talented, and we will see a lot of great work from her going forward. I congratulate her on her wonderful piece.

That piece struck a bit of a chord with me. It depicted a road scene on the way between Kadina and Adelaide. It really was wonderful. If the Kernewek committee did not keep all the winning prizes, I certainly would have liked to purchase that one to place in my office considering the sheer number of calls we get about roads there. That was a wonderful piece. Congratulations to Georgia and best of luck to her going forward.

We had further Dressing the Graves events on Tuesday, Wednesday and then a few other events on the Thursday, but the official opening was on the Friday. It was tremendous to welcome His Excellency the Governor Hieu Van Le to Moonta to officially open the event, as well as Steph Lysaght from the British High Commission, who was a guest speaker.

It was held at the Moonta football oval. which was a return back to the future because the early ones were held there. It was wonderful to see the oval compound and it really gave it a sense of being full. The previous ones have been held in the Moonta main street, which is a wonderful thing for the local traders, but the Moonta footy oval with the enclosed compound to satisfy COVID rules really gave it the appearance of being a full event.

We did the furry dance and the maypole again. For the second time in a row, we did the pastie bake-off in which I was honoured to be a competitor and, for the second time in a row, I managed to slice my thumb open and get blood all through the pastie. But thankfully no-one had to taste it as it was judged on appearances only. Somehow, and I am not quite sure how, we were not judged the winner this year. That honour went to Mayor Ros Talbot. Congratulations to her.

Saturday was the street party at Wallaroo, which again had to be fenced in this year. It was sponsored by the Bond Store and Derek and Nicole Matthewman, who are wonderful local business owners. The Kernewek Cup was held at Wallaroo with Kadina versus Wallaroo on Saturday. It was really pleasing to play a part in that game, although it was a complicated result this year. Ordinarily, the winner is gifted a donation from law firm Jones Harley Toole. This year we drew—Kadina and Wallaroo—so both were recipients of a small gift from that wonderful firm. It was really well hosted by the Wallaroo footy club on Saturday.

Then the cavalcade of cars was held on Sunday, which was a tremendous effort. I am led to believe there were a record number of entries with over 700 cars. Congratulations to the president of the Kernewek committee, Lynn Spurling; the CEO, Di McDowell, in her first Kernewek Lowender—she did an excellent job—finance officer, Gabby Jackman; and everyone else who was involved in the organisation.

It was a tricky year this year. As I have already said, the COVID rules made it quite onerous for the organisers and there really were some peculiar rules that the organisers had to contend with. For example, those participating in the cavalcade of cars had to do their COVID check-in when they got into the car with the two or three other people max. Then when they had travelled the length of the car journey with those two or three other people remaining the same and got to the staging area, they had to do another check-in. That held up some of those old cars which overheated and dropped oil on the road. It meant that when quite a few cars got to the staging area, they could not get in because by that time those old cars had run out of puff.

There were a few other ones. The gates at Moonta oval, where there was one entry and one exit, became quite onerous for some older people who did not want to walk the length of the oval. Unfortunately, some of those COVID rules—while they have been great for the state and have kept us nice and safe and we certainly appreciate the work that the public health experts have done—were quite onerous and, in some cases, a bit confusing. Congratulations to the Kernewek committee on the excellent job they did. It is looking forward to the 50th year of Kernewek in 2023.

The DEPUTY SPEAKER: Before I call the Attorney, being of Cornish heritage myself, I would like to congratulate the member for Narungga and compliment him on his tie today, which is the Cornish national tartan, I believe. Well done.

Bills

LAND TAX (DISCRETIONARY TRUSTS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council with a message drawing the attention of the House of Assembly to clause 3, printed in erased type, which clause being a money clause cannot originate in the Legislative Council but which is deemed necessary to the bill. Read a first time.

CRIMINAL LAW CONSOLIDATION (DRIVING AT EXTREME SPEED) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 1.

Mr ODENWALDER: Hopefully, this committee stage will be brief. My question on clause 1 is a standard one: Attorney, who was consulted outside SAPOL in preparing the bill and what was their advice?

The Hon. V.A. CHAPMAN: While I am waiting for the officer, Michelle, to take her seat as adviser, I indicate that I think it is important to remember here that this bill was developed as a result of information presented to the people of South Australia by the Commissioner of Police as something that was a matter that he considered in the public interest, demanded prompt attention and needed to be done if we were going to be serious in addressing hoon driving and high-speed driving, which, of course, are problematic for the police, particularly when someone is evading custody.

From there, we took that on notice. I got some brief further information from the police commissioner initially, and from there our officers took over the general development and

identification of issues and then how that would be accommodated into a bill. I will specifically seek now whether other people were consulted, other than the Office of the DPP. I am advised that the transport department was another.

Mr ODENWALDER: Thank you, Attorney. I have one more question on clause 1: did the police commissioner then ask for anything extra or different that is not included in this bill and, if so, what was it?

The Hon. V.A. CHAPMAN: I am advised that there was nothing else that he sought that is not in this bill. We went back and forth to deal with matters such as those I have referred to in response. How does this apply if somebody in the country is passing an emergency vehicle with the lights flashing, how is the emergency of the driver to be taken into account in the act, those sorts of questions were raised and the advice was through the excellent advice here from Michelle and others who were managing the development of the bill from parliamentary counsel and Legislative Services.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mr ODENWALDER: Clause 4 deals with the aggravated offences, the amendment of section 5AA. I do not think you addressed this in your second reading contribution, but I should ask the question anyway. It seems to me that you have created a set of offences, some of which already exist in another form within the CLCA. For instance, by aggravating this offence with a death, for example, you have replicated the offence of death by dangerous driving but reduced the penalty. I do not understand—how would a police officer know which of those offences to charge and could a lesser charge be applied? Do you understand? I am happy to rephrase it.

The Hon. V.A. CHAPMAN: I think I understand what you are saying, but I think it is important to appreciate—and I think probably the member understands this more than most people in this house having been a police officer himself, but I am not sure about the experience that has had in relation to prosecution—that there can be a set of facts, and there may be a number of different criminal or summary offences that might apply to that set of facts. It is for the prosecution and some of those others in the police division who initially make the assessment as to what charges will be laid. Presumably, that is on the basis of being able to satisfy, on the evidence it has together, what they might be able to charge.

A victim might be killed in a set of circumstances, and whether that is murder, manslaughter, death by dangerous driving or an aggravated offence—for example, here in this matter—might depend on a whole lot of different factors. To give an example, it may be that if the person who was driving the vehicle was committing a felony in some other way and they killed somebody, that may be sufficient to support a murder charge. Those are the sorts of things that have to be assessed for the purposes of what is sufficient evidence to be able to bring about the likelihood of a successful prosecution.

Mr ODENWALDER: I just want to clarify this. What would the evidentiary difference be, then, between an aggravated driving and extreme speed charge where someone has died as a result of the extreme speed (the aggravation), and a death by dangerous driving charge where someone has been driving very fast and has hit someone and they die—without any intent to murder? What would be the evidentiary difference between those two things? Why would you have an aggravated offence? Why would you have, essentially, a death by dangerous driving offence in this bill when there is already one with a very heavy penalty? Perhaps I am just asking you to repeat yourself.

The Hon. V.A. CHAPMAN: I do not know if I can specifically give you the different piece of evidence in which that would occur. There is no question that death by dangerous driving, for example, carries with it a very significant criminal penalty—in fact, much more than this offence. I suppose we are talking about the threshold here. Some have described it to me, when they are talking to me about it, as really like a strict liability offence. It is not quite that, but let me put it like this: all you have to do is prove that somebody is in the car and that they are driving it within the 80 km/h more than the regulated speed in the country—when I say in the country, when it is over 80 km/h, for example.

So tick, tick: yes. The member for Elizabeth is the driver. He is driving his vehicle and he has been recorded at that speed, but we need to be satisfied on the other fact of aggravation to be able to put it into that next category of sentence. The aggravation here really relates to if you add one of these factors you get a sentence at a higher rate. That is really the application there.

To assist the member, I can also add that under section 19A of the Criminal Law Consolidation Act, causing death or harm by use of a vehicle or vessel—death by dangerous driving as we know it—requires that a person drives the vehicle or operates a vessel in a culpably negligent manner, recklessly or at a speed or in a manner dangerous to the other person. Then there are the other obligations.

Clause passed.

Clause 5 passed.

Clause 6.

Mr ODENWALDER: Attorney, can you go through what the basis of the logic was for choosing arbitrarily the 55 km/h and 80 km/h thresholds?

The Hon. V.A. CHAPMAN: That came directly as a result of consultation with SAPOL.

Mr ODENWALDER: Can you give any indication why they chose those two?

The Hon. V.A. CHAPMAN: What I do recall was that there was clearly a differential between someone who is on the open road and someone who may be in a built-up area. In other words, the risk of harm to others would seem to be more likely in a built-up area, and therefore the speed differential needed to be lower. From there, I think, officers' level took over for what would be reasonable in those circumstances and was signed off by SAPOL.

Mr ODENWALDER: I guess that at the higher end—the 110 km/h range—there was no concern that in order to meet the threshold for driving at extreme speed you have to reach 190 km/h. Presumably that is the intention. Was there no discussion about, 'That's too high. Perhaps we should lower the threshold at that high point,' or is that the opposite of what you are saying?

The Hon. V.A. CHAPMAN: I think if anything there were those in general consultation who were suggesting that, perhaps, it even should be more, that is, a higher threshold—that it should be 90 km/h or 100 km/h. In other words, you should be going 200 km/h minimum to be able to be caught in this situation, because clearly we are introducing legislation—if this passes—of imprisonment for speeding, but very high speeding.

This is a new level of punishment, together with mandatory loss of licence—not optional here, but mandatory—and for some this would be seen as quite a severe penalty, and therefore it should be really, really fast. From all accounts in consultation on this, we are really talking 190 km/h or above. Frankly, as I said, it makes a terrible mess if somebody causes some injury as a result of this and often to themselves, which is equally sad.

Clause passed.

Clause 7.

Mr ODENWALDER: I note that this bill includes the ability for the commissioner to administratively withdraw the immediate loss of licence, but previous bills, including a recent one, do not have this provision. What is the reasoning behind that?

The Hon. V.A. CHAPMAN: I am somewhat guessing here. Here we are prescribing a mandatory loss of licence. In a lot of other circumstances it is still a discretion of the police to implement loss of licence. For example, when we are dealing with death by dangerous driving—and that was seen as a bit of a weakness in that legislation—we added in a provision that allowed for the police officer attending to immediately execute a loss of licence, but it was not mandatory. So here, if they got the date wrong or something else, then we needed to have the capacity to withdraw it, which again was in consultation with the police and which has been accommodated.

Clause passed.

Remaining clauses (8 and 9) 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) (16:24): In addition to thanking Michelle for her assistance, and other members contributing to the debate, I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Final Stages

Consideration in committee of the Legislative Council's amendments.

Amendments Nos 1 to 14:

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

That the Legislative Council's amendments Nos 1 to 14 be agreed to.

Motion carried.

Amendments Nos 15 and 16:

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

That the Legislative Council amendments Nos 15 and 16 be disagreed to and that the House of Assembly makes the following amendments in lieu thereof:

Clause 129, page 69, after line 10 [clause 129, inserted section 262F(5)]—After paragraph (c) insert:

(ca) industrial relations;

Clause 129, page 69, after line 12 [clause 129, inserted section 262F]—After subsection (5) insert:

(6) In addition, before nominating a person for appointment as a member of the Panel, the Minister (in the case of the presiding member or the member nominated by the Minister) or the LGA (in the case of the member nominated by the LGA) must ensure that a registered industrial association that represents the interests of employees of councils specified by the Minister by notice in the Gazette is consulted on the proposed nomination.

Clause 129, page 73, after line 41 [clause 129, inserted section 262S]—After subsection (1) insert:

(1a) If the person primarily affected by the behaviour the subject of a complaint is an employee of a council, the Panel must, before refusing to deal with, or determining to take no further action on, the complaint, consider any submissions received from a registered industrial association representing the employee.

Clause 129, page 74, after line 14 [clause 129, inserted section 262T]—After subsection (2) insert:

(3) In addition, the Panel must ensure that, during an inquiry relating to a complaint where the person primarily affected by the behaviour the subject of the complaint is an employee of a council, any registered industrial association representing the employee in the matter is given a reasonable opportunity to make submissions relating to the inquiry.

Clause 129, page 76, after line 5 [clause 129, inserted section 262W]—After subsection (1) insert:

(1a) If the person primarily affected by the behaviour the subject of a complaint referred to the Panel under this Subdivision is an employee of a council, the Panel must, before determining whether or not to take action under this section, ensure that any registered industrial association representing the employee is given a reasonable opportunity to make submissions on the matter.

Clause 129, page 76, after line 40 [clause 129, inserted section 262X]—After subsection (2) insert:

(2a) If a report under subsection (1) relates to a complaint where the person primarily affected by the behaviour the subject of the complaint is an employee of a council, the Panel must provide the report to any registered industrial association representing the employee.

(2b) The Panel may, in providing a report to a registered industrial association under subsection (2a), require the registered industrial association to ensure that the whole or a specified part of the report is not disclosed to any other person or otherwise published.

(2c) A registered industrial association that contravenes or fails to comply with a requirement under subsection (2b) is guilty of an offence.

Maximum penalty: $10,000.

Both of these amendments relate to the proposal to include an additional member on the Behavioural Standards Panel, which is proposed to be a member nominated by a registered industrial association—otherwise colloquially known as a union—that represents the interests of employees of councils specified by the minister by notice in the *Gazette*. In particular, amendment No. 15 requires the appointment of this member, and amendment No. 16, which is consequential to it, relates to the potential removal of the member.

I confirm that the government simply does not agree with this amendment for several reasons. The first is that we expect that the majority of matters before the panel will relate to serious or repeated misbehaviour by members where the affected person is another member, that is, elected members. It is not appropriate that a representative of a registered industrial association participate in the consideration of these matters and the potential application of a sanction.

The second reason is that it is essential that the panel act as an independent body—I repeat that, an independent body—whose inquiries and findings about elected member behaviour are and are seen to be impartial. No person is represented on the panel, as outlined in the bill, members or employees. The bill makes it crystal clear that current council members and employees cannot be panel members to ensure that there is distance between the panel and the local government sector.

If a matter comes before the panel, where the person affected by a member's behaviour is an employee, it is critical that any finding and sanction made by the panel as the implement of discipline here are accepted by all the participants. If this finding is made by a body on which the employee is directly represented, as these amendments propose, and the member is not, there is a clear risk that the finding could at least be perceived by the member as unfair and potentially an increased risk of that member taking action to formally challenge the decision.

Perhaps, ironically, this could make the panel less effective at taking action that may be needed to protect council employees. This would be disappointing, given the significant lengths the government has taken in this bill to provide better support and protection to council employees who may from time to time be the subject of inappropriate or unsafe behaviour from the elected members.

However, because the government recognises that matters involving employees may still come before the panel, the government is proposing to amend the bill to formalise the engagement of registered industrial associations—i.e., unions—where an affected person is an employee. This motion, therefore, puts forward a good compromise position on the amendments made in the other place.

They propose that registered industrial associations—i.e., unions—are formally involved throughout the panel's process, namely, ensuring that the membership of the panel as a whole includes qualifications, knowledge, expertise and experience in industrial relations amongst its skills, consultation with the registered industrial association on the appointment of members and ensuring that the panel considers submissions from an industrial association at each stage of its consideration of a complaint and inquiry where an affected person is an employee.

This includes a submission if a complaint does not proceed to an inquiry on the appropriate action to take and the provision of a report on the matter to the association. In short, this would enable the behaviour panel to comprise independent persons but, in the event an employee is caught up in the tangle of this misconduct on behalf of elected members, they—as long as they agree to this of course—have the right to have their representation and to put a submission to the panel. They are not on the panel, but they have a right to be represented to put that submission.

We do not ignore the fact, and I can say to this house quite openly that I have known of councils where there has been a dispute, sometimes longstanding between elected members, and that behaviour has an adverse effect on members of staff in the council. It is unfortunate when that happens, but it can happen, we recognise it can happen and I have seen it happen. I think in addition to all the protections we give employees in that situation, including the CEO of a council, we need to make sure that if we are going to have this behaviour panel process, which has been worked up and developed by councils through their representative—namely, the LGA—then we need to recognise

that that is what its job is, but in the event that there is an adverse impact on an employee or employees, they will have this other option available to them.

I want to note also that the new council member conduct management framework that is included is as a result of extensive engagement across the local government sector, including with employees who have been the subject of poor member behaviour.

I have to say that in relation to the Behavioural Standards Panel proposal, this is something that has been picked up by the government and presented in this bill as an initiative that has been worked through with local government and local governments, particularly those that have been frustrated or had their business interrupted by the bad behaviour of elected members, looking for some way to manage this.\

I give credit to the LGA and to councils that have really struggled with this issue for coming up with this initiative, and the government is happy to present it in the form of this bill. The panel has been carefully designed to ensure that it can deal with these more serious behavioural matters thoroughly and efficiently, so that they can be resolved well and quickly for the benefit of all involved, and hopefully have a very significant reduction in the legal costs surrounding representation through proceedings such as via the Ombudsman.

That is no reflection on the Ombudsman's office. He and his team have an important job to do, but quite often members will know that they have read reports from the Ombudsman's office where there has been a complaint by an elected member against another elected member for just simply not giving enough time or notice or copies in triplicate or a relatively minor breach and the whole inquiry with the Ombudsman's office is taken up with it.

Sometimes, if you look at the history in some of those councils, they may be repeat or serial complainants about that. They may be justified, but they sometimes are not. The Ombudsman, which is a very expensive process, is taken up. The councils I have spoken to, and certainly the LGA, have been really desperate to have an alternate way of managing this. The importance of having this Behavioural Standards Panel is to make sure of that impartiality, and that is what has worked. I recall the Hon. Graham Gunn, who is formerly of this place—I think he had nearly 39 or 40 years here.

The Hon. D.C. van Holst Pellekaan: Yes, six weeks short of 40 years.

The Hon. V.A. CHAPMAN: Yes, six weeks short of 40 years. He told me that in his retirement he actually assists some councils in the Mid North in relation to behavioural management of its elected members. I am not sure that it is similar to what is being proposed here. but at least he is involved in a panel. They bring them together when there has been an early identification of misconduct, or bad behaviour is how I would describe it as. The former ICAC Commissioner Bruce Lander QC would often say there is a big difference between misconduct and maladministration on the one hand and simply bad behaviour. It could be rude, aggressive, disruptive or impolite behaviour toward another elected member, for example, and it completely undermines the capacity of the council to get on with its business.

We as local members, in this house particularly I suggest, would see this as a clear and present problem in councils. I look at the member for Light, who is a former mayor. A number of our members here in this house have had to deal with these issues. I think the LGA in consultation with its membership and councils has come up with an important independent process and the government has been prepared to present it.

Although I have not had the carriage of this bill through its life (my predecessor the member for Schubert introduced this bill), I can categorically say that nobody—nobody—in the consultations I have had with any council has come to me to say, 'That's not a bad bill, minister, but I think you need to sort it out and have a union rep on the Behavioural Standards Panel.' It was not until we came into this parliament, when the opposition in the other place deemed this was something necessary.

I understand that the Australian Labor Party do have a commitment to unions. They have membership and they have delegate entitlements and all those things. I do not make criticism of that today; I understand that. It is not uncommon, when we have dealt with representative bodies in this parliament, especially in industry, that there has been a push for the Australian Labor Party to have

a union representative or more on those representative bodies. I do not actually have an issue with that, as I think that is part of the industrial representation that occurs. However, we are talking about a body here that is to be entirely independent—not a barracker and not a stakeholder, but an independent panel of three to have this role.

I did say this during the course of the debate, but it is the intention that this will be a three-member panel populated by a nominee from the LGA, a nominee from me as minister, or whoever is minister, and a third party as an agreed party between the two. I suggest to the committee that this is an important initiative, it is a good initiative and I hope it will be an effective and cost-efficient mechanism.

By introducing a stakeholder in this way I suggest will risk the proper operation of this key tool to address the distress and damage to reputation of councils that are being allowed to continue in the absence of being able to promptly deal with these matters. I do so on the basis that Mr Graham Gunn tells me a process like that can work and he is on it. That does not really surprise me, as he is a pretty persuasive person. He said to me that the key thing with these is not only being able to have a level of independence but also being able to bring the warring parties together as quickly as possible, and he has found that has been a very successful model. I commend the LGA for bringing this. Let's not frustrate or fracture what has been a model that has been fully litigated, worked up and seems to work.

In addition, I have had representation put to me by the President of the LGA, Angela Evans, who is also known to many as the Charles Sturt council mayor, and I have had conversations with her about this. As the president, she has also written to each of the councils of her desire to maintain the original structure and to decline the Legislative Council's recommendation of adding on a union representative. I have moved that we disagree with amendments Nos 15 and 16 and that in lieu thereof clauses be inserted as per the schedule, but I do not have a number on it.

Mr BOYER: Can I make some remarks?

The CHAIR: Yes, absolutely—before I put the question, the member for Wright.

Mr BOYER: Thank you, Chair, and thank you, Attorney, for your comments on these proposed amendments. I will say from the outset that the opposition does not intend to support the government's amendments here, and there are a few brief remarks I would like to make on amendments Nos 15 and 16. They relate to the inclusion on the Behavioural Standards Panel of a registered industrial association, which was the topic of much of the Attorney's address a few moments ago.

The Behavioural Standards Panel is an important inclusion in the bill, but the composition of the panel did not reflect the varying types of issues that that panel will address. Poor behaviour of councillors does not just affect other councillors; it can affect staff and the wider community. Staff need to be protected at their workplace from unruly and disruptive councillors. The inclusion of an employee representative on the panel will go a long way to address this, and I offer my thanks to the crossbench in the other place for their support of this very important initiative.

The section of the bill was debated at length in the other place (and I have read those comments) not to express disapproval but to successfully expand the diversity of the panel to include an employee voice. Under the government's proposed bill, the behavioural panel consisted of three members appointed by the Local Government Association and the minister, but there was an important voice missing from this panel—the voice of the people who are often impacted by that poor behaviour we have discussed: council employees.

By including an employee representative on the Behavioural Standards Panel, the Legislative Council has ensured a councillor's misbehaviours will be assessed not merely by a panellist appointed by employers or employer advocacy groups but by a registered industrial association. The Attorney gave her own characterisation of the kind of behaviour the panel might seek to deal with. I note that in the Attorney's assessment she believed it would be largely around poor behaviour between councillors.

It is important to add to this debate that there are a few—let me be polite and say 'topical' cases at the moment in the metropolitan area from some councils around the alleged behaviour of councillors. In a number of those cases, the allegations were made by employees against an elected member. I think we should be careful in characterising what this behaviour panel will assess as being

largely issues that will come up between two elected members of council. Judging by some of those very public issues in councils in the metropolitan area in the last number of years, there is a very good chance that the behaviour this panel will come to assess will also include allegations made by employees of poor behaviour of councillors towards elected members.

While only a councillor can appear before the behavioural panel, an employee can of course refer a councillor to that panel. As the minister herself stated in correspondence that I believe was sent to mayors on 26 May:

> Our objective has always been that matters relating to repeated or serious misbehaviour by an elected member, or where an elected member has failed to comply with a council's processes or resolved actions, can be referred to the panel and resolved quickly for the benefit of all involved.

I think that last bit is key: 'for the benefit of all involved'. New section 75G(1) of the Statutes Amendment (Local Government Review) Bill specifically mentions that a member's behaviour should not adversely affect the health and safety of other members of the council or employees of the council. The government's amendment to this section means that, in cases where the council's employees' health and safety are adversely affected by a member's behaviours, a complaint relating to that matter should be referred to the Behavioural Standards Panel.

If an employee has been given the right to refer an elected council member to the panel, why is the government stopping the inclusion of a voice that is qualified to understand the experience, the trauma and the distress of council employees? If you look at the listed requirements set out in the government's bill, under new section 262F(5):

> …when nominating persons for appointment as members of the Panel…members of the Panel must collectively have qualifications, knowledge, expertise and experience in the following areas:
>
> (a) local government or public administration;
>
> (b) law;
>
> (c) administrative or disciplinary investigation;
>
> (d) dispute resolution, conflict management, human resource management or organisational psychology.

A member of a registered industrial association's daily job is basically dispute resolution. It is understanding law, it is understanding disciplinary investigation, it is understanding conflict management and human resources. The experiences of an employee representative meet all these categories, I would put it, and more. There is no reason why a registered industrial association should not be included on the panel. Perhaps the important question to be asking here is: why is the government so averse to having a voice of the employee represented on the panel?

I note some of the concerns raised by other members, that having an employee voice on the panel would mean that there is an even number of panellists, which would make decision-making, in their assertion, difficult. These concerns are already addressed in the bill. New section 262R(3) would ensure that the presiding member of the panel would have a deciding vote in that situation, a process that has served bodies, most notably like the Legislative Council itself, very well for decades, perhaps with the exclusion of choosing the new President.

Members have also raised questions about who can or cannot sit on the panel. New section 262F(4) outlines that a member or employee of a council cannot be appointed as a member of the panel. This is as it should be, as it would raise conflict of interest issues, and we accept that. However, employee representatives do not have the same conflict, as they do not have a personal stake in these behavioural matters. Employee representatives are not a part of the council and operate separately to them.

I have a few more specific remarks, if I could, about the amendments that we are discussing. I note that these amendments before us right now were only filed late last night after what I am told were repeated attempts to see a copy of them. We will, as I said at the outset, be opposing these amendments because we feel the inclusion of an employee voice on the panel is essential.

Looking at these amendments, what we see really is a kind of half-hearted attempt by the government to provide an acceptable compromise. I note the Attorney's comments in her address, that they would appear to be now desperate to have this behavioural panel set up and operational,

but I understand that this has been languishing on the *Notice Paper* in the other place for something like six months, so I am not entirely sure why the sudden urgency. I think it is fair to say that it has not sat on the *Notice Paper* of the Legislative Council through the actions of the party of which I am a member, but I believe it is the government in that place that chose not to progress it. I think that is an important point to consider.

The amendments require that the panel must require submissions received from a registered industrial association before determining whether to take action on a complaint. I think this was a point that the Attorney covered pretty forensically in her comments by way of trying to suggest that this amendment might be a compromise in terms of providing a place for a registered employee association to have some kind of input into whatever process the behavioural panel commences.

My understanding of both the federal Fair Work Act and the Return to Work Act at state level is that there is already provision in them under freedom of representation and association for organisations like registered employee associations or a union, whatever you would like to call them, to have input into that process.

The Hon. V.A. Chapman interjecting:

Mr BOYER: Indeed, but there is absolutely no need for it to be in there because it is already stipulated in both state and federal pieces of legislation. So I think it is a somewhat disingenuous attempt at a compromise when in actual fact what is really needed is a place on the panel for that registered association. I see no good reason why that in any way would frustrate the process of the behavioural panel.

When I was reading before the skill set that was required to make up that panel, I think it is stated that, in the case of the LGA and other associations, they are to nominate a person. It does not stipulate that it has to be someone from that association, so too was our suggestion I believe that if we were to have a representative from the employee association on the behavioural panel it would be a nominee of that association or organisation. It would not necessarily need to be a member of that association or union. I think that is also an important point to consider here.

Before I finish, the other issue which was raised which I want to very briefly touch on is that of impartiality and the government assertion that by including an employee voice in some way or other on that panel will somehow mean that it will in some way lose its impartiality. Firstly, I think this argument presumes that the existing members of the panel would be impartial in the first case.

We would all like to believe that is the case, but there are essentially no checks and balances on those existing organisations to be impartial in any way nor would there be a check or balance on an employee association to behave in the same way if they were to be included. I do not think it is fair to single out the registered employee associations as being a potential threat to impartiality of the Behavioural Standards Panel when they would essentially be treated the same as the other members of that panel.

Secondly, this flawed argument neglects to consider that employee representatives are the most qualified of all potential panellists according to the requirements that I read out before in terms of expertise. I know the Attorney may well be surprised by that but, if we read out those dot points again of the skill set that the minister would be looking for to include on the panel and we look at the daily work of a union or an employee of a registered organisation, it really is their bread and butter in terms of dispute resolution and negotiating situations like that which no doubt would serve them very well to sit on the behaviour panel themselves. In short, including an employee representative on the panel we believe firmly will ensure and not diminish the prospect of an impartial and qualified panel.

The Hon. A. PICCOLO: I rise to make a few points in support of my colleague the member for Wright and also to speak against the minister's proposed amendment to what the upper house has agreed to.

Having heard what the minister has said in support of her amendment, I think it misses a very important point. One of the most important points here is that part of the role of this new behaviour panel is designed to change or alter the culture of organisations down the track. Through this panel, you will hopefully change the way councils operate and over time change that culture that exists at the moment. So it is important that important stakeholders in local government are employees. Employees are important stakeholders in local government.

I am at a loss to understand why a panel comprising a nominee agreed upon by the LGA and the minister, and a nominee of the minister, is more impartial than a panel where you actually add—and I use the words in the bill—'a member nominated by a registered industrial association that represents the interests of employees'.

One would think that, by adding this, it makes it a much more balanced panel. You would actually have all the interests of local government represented. The minister on behalf of the state and, if you like, the community, the LGA on behalf of local government and the addition of an industrial organisation nominee would actually make a much more balanced panel. I do not accept, as the minister has tried to imply, and as the member for Wright has quite rightly said, that a nominee from an industrial organisation would make this panel any less impartial or independent.

In fact, this sort of model was used in a whole range of government organisations involving the public sector. I used to sit as a panel member on various grievances and panels in the commonwealth government when I was a commonwealth public servant and a member of my industrial organisation. We sat on a number of grievances and a whole range of appeal processes and that was upheld as a very fair system.

In fact, it acknowledged that employees are an important part of organisations. All this amendment does is acknowledge that when it comes to councils, important stakeholders—a third of the stakeholders—are council employees. You have council members, you have employees and then you have the community as well. The amendment moved in the upper house by my party room representative, the shadow minister there, I think strengthens this bill, strengthens this proposal clause, actually strengthens the whole proposal and is one that would be accepted by all in the sector.

I think when you hear some other members on the government side talk about these things in the past, the only conclusion is that they do not like unions; they do not want unions involved in any way. Certainly, another member of the front bench has, on an ongoing basis, reflected those views in this chamber and I would hope that the Minister for Local Government is not going to take on those sorts of views in her portfolio.

Motion carried.

Amendments Nos 17 to 26:

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

That the Legislative Council's amendments Nos 17 to 26 be agreed to.

Motion carried.

LAND TAX (DISCRETIONARY TRUSTS) AMENDMENT BILL

Standing Orders Suspension

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (17:01): I move:

That standing orders be so far suspended as to enable the Land Tax (Discretionary Trusts) Amendment Bill to pass through its remaining stages without delay.

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

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

Motion carried.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (17:01): I move:

That this bill be now read a second time.

The Land Tax (Discretionary Trusts) Amendment Bill 2021 (the bill) contains two amendments to, firstly, amend the Land Tax Act 1936 (the LTA) and, secondly, amend the Valuation of Land Tax

Act 1971 (the VLA) in order to address issues caused by delays in taxpayers receiving their 2020-21 land tax assessments.

The land tax reform package approved by parliament in 2019 made significant changes to the collection of land tax in South Australia from the 2020-21 financial year. This included large reductions in tax rates and changes to tax thresholds, delivering significant relief to taxpayers along with changes to how land tax is aggregated together for the purposes of calculating land tax and higher rates of tax on land held in certain trusts.

This required major changes to how land tax is assessed and calculated by RevenueSA. RevenueSA has been issuing land tax assessments for the 2020-21 financial year under the new arrangements since October 2020. For a range of reasons, including system complexity and complex landholding ownership structures needing to be reviewed, there are still a number of taxpayers yet to be billed.

Under the reforms to the LTA, a transitional provision was introduced allowing for the nomination of a designated beneficiary for pre-existing trust land—that is, land subject to a discretionary trust as at midnight on 16 October 2019. Where a nomination is made, the trustee is assessed at the lower general rates of land tax rather than the higher trust rates of land tax.

The deadline for nominating a designated beneficiary for pre-existing trust land is 30 June 2021. If a designated beneficiary notice is lodged after 30 June 2021, the late notice cannot be accepted and the trustee is to be assessed at the higher trust rates of land tax. There are no legislative means to extend the deadline.

The first amendment amends the LTA to extend the deadline for nominating a designated beneficiary for pre-existing trust land to 31 December 2021, being a further six months from the current 30 June 2021, and allow for the giving of a notice of a designated beneficiary to take effect for the financial year prior to the one in which the notice is lodged. Under the VLA, a landowner can object to a valuation but must do so within 60 days of receipt of the first notice of the valuation and only while the valuation is in force. Valuations only remain in force for the duration of a financial year, after which they are superseded.

There are no provisions which allow for the consideration of an objection or which extend the period in which to object where a valuation is no longer in force. In most cases a land tax assessment will be the first and only such valuation notice that makes the site value, as opposed to the capital value, apparent to the landowner. The second amendment amends the VLA to extend the time in which an objection to the 2020-21 land site value can occur by allowing an objection to the 2020-21 site value to occur within 60 days after the service of the 2020-21 land tax assessment, even if that assessment is issued in the 2021-22 financial year and the site values it relates to are no longer in force.

This government is committed to ensuring that no unnecessary burden is imposed on the South Australian taxpayers. In line with this commitment, these measures will ensure that trustees of discretionary trusts are able to receive their 2020-21 land tax assessments before deciding whether to nominate a designated beneficiary. The measures also preserve landowners' objection rights on the site value of a property and ensure that they are not disadvantaged by any delay in receiving their 2020-21 land tax assessments. I commend the bill to the house.

The Hon. S.C. MULLIGHAN (Lee) (17:06): I rise to speak as the lead speaker on behalf of the opposition about this bill, a bill that has been rushed into the parliament by the government at the absolute death knell of the current financial year. There are barely three weeks to go until the end of the financial year, and the government, from its own advice to the media and also to the opposition, is yet to send out somewhere between a quarter and a third of land tax bills under the new aggregation regime, which it announced two years ago this month.

Two years ago, in June 2019, the government announced a new land tax aggregation measure to raise $40 million in extra land tax from South Australian property owners. This was barely 12 months—in fact, much less than 12 months, it was about eight months—after the government had moved to change the Land Tax Act to provide $48 million a year of land tax relief in late 2018.

In late 2018, the government says, 'We promised to deliver land tax cuts. Here are the land tax cuts legislated and supported by the opposition; $48 million a year of land tax relief.' Eight months later, in the next state budget, it says, 'Hang on a minute. We didn't realise that we weren't getting

the revenue in through the door that we were expecting. We're now going to increase land tax by $40 million a year.'

It was from that point on that this land tax debacle has encountered or developed chapter after chapter of mishap from this government. Fancy announcing a major tax reform to the land tax regime without knowing how much money the change was going to raise for the government, without knowing who would have to pay the increased land tax obligations and, as we are learning today, how it would administer the new land tax regime. We are in this position, because—as he has had to apologise to the parliament in the other place—the Treasurer and his agency have not been able to administer these changes.

It has been two years since these changes were announced by the government. It has been more than 18 months since they were legislated by the parliament and the government is still unable to send out land tax bills. The government claims, or the Treasurer claims that it is not his fault, it is not RevenueSA's fault, it is not Treasury's fault; it is the fault of those sneaky South Australian property owners for having complex land ownership arrangements. Well, spare me, please. I mean, what a load of rubbish from the Treasurer. What an absolute load of rubbish.

Shortly after the changes to the land tax regime were passed by the parliament, opposed by the Labor opposition, yet still passed on the vote of the Hon. John Darley of the other place, the government decided to embark on a land tax census, something perhaps not seen since the times of Emperor Augustus when everyone was demanded to declare to their ruler, or the Crown in this case, what they owned by writ of threatening letter to landowners.

Around 370,000 letters were sent out to South Australians with bold lettering, highlighted in red, about people's obligations to respond to the government's demand for information. Quite rightly, when people were up in arms over this, the government had to come out and apologise for the threatening tone of those letters saying, 'All we were trying to do is work out who might have to pay these new tax arrangements which we have put in place.' It is just extraordinary—not understanding who would have to pay these changed arrangements.

Now we have had a situation where some people have responded to RevenueSA knowing that they are going to be billed under the new changes to aggregation and billed under the new changes that affect discretionary trusts with land holdings within them. Some people know that they are assessed for land tax on property held at midnight on 30 June in a particular year, and they have made their arrangements accordingly.

Some people, knowing that they were facing very steep increases in land tax bills, sold their properties. Some people have had to rearrange their landholdings accordingly and they have done that quickly. They have done that swiftly in many cases after the passage of the legislation in November 2019. Many people sold properties at that time when the property market was certainly a very different market from what it is today and what it has been over the last few months. So we have had a whole tranche of South Australian property owners who had been coerced by these changes to liquidate their real estate assets, to sell their properties in a market that was certainly not as buoyant as the one we encounter today.

Now we have the government coming in saying, 'You know how we said that we were going to send you a bill for the new regime in the 2020-21 financial year? Actually, we want an extra 12 months to do this.' It is understandable that the other place said to the Treasurer, 'No, 12 months is far too long. That is unreasonable. It is inequitable to those people who have tried to meet the government's time lines, who have responded to the government's demands for information and have managed their property holdings accordingly. You should only have a maximum of six months.'

The Hon. Kyam Maher moved an amendment on behalf of the Labor opposition in the other place that it should only be three months, being, hopefully, a go-to action for the government to finally get its act together and send these bills out. What this means is that, for the six-month additional period from 1 July to the end of December that the government is seeking to send out these bills for the previous financial year, bills will get sent out at the same time that the next year's land tax billing process commences, so some people will receive two land tax bills at roughly the same time.

Some people will receive two land tax bills under the new aggregation and trust arrangements that are much higher than they were previously. Some people, aside from receiving

two land tax bills in a matter of weeks during the calendar year 2021, would have taken up the opportunity afforded to them by the government last year of deferring their previous year's land tax bills for the 2019-20 financial year.

So, in a 12-month period, some people are going to be faced with three land tax bills: repaying half their liability for the 2019-20 financial year, having to pay late because it was billed to them late, their 2020-21 financial year liability, and then getting a new bill for the 2021-22 financial year. It is just extraordinary. What is the value of these land tax changes? The government tells us that there was $180 million of land tax deferred from the 2019-20 financial year.

We know from the government's own numbers that the aggregation and trust arrangements are now designed to raise an extra $86 million a year, and so we have that for the 2020-21 financial year, and then a further $86 million to be raised in higher bills for the 2021-22 financial year. So, with $180 million, plus two doses of $86 million, you can see why the prospect of South Australian property owners having to stump up somewhere up to $350-odd million in a six-month period is beyond the pale.

But wait, there is more. We have heard from the Valuer-General that some land values in some council areas are increasing by well over 10 per cent. During the next land tax billing cycle, some people liable for land tax will also be hit by these massive increases to land valuations. Remember, the Valuer-General has made a determination that it is the land valuations—not the improved site valuations—which in many cases have gone through the roof across metropolitan South Australia and even in regional South Australia.

What we have learnt from this government is they love nothing more than fleecing South Australians. Every time they claim they are giving us a little bit of bill relief on the ESL or a bit of bill relief on water bills, that relief is completely swamped, washed away by a tsunami of higher taxes, fees and charges of which land tax is but one. Today, we had ministers in this place tabling regulations to put in place hundreds of increases in fees, charges and state government taxes—this year, fortunately, only by a relatively regular level of about 1.9 per cent or 2 per cent.

But, in the same year that these land tax changes to discretionary trusts were introduced, we saw those taxes, fees and charges increase in many cases by 10 per cent and in some cases by 40 per cent, such as the increase to the solid waste levy, the Premier's private bin tax that all South Australians have to pay through increased council rates. Now that the government has jacked up the price of solid waste on councils, from $100 per tonne to $140 per tonne, council after council after council had to recast their budget in response and increase council rates across metropolitan Adelaide in particular and also regional South Australia.

Not just land tax and not just council rates but motorists have been a favourite target for the Premier and the Treasurer, with a 10 per cent increase to motor vehicle registration costs, a 10 per cent increase to driver's licence fees and a 50 per cent increase to the victims of crime levy for those people who might get caught breaking the Road Rules on occasion. There are further increases for people who might drive a fleet vehicle registered in the name of a company, with a $1,500 increase in the corporate fee, which unfairly targets those people who drive for fleets, such as Rawsons Electrical, for example, or other companies that run fleets of vans, utes and trucks.

These are all increases that have hit South Australians' pockets. Those opposite say, 'Don't worry about what the opposition is telling you on land tax, don't worry about what they are saying about council rates, don't worry about what they are saying about the hit to motorists. We have saved hundreds of dollars for households on state government taxes and fees.' The vast majority of that is bogus.

We have the Minister for Energy in here continuing to claim that he, personally, and his government have delivered—I forget what the figure is—$260 a year relief in electricity. Of course, what he folds into that is the terrific success the Marshall Liberal government has had in making best use of new renewable energy projects in our state, like the battery, for example, and what a contribution that has made to reducing costs. They will also say, when it comes to motorists, 'Look at the CTP reforms that the Marshall Liberal government has delivered.' The only problem is these things were delivered by the former Labor government. They make disingenuous claims about how they have reduced the cost to households—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. S.C. MULLIGHAN: —and then, at the same time, they are racking up higher state government taxes, fees and charges. It is just egregious. Even with the emergency services levy, they say, 'We are saving $90 million a year in emergency services levies.' That is just patently wrong, and you only need to look at the reports that are tabled in this place by the Economic and Finance Committee to see where. It is not $90 million; it is nothing like $90 million. It is now more like $30 million.

In the last four years, while the government tried to step down the amount of money raised from households from the ESL by $90 million, they have spent each of those four years increasing that amount of money by a further $60 million from households. The only way they can spin this is to say, 'Well, if the former Labor government was in, then people would be $150 or $160 worse off.' No, no, no. What the former Labor government did not do, which this government is doing, is fold additional expenditure into the emergency services levy and push up the cost to households. That $90 million cut might have existed for the briefest of moments at one point in 2018 but, again, has almost completely been washed away by subsequent increases to the ESL.

You cannot trust this government one iota when it comes to the cost of living because everything they tell you about how they are bringing down costs is either deliberately disingenuous and misrepresenting the facts or there might have been a one-off reduction that is undone by subsequent years' increases to costs. It is just extraordinary—absolutely extraordinary.

Of course, when it comes back to the point on land tax, never has there been a greater demonstration of rushed and poorly made public policy than this measure. Now the government, cap in hand, is asking the parliament for an extra 12 months initially, beaten down to six months by the Legislative Council, to be able to send out these bills.

Fancy telling South Australians in a budget that they had done sufficient work to know that $40 million was going to be raised by this, only to have subsequent modelling done, actual investigation of the measure done by consultants, to show that it would be not $40 million but $118 million a year—a 200 per cent increase on what their budget estimate was; not $40 million but nearly $120 million in higher land tax charges.

The result, of course, is the campaign led by those people who would say to the media, to talkback radio and to the television cameras, 'I always thought the Liberal government would look out for people like me, yet I'm the one who's being skewered by their changes in tax policy.' The people who own the small stores that small businesses are run out of, the people who own tens of thousands of residential rental properties that many South Australians rely on to keep a roof over their heads—these are the people who are being targeted by these changes. So the government were forced over a period of months—like extracting teeth—to make additional concessions to their land tax policy.

The worst thing was that they did not choose to soften the blow on those local South Australians who were going to be stung with this huge amount of extra land tax. Instead, they listened to their close Liberal Party mate Daniel Gannon at the Property Council, who said, 'What would really go down well is if you could give my members—those people who own shopping centres, those conglomerates based in the Eastern States and also overseas—a big land tax cut.'

So those people who own properties almost exclusively valued collectively at more than $1 million dollars got land tax relief to offset the impacts of land tax aggregation, and those South Australians with land valued merely in the hundreds of thousands of dollars copped it in the neck from these aggregation increases. Of course, then there was the impact on trusts. It seemed on the face of it that the government must have assumed that there was only one type of trust that was in existence and that different types of trusts were not being used by people.

When it quickly emerged that there were legitimate and genuine complaints about the attacks on trusts through these land tax changes, the government did their best to label people who had trust holdings as being sneaky or as being capricious, or who were trying to hide away their assets. I do not think that is very fair. I like to think of myself as a fairly gregarious kind of person, particularly to those opposite. You only need to look through the Register of Members' Interests to see which side of politics tends to make best use of trusts and which side of politics does not tend to. Of course, it

is those opposite—the members of the Liberal government. I did not see them being so quick to own up to that in the course of this part of the land tax public debate.

We even saw the extraordinary thing of the Premier's own personal staff briefing a national broadsheet newspaper, *The Australian*, trying to shame a South Australian landowner into being embarrassed about his landholdings in the national paper. What a disgrace. Fancy a government of the day attacking publicly one of its own citizens who was merely doing what thousands of other South Australians were doing, and that was questioning the government's policy on these land tax increases—absolutely outrageous behaviour. These are the same people, I presume, who operate the Premier's and the SALibMedia Twitter account; the same pseudo-anonymous keyboard warriors paid by taxpayers to attack South Australians.

The member for Chaffey may laugh at this; he might think it is a big joke. I wonder how he would feel if it was him and his own private holdings were splashed across a national newspaper to try to further the political interests of the Premier. I am sure he would not be too impressed. That was the position that the Premier put this South Australian in, and that is an absolute disgrace.

Finally, these land tax changes were passed by the parliament by the barest of margins in the other place. The Treasurer was forced into further concessions so that the $118 million a year that these aggregation and trust changes would raise was brought back to that figure that I mentioned before of raising an extra $86 million a year, and then we have the difficulties with RevenueSA trying to work out who should pay these new higher arrangements. It is a sorry saga to think that a state government takes more time and more effort and makes more mistakes introducing this taxation change than John Howard did when he introduced the GST.

I would have thought that introducing a major national taxation reform might be more complex, might be fraught with more dangers, might encounter more difficulties than a state jurisdiction changing one element of an existing tax, but the actions of this government demonstrate the opposite. Apparently, this measure takes longer here in South Australia, it is fraught with more danger, it encountered more obstacles and more mistakes were made along the way.

We support this bill for the only reason that finally this sorry saga needs to be put behind the people of South Australia and these property owners. They have been through the absolute grinder over the last two years. People like to think of many of these property owners facing increased land tax bills as wealthy investors, people with high levels of disposable income who can make marginal investment decisions to invest in land, to invest in properties rather than in other forms of investment for profit, but the reality in many instances is quite the opposite.

Many of my constituents came to Australia in the waves of migrants post the Second World War with little but the shirts on their backs. They got jobs as labourers in the 1950s and 1960s. They worked very hard, sometimes doing jobs well below their skill level, well below their capabilities. They worked very hard. They bought themselves a house. When they were finally able to save up more money than it would cost to keep running the household, where they looked to put that money was to buy another property.

There was no compulsory superannuation arrangements back in the 1960s, in 1970s or even in the 1980s. These were people who were just trying to set themselves up for retirement. It is not uncommon for a constituent to say to me, 'I'm not wealthy. I'm retired. I haven't worked for 15 years. I own my own home. I own two other investment properties, and the net income that my spouse and I survive on each year is about $30,000 from our rental properties.' It is people like that who are getting increased land tax bills of several thousand dollars more than they were previously.

Imagine getting a tax bill that represents an increase of about 10, 15 or 20 per cent of your annual income. That is what is occurring to many of these people. It is a crying shame. Of course people say, 'What's to be done about this in the future?' The problem is that with this bill we are now seeing that some people have taken it on themselves to get out of these properties, to try to liquidate these properties so that they do not have to face these tax bills on an ongoing basis.

Even if we had never gone through this, even if we were able to alleviate the impact of this aggregation change or the imposition of a trust surcharge on them, for many people it is far too late. They have sold their properties. They have moved these properties away from their own beneficial interests. They do not have the advantage of generating any income or investment return from them anymore. In many instances, these people have had their livelihoods shaken to the core by these

changes. Unsurprisingly, it is those people who remain really angry at this government for having done that to them.

We were told at the last election there would be lower costs. As I have demonstrated in my contribution, so many times that has been exactly the opposite. This has been a two-year saga that this government has put South Australians through. It is yet another instance of increasing taxes, fees and charges on South Australians, when at the last election they promised the opposite. There are so many South Australians who are massively worse off as a result of measures like this and the many other measures that have been introduced by this government.

I would hope that in the coming state budget finally we would see this government start to relieve the pressure on South Australians. Rather than falsely claiming authorship of energy price reductions, rather than falsely claiming reductions in motor vehicle costs because of CTP reforms that were introduced by the previous government, rather than falsely claiming values of emergency services levy relief and so on, hopefully finally this government will leave South Australian bill payers alone and we can move on from this sorry chapter.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (17:34): The member opposite has provided a fulsome speech about a bill which he and his opposition colleagues support and we thank him for his support.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. S.C. MULLIGHAN: How many bills have gone out for the 2021 financial year and how many bills are still to be sent?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that approximately 40,200 bills have gone out and approximately 12,500 are still to go out.

The Hon. S.C. MULLIGHAN: I am grateful to the minister for that advice. How many additional staff were dedicated to the effort of getting out their 2021 financial year bills and what is the approximate cost of employing or engaging those staff?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that the commissioner cannot provide an estimate of the FTEs as quite a few staff are also having to do the essential parts of their substantive work, so not 100 per cent on the land tax, and a number of staff are part-time.

The Hon. S.C. MULLIGHAN: Do all the 12,500 bills that are still to be sent out relate to land held in trust?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that that number is not known—that is, the total number for land tax—but the number that relates specifically to trusts is not available at this point in time.

Clause passed.

Clause 2.

The Hon. S.C. MULLIGHAN: I am directing questions to clause 2, the amendment provisions, now. In the contribution by both the minister and the Treasurer in the other place, it has been made clear, and indeed the title of the bill makes it clear, that this is aimed at billing land held in discretionary trust arrangements. I think the advice we had in the question that I asked in the previous clause was that the 12,500 still to go do not all relate just to land held in trust. I think then the subsequent advice was we cannot work out how many of the 12,500 are still to do with trusts and how many are to do with land held in other holdings. Are you able to give a breakdown for the 40,200 that have already been done?

The Hon. D.C. VAN HOLST PELLEKAAN: That information is not available at the moment, but I am happy to take that question on notice. If it is available, with a reasonable and fair amount of

work to break it all down, then I am happy to provide that, because this bill of course will go back to the Legislative Council.

The Hon. S.C. MULLIGHAN: Can the minister outline to the house the proposed timetable for the 2021-22 land tax billing cycle?

The Hon. D.C. VAN HOLST PELLEKAAN: I have some advice, which I hope is what the member is looking for. In the 2021-22 year, the land tax charges will be based on property values at 30 June/1 July 2021, and the bills would go out as is normal and will continue to be normal in October/November of 2021.

Clause passed.

Clause 3.

The Hon. D.C. VAN HOLST PELLEKAAN: I move:

Part 2—Amendment of *Land Tax Act 1936*

3—Amendment of section 13A—Land tax for discretionary trust if beneficiary notified to Commissioner

(1) Section 13A(1)—delete '30 June 2021' and substitute '31 December 2021'

(2) Section 13A(3)—after 'or for the' insert 'previous or'

I have an amendment standing in my name, which I am advised was agreed in the other place but, because of the process to do with a money bill, actually needs to be implemented here in our chamber.

The Hon. S.C. MULLIGHAN: My question about the time frame, the six months that was agreed on the other place, which we are now looking to insert into the bill, I guess also relates the next clause, which is about a 60-day period from the issuing of a notice of assessment about a land tax liability. For the remainder of the 2021 billing year, which we are looking to extend by six months, does RevenueSA have an estimate when it will complete its last notice of assessment in order for the last bills to be sent out?

The Hon. D.C. VAN HOLST PELLEKAAN: The advice I have is that the intention is to have all those bills that apply to 2020-21 out in the next couple of months.

The Hon. S.C. MULLIGHAN: For the 2020-21 billing year, how many objections have been received by RevenueSA from land tax payers?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that none have been received, but I am happy to check that and have it verified for you between the houses.

The Hon. S.C. MULLIGHAN: How many payment arrangements or requests for payment arrangements have been made by land tax payers with RevenueSA?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that information is not available on the spot, but again I am happy to get that for the member between the houses.

Clause passed.

Schedule 1.

The Hon. S.C. MULLIGHAN: My understanding, from the briefing provided to me by officers, is that RevenueSA has tried to make available a notice of assessment in advance of the land tax bill so that landowners will have some understanding of what sort of assessment and hence bill is being contemplated by RevenueSA. Is any sort of similar arrangement envisaged for the 2021-22 billing year?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that the government and RevenueSA considered that appropriate and helpful in the transition phase from one land tax regime to a different land tax regime so that people can see what their likely liabilities will be moving from one to the other. However, there is no intention to do that year on year once the new system is fully in place, just as it did not happen year on year previously under the former system.

The Hon. S.C. MULLIGHAN: For clarity's sake, under the terms of this bill the final date for making a declaration to the commissioner regarding land held in a trust will be 31 December?

The Hon. D.C. VAN HOLST PELLEKAAN: Yes, that is 100 per cent right; 31 December this calendar year for discretionary trusts.

The Hon. S.C. MULLIGHAN: If someone takes up until towards the end of December—notwithstanding the holiday season, etc.—to make a nomination to the commissioner, I note that an assessment is then issued subsequent to that and then, from that notice of assessment, there will be a 60-day period where they can object to the valuation.

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that is correct.

Schedule passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (17:50): I move:

That this bill be now read a third time.

Bill read a third time and passed.

HEALTH CARE (GOVERNANCE) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

At 17:51 the house adjourned until Wednesday 9 June 2021 at 10:30.

Answers to Questions

BUSINESS AND JOBS SUPPORT FUND

440 The Hon. S.C. MULLIGHAN (Lee) (1 April 2021). As at 31 March 2021, how much of the Business and Jobs Support Fund:

(a) Has been committed?

(b) Remains uncommitted?

(c) To whom have commitments been made?

(d) How much is each commitment?

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

In March 2020, as part of its second economic stimulus package, the government announced the establishment of a $300 million Business and Jobs Support Fund. The government subsequently added a further $230 million to the fund, bringing the total value of the Business and Jobs Support Fund to $530 million.

The Business and Jobs Support Fund assists individual businesses and industry sectors facing potential collapse and the loss of thousands of jobs due to the ongoing impacts of COVID-19 and necessary restrictions to limit its spread.

As at 31 March 2021, $517.6 million of funding has been committed from the Business and Jobs Support Fund. This leaves a remaining provision for future initiatives of $12.4 million The 2020-21 Budget Measures Statement (pages 7 and 8) provides a comprehensive breakdown of the $510.3 million committed from the Business and Jobs Support Fund at the time of the budget.

Since the release of the budget commitments have been made to a further $7.3 million of initiatives.

A breakdown of funds committed from the Business and Jobs Support Fund will be provided in the 2021-22 budget papers.

SEASIDE ESTATE, MOANA

466 Mr PICTON (Kaurna) (5 May 2021). How many complaints or notifications to the EPA have there been about dust on the Seaside Estate at Moana since 2018?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

As at 7 May 2021, the EPA has received three complaints, from two separate complainants, about dust on the Seaside Estate at Moana since 2018.

SEASIDE ESTATE, MOANA

467 Mr PICTON (Kaurna) (5 May 2021). What action, if any, has the EPA taken in relation to complaints about dust on the Seaside Estate at Moana since 2018?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

For each complaint the EPA has received in relation to dust on the Seaside Estate at Moana, the EPA has advised complainants to refer their concerns to the City of Onkaparinga, the appropriate authority to deal with the matter.

The EPA has discussed the matter with the City of Onkaparinga, with the council providing advice that it is managing dust concerns.

SEASIDE ESTATE, MOANA

468 Mr PICTON (Kaurna) (5 May 2021). What testing, if any, has the EPA undertaken in relation to complaints about dust on the Seaside Estate at Moana since 2018? What results have there been from those tests?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

The EPA has not undertaken any testing in relation to dust on the Seaside Estate at Moana. The issue is the responsibility of the appropriate council, under the provisions of the Local Nuisance and Litter Control Act 2016.

SEASIDE ESTATE, MOANA

469 Mr PICTON (Kaurna) (5 May 2021). Now and in the future what action will the EPA take in relation to resident concerns about dust on the Seaside Estate at Moana?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water): I have been advised:

The EPA will continue to refer resident concerns about dust on the Seaside Estate at Moana to the City of Onkaparinga, which is the appropriate authority to deal with local nuisance matters.

SEASIDE ESTATE, MOANA

470 Mr PICTON (Kaurna) (5 May 2021). What are the development conditions for the Seaside Estate in Moana regarding dust mitigation and/or other environmental concerns?

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

I have been advised that the City of Onkaparinga was the relevant authority for the assessment of this application and therefore they were responsible for any conditions required under the Development Plan Consent. Any questions regarding the particulars of a decision on this application should be directed to the City of Onkaparinga as there is no legal mechanism for me to intervene in the consideration or decision making of a relevant authority.

SEASIDE ESTATE, MOANA

471 Mr PICTON (Kaurna) (5 May 2021). What action has occurred to ensure that the development of the Seaside Estate at Moana is complying with all development conditions regarding dust mitigation and/or other environmental concerns?

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

I have been advised that the Local Nuisance and Litter Control Act 2016 (the Act) formalises the role of local government in managing nuisance issues including those arising through construction activity, consistent with council's role as the relevant approval authority. Under the act, which falls under the portfolio responsibilities of the Minister for Environment and Water, the Hon David Speirs MP, councils are the principal authorities for dealing with local nuisances.

As such, the act provides a suitable mechanism to address nuisance issues associated with local dust generation caused by construction through the City of Onkaparinga.

INTERCONTINENTAL HOTEL

477 The Hon. Z.L. BETTISON (Ramsay) (5 May 2021). Did the South Australian government provide any funding towards the recently announced $32 million refurbishment of the InterContinental Hotel by the IHG Hotel group?

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

No funding has been provided by the South Australian Tourism Commission towards the recently announced refurbishment of the InterContinental Hotel. The project is ineligible to apply for the Tourism Industry Development Fund as it is located in the Adelaide metro region.

MCCRACKEN COUNTRY CLUB

478 The Hon. Z.L. BETTISON (Ramsay) (5 May 2021). Did the South Australian government provide any funding towards the recently announced $40 million redevelopment of the McCracken Country Club?

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

No funding has been provided to date by the South Australian Tourism Commission (SATC) towards the recently announced project. However, the project may be eligible for funding through the SATC's Tourism Industry Development Fund.

PUBLIC HEALTH SERVICES

481 Mr PICTON (Kaurna) (6 May 2021). What are the position titles, position codes, ward/unit location, redundancy payment amount and date for each voluntary separation approved in the health portfolio between 1 October 2020 and 5 May 2021?

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

The following table provides voluntary separation packages (VSP) offered to SA Health employees during the period October 2020 to March 2021:

Location	Position Type	Date of Offer	VSP Payment
CALHN	Professional Officer	16/10/2020	$ 137,329
CALHN	Administration	11/12/2020	$ 39,744
CALHN	Administration	11/12/2020	$ 112,830
CALHN	Administration	11/12/2020	$ 112,830
CALHN	Professional Officer	11/12/2020	$ 129,966
CALHN	Nursing	11/12/2020	$ 113,190

Location	Position Type	Date of Offer	VSP Payment
DHW	Administration	08/10/2020	$ 73,295
DHW	Administration	08/10/2020	$ 90,824
NALHN	Allied Health	26/11/2020	$ 97,086
NALHN	Administration	26/11/2020	$ 82,733
NALHN	Operational Services	26/11/2020	$ 44,777
NALHN	Allied Health	26/11/2020	$ 137,815
NALHN	Administration	26/11/2020	$ 82,298
NALHN	Nursing	24/12/2020	$ 135,924
NALHN	Allied Health	26/11/2020	$ 90,060
SALHN	Medical Scientist	02/10/2020	$ 70,252
SALHN	Administration	10/11/2020	$ 112,830

LOCAL HOSPITAL NETWORK BOARDS

482 Mr PICTON (Kaurna) (6 May 2021). Over the past 12 months, list each of the members of LHN boards who have left their positions, the dates they finished their roles and the reason for leaving?

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

As of 12 May 2021, the local health networks advise as follows:

LHN	Name	End of Board Tenure Date	Reason for Departure
FUNLHN	Bevan Francis	7 May 2021	Retirement
SALHN	Prof Chris Baggoley	19 November 2020	Appointment as Chair at Calvary Health Care
CALHN	Ms Naomi James	3 April 2020	Relocated overseas for work purposes
YNLHN	Mrs Yvonne Warnken	18 August 2020	Work commitments

LOCAL HOSPITAL NETWORK BOARDS

483 Mr PICTON (Kaurna) (6 May 2021). Over the past 12 months, list each member of LHN boards who have been appointed, the date they have been appointed and which criteria of the legislative requirements they meet?

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

As of 12 May 2021, the local health networks advise as follows:

Board	Member Name	Date of Appointment	Legislative Criteria*
BHFLHN	Jeffrey Fuller	12 October 2020	Section 33B (2)(a)
BHFLHN	Greg Russell	12 October 2020	Section 33B (2)(c)
YNLHN	John O'Connor	12 October 2020	Section 33B (2)(d)
CALHN	Jane Yuile	29 May 2020	Section 33B (2)(c) Section 33B (2)(d)

ROAD SAFETY

In reply to **Mr DULUK (Waite)** (11 May 2021).

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

The Marshall Liberal government is committed to improving road safety and reducing trauma on our roads through a combination of education, engineering and enforcement initiatives. Improving road safety requires a multifaceted approach that encompasses the safety of the road environment, the vehicles in which people travel and

the behaviour of everyone on the road. The four pillars of the 'safe system' approach is based around creating safer roads, safer speeds, safer vehicles and safer people.

This commitment to improve road safety extends to the state government's delivery of a record $16.7 billion in infrastructure works over the next four years, more than any other period in our state's history. This includes a significant investment in road maintenance to help address the massive $750 million road maintenance backlog that was left behind by the former Labor government, as well as investment in key intersection upgrades like the Cross Road/Fullarton Road, Magill Road-Portrush Road and Main North Road-Nottage Terrace upgrades that will deliver improved pedestrian facilities.

The Department for Infrastructure and Transport (DIT) installs pedestrian crossing facilities including signalised pedestrian actuated crossings (PACs) in accordance with the relevant Australian Standards and departmental guidelines including AS 1742.10 and the 'Code of Technical Requirements for the Legal Use of Traffic Control Devices.

In response to correspondence received from the Member for Waite in 2020, a pedestrian survey was undertaken in the vicinity of the Cross Road-Waite Road intersection to determine if the installation of a PAC at this location was justified. The results of the pedestrian survey indicated a low pedestrian demand along this length of Cross Road that was well below the warrants of the Australian standard for a PAC.

For example, the Australian standard calls for a pedestrian demand of more than 60 pedestrians in two separate one hour periods during a weekday to justify the installation of a PAC. The departmental survey revealed no more than 20 pedestrians in any single hour period during the survey using this location.

Furthermore, a five-year analysis of crash data for this section of Cross Road from 2015 to 2020 revealed no crashes related to pedestrians.

The results of the survey indicated that this location did not meet the requirements for the installation of a PAC. Nonetheless, the state government will continue to monitor pedestrian safety and traffic movements at this location and should the need for change become apparent, appropriate action will be taken in the interests of road safety.

With regard to the three pedestrian refuges installed on Cross Road between Fullarton Road and Glen Osmond Road, they were installed as compliant items of infrastructure at the time they were installed.

BUS SAFETY

In reply to **Ms BEDFORD (Florey)** (11 May 2021).

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

All seating onboard Adelaide Metro buses must be compliant with the relevant Australian Design Rules (ADRs) that apply to the buses. Only if the bus meets the relevant ADRs can compliance plates be fitted to the vehicle that allows for it to be registered and driven on public roads for revenue services.

Independent risk assessments undertaken on the buses have not highlighted any additional risks associated with the accessible seating in the event of an accident.

Further, there is a padded board between the accessible seats and the wheel arch for protection for occupants from the hard wheel arch.

ROAD SAFETY

In reply to **Ms BEDFORD (Florey)** (11 May 2021).

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

The safety assessment for roadside advertising signs is based on the Department for Infrastructure and Transport (DIT) Advertising Signs Assessment Guidelines which consider a range of factors including positioning, impact on adjacent traffic control devices, luminance as well as the duration (dwell time) and transition time of the information displayed on the sign (including digital displays).

In addition to this assessment, the state government requires any such sign to be proof engineered by an independent expert safety auditor who conducts a comprehensive safety audit of the sign. All billboards positioned on Commissioner of Highway roads have had this two-level review process to mitigate any safety risks to road users.

South Australia has some of the most strenuous digital sign standards in the country with high standards for luminance, positioning and transition time. South Australia also has the longest dwell time in the country of 45 seconds.

This approach is consistent with the priority that the Marshall government places on road safety.

ADVERTISING REVENUE

In reply to **Ms BEDFORD (Florey)** (11 May 2021).

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

All revenue from advertising billboards on state government land or assets is shared between the government and the licensee in a revenue share agreement. The dividend paid to the state government is returned to Treasury's general revenue.

GLASSESSA

In reply to **Mr DULUK (Waite)** (12 May 2021).

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government): The Minister for Human Services has provided the following advice:

The GlassesSA scheme helps South Australians obtain low cost glasses, or for those with serious eye conditions, no cost contact lenses.

Eligibility for contact lenses under the program is stricter than for glasses, requiring customers who meet GlassesSA eligibility to also have been diagnosed with a qualifying condition by an ophthalmologist, at one of the three Adelaide public hospitals with which the program partners.

In the metropolitan area, the contact lenses can be prescribed by one of three hospitals. However, in recognition that access to these metropolitan hospitals will be impractical for customers in regional South Australia, GlassesSA has granted country optometrists special provisions to prescribe and dispense contact lenses, in strict accordance with the program's criteria.

As previously advised to the member through correspondence, feedback that some suburban residents may also not find it convenient to travel to these hospitals and would prefer to be able to visit their local optometrist has been noted and his feedback has been provided to GlassesSA for consideration.

TAFE SA

In reply to **the Hon. G.G. BROCK (Frome)** (12 May 2021).

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

Over the past few months, TAFE SA has continued to meet with stakeholders across the state to better understand and reflect region specific issues in their draft plan.

The draft TAFE SA Regional Action Plan will be released directly to those who TAFE SA has engaged in the regions and made available online for feedback at the TAFE SA website, https://www.tafesa.edu.au/about-tafesa/regional-plan, in the coming weeks.