

HOUSE OF ASSEMBLY

Tuesday, 22 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

OATHS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 May 2021.)

Mr PICTON (Kaurua) (11:02): I solemnly declare that I am the lead speaker in relation to the Oaths (Miscellaneous) Amendment Bill 2021. The bill seeks to amend the Oaths Act 1936 and to repeal the Evidence (Affidavits) Act 1928, with the effect of making a number of amendments: firstly, expanding those who can take statutory declarations, while limiting those who can take affidavits; allowing a code of practice for declarants, deponents and witnesses when making or taking statutory declarations and affidavits; and aligning those who can take statutory declarations with the commonwealth Statutory Declarations Act.

I am sure that all of us as members of parliament are familiar with the importance of statutory declarations and of oaths. Of course, we make an oath or an affirmation when we are sworn in to parliament and also our constituents regularly need assistance with various documents that need to be signed and witnessed by one of the various categories of people who can do that.

Sir, like you, I am an admitted barrister and solicitor in the Supreme Court, nowhere near as eminent as you, which obviously enables a certain statutory power in terms of taking affidavits and statutory declarations. I am not a justice of the peace, but I know there are members of this house who are. The member for West Torrens told me that he has been a justice of the peace for 25 years, and I commend him for that. Clearly, there are different categories of people who can sign those documents.

Recently, we also had the addition under the COVID legislation where we expanded the eligibility of people who could make those declarations to members of parliament, which previously had not been in place. I know that a number of us who have not been justices of the peace have been able to sign those under the COVID legislation that has been in place.

Certainly, I noticed in my local area that it became very difficult for people to obtain somebody to sign their statutory declarations or affidavits or other documents that needed official witnessing at other premises, such as the Christies Beach Magistrates Court in my local area that regularly provides such a service. A number of our Onkaparinga city council libraries were also closed during that period, so it became more difficult.

Out of an abundance of caution, I therefore made a declaration that I was an MP under the COVID act but also a barrister and a solicitor under the Supreme Court enrolment to cover my bases to make sure that I was appropriately eligible, which involved quite a lot of writing on every document. I probably should have had a stamp made, as it would have made it a lot easier to provide that assistance for people. That is clearly one of the issues that is being looked at here in regard to who can provide those documents, in particular, statutory declarations and affidavits.

In relation to this legislation, it is important to note that the Law Society has provided some extensive commentary, including 23 suggested amendments on an earlier draft of the legislation in January this year. It appears that only portions of the Law Society's views have been incorporated into the final bill. This includes a strong view that the code of practice should be established under regulation and not simply published by the minister under gazette. The opposition will listen carefully

to the government's reasons for this and consider whether any further action is required in the other place.

They express support for the proposal to consolidate in a single act the law about the taking of oaths, statutory declarations and affidavits, and they welcome the proposal to merge the Evidence (Affidavits) Act into the act as well. There were 23 different amendment suggestions, but many of those key recommendations are not in the final bill. They include inclusions of sections 6, 7, 66, 66A, and 67 of the Evidence Act 1929 into the Oaths Act. If section 7 of the Evidence Act 1929 is included in the Oaths Act, the act should also include reference to its application to all tribunals established under the law of the state.

With regard to proposed section 38, inserted by clause 11 of the draft bill, if a code of practice is required it should be prescribed by regulation and subject to parliamentary oversight and a proposed subsection should be inserted in section 27A(2) giving courts the ability to designate other people to take affidavits in their courts generally or in a particular case, and we have not had any detailed explanations in regard to that.

I will refer to the letter that was provided to the Attorney-General from the Law Society of South Australia. It was signed on behalf of Rebecca Sandford, the President of the Law Society, on 22 January 2021. It states:

2. The Bill proposes a number of amendments to the Oaths Act 1936 (SA) ('the Act') and, as you note, consolidates the provisions relating to the taking of affidavits and provides for a procedure to be followed by declarants/deponents and witnesses in the making of statutory declarations and affidavits. The Bill also permanently extends the class of persons permitted to take statutory declarations, subsequent to the COVID-19 Emergency Response (Section 16) Regulations 2020 (SA) which provided a temporarily expanded list of such persons.

This was, of course, what I referred to earlier, which included members of parliament and other people who were able to take such statutory declarations. It continues:

3. The Society expresses support for the proposal to consolidate in a single Act the law about the taking of oaths, statutory declarations and affidavits and thereby welcomes the proposal to merge the Evidence (Affidavits) Act 1928 (SA) into the Act.
4. The Society's Country Practitioners' and International Legal Practice Committees have considered the Bill and informed the Society's observations and comments as set out below.

Sections 6 and 7 of the Evidence Act 1929 (SA)

5. The Society notes that, despite the present proposal, provisions in the Evidence Act 1929 (SA) in relation to the taking of oaths will remain separate and unamended. Specifically, sections 6 and 7, which provide how oaths and affirmations are to be administered, and who can administer an oath or affirmation taken before a court respectively; and also, sections 66, 66A and 67, which provide for taking affidavits out of the state. If the Act is to be a consolidated statute about affidavits, the Society expresses support for the inclusion of sections 6, 7, 66, 66A and 67 of the Evidence Act 1929 (SA) in the Act.
6. We note the definition of 'court' pursuant to the Evidence Act 1929 (SA) includes a tribunal, whereas the Oaths Act 1936 (SA) does not include such a definition and, accordingly, does not apply to tribunals. As a result, if, as per the Society's suggestion above, section 7 of the Evidence Act 1929 (SA) is included, the Act should also reference its application to all tribunals established under the law of the State.

Clause 5—proposed substitution of section 25—taking of statutory declarations

7. We note clause 5 of the Amendment Bill deletes the current section 25 of the Act and substitutes a new provision...
8. We note the new provision leaves the form of a statutory declaration to prescription via regulation, and suggest it may be better placed in a schedule to the Act itself, given the form is unlikely to change.
9. The Society considers that if a code of practice under the new provision prescribes or outlines the process for what is required of witnesses to statutory declarations, that will assist, but should not replace, training for witnesses.
10. We note proposed section 38, inserted by clause 11 of the Bill, enables the Minister to publish such codes. If a code of practice is required, the Society believes it should be prescribed by regulation, and therefore be subject to Parliamentary oversight, rather than simply being published by the

Minister via notice in the Gazette. This consideration ought to also be viewed from the perspective of an individual needing to make or witness a statutory declaration who would, under the current proposal, be required to check both the Act and Regulations, and then find a code of practice published in the government Gazette to ensure their compliance.

I think that is a key point both in terms of the ability for parliamentary oversight to be in relation to the code of practice, but also to make sure that people can actually find what they are meant to be complying with to begin with. It seems to have three different places where people are having to look to ensure that they are compliant with what has to happen is at the very least a very messy affair. The Law Society goes on to say:

Clause 8—proposed section 27A—taking of affidavits/codes of practice

11. We note clause 8 provides a procedure for the taking of affidavits which replicates that for the taking of statutory declarations, as outlined above. Whilst affidavits are generally used in connection with court and tribunal proceedings and not more broadly, the Society understands that there are cases where affidavits may be used overseas in an administrative context and not necessarily in connection with court action.
12. Proposed subsection 27A(1) provides an affidavit must be in a form prescribed by regulation and be taken in accordance with the requirements set out in the code of practice published by the Minister per proposed section 38. The Society notes the mandatory language of proposed 27A may create conflict where the form of the affidavit is prescribed by a Rule of Court, legislation or other direction. Consideration could be given to expressing 27A(1)(a) as being subject to any requirements of form identified in other legislation, regulation or Rule of Court, whether domestic or international.
13. The Society would appreciate an opportunity to consider the proposed code of practice as part of any proposed consultation and suggests courts and tribunals also be included. The primary purpose of affidavits is often for the provision of evidence to the courts and tribunals, domestic and international. The code of practice should facilitate that purpose. As noted above, an affidavit may be required to be tendered in evidence in a foreign jurisdiction and the Society hopes that the code of practice will, to an appropriate extent, also be able to accommodate the requirements of other jurisdictions.
14. The Society anticipates the code of conduct will cover the requirements of, and record keeping for, obtaining proof of identification of the deponent. Processes are already in place with respect to verification of identity for Lands Titles Office forms and similar record keeping obligations are imposed on notaries public. It is assumed that the code of conduct will be consistent with these pre-existing obligations.
15. Proposed subsection 27A(2) provides that the persons specified in schedule 1 clause 2 are able to take affidavits. The Society suggests a further subsection be inserted providing that the courts have the ability to designate other people to take affidavits in their courts either generally or in a particular case.
16. Further, the requirement that a 'non-judicial affidavit' be in the prescribed form ought not to apply where the affidavit is being sworn in South Australia with respect to any matter or proceedings outside of South Australia.

Clause 10—False statement by affidavit

17. We note clause 10 inserts section 30A into the Act which creates an offence for a person intentionally making a false statement whether orally or by writing in an affidavit.
18. The Society questions the need for proposed section 30A when perjury is already considered a serious offence [as per the Criminal Law Consolidation Act 1935 (SA) s 242]. If the provision to provide for such situations is required, the Society queries whether a provision noting that intentionally making a false statement in an affidavit constitutes perjury, similar to what is contained within the Victorian equivalent of the Act, may be appropriate [as per the Oaths and Affirmations Act (Vic) s 50]. The Society also notes proposed subsection 30A(1) appears to refer to a false statement made orally in an affidavit and queries whether this is an error.

Clause 12—Schedule 1, Authorisation of persons to take statutory declarations

19. We note proposed Schedule 1 of the Act provides for the class of persons before whom a statutory declaration can be made. We note that in addition to commissioners for affidavits, Justices of the peace and notaries public of the Supreme Court, the list also encompasses:
 - 19.1 registered conveyancers under section 25(2) of the Conveyancers Act 1994 (SA);
 - 19.2 a police officer appointed to take declarations and attest documents pursuant to proposed section 33; and
 - 19.3 any other person of a class prescribed by regulation.

20. We note the same classes of person are, with the exception of registered conveyancers, authorised to take affidavits pursuant to proposed Schedule 1(2).
21. Section 33 of the Act currently empowers the Governor to, by proclamation, provide for the appointment of police officers to take declarations and attest instruments. The Society queries whether a simpler approach could be adopted, for example to allow police officers of certain ranks via their inclusion under section 25(2).

Statutory declarations and affidavits taken outside South Australia

22. As outlined above, the Society supports the moving of sections 66, 66A and 67 of the Evidence Act (SA) into the Act. However, the Society expresses the view that these current provisions of the Evidence Act 1929 (SA) require modernisation.
23. The Society suggests it be made expressly clear that a statutory declaration or affidavit for use in connection with any matter or proceeding in South Australia may be made in any other State or Territory of Australia and taken before any person authorised by the law of such State or Territory or affidavits (as the case may be).
24. The Society also queries whether a statutory declaration for use in South Australia, if made in any other State or Territory of Australia should, as an alternative, also be made in accordance with the Statutory Declarations Act 1959 (Cth).
25. Further, it should also likewise be made clear in simple language that any statutory declaration or affidavit for use in South Australia may be taken in any country that is a member of the Commonwealth of Nations before any person who is authorised by the law of that country (or the part of the country in which said statutory declaration or affidavit is taken) to witness statutory declarations or affidavits, as the case may be.

Statutory declarations and affidavits made in non-Commonwealth countries

26. The Society considers that it should be expressed in clear language that affidavits made in the above situations can be taken before any Australian Consular Official or any notary public authorised in that place.
27. In the event that either a statutory declaration or affidavit is taken by a notary public, the Society suggests there be a further provision addressing the following:
 - 27.1 if taken in a country to which the Hague Apostille Convention applies—

I am sure, Mr Speaker, you are across the details of that convention—

the notary public's signature and seal can be sufficiently verified by the relevant authority of that country issuing an apostille in accordance with that convention (as that is the law in Australia by virtue of the Foreign Evidence Act 1994 (Cth), at least in relation to affidavits, but could likewise be extended to statutory declarations); and

- 27.2 if taken in a country that is not party to the Hague Apostille Convention, the notary's signature and seal should be authenticated by the government of that particular country and then legalised by an Australian Consular official if there is one in that country that provides such a service (although it should be noted that as Australian Consulates do not exist in every country and there are some countries that only provide very limited services, e.g. Taiwan—

this is a controversial issue in relation to foreign affairs—

this may not be a complete solution).

Should you have any questions, please do not hesitate to contact me.

Yours sincerely

Rebecca Sandford

PRESIDENT

That information was provided to the Attorney-General from the society in January this year. As you can see, it was a very detailed set of work done by the Law Society, using a number of their committees, including the regional committee and also the international law committee.

I think you can see the complexity in some of this area of law, particularly when it comes to international oaths and affidavits and signatures that need to be verified. You quickly start getting into international law territory. In our electoral offices, we often see the process of noting issues in

terms of red-light cameras, who was driving, etc. At the other end of the scale, clearly there are some very complex international law issues that also need to be contemplated.

Through the process, though, this letter was received by the Attorney-General in January and we have had this bill now presented to the house, but there does not seem to have been a significant amount of action taken in relation to amending it. It was laid on the table for the first time in this house on 5 May, so clearly there was the opportunity to address some of those issues. I think a couple have been, but the vast majority of issues raised by the Law Society have not.

I think in particular the importance goes to those issues in relation to the code of practice, which is going to be central to the operation of this act, and to making sure that we have both proper parliamentary oversight and a system in which everybody understands what their particular responsibilities need to be.

In relation to the code of conduct, we will certainly be listening to what the government's explanation is for why we do not need to consider in the other place further action in relation to codifying that in the legislation. It is possible that not every Attorney-General will have the same standards as the current incumbent in relation to what should be put in there, and this parliament must consider the long-term implications of placing sweeping powers at the tip of the minister's pen. Do not take it as an insult in relation to this Attorney-General. We are obviously worrying about what future Attorneys may consider.

The Attorney-General's office has not provided detailed explanations for why so many of those Law Society recommendations, such as the ones I have read out, were ignored. Because of this, our final position will benefit from further discussions with the Law Society about which amendments are considered crucial. This is an important area of law. It does impact upon South Australians every day, and we need to make sure that we get this right.

It is important that we are now expanding the people who can sign statutory declarations and codifying that, following the COVID legislation. I am also interested to know the other class of person prescribed by regulation that the Attorney-General has in mind who would be able to witness statutory declarations and would also be proposed to be able to take an affidavit, which under schedule 1 clause 1(f) and schedule 1 clause 2(e) would be prescribed by regulation rather than explicit in the legislation. Why can we not prescribe those people now and have that properly codified in relation to the act?

Consistent with WA, Victoria and the NT, the bill seeks to insert a provision to ensure that an oath, affirmation, statutory declaration or affidavit is not valid merely because of inadvertent or minor noncompliance with a legislative requirement that does not materially affect the nature of the relevant declaration.

Whilst broadly supportive and not seeking to delay the bill in its practice, the opposition will continue discussions with stakeholders and the Law Society on their final position and amendments in the other place. Having now delved into this area and representing the shadow attorney-general, the Hon. Kyam Maher, in this house, I will certainly give due credence to getting in place a good stamp that can allow me—under schedule 1 clause 1(a) as a commissioner for taking affidavits in the Supreme Court, or schedule 1 clause 2(a) likewise in relation to affidavits—to assist members of my electorate in a much quicker process than my writing that out every single time, which can mean a significant delay.

In closing, I would like to thank all those people who volunteer to be justices of the peace in South Australia. It can be quite burdensome and there can be a lot of work involved. It is certainly a volunteering position that I think is not recognised nearly as much as other volunteering positions in our community. Nothing has shown how much we rely on those people as what we saw last year. A lot of those services, where people who are employed or who are able to provide those services, disappeared.

Many volunteers had to provide those services at a time when we were clearly at risk in terms of the spread of the virus and people being concerned about their own health and wellbeing. Many volunteers provided that essential service to keep those operations and the legal process operating and keep those matters that are very important to people ticking along.

Thank you to all our justices of the peace. Thank you to those members of parliament and staff members who provide that service, and thank you particularly to those members of the

community who do not get paid and who do it out of the goodness of their heart for their community. It is a very worthwhile service and we thank them.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:27): I acknowledge the opposition's indication of support for the bill and, for the reasons that are outlined, their acceptance, I think as the Law Society of South Australia has accepted, of the importance of accommodating these amendments.

COVID-19 has hit us in very different and diverse ways, and one of the early casualties of the circumstances that prevailed back in March 2020 was that we found there was a shortage of justices of the peace available to undertake this workload. In fact, members might recall the member for Florey even raised this question in the parliament as to how we were going to cope with the demand for declaratory obligations with no-one available to do it because, ultimately, a lot of council offices and local government offices closed down.

For a very short time, I think the only bastion of available JPs was in our own electorate offices. Even then, we had to move to protect the health of our staff, so this dilemma needed to be addressed. I am pleased to say that at the time the commonwealth did introduce some relaxation on the obligation to execute documents in the presence of a justice of the peace to enable people to access JobKeeper and JobSeeker, for example. These are the types of initiatives that came in that placed even greater demand on the need for JPs, so obviously modifications had to be made.

It is sometimes events like this that highlight to us that we should look at how we might address this. We are continuing to manage under the Emergency Management Act and we are continuing to deal with COVID-19 as a major factor in how we meet and mix in the community, so this work needed to be done. I am pleased to have an indication of support.

The member does, however, raise a number of issues that have been outlined in the submission by the Law Society as to other areas of reform they see merit in advancing. I am sure many of these do, but can I say in general terms—I think even they themselves acknowledge this—there is a whole body of work that needs to be done to be able to address these broader issues, including how we deal with documents that are certified by or that require a notary public.

I just remind members that the Notaries Public Act 2016 was looked at quite comprehensively by the previous Attorney-General and a new regime for notaries public was passed, which we have in South Australia, but that does not mean that the issues that have been raised by the Law Society should not be addressed. We do not discount those worthy contributions on areas of other reform, but they will need a much broader body of work.

I should also acknowledge a submission that was received by the member for Florey herself and I just place on the record my appreciation to her for doing this. It appears she actually commissioned the Parliament Research Library to undertake work as to legislative frameworks for oaths, affirmations, affidavits and statutory declarations across other jurisdictions in Australia and New Zealand, which is often a helpful guide to assist us as members of parliament.

In many ways, as Attorney-General I have the privilege of a whole army of people who can assist me in finding out that information, but for the parliament she provided a summary of the work that was done by the Parliament Research Library in looking at what other jurisdictions have done. Some of this has been picked up in the submission that has been highlighted by the member. I thank him for bringing it to our attention. I have read the submission by the Law Society. There are other matters in a bigger area of work that we will continue to look at.

I also point out that, of the many people who were consulted on this bill, there has been overwhelming support for this request. Obviously, as has been previously pointed out, the Australian Banking Association was one organisation whose members deal with practical applications of how we might manage this during the COVID situation. Of course, the conveyancers who have been accommodated in this bill also presented submissions to us.

I would ask members to appreciate that the development of this bill in light of COVID has been generally confined, but with amendments as we took consultation on this, to deal with the COVID circumstance. We anticipate, as we are always hopeful, that sooner rather than later we will be outside of emergency management, but there has been a helpful development of how we might

deal with this for some time to come by adding parties who are able to undertake responsibilities under the Oaths Act to assist us as we go through this, identifying the benefit in making these permanent and being able to assist us in the community.

I think I am right in saying that, except for conveyancers, all these other people scheduled under this proposed legislation are already in the commonwealth law, and they are of course valued in being able to undertake the duties in that regard. With that, I indicate that the Oaths (Miscellaneous) Amendment Bill before you is worthy of your positive consideration.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PICTON: In relation to the bill, as I mentioned in my second reading speech, one of the key issues that has been raised by the Law Society is in relation to why the government has decided not to include sections 6, 7, 66, 66A and 67 of the Evidence Act 1929 into this act, and they have outlined a number of reasons why they believe that would be appropriate. Therefore, my question to the Attorney is: why has that not happened, and what is the Attorney's response to those concerns from the Law Society?

The Hon. V.A. CHAPMAN: Largely in relation to this area, can I say firstly that during the course of the COVID pandemic and the early period of the consideration of how we might address the shortage of JPs, I did specifically consult with the Chief Justice. He was very clear and has been very clear that he did not see the need to extend signatories for the purpose of affidavits. He thought that was an obligation in which a much more narrower obligation prevails.

Obviously legal practitioners are key in that regard, and he took the view that that should continue even during COVID. If it meant in practical terms that a legal representative had to get in a car and go out and visit an elderly person who was not wanting to leave their home because of COVID circumstances, then that was a service I think he expected we as legal practitioners should provide. So there was not an appetite at all to start—I do not want to say interfere with that—making adjustments on that in the light of the COVID environment.

Nevertheless, the Evidence Act request on page 1 of the Law Society's letter and the proposals in relation to the clauses that the member has referred to, I think even as the society acknowledges, are matters for further work to be done and that is the reason why it is not in this bill.

Mr PICTON: Thank you. I wonder if the Attorney can outline who she has consulted with in relation to this legislation and what the results of that consultation were.

The Hon. V.A. CHAPMAN: The Chief Justice; the Chief Judge; the Chief Magistrate; the state's Courts Administration Authority; the Director of Public Prosecutions; the Acting Commissioner of Police, Ms Linda Williams; the Minister for Human Services; Frances Bedford MP, as I have indicated the member for Florey has presented a submission; the Crown Solicitor; the Registrar-General; the Commissioner for Consumer Affairs; the Law Society of South Australia; the Legal Services Commission of South Australia; the Australian Banking Association; the Australian Medical Association (at the time Dr Chris Moy was the president), the Local Government Association; the Royal Association of Justices of South Australia; the Hon. Stephen Wade also made a submission as the Minister for Health and Wellbeing; and Consult Australia. Largely they indicated support and/or some suggested changes, or did not make any comment.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

Mr PICTON: In relation to the taking of statutory declarations, this is another issue that the Law Society raised. This is going to be prescribed by regulation under section 25(1)(a). The question that the Law Society has raised is whether it would be more appropriate that the full details of that be set out by the legislation in the law rather than the regulations. I am wondering if the Attorney has a response to that?

The Hon. V.A. CHAPMAN: It appears that during the course of the development of these reforms, as the member is well aware, the new electronic management operation was also being installed in the state courts. The initial discussions in relation to this really relate to the development of a form necessary to accommodate this; it is commonly in the regulations. But the form, I am advised, in the original discussion about it was not able to be accommodated in the new courts administration electronic operation. I am advised that the CAA's position was generally for us as parties in relation to this not to prescribe forms. So, in consultation on those matters, this was seen as the most appropriate course of action.

Clause passed.

Clauses 6 and 7 passed.

Clause 8.

Mr PICTON: In relation to this section regarding affidavits, a number of issues were also raised by the Law Society in their submission, one of which was in relation to new section 27A(1). They said:

...The Society notes the mandatory language of proposed section 27A may create conflict where the form of the affidavit is prescribed by a Rule of Court, legislation or other direction. Consideration could be given to expressing section 27A(1)(a) as being subject to any requirements of form identified in other legislation, regulation or Rule of Court, whether domestic or international.

I am just wondering what the Attorney's response to that suggestion raised by the Law Society is.

The Hon. V.A. CHAPMAN: As a result of the information provided by the Law Society and other contributions new subsection (2) was added in, which is new section 27A(2), to cover that point.

Mr PICTON: The other suggestion that was raised in relation to this by the Law Society was in relation to what is now new subsection (3). They said new section 27A(2)—it is now 27A(3)—provides:

...that the persons specified in schedule 1 clause 2 are able to take affidavits. The Society suggests a further subsection be inserted providing that the courts have the ability to designate other people to take affidavits in their courts either generally or in any particular case.

That does not appear to have been taken up as a suggestion. I am wondering what the government's and the Attorney-General's response to that suggestion from the Law Society is.

The Hon. V.A. CHAPMAN: I am advised that, to the extent that the court rules will deal with this matter, this will otherwise make provision for it. I hasten to add that the Chief Justice is very clear about his position on this, and so clearly a fair bit of work has to be done. To assist the committee, I just indicate the amendments that were picked up just so it is clear.

I know the member is concentrating on the Law Society's submission and, as valuable as that is and as it always is in relation to legislation, there are a number of other people who make submissions. Of course, we have to consider all of them—about 25 of them or so. In any event, I will quickly read out the amendments so that the member is clear about this.

Firstly, in light of the submission made by the then Acting Deputy Commissioner of Police, the bill removes the requirement that a police officer be proclaimed, pursuant to section 33 of the Oaths Act, in order to witness affidavits or statutory declarations since this was an onerous process and gave rise to concerns about inadvertent publication of the names of police working in covert surveillance areas. Rather, the bill now allows all police officers other than probationary constables to take statutory declarations or affidavits, and there are a number of obvious benefits in relation to that.

Secondly, as suggested by the Local Government Association, the bill provides for the inclusion of an immunity provision similar to section 15 of the Justices of the Peace Act 2005, which provides: 'A justice incurs no civil or criminal liability for an honest or omission in carrying out or purportedly carrying out official functions.' That has been accommodated.

Thirdly, most of the expanded categories of persons authorised to take statutory declarations are now to be included in regulations rather than the Oaths Act to more easily accommodate changes

to the names of professional bodies and to the equivalent commonwealth-listed authorised persons, to which the expanded list is intended to confirm.

Fourthly, following the comments made by the Commissioner for Consumer Affairs and, indeed, the member for Florey, the bill provides for the inclusion of offences of falsely holding oneself out as an authorised witness and witnessing a statutory declaration or affidavit if not authorised to do so, as contained in the equivalent legislation in a number of jurisdictions, including Victoria, WA and Queensland.

Fifthly, the code of practice for making and taking statutory declarations and affidavits is now proposed to be gazetted under the act rather than contained in the act itself, on the advice of parliamentary counsel. This will allow for a more reader-friendly narrative style, which will be important in light of the need for any lay persons to frequently refer to and understand its contents, intended as a step-by-step how-to guide to making statutory declarations or taking affidavits.

Finally, it is now accommodated to amend the Notaries Public Act on the advice of parliamentary counsel that this was unnecessary in terms of needing to make reference to the specific powers to take affidavits under the Oaths Act, nor to amend the Evidence Act provisions regarding the taking of affidavits outside of the state. On advice from parliamentary counsel, this would entail significant redrafting and further policy consideration. I hope for the benefit of the committee that outlines a summary of the accommodation of the valued contribution by stakeholders in this consideration.

Clause passed.

Clause 9 passed.

Clause 10.

Mr PICTON: This substitutes the section to have a false statement by affidavit: 'A person who intentionally makes a false statement, whether orally or in writing, in an affidavit is guilty of an offence.' The maximum penalty is seven years' imprisonment. Attorney, why is the offence for a false statement by affidavit a maximum of seven years' imprisonment and noted that this could be intentional, but also covers a very minor misstatement of fact? Why is the penalty for taking an affidavit without authority changing, as I understand, from one year and \$2,000 to six months and \$10,000?

The Hon. V.A. CHAPMAN: Just for clarity, I think the member is referring to the penalty clause for a person who is not authorised for the purpose of taking the affidavit. That is the penalty he is referring to.

Mr Picton: The second one, yes.

The Hon. V.A. CHAPMAN: The position in relation to the person who actually makes a false statement—that is, the party whose statement is being witnessed—is a seven-year imprisonment. Currently, my understanding is it requires that if there is a breach by the party in these circumstances they can then be charged with perjury. For the benefit of members who are not familiar with it, that is in relation to signing a false statement. It can either be in a courtroom or when you are signing under the Oaths Act.

To perjure oneself, of course, is to bear false witness, etc., and provide false information in that document. It is a very serious matter so, rather than having to be re-charged through the perjury process, this amendment, on the advice we have received, is commensurate with the penalties and allows for the discretion of the authority, the court actually dealing with this matter, to take into account whether it is a minor breach or omission or whether it is something that is very significant to the document.

For example, if someone were to falsely claim their birthdate and try to pretend they are older than they are, that might be very minor in the scheme of things for some statements. On the other hand, if it is to give them eligibility for a benefit, in relation to the substance of the matter in the document, as a result of pretending that their age was, say, over 18 years, that may be very significant and germane to the substance of the document it was going to be used for. Those are issues the court that deals with the matter will be able to take into account.

Mr PICTON: I am sure we all agree that this is a very serious matter, but this was another issue that was raised by the Law Society in querying whether this provision would not otherwise currently be covered by perjury offences. They said:

The Society questions the need for proposed section 30A when perjury is already considered a serious offence [as per the Criminal Law Consolidation Act 1935 (SA) s 242]. If a provision to provide for such situations is required, the Society queries whether a provision noting that intentionally making a false statement in an affidavit constitutes perjury, similar to what is contained within the Victorian equivalent of the Act, may be appropriate.

The Hon. V.A. CHAPMAN: Let's be clear: the offence of perjury remains. It is a matter that can be prosecuted and it has a seven-year imprisonment term. What is going to be clear now, in this Oaths Act, is that you are guilty of an offence if you make the declaration incorporating a false statement and the penalty is up to seven years. I think that has made it abundantly clear.

I do not disagree with the member that perjury is a very serious offence—of course it is—but he started his inquiry in relation to this clause by asking how will we now accommodate the minor breaches. I am just letting him know this is the provision that is there. We are not removing the offence of perjury under the Criminal Law Consolidation Act, but we are making it a specific offence under this act and of which there is an offence and the same penalty.

Mr PICTON: This clause states whether orally or in writing, in relation an affidavit. This was something the Law Society picked up on and said: 'The Society also notes proposed subsection 30A(1),' as it was then, 'appears to refer to a false statement made orally in an affidavit and queries whether this is an error'. Is that an error, as the Law Society has queried?

The Hon. V.A. CHAPMAN: Yes, the Law Society raised the issue; that is agreed. The advice we received was that the inclusion of the full statement being made orally was firstly taken from, as I understand it, the Victorian act offence which includes that—for example, to cover modifications for special needs deponents who indicate orally their approval for the contents of the affidavit to be read to them.

Clause passed.

Clause 11.

Mr PICTON: This is an issue which, if not significantly debated with proposed amendments in this house, may well be the focus of significant discussions in the other place in relation to the Attorney's proposal to have the code of practice determined by the minister and inserted into the *Government Gazette* rather than determined by the Governor in Executive Council and become a regulation that is then subject to the appropriate scrutiny of both houses of parliament.

As I flagged in our second reading speech, this is something that the opposition will consider further, and is consulting on further, in relation to what the Attorney-General has proposed. However, I will give the Attorney the opportunity to explain to the committee why, when such serious objections are being raised about the minister holding this power without parliamentary oversight, she is persisting that this be something that the minister is able to determine and put into the *Government Gazette* rather than being a regulation that could be subjected to parliamentary oversight.

The Hon. V.A. CHAPMAN: At present, there is a JP code of practice, and that is not legislated at all in a regulation or anything. It is obviously the association, that people sign up to this, etc. I just make the point that this is not intended as a new regulatory regime. It is a how-to guide that is to go on a website and, as I indicated in my previous answer, in consultation with parliamentary counsel. If I just refer to my previous answer, I have set out in detail the reason for that. Largely, it is to make it more reader-friendly. It is a how-to guide. It is not something which imposes that regulatory obligation that we would normally expect.

Clause passed.

Schedule 1.

Mr PICTON: Similarly, in relation to the schedule, the Attorney has proposed that she will be able to make 'any other person of a class prescribed by regulation'. Who does the Attorney have in mind to fit under such section and why would we not legislate that in this bill rather than give the government the power to subsequently add them by regulation?

The Hon. V.A. CHAPMAN: Again, I referred to this matter in the previous answer I gave, which is to accommodate the expanded category of persons to take statutory declarations. Some of these persons have a title which changes or are a member of a body which changes its name, so the idea of having a catch-all which says 'any other person of a class prescribed by regulation' is to do just that. There is no identified group that I can think of at this point that would be a new group. When we did consider a new group, such as conveyancers, we added it into the bill.

I can tell you that there is no other group that I can think of. Largely, we have looked at the commonwealth rules. They have worked very well using that list during the course of the COVID early emergency period. We are seeking to make that permanent, and when we came to this house to do so, with a request from conveyancers, which was considered and seemed to be of merit, everyone seemed to agree that we would add those in, and they are in the statute. We are not in any way trying to have some secret list of other people we are suddenly going to appoint, like retired Labor MPs or something.

Mr Picton: I think it is unlikely you would do that.

The Hon. V.A. CHAPMAN: That would be very unlikely.

Mr PICTON: I believe this is my last question, but I may well be prompted. We have already talked about the COVID emergency act and additional classes of people who were added at that time. What has been the Attorney's consideration as to the people who have not been proposed for this legislation but who were in the COVID legislation? Why would we not add them to have the ability in a permanent sense to be able to take statutory declarations?

The Hon. V.A. CHAPMAN: Let me assure the member that they will all be accommodated in the regulations. Those who are already covered in different acts are specified in this act. The proposed list for the regulations is as per the list currently available under the commonwealth group. I am happy to read them out for the benefit of members; it will just take a couple of minutes. The list includes:

- agents of the Australian Postal Corporation in charge of an office supplying postal services for the public;
- Australian consular officers and Australian diplomatic officers within the meaning of the Consular Fees Act 1955 of the commonwealth;
- bailiffs;
- bank officers with five or more continuous years of service;
- building society officers with five or more years of continuous service;
- chief executive officers of the commonwealth courts;
- clerks of courts;
- credit union officers with five or more years of continuous service;
- employees of the Australian Trade and Investment Commission, and there are certain lists of restrictions in relation to those;
- employees of the commonwealth, again, with a list of restrictions;
- fellows of the National Tax and Accountants Association;
- registered health practitioners;
- finance company officers with five or more years of continuous service;
- holders of statutory office not specified in another item of this list;
- marriage celebrants registered under subdivision C of division 1 of part IV of the Marriage Act 1961 of the commonwealth;
- members of the Governance Institute of Australia;
- members of Engineers Australia, other than at the grade of student;

- members of the Association of Taxation and Management Accountants;
- members of the Australian Institute of Mining and Metallurgy;
- members of the Australian Defence Force, again with certain restrictions;
- members of the Institute of Chartered Accountants in Australia, CPA Australia or Institute of Public Accountants;
- members of the parliament of the commonwealth, parliament of the state, a territory legislature or local government authority of a state or territory;
- ministers of religion registered under subdivision A of division 1 of part IV of the Marriage Act 1961 of the commonwealth;
- patent attorneys or trademark attorneys;
- permanent employees of the Australian Postal Corporation with five or more years of continuous service who are employed in the office supplying postal services to the public;
- permanent employees of the commonwealth or commonwealth authority or a state or territory and/or state or territory authority or a local government authority with five or more years of continuous service who are not specified otherwise in the list;
- senior executive service employees of the commonwealth or commonwealth authority or a state or territory or a state or territory authority;
- Sheriff's Officers;
- teachers employed on a full-time basis at a nurse or tertiary education institution;
- veterinary surgeons;
- persons enrolled on the roll of the Supreme Court of a state or territory or High Court of Australia or a legal practitioner, however described; and
- any other person as prescribed, permitted by or under the act or rules of a court or the rules of tribunal to take the statutory declaration, which is what I referred to before.

I hope anyone who is listening to this important piece of legislation and committee review will note that if they are in any of those categories they are potentially going to have a new job.

Schedule passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:05): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (ALCOHOL AND DRUG OFFENCE)
AMENDMENT BILL**

Second Reading

Adjourned debate on second reading.

(Continued from 27 May 2021.)

Mr ODENWALDER (Elizabeth) (12:07): I rise to speak on the Rail Safety National Law (South Australia) (Alcohol and Drug Offence) Amendment Bill 2021 and indicate that I will be the lead speaker for this bill—incongruously, perhaps. Many industries have a drug and alcohol testing regime, and for very good reason. Often, it is the case in construction and civil aviation, for example,

that impairment from drugs or alcohol could cause a catastrophic or serious injury or loss of life to either the employee or someone else around them. For that reason, those industries have quite well-developed drug and alcohol testing regimes, I think particularly in the construction industry.

I was peripherally involved in the Northern Connector project during the term of the last government, and I saw the drug and alcohol testing regime up close and saw some of the results. I will get to those in a minute. Other agencies of course have their own drug and alcohol testing regimes. These are not the same as those in the construction industry as there is not the risk of catastrophic mistakes being made in the normal or perhaps repetitive activities that you might perform.

The police, corrections and the security industry need to make very quick tactical decisions. In the case of the police, a situation may escalate very quickly, and any impairment due to drugs and alcohol in a situation like that, or indeed in a high-risk driving environment, would of course be absolutely intolerable. So we have these regimes in place: we have them in construction, we have them in civil aviation, we have them in police and corrections, and, of course, we have them in rail safety, which is what we are talking about today.

I should note that the drug and alcohol testing regimes are not perfect, and there is a very significant complication related to cannabis, by way of example. The half-life of cannabis in a person's system is very long. I do not have the figures in front of me, but it is very long. You could consume cannabis on one date, attend work on a much later date and still be found positive when tested for the presence of cannabis. Of course, unlike alcohol testing, drug testing in this context does not recognise degrees of intoxication, degrees of prescribed blood limits—alcohol does, but drugs do not.

When you have a drug like cannabis, which has a very, very long half-life and sits in a person's system for a long time, it makes it very difficult to test, particularly for impairment. This is not in any way a defence of the consumption of cannabis; I am merely pointing out some of the difficulties in constructing these drug testing regimes. It becomes even more complex, of course, when you factor in medicinal cannabis. There is a very alive and worthy debate about how medicinal cannabis should be treated in drug—

The Hon. A. Koutsantonis interjecting:

Mr ODENWALDER: Perhaps I am digressing, but there is a legitimate debate to be had about medicinal cannabis and how that might affect drug testing regimes in industries like construction, rail safety, police and corrections. There is also a debate—which I will not go into any further because it is the subject of a bill in another place—about the impact of medicinal cannabis on driver drug testing.

Drug and alcohol testing does exist for a very good reason: it is there for our safety and it is reflected in rail safety legislation. There is a national law and, in this case, South Australia is the lead legislator. The Rail Safety National Law establishes a co-regulatory system under which rail safety operators assess the risks associated with their operations and then they establish a safety management system around that to manage those risks.

Like many other industries—construction, civil aviation, security, police and corrections—the national law puts in place strict guidelines around the prescribed concentration of alcohol or the presence of a range of drugs in the system of the worker because, as I said, there is a difference between alcohol and drugs in that our current systems do not test for degrees of either the presence of a drug or the extent to which a person is affected by that drug.

Division 2 of the Rail Safety National Law (South Australia) Act 2012 sets out the procedures relating to testing and analyses. These procedures apply when an authorised person requires a rail safety worker to submit to testing under section 126 of the national law. Section 12 sets out the alcohol testing procedures and it states:

A preliminary breath test or breath analysis [this is regarding alcohol] to which a rail safety worker has been required to submit may not be commenced more than 8 hours after the worker has ceased to carry out rail safety work or more than 8 hours following a prescribed notifiable occurrence...

Those provisions are set out elsewhere in the act. It further states:

A rail safety worker required to submit to a preliminary breath test or breath analysis must not refuse or fail to comply with all reasonable directions of an unauthorised person in relation to the requirement and, in particular, must not refuse or fail to exhale into the apparatus by which the preliminary breath test or breath analysis is conducted...

Importantly, it also sets out circumstances where a worker refuses a test and states, amongst other things, that a rail safety worker is not entitled to refuse or fail to comply with a requirement or direction under this section on the grounds that, first of all, the worker would or might, by complying with that requirement or direction, provide evidence that could be used against himself or herself—which is standard—but also that the worker consumed alcohol after the worker last performed rail safety work.

The timing of these tests is always important. Notwithstanding my comments about cannabis and the half-life of cannabis, the timing of tests for alcohol and drugs in your system is important and the time at which the alcohol was consumed is important. Similarly, section 13 sets out the drug testing regime:

- (2) A drug screening test, oral fluid analysis or blood test to which a rail safety worker has been required to submit may not be commenced more than 8 hours after the worker ceased to carry out rail safety work or more than 8 hours following a prescribed notifiable occurrence (as the case may be).

Again, a rail safety worker is not entitled to refuse or fail to comply with a requirement or direction under this section or section 127 of the Rail Safety National Law on the grounds that, among other things, the worker consumed a drug or alcohol after the worker last performed rail safety work or was involved in a prescribed notifiable occurrence, as the case may be, but before the requirement was made or the direction given. So, again, timing is important in this type of testing. The way the regime is implemented is further governed by the Rail Safety National Law (South Australia) (Drug and Alcohol Testing) Regulations 2012.

This bill amends section 128 of the act. Section 128(1) of the act provides that it is an offence for a rail safety worker to carry out, or attempt to carry out, rail safety work—that is an important phrase—while the worker has the prescribed concentration of alcohol present in their blood or a prescribed drug present in their blood or oral fluid or is under the influence of alcohol or drugs such that they are incapable of effectively discharging a function or duty of a rail safety worker. Of course, it is the wording 'to carry out, or attempt to carry out, rail safety' that is ambiguous.

This bill, and the proposed amendments to section 128, inserts new subsection (1a), which provides that, for the purposes of this offence, a rail safety worker will be taken to be carrying out, or attempting to carry out, rail safety work if the worker has arrived at work and has signed on or is otherwise on duty. I will need some clarification in the committee period about the difference between arriving at work and signing on and otherwise being on duty for the purposes of carrying out rail safety work.

The Rail Safety National Law (South Australia) (Alcohol and Drug Offence) Amendment Bill 2021 clarifies that a rail safety worker will be taken to be carrying out rail safety work when he or she has arrived at their place of work and has signed on and is available or otherwise on duty. According to briefings received by me and the shadow minister for transport, the member for West Torrens—a useful briefing we received—we were told that a worker who has been subject to alcohol and drug testing under sections 126 and 127 of the national law may only be prosecuted for an alcohol or drug offence under section 128 if they are—and again these key lines—'carrying out or attempting to carry out rail safety work'.

It is not always clear when a worker has begun rail safety work. At which point in their working day are they simply on duty, or are they being called upon to conduct rail safety work or are they, in actual fact, carrying out rail safety work? Obviously, we do not want ambiguity in the law like this. I do not believe that ambiguity exists in the Police Act, for instance, or in the corrections act, which the minister and I worked on recently, on that particular regime. We do not want ambiguity in the law like this, particularly when we are talking about laws that are designed to protect people's safety and protect employees' and workers' safety and the safety of those people who use rail.

If there is any ambiguity in relation to establishing whether the worker is carrying out, or attempting to carry out, rail safety work, as our briefing suggested there may well be—and I will be interrogating that a little in the committee stage—this obviously can impact on the regulator's ability

to prosecute in relation to section 128. The Rail Safety National Law (NSW) and the Rail Safety National Law Application Act 2013, the Victorian act, both define 'about to carry out rail safety work'.

The proposed amendments, we are told in the minister's second reading, align with similar provisions in the Civil Aviation Safety Regulations. I have not had time to check the various regulations around the construction industry, but I am assuming they have some sort of similar provisions in them. The Civil Aviation Safety Regulations include offences for workers if they are present in an aerodrome testing area and are performing or are available to perform a safety-sensitive activity. As I said, it also aligns with measures in place in the construction industry, security industry and in various government agencies, particularly SAPOL and more recently corrections.

We were again advised in the minister's second reading explanation that in March of this year infrastructure and transport ministers agreed to these amendments, apparently and tantalisingly, along with amendments to the national regulations dealing with exemptions from FOI laws. In September 2020, the national law maintenance advisory group was consulted on the drafting instructions for these bills. That advisory group comprises, as you would expect, commonwealth, state and territory governments, and also rail industry representatives. We are advised by the government that no issues were raised and the bill was endorsed by the Transport and Infrastructure Senior Officials' Committee in October 2020.

Drug and alcohol testing regimes are very important in protecting not only workers but also people who may use or employ the services of those workers. In the case of police, corrections and security, the drug and testing regimes are important in order to keep particularly the employees safe, where they have to make very difficult and swift decisions, whether they are on their basic patrol duties or in the case of urgent duty driving. It is very important we have these regimes.

If I have not already stated so, I am pleased to support this bill. The opposition supports this bill on the basis that it does clarify our situation and it enables far less ambiguity in relation to prosecutions under section 128. We will have some questions in the committee stage. As I said, drug and alcohol testing is an important pillar of worker safety in this country and any enhancement to that regime is to be welcomed. I commend the bill to the house.

The Hon. A. KOUTSANTONIS (West Torrens) (12:21): Often these pieces of legislation, these national law reforms, come to the parliament on the basis of a pending court case or a pending testing of the legislation. I think it would have been better to allow the courts to adjudicate on this before we made the change. I have to say, I think the law is pretty clear as it stands, but the opposition will agree to the changes being promoted by the ministerial council.

I think it is pretty obvious that anyone turning up to work who is going to be attempting to do work on rail safety should be drug free and alcohol free while they are at work. Having to make these changes shows how some of our legislation needs to be in plainer language across the board because of the way courts are interpreting the legislative framework. When we first introduced this legislation nationally, obviously the drafters intended that everyone at work not be under the influence of anything that would inhibit their ability to conduct their work, whether it be alcohol or drugs.

Somehow some very clever lawyer has made an argument, probably in a magistrates court in New South Wales, that if you are employed in rail safety and you are a driver or working on rail safety and you turn up to work with alcohol or drugs in your blood system, the state cannot make a case against you because they have to prove intent to work on rail safety. I think by turning up to work that takes care of that. Anyway, here we are to repair that.

The opposition will support the government in making these changes because it is important that we listen to the expert advice on these matters. Again, I grow increasingly frustrated at the ability of some of our courts to misinterpret what the intent of our legislation is and to require these changes to be so prescriptive that the tighter we attempt to make this legislation, the more people slip through it.

I think this is an important reform the government want us to rush through the house, and we will do that. I thank the government for the briefings they have offered us and I thank the minister for the way he has conducted himself during this; it has been completely bipartisan and helpful. I thank the officers for being available to the opposition, and I thank my shadow ministerial colleague on carriage of this bill during a very busy time.

I commend the bill to the house, without any further debate, for a speedy and rapid pass through the House of Assembly. I can inform the government that when this goes to the upper house, the opposition will be supporting it unamended. I am not sure we have any questions in the committee stage on the one clause. Do we?

Mr Odenwalder: Yes.

The Hon. A. KOUTSANTONIS: We do, yes. We have some questions, and after that there will be a speedy passage through both houses of the parliament.

Mr PEDERICK (Hammond) (12:25): I rise, too, to support the Rail Safety National Law (South Australia) (Alcohol and Drug Offences) Amendment Bill. It is not very often that I am in agreement with the member for West Torrens.

The Hon. A. Koutsantonis: That's not true. We have been on the same side for a while now.

The DEPUTY SPEAKER: Order!

Mr PEDERICK: Well, yes, we were side by side a couple of weeks ago in this place—

The Hon. A. Koutsantonis: We were.

The DEPUTY SPEAKER: Order!

Mr PEDERICK: —at 1.30 in the morning and a couple of weeks before that as well. It is fascinating, sometimes, what happens in this place. This is important legislation, as outlined by the member for West Torrens and the member for Elizabeth. I actually acknowledge his commentary on medicinal cannabis because I am certainly a supporter of medicinal cannabis. I would like to see, as testing is rolled out, that we do not have any inadvertent outcomes.

There is talk of manufacturing plants around the state getting going under a very controlled framework, and, of course, it can be very beneficial to people. But you can have problems with testing, and I heard of one recently where there was false positive to methamphetamine, and that caused a young lad quite a bit of distress. It got sorted through—

Mr Odenwalder: It was human error.

Mr PEDERICK: Well, it can happen. Yes, humans are involved. But it can obviously be distressing for a range of reasons, and for a young person, a teenager or young adult, it can obviously have job-threatening circumstances, as drink-driving does. Certainly, in the role of safety at work, things have moved in leaps and bounds. Most of my life, I have been either self-employed or worked as a shearer, but I spent some of my time in the Cooper Basin for a couple of years in the early eighties, and let me just say that things were a little bit more cavalier than they are now.

We had some interesting times. I was earthmoving for 12 months. What I will say is that the actual oil rig companies took the lead, even back then and earlier than that. Obviously, working on the floor of a rig is very dangerous work. I was happy to see it live one day when I had to call in at an oil rig out near Tirrawarra out from Moomba—and you would not be able to do it now—because I was running out of fuel. The driller said, 'Just stand there in the corner.' I did not have any high-vis vest on and just watched them run pipe. It was pretty interesting, as they had the turntable running and throwing the chain, as they did in the day. They are all a bit different now: they are top-drive rigs.

It was interesting how things were controlled. Certainly, someone working on an actual rig crew was limited to how many beers they could have on a night. I think that now most of them are dry camps. Certainly, the restrictions at mining camps have tightened right up—and rightly so—on general workers in that sort of industry, and I fully understand it.

I note that many jobs, whether they be in construction, machine work, engineering or maintenance, or whether they be in the meatworks industries—in abattoirs, of course, drug and alcohol testing is mandatory, and, let's be frank, that can cause some issues with retaining staff.

However, people need to be aware of the requirements. You have to be fit for work. Certainly, in an engineering sense, you have to be very sharp of mind working with heavy equipment. If you

were on the kill floor at an abattoir and plenty of people next to you were swinging sharp knives, you would like to know that they were in control of their actions.

This bill in relation to national law—and I acknowledge the concerns that the member for West Torrens had in regard to a legal case—will clarify that a rail safety worker will be taken to be carrying out rail safety work when they arrive at their place of work, have signed on and are available, or otherwise, for duty.

The proposed amendments to this legislation clarify that a worker who has arrived at their place of work and signed on for the purpose of undertaking rail safety work and is available to undertake rail safety work, or is otherwise available, is deemed to be carrying out or attempting to carry out rail safety work; and I note that the member for Elizabeth will have some questions around that in committee.

Our state is the lead legislator for this legislation, and this amendment bill has been drafted on behalf of the national Parliamentary Counsel's Committee. The main driver in this legislation is to remove any ambiguity in relation to establishing whether a rail safety worker is carrying out or attempting to carry out rail safety work. I think this is the nub of the point, as the member for West Torrens alluded to, because this can impact the regulator's ability to take forward a prosecution for a drug and alcohol breach under the rail safety national legislation.

It would be remiss of me to talk about rail and not give a brief exposé of what I have always said were the darkest three months of my life when I worked as a contractor and I had to join the Australian Workers Union. There was compulsory union membership. I signed the form only because I needed the money. I worked on that Melbourne-Adelaide rail standardisation project just north of Coonalpyn down towards Keith. That was standardising the rail gauge from broad gauge to standard gauge.

I acknowledge my young shearing friend at the time, Mark Elliott, who was my crew member. We were on there for several weeks before the big push went on adjusting the gauge. We were using an unclipping machine and slowly unclipping the track. They were still running trains, obviously, but train speeds had to slow down. We left most of the clips on the corners until the final push over Easter, but it was managed quite well.

Then we had the big push over the four days of Easter to do the final job. Concrete sleepers had been put in. The rail was lifted up to about waist height. There was a lot of manual labour as the pads were turned and then, as the machine moved along, the rail slotted down in the new slots at the standard-gauge width instead of the broad-gauge width. That was a legacy of our forefathers across all the states building different gauges, whether it be narrow, standard or broad.

I would like to acknowledge that I met many interesting characters on that job. I must say that they worked incredibly well over long days, from about six in the morning until six at night, because the job had to be done. During one failure of the machine that we were unclipping with—it was really meant to be a maintenance machine, not doing tens of kilometres of unclipping rail clips—I sat in a supervisor's car.

It was great: when the machine breaks down, it is not like when you are working for yourself at home on the farm. You call out the mechanics van and they come up and fix it. You use the hand tools for a while, which you did until you got puffed out. I sat in the van, and the supervisor said, 'Have a look at this.' I said, 'This plan says we are only supposed to be able to do eight kilometres a day.' I said to the bloke, 'We are doing 16.' He said, 'That's alright. Just keep it up.'

It was an interesting time and interesting work. Apart from having to buy the ticket—I managed to get through my shearing career without buying one—it was valuable for my income at the time. Certainly, in the broader sense, I acknowledge the reasons why we are putting this rail safety national law through. We do have to make sure people are safe. That does concern me if, as has been indicated by the member for West Torrens, we are fixing up legislation because someone has managed to find a slight hole in what has been legislated previously. With those few words, I support the passage of the bill.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (12:36): I would like to thank all the members for their contributions: the member for Elizabeth, the member for West Torrens and, of course, the mighty fine member for Hammond. I thank them for that as far as this important legislation is concerned. I

would like to thank the staff involved for putting the bill together. As the member for West Torrens said, they were very diligent in everything they did, and I thank them very much for their help with that. I hope that we can move this efficiently and effectively through the committee stage.

Bill read a second time.

Committee Stage

In committee.

The CHAIR: The title is nearly longer than the bill itself. There are four clauses and a title.

Mr ODENWALDER: I have plenty of questions about the title, sir.

The CHAIR: I am sure you have.

Clause 1.

Mr ODENWALDER: I jest. I will try to get through this as quickly as possible. I do just have some very brief questions. I will, since it is a convenient place, ask my first question at clause 1, if that is okay. Regarding consultation, I understand that industry groups and, obviously, state, local and commonwealth governments were consulted. During this consultation, or during the framing of this amendment, was there any objection to this measure, particularly, I am thinking, from unions or workers' representatives? Was there any rejection of it at all?

The Hon. C.L. WINGARD: No.

Mr ODENWALDER: We are going even faster than I thought, sir. My follow-up question again goes back to the concerns I have and the member for Hammond has. Were any concerns raised about the testing for cannabis or medicinal cannabis, either now or into the future?

The Hon. C.L. WINGARD: I am informed no. Just to clarify, for the member's edification, I am informed that it is only the oral testing that is used, which means it is not kept in the system as long, whereas with the blood testing, I am told, it stays in the system longer. The oral testing is the form of testing that they use.

Mr ODENWALDER: I do not have the act in front of me. I thought there was a reference to blood testing, but in any case I will take your word for it. I am happy with that. I will move on to clause 4, if that is possible.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mr ODENWALDER: The member for West Torrens raised the issue of the impetus for this bill. According to the minister's second reading speech and the briefings we had, the original wording of the act threatened to derail certain prosecutions under section 128. I am wondering if the minister can enlighten the house about what those cases may have been, how many prosecutions have been lost as a result of this ambiguity, if any, and in which jurisdictions.

The Hon. C.L. WINGARD: Just to clarify my previous answer too, I may have said blood testing. My apologies; it is urine testing that keeps it in the system longer. That is why they do the oral testing. I am told there are a couple of cases that have not been able to go forward and the reason is that they can test now if you are about to do the work, but they cannot prosecute if you have a positive test when you are about to do the work. If you are tested when you are attempting to do the work, you can be prosecuted, if that makes sense. There is a slight difference. We are clarifying it to say that the testing is all happening when you are attempting to do the work because that way, if there is a positive test, the prosecution can proceed.

Mr ODENWALDER: I understand the bill. What I am asking, though, is what was the impetus for the bill? Were there failed prosecutions on the basis of the original wording of the act?

The Hon. C.L. WINGARD: Yes, as I outlined at the start of the previous answer, there were two that could not go forward in New South Wales, I think. To clarify, so that there is not that

impediment, if we just have the one definition, if you like, and we stick to that, it will make it far clearer for prosecutions going forward.

Mr ODENWALDER: I apologise; I did not hear your references to New South Wales before, that there were two cases in New South Wales. My next question at clause 4 is: can you clarify what we mean by signing on, just so there is no further ambiguity? Further to that, to hurry things along, what circumstances would fit the bill for being 'otherwise on duty', which is not signed on? Why are we introducing this kind of catch-all, 'otherwise on duty' provision? I guess what I am asking is: when would a worker be on duty but not signed on?

The Hon. C.L. WINGARD: The explanation here is that if someone is signed on or they are on duty, it is the same thing. If someone rocks up to work and they are sitting in the car park, they are not signed on or on duty, but once they are signed on or on duty they are deemed to be doing the work. Fundamentally, I suppose you could explain it that if they are signed on and being paid then they are considered to be signed on or on duty. If they have pulled up in the car park, then they are not considered to be signed on or on duty. Does that clarify that?

Mr ODENWALDER: No, with respect.

The CHAIR: Point of clarification, member for Elizabeth?

Mr ODENWALDER: Point of clarification, yes, indeed. There are two provisions: new subsections (1a)(b)(i) and (1a)(b)(ii). One is when the worker has signed on for the purposes of carrying out rail safety work, which is pretty much what you just described and pretty easy to understand, but then subparagraph (ii) states 'is otherwise on duty for the purposes of carrying out rail safety work'. I am just wondering what that means. It is suggesting something different from signing on, being 'otherwise on duty'.

The Hon. C.L. WINGARD: To clarify a little bit further from what my answer was before, if someone has signed on, they are at work. They are signed on and ready to go. They might just be sitting in the crib room. They might not be doing any work, but they are deemed to be signed on, therefore they are subject to the testing, obviously. If they are otherwise on duty and performing a task—they have gone beyond that stage; they might be out in the field doing something—they are, in that description, on duty for the purpose of carrying out the rail safety work.

So there are two steps: one is actually signing on and being there, and you are covered there; the other is you are out in the field and you are doing some work, and you are doing that work for the purpose of carrying out rail safety work, and that covers you there as well.

Clause passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (12:45): I move:

That this bill be now read a third time.

Bill read a third time and passed.

AQUACULTURE (TOURISM DEVELOPMENT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 May 2021.)

Mr WHETSTONE (Chaffey) (12:46): I rise to make a contribution to the Aquaculture (Tourism Development) Amendment Bill. As we know, aquaculture is one of the cornerstones of South Australia's economy. The industry has been one of our large primary sectors here in South Australia. Deputy Speaker, you would know better than most what it means to have one of aquaculture's headquarters nationally and globally, as it has been recognised for many generations.

The direct output is estimated at over \$300 million. What we see now is that 69 per cent of our output is generated in the regions of South Australia. Some of those most sought after and emerging products in the world are obviously southern bluefin tuna, Pacific oysters, yellow kingfish and greenlip abalone, just to name a few of our larger industries. We have seen some of those species farmed in South Australia in what we know as ranching with bluefin tuna, and yellowtail kingfish has been a relatively new industry within aquaculture but it is an industry that continues to blossom.

The mulloway and the mussel industries continue to grow. The abalone industry and our oyster industry have been industries that have been a benchmark for South Australia. Many would argue that going to a restaurant and having a delicacy—whether it is an oyster or some farmed abalone (as we all know, wild abalone is by far the abalone of choice), yabbies, marron, trout and Murray cod—gives people an experience that they cannot otherwise have unless they go out and catch wild stock. I have Murray cod farms in the electorate of Chaffey. They are emerging industries, breeding plate-size fish.

We have seen some of those other emerging industries, whether it be algae for fish food or kelp for some of the emerging industries to deal with climate change, particularly in stock and high-value pharmacy products. We are seeing now in the regions of South Australia the opportunity for aquaculture zone policies located within regional coastal areas of the state, including Limestone Coast, Yorke Peninsula, Eyre Peninsula and West Coast. The government has pledged support for sustainable growth that will grow resilient coastal communities.

Sir, as you well know, the opportunities for aquaculture are becoming more prevalent and more important, as we know that over time some of our wild stocks are under pressure. To satisfy the ongoing demand for seafood, and those delicious, delectable sea and freshwater products, we have to make sure that our government can stand side by side through the tough times and that we can regulate some of those industries to make sure that we have some of the beautiful products that come out of our waterways and oceans for generations.

We have pledged support for sustainable growth, and that will see the industry be more resilient and continue to grow. The amendments to the Aquaculture Act 2001 will allow a simplified assessment and approval process for building tourism structures related to aquaculture businesses. Tourism businesses will also benefit, and they draw tourists through fresh produce, whether it is oysters or tuna.

Some of those experiences are now becoming magnets for people right around the globe, and we know that COVID has put serious pressure on the viability of some of those businesses. Whether it is swimming with seals, experiencing dolphins or tuna farms, or popping a cork in an oyster bar out on an oyster lease—which is one of the great experiences and here in South Australia we have it right in our backyard—the aim is to grow this developing tourism sector and provide a one-stop shop approach to these businesses.

The bill will make it easy for aquaculture operators to obtain approvals for structures such as oyster tasting platforms, providing certainty for existing operators and encouraging further investment in aquaculture-related tourism. Businesses such as Oyster HQ are in your very backyard, sir, and whether it is in your electorate, next to your shack or just up the road from your farm, it is a great way to enjoy premium oysters that come out of those beautiful Eyre Peninsula communities.

My favourite, a Smoky Bay oyster, is always a unique experience, where people can experience freshly harvested oysters and refreshments on a platform in the water, which are providing a drawcard to attract visitors—at the moment, domestically, but I think into the future it will be a global drawcard. As it stands, the tourism platforms are not lawfully approved under the planning and development legislation, including oyster reefs. I think that is something that can be diversified in its current form.

We know that the government has committed significant money, and the Minister for Environment and Water has done an outstanding job in promoting and putting his support behind those limestone structures and then having them seeded with oysters, not only to give a habitat for fish and other marine creatures but also to provide a great experience for people who want to go out

there and dive and who want to have a look at the man-made structure that attracts some of the great wonders of our ocean.

Again, the bill proposes to provide like-for-like approval powers to the minister responsible for the Aquaculture Act 2001 for aquaculture-related tourism structures where they are established inside an approved aquaculture zone, as exists for the aquaculture farming structures. Should the bill pass the parliament, the government will work with Oyster HQ and SA Premium Oysters to become compliant with new requirements providing them with the certainty operators have been seeking.

The Hon. Z.L. BETTISON (Ramsay) (12:53): I give notice that I am the lead speaker for the opposition. The Aquaculture (Tourism Development) Amendment Bill was introduced here in the House of Assembly on 26 May 2021. According to the government, it will streamline the application process for tourism developments within aquaculture zones, enabling the Minister for Primary Industries to approve development. At this point, he does not have that power. There are currently 12 aquaculture zones in South Australia: Ceduna, Streaky Bay, Whyalla, Coffin Bay, Port Lincoln, Port Augusta, Port Pirie, Whyalla, Kingscote, Kingston and Mount Gambier.

The minister, when making his second reading speech, said this will merely replicate existing requirements currently under the jurisdiction of other ministers. Currently, applicants have to apply for development consent under the Planning, Development and Infrastructure Act of 2016 via the State Commission Assessment Panel (SCAP) and also to seek authority to construct on the seabed from the transport minister. The idea of this bill is to create a one-stop shop instead—to streamline the ability for these aquaculture tourism operations to go ahead.

I will indicate that, while we support the bill at this early stage, there are a number of queries in regard to the complexity of the environmental and planning protections that will be in place. We also want to know how this new one-stop shop will maintain those protections.

This is an incredibly important industry for us. If you look at aquaculture, we are quite a leader in this area, not just within Australia but across the world. Of course, often we look for investment opportunities for people to invest in aquaculture, and the South Australian Research and Development Institute (SARDI) work closely to commercialise these opportunities around aquaculture and invite global interest in investing in these industries.

In South Australia, we have aquaculture in barramundi, tuna and finfish, abalone, mussels, oysters, yabbies and algae as well. So it is quite diverse, even though tuna, as I understand, is the largest proportion at 61 per cent, followed by finfish at 19 per cent. This is very premium, high-value often exported product. While this is an opportunity for tourism operations, we should proceed with caution, because this is an area that is incredibly important to the South Australian economy.

In fact, there is massive growth here. We just heard the member for Chaffey say it is about \$300 million. In 2018-19, it was \$211.7 million. That is the aquaculture part of our seafood product. It took 43 per cent of what we produce here in South Australia or what we catch, so it is a significant part of what we do in the fisheries area.

There is, though, a very new and emerging tourism opportunity here in South Australia. We know that this bill seeks to provide existing and new aquaculture operators the opportunity to apply through this one-stop shop to encompass tourism opportunities such as viewing and tasting platforms.

We understand that the intent of this legislation is that the primary purpose of the operation must be for farming and that the tourism element must only be to value-add to that operation. Given that that is the situation, that is something that must be maintained: that it value-adds but that the primary operation would be around aquaculture.

There are protections relating to the structures. We heard in the briefing that was given to the shadow minister that these structures must be demountables and that the licence is only for a 30-year lease. However, at this point we cannot see that that is actually defined within the bill, so we will have some questions about whether that is policy or how that will be clear.

At the moment, the feedback is that to apply for permission to add, say, a tasting platform to an aquaculture farm, applicants must currently apply for development consent under the Planning Development and Infrastructure Act via the SCAP and also to talk with PIRSA, which must consult

with the EPA. We recognise it is a rather complex situation at the moment to achieve the authorisation to have these tourism operations.

Labor has reached out to different industry stakeholders and also people involved in conservation. They broadly support this bill, although there have been some concerns about ensuring that the EPA standards remain as stringent once the application is made to PIRSA alone.

The CHAIR: Member for Ramsay, before we go into those concerns I wonder whether you might like to seek leave to continue.

The Hon. Z.L. BETTISON: I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

HEALTH CARE (GOVERNANCE) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

DANGEROUS SUBSTANCES (LPG CYLINDER LABELLING) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

LAND TAX (DISCRETIONARY TRUSTS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

CORPORATIONS (COMMONWEALTH POWERS) (TERMINATION DAY) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (COVID-19 PERMANENT MEASURES) BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Assent

His Excellency the Governor assented to the bill.

APPROPRIATION BILL 2021

Message from Governor

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

STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL

Message from Governor

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

Petitions

PIGGOTT RANGE ROAD FIRING RANGE

Mr PICTON (Kaurna): Presented a petition signed by 141 residents of South Australia, requesting the house to urge the government to use any planning and environmental regulatory authority available to it to prevent the approval of the Piggott Range Road Firing Range.

BRIGHTON ROAD

The Hon. A. KOUTSANTONIS (West Torrens): Presented a petition signed by 228 residents of South Australia, requesting the house to urge the government to provide the community with a comprehensive business case for proposed roadworks on Brighton Road.

Ministerial Statement

RIVERBANK ARENA

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.S. MARSHALL: Yesterday at the Legislative Council Budget and Finance Committee hearing Mr Anthony Kirchner, Chief Executive Officer of Adelaide Venue Management Corporation, gave evidence. He was asked questions about the forecast total revenue and operating costs of the new Adelaide Riverbank arena.

Mr Kirchner contacted my office yesterday afternoon to advise of errors in his answers to questions concerning the arena's projected revenue and operating costs. He advised the committee that the forecast total revenue was in the order of \$100 million and the total operating costs in the order of \$80 million. To correct the record, I am advised that the new Adelaide Riverbank arena is forecast to generate total revenue in the order of \$49.2 million per annum and incur total operating costs in the order of \$34.5 million per annum once operational.

This project will continue the transformation of our CBD and create jobs for South Australians.

Question Time

AMBULANCE RAMPING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07): My question is to the Premier. Why hasn't the government released the ramping statistics for the month of May? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: The media was provided ramping statistics for the months of February, March and April of this year, each breaking an all-time record for ramping, but so far the government has refused to release the May figures, despite repeated requests to do so.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08): I am happy to take that question on notice and ask the health and wellbeing minister for a response and come back to the house.

Obviously, we are very concerned about the ramping that is existing here in South Australia at the moment. We find it completely and utterly unacceptable, and that's why we are doing everything we can to fix the problems we inherited from the previous government. We know that it was the Labor Party that brought ramping to South Australia and we also know—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —the reasons why there has been a serious escalation in ramping in South Australia. Part of it is to do with the increased acuity and length of stay for people who are presenting at our emergency departments at the moment—

Mr Malinauskas interjecting:

The SPEAKER: Leader! The Premier has the call.

The Hon. S.S. MARSHALL: —and part of it, of course, was the failed Transforming Health policies that basically cut away at the capacity for our state to respond to people presenting at emergency departments.

What the previous government did was to scale down hospitals in South Australia. In fact, they closed the Repat hospital in South Australia, which was a shameful act. It broke the heart of veterans in South Australia and put an extraordinary pressure onto our emergency departments, particularly in the southern system.

What we have done since coming to government, of course, is to recognise that our emergency departments do not have anywhere near the capacity that they require now or into the future, so we have funded—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —the increase to the emergency departments that we need in South Australia and put that capacity back into place. We have very significantly increased the health professionals in the health system since coming to government: more doctors, more nurses, more paramedics. In fact, we have more than a thousand additional medical staff in the system since the Leader of the Opposition was the health minister in South Australia.

We have undone Transforming Health, invested in our system and worked to alleviate the stresses that were basically inflicted upon us by the cuts that the previous government made to the capacity. We have a huge expansion underway at the moment. We know that sometimes when you embark upon those types of comprehensive changes to the emergency department capacity we have you can sometimes have some short-term pain before you have the longer term gain.

In fact, can I just say that we are upgrading at the moment nine emergency departments across South Australia. They are the metropolitan emergency departments as well as the peri-urban departments. When that is completed—and it's not a five, 10, 15 or a 20 per cent increase to the capacity of those emergency departments—it is a 65 per cent increase. That was the necessary increase that was required. That was the necessary increase that we inherited from the previous government, the required increase that we needed when we came to government, and we have been getting on with it, sir.

As you would know, the health system in South Australia has responded extraordinarily well to the coronavirus, but regardless of that we have pushed on with working with clinicians, getting the plans in place to expand the overall emergency department capacity in South Australia. That will not fix the problem alone. We've got to have better pathways through our hospitals to other forms of treatment. We've got to have alternative pathways for people presenting at emergency departments.

We have had to expand the capacity and the capability within our South Australian ambulance services, but what we have on this side of the house is a comprehensive plan to address the issue of ramping once and for all, and there will be further information provided in the budget, which the honourable the Treasurer will be presenting in this chamber in just a little over an hour's time.

WOMEN'S AND CHILDREN'S HOSPITAL

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:12): My question is to the Premier. Why is the government building a new Women's and Children's Hospital with only one additional paediatric overnight bed than the current hospital? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: On 891 radio yesterday, I am advised that the Premier's health minister, in reference to the total paediatric admitted treatment spaces, said there was only one overnight medical bed in addition to the current hospital.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): I am happy to answer this question, but it's a bit much coming from the Leader of the Opposition. They didn't even want to build a new Women's and Children's Hospital. They had to be dragged kicking and screaming to a position to build half of what we are promoting down on that site.

We are going to have a purpose-built, state-of-the-art, co-located Women's and Children's Hospital right alongside the existing Royal Adelaide Hospital. We have currently within the hospital 441 treatment spaces, and that will increase to 500 in the new hospital. Last time I looked, that was an increase—a 13 per cent increase.

In addition to that, we will have a very large expansion in terms of the outpatient treatment spaces, from 130 or 140, as it sits at the moment, up to 170 going forward. The cherry-picker-in-chief, he loves to take a look at one statistic—

Mr Picton interjecting:

The SPEAKER: The member for Kaurna!

The Hon. S.S. MARSHALL: —without looking at the overall position and all the work that we have done to sit down with the clinicians at the Women's and Children's Hospital—the same clinicians who actually rejected what Labor was saying, saying, 'Let's just keep these things separated out. We don't need to combine them.' We were the only state on mainland Australia that didn't have a co-located women's and children's hospital with its major teaching hospital. Those opposite, that's what wanted to continue.

By contrast we were listening to the clinicians. We say the people of South Australia deserve the very best. A very, very significant amount of consultation has gone into understanding exactly and precisely what we need and also to understand how that fits into the broader health system in South Australia. It was the case, for a very long period of time, that the Women's and Children's Hospital would do all the work with regard to women's and children's medical procedures and emergencies in South Australia.

What we have seen in recent times is of course an expansion of the paediatric services, the services specifically for women—obstetrics, gynaecology—both north and south, down at the Flinders Medical Centre, a very large expansion down there, out north at the Lyell McEwin Hospital. Of course, unlike those opposite we haven't been downgrading the services that exist in the other hospitals in South Australia; in fact, we have been doing quite the opposite and expanding the capacity and the capability at all hospitals in South Australia, and we are very proud to have done exactly and precisely that.

So to make it very clear, it's not the Leader of the Opposition and it's not the Labor Party that we are taking advice from on this matter. It's looking at the projections in terms of the way that treatment is going forward, the likely increases in population, the different methodologies for treatment. What we have seen during the pandemic is a shift to more telemedicine, and we know that this is a positive. This will change the nature and the mix of those people who are presenting in our hospitals. We listened to that and we framed our response.

What we will see in today's budget is a final cost for this state-of-the-art facility that the people of South Australia deserve and have deserved for a very long period of time, and we will see a very substantial increase in the treatment spaces over and above what exists now. But there is a change in mix with regard to the proportion, and there will be some opportunity for people to reflect on all of that consultation work that has gone in.

If we compare that with what happened under the previous government, with their failure to consult on the new Royal Adelaide Hospital, the position and the contrast are quite stark. I understand from people in my electorate that at one stage the Royal Adelaide Hospital had 1,100 beds there. The new hospital was built with 700 beds. That seems to me a massive reduction. By contrast, what we have done—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —is to respond with a massive increase to meet the current and future needs of South Australians.

WOMEN'S AND CHILDREN'S HOSPITAL

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:16): My question is to the Premier. Why is the government building a new Women's and Children's Hospital with seven fewer obstetric beds than the current hospital? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: On 891 radio yesterday, obstetrician Professor John Svigos said that in the new Women's and Children's Hospital obstetric beds have been reduced from 63 to 56 before going on to say, and I quote:

...this is in the face of an increasing birth rate that has been occurring at the hospital...which we can barely cope with.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17): I thank the cherrypicker-in-chief for his question. I know he planned all these questions and had them written out for him earlier in the day, but I answered that question with my previous answer, and I refer the Leader of the Opposition to my previous answer.

Members interjecting:

The SPEAKER: Order, the Premier! The member for King has the call.

INFRASTRUCTURE PROJECTS

Ms LUETHEN (King) (14:18): My question is to the Minister for Infrastructure and Transport. Can the minister update the house on how the Marshall Liberal government are building what matters across South Australia?

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee! When there's silence, the Minister for Infrastructure and Transport has the call.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:18): Thank you, sir, and a wonderful question from the member for King, as they always are because she's interested in the more money that we are investing into infrastructure in South Australia.

Ms Hildyard: It's the same question over and over and over again. Here come the clichés.

The Hon. C.L. WINGARD: The member for Reynell chips in and says, 'You've had this question before,' and, yes, she's right. Do you know why? Because under the old question the amount of money we were spending on infrastructure in South Australia was \$16.7 billion—impressive, I know—more than they have ever spent on infrastructure in their history. Now, though, this is where the question gets different, because now, after the budget—

Ms Hildyard interjecting:

The SPEAKER: Member for Reynell!

The Hon. C.L. WINGARD: —and the Treasurer has been very kind, giving us a little bit of a heads up—comes down today, that figure of \$17.9 billion—\$17.9 billion—will be spent on infrastructure in South Australia. The quantum is big and the quantum is sometimes hard for people to comprehend, we get that, but let's put it in tangible benefits. What we are doing is building and fixing roads for the people of South Australia, not only in metropolitan Adelaide—

Members interjecting:

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

The Hon. C.L. WINGARD: —but in the regions as well, and don't they appreciate that. Schools, hospitals and sporting infrastructure as well, we are impacting the lives of people in South Australia and that is what is important. This is going to change the face of South Australia as we know it—the significant investment into these key areas, key areas that people engage with every day.

Families, young people looking to stay in South Australia—and aren't they loving to do that right now—and people who are coming back to South Australia as well love and appreciate the work

we are doing, as I said, investing in those key areas. The Treasurer will be down to give a little bit more detail in a few moments' time, and I know the member for Reynell will love it. She will probably chip away a little bit, but she will love it. She will love—

Ms Hildyard interjecting:

The SPEAKER: The member for Reynell will cease interjecting.

The Hon. C.L. WINGARD: —what the Treasurer has to say because we are building thousands of kilometres of roads, dozens and dozens of schools and hospitals. We are building and fixing the mess they left. I'm not sure if anyone here remembers Transforming Health. What a debacle that was—those opposite shutting down the Repat and shutting down our hospitals. We are investing to rebuild those hospitals and what that does is it creates a stronger South Australia, creating jobs—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat for a moment. Interjections on my right and on my left will cease. I'm having some difficulty hearing the minister's answer and that's the result—

Ms Hildyard: It's the same answer as last time.

The SPEAKER: Order! That's the result of interjections on both my right and my left. The minister is entitled to be heard in silence and I should be in a position to be able to hear clearly what the minister is saying in response to the question. The minister has the call.

The Hon. C.L. WINGARD: Those opposite don't like hearing about the \$17.9 billion we are investing in infrastructure and the jobs we are creating in the process, building what matters for the people of South Australia. We know how important that is. Let's compare records. I mentioned the \$16.7 billion figure before, a record figure for South Australia over a four-year period—more than \$4 billion than those opposite ever delivered for the people of South Australia. But it's gone up. I can't stress that point enough. They may not like it on the other side, but \$17.9 billion is \$5 billion more than those opposite could ever fathom.

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

The Hon. S.C. MULLIGHAN: Indeed, perhaps it's more of a point of clarification: do I take it from the minister's answer that the house no longer needs to abide by the embargo over the state budget? We are free to start talking about it, tweeting about it and talking to the media about it?

The Hon. S.S. Marshall: The 17.9 was announced four days ago.

The SPEAKER: Order! There is no point of order. The member for Lee will resume his seat.

Members interjecting:

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

The Hon. A. KOUTSANTONIS: Sir, the Premier just called a member of this house a bozo. Grow up and apologise.

Members interjecting:

The SPEAKER: Order! The member for West Torrens knows the correct approach should be raising a point of order in relation to an interjection or words used by any member. If the member for West Torrens is seeking the opportunity to do so in the appropriate way, I will give him the call.

The Hon. A. KOUTSANTONIS: Thank you, sir, and I am. I ask that the Premier withdraw and apologise for his unparliamentary language to another member of parliament.

Members interjecting:

The SPEAKER: The member for Playford will cease interjecting.

Mr Brown: It should be a good day for you. Why are you so angry?

The SPEAKER: The member for Playford is warned.

Mr Whetstone interjecting:

The SPEAKER: Member for Chaffey! I will rule on the point of order. The member for West Torrens has raised a point of order in relation to words that he says the Premier used that he indicates may have been unparliamentary and the member for West Torrens has placed on the record the word that he says was heard. In the circumstances, with a view to resolving the matter for the time being, I will give the Premier the opportunity to withdraw the use of that word, if it's necessary. If it's necessary to address the matter further, I will do so after considering the matter further. I give the Premier the opportunity to withdraw the use of that word.

Members interjecting:

The SPEAKER: Member for Chaffey!

The Hon. S.S. MARSHALL: I withdraw the reflection of 'bozo' that the opposition finds so offensive.

The SPEAKER: The minister has the call.

The Hon. C.L. WINGARD: We will return to business because the member for Lee might be red-faced, and probably has a red nose because of the embarrassing statement he just made. The \$17.9 billion figure has been around in the media for a number of days and we have been proudly talking about it, about what we are doing to deliver for the people of South Australia. Talk about our regions and the money we are investing in our regions.

Members interjecting:

The SPEAKER: Member for Badcoe!

The Hon. C.L. WINGARD: We know the contempt those opposite have for the regions. In fact, I remember former Premier Weatherill saying that there were no votes in the regions for Labor, so they didn't care about the regions. Well, that's not the way we feel. We are improving country roads. We are improving regional roads. We are making it safer and—

Members interjecting:

The SPEAKER: Member for Elizabeth!

The Hon. C.L. WINGARD: —for higher productivity roads out there in the regions for the people of South Australia. Again, those opposite just don't care for the people in the regions. There are a number of projects and we have put these in the media. The member for Lee may not be aware of them so I will remind him of them: the park-and-ride (the member for Newland is a huge advocate for the park-and-ride in Tea Tree Plaza), an amazing piece of infrastructure that we are delivering for the people of South Australia; a \$45 million upgrade at Marion Road and Sir Donald Bradman Drive, again to get traffic moving smoother—

Members interjecting:

The SPEAKER: Member for Florey!

The Hon. C.L. WINGARD: —and \$27 million—

Members interjecting:

The SPEAKER: The member for Mawson is warned.

The Hon. C.L. WINGARD: —for planning studies for the Greater Adelaide freight bypass and the next stage of the Augusta Highway duplication and Eyre Highway upgrades as well. We know, again, how important our regional roads are.

Members interjecting:

The SPEAKER: Member for Giles!

The Hon. C.L. WINGARD: Of course, under those opposite no planning work was done. When we came into government, no planning works had been done and therefore it made it very

hard to get projects going off the ground. But we are doing those works, we are getting these projects up already so we can keep delivering more for the people of South Australia and continue to build what matters for South Australia.

The SPEAKER: Before I call the member for West Torrens, I remind all members, notwithstanding a degree of energy in the place on this special day, that is no reason for there to be sustained or any interjections. The member asking a question is entitled to be heard in silence and the minister in answering the question is entitled to be heard in silence. The member for West Torrens is seeking the call.

RENEWAL SA

The Hon. A. KOUTSANTONIS (West Torrens) (14:27): My question is to the Attorney-General. Did the Attorney-General make a complaint to the Office for Public Integrity regarding the alleged conduct of Mr Hanlon and Ms Vasilevski at Renewal SA that was the subject of an ICAC investigation, and did she inform SAPOL investigators at the time that she had made a referral? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: On 22 September 2018, the Attorney-General distributed a written statement to the media in relation to two Renewal SA executives. In November 2018, *The Advertiser* reported that SAPOL's Anti-Corruption Branch had begun conducting an assessment into whether the Attorney-General had breached the ICAC Act's strict secrecy provisions.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:27): I thank the member for the question. These matters were all canvassed back in 2018 and there was complete exoneration in relation to the scurrilous allegations by the then member for West Torrens—still the same member for West Torrens—and I have nothing further to add.

RENEWAL SA

The Hon. A. KOUTSANTONIS (West Torrens) (14:28): I ask the Attorney-General—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: My question is to the Attorney-General.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. A. KOUTSANTONIS: I ask the Attorney-General again: did the Attorney-General make a complaint to the Office for Public Integrity regarding the alleged conduct of Mr Hanlon and Ms Vasilevski at Renewal SA that was the subject of an ICAC investigation, and did she inform SAPOL Anti-Corruption Branch investigators at the time?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:28): I refer to my previous answer and make it absolutely clear—the member knows full well; he's an expert on these things—that, in relation to any allegation relating to the Office for Public Integrity, it would be totally improper for me to even provide that information. That issue was canvassed back in 2018.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: He knows it. He's an expert on ICAC—ask him!

Members interjecting:

The SPEAKER: Order! Before I call the member for West Torrens, I call to order the member for Elizabeth, I call to order the member for Badcoe and I call to order the Deputy Premier.

*Parliamentary Procedure***VISITORS**

The SPEAKER: I indicate to members the presence in the Speaker's gallery of the Hon. Graham Ingerson, former member for Bragg and former Deputy Premier. Welcome to you. It is good that you could join us today.

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

The SPEAKER: Member for Mawson, we will not take this as a moment to excuse interjection.

Mr Whetstone: He's pulled his nose out of the trough.

The SPEAKER: Member for Chaffey!

Members interjecting:

The SPEAKER: The member for Chaffey is warned.

Members interjecting:

The SPEAKER: Order, members on my left! The member for Mawson will cease interjecting. I have warned the member for Chaffey. The interjections will cease.

*Question Time***INDEPENDENT COMMISSIONER AGAINST CORRUPTION INVESTIGATION**

The Hon. A. KOUTSANTONIS (West Torrens) (14:30): My question is to the Attorney-General. Will the Attorney-General pay Mr Hanlon or Ms Vasilevski compensation following the collapse of the ICAC prosecution as she paid accused murderer Henry Keogh \$2.57 million? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: In July 2018, the Attorney-General announced an ex gratia payment of \$2.57 million to Mr Keogh after his conviction was overturned. Keogh, according to the evidence to the parliament by South Australia Police, remains the only suspect in the 1994 death of his then fiancée, Anna-Jane Cheney.

The SPEAKER: Before I give the call to the Attorney-General in this regard, I just remind members that standing order 97 provides for appropriate means by which a member may seek and obtain leave in order to introduce facts. Should leave be granted, the circumstance under which leave is granted is to introduce such facts as are necessary to explain the question and not to then engage further in the subject matter beyond that requirement. I just remind members of that requirement in relation to standing order 97.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:31): Thank you, Mr Speaker. It is a matter of record that in relation to the matter of Henry Keogh the government have agreed to and paid funds arising out of 19 years of imprisonment in relation to a conviction that was overturned by the Full Court of South Australia. That is a matter of fact, not as asserted by the member in his question; nevertheless, that is a matter of fact.

There is no application or request before me by anyone representing Mr Hanlon or Ms Vasilevski in relation to the matter that was dealt with in the Magistrates Court last week, but I am advised that the Office of the DPP are reviewing that matter, including as to what other action is taken in relation to it. I won't add anything further in relation to that matter, but I point out that they are totally distinguishable matters.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:32): My question is to the Minister for Child Protection. Was the 21-day-old baby who tragically died at Noarlunga Hospital on 23 April the subject of any child protection notifications? With your leave, and that of the house, Mr Speaker, I will explain.

Leave granted.

Ms HILDYARD: Today's *Advertiser* reported that the father of the baby, 31-year-old Ashley John McGregor, has been remanded in custody after being charged with the manslaughter of the baby. McGregor was already facing serious criminal charges, including maintaining an unlawful sexual relationship with a child, having sexual intercourse with a person under the age of 14 and producing and possessing child exploitation material.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:33): I just indicate that the member in her own question has outlined the fact that this is a matter currently before the criminal court. I appreciate that her question seeks information in relation to any other historical issue in relation to the victim—in this case, a little baby. I will make some inquiries into what information can be made available in light of the fact that the matter is sub judice and, as you pointed out, is currently before the courts in those criminal matters.

SCHOOL INFRASTRUCTURE PROJECTS

Mr TRELOAR (Flinders) (14:34): My question is to the Minister for Education. Can the minister update the house on the Marshall Liberal government's record investment in capital works across a range of government schools and preschools?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:34): I thank the member for Flinders for his question. He represents an area of regional South Australia—the Eyre Peninsula, the West Coast. Indeed, along with the member for Giles probably pretty much the western half of South Australia is captured in those two electorates.

It is a significant part of our state and, while the population is dispersed fairly heavily, the children and young people of the western half of South Australia deserve a world-class education, one that, as the Marshall Liberal government has the ambition for, will deliver them support to fulfil their potential whatever town they are in, whatever kindy they are in, or whatever classroom in whatever school they are in.

Of course, there is a substantial body of work that has been going on for some time as part of our record \$1.3 billion in public school infrastructure investment. It's a record investment in infrastructure in our public school system in the history of South Australia, and it was enhanced last Thursday with the announcement of \$42 million worth of further projects.

The member asks for an update on how the projects are going. In terms of these significant capital works, the member for Flinders, I am sure, will be pleased to know that the Ceduna Area School upgrade—a \$4 million upgrade—is on track for completion later this year, currently looking like September. The \$4 million upgrade at Cummins is also on track for completion by the end of term 4, as is the substantial \$15 million upgrade at Port Lincoln High School. These are important projects that will see increased support for the teaching and learning in those schools.

I mentioned the member for Giles, and our government has indeed supported the development of educational infrastructure in line with the suggestions and the recommendations of the education department, blind to whichever political party those seats are in. Indeed, in the member for member for Giles's electorate, the Roxby Downs Area School has a \$7 million upgrade on track to be completed by November.

I had a video call with the principal at Roxby Downs in the last few weeks. They are very excited about that, as they are indeed excited about the two teachers under the TeachForAustralia program, who are doing some fantastic work with their specialist backgrounds in STEM areas, supporting high-quality specialist teaching and learning in Roxby Downs.

Also a \$2 million CWAS loan provided to the Memorial Oval Primary School will see a new gymnasium built there. It's currently looking like February next year, and certainly in the first half of next year that that will be built. As the Marshall Liberal government has committed since 2018, the \$100 million new secondary school, the Whyalla Secondary College, in Whyalla will be delivered in time for the beginning of next year. Labor, of course—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —had 16 years in government where they could have upgraded these facilities—

Members interjecting:

The SPEAKER: Deputy Premier!

The Hon. J.A.W. GARDNER: I am sure the member for Giles can enlighten any of his colleagues about the history of this project—start, stop, start, stop—announced potentially about two or three months before the last election as basically an election promise. This government is delivering it, and indeed it is on track for completion in November this year thanks to the work of the Marshall Liberal government.

I am really pleased to also advise the member for Flinders that last Thursday we announced a further \$2 million to relocate Elliston Kindergarten. The Elliston RSL Memorial Children's Centre is located in a low-lying area with sustained high groundwater levels, sustained high moisture and dampness issues, potential high flooding and high capital costs to combat ongoing moisture issues. With mouldy carpet, damaged floors, rectification needed of salt damp, this is a facility that's been in need of rectification for a significant period of time.

The Marshall Liberal government, in line with the way that we have approached educational infrastructure, have listened to the education department in terms of their priorities. This has been seen as one of the highest priorities, so \$2 million will see that relocated to the area school so that the children and young people of Elliston, like others around South Australia, will have access to world-class facilities. This work is to start soon and will be completed in the next two financial years.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:38): My question is again to the Minister for Child Protection. Minister, why was a 21-day-old baby enabled to go home from hospital with a person facing multiple criminal charges relating to child abuse?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:39): If I may just advise that, in relation to this line of questioning, I am assuming it is the same 21-day-old baby that's referred to in the previous question. On that basis, again I just refer to my previous answer.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:39): My question is again to the Minister for Child Protection. Were any of the other children that Mr McGregor allegedly abused engaged with the child protection system?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:39): I again indicate to the member that if there is information that can be made available, I will make that inquiry as to what may be able to be available in relation to this matter.

But there are a number of things that really need to be prioritised. One is the criminal trial that's currently progressing. Secondly, it's usual then for the Coroner to make a decision as to whether there is going to be a full inquest in relation to the death of a child, which of course is a reportable death and then, of course, other matters may follow. But, in the meantime, the priority is ensuring that the criminal prosecution is not prejudiced in any way, which is why we have a rule in relation to matters that are sub judice to not discuss those. But I will make that inquiry and, if information can be made available, I will advise the member.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION INVESTIGATION

The Hon. A. KOUTSANTONIS (West Torrens) (14:40): My question is to the Attorney-General. Has the Attorney-General made any direction or request of the DPP regarding the Hanlon-Vasilevski prosecution? Will she table any directions to the parliament?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:40): In relation to the action that concluded in the Magistrates Court last week, I have made an inquiry in relation to my department via the chief

executive in relation to getting a briefing from the DPP as to what action he is proposing in relation to this matter, because, as the member may be aware, the fact that a matter may have concluded in the Magistrates Court doesn't prohibit the DPP, independent as the DPP is, from taking some other action in another court. So they are matters which, I am advised, at this point he is considering.

So, in the sense that there has been an inquiry, yes, there has been an inquiry via my chief executive to inquire if I can have a briefing from the DPP's office. But I am aware that the matter is under consideration.

OVERSEAS TRADE OFFICES

Mr McBRIDE (MacKillop) (14:41): My question is to the Minister for Trade and Investment. Can the minister update the house on how the Marshall Liberal government is opening new markets for our exporters by investing in our overseas office network?

The Hon. S.J.R. PATTERSON (Morphett—Minister for Trade and Investment) (14:41): I thank the member for MacKillop for his question. Of course, MacKillop is very important for food, wine and agriculture exports. Certainly, in my visits down there with the member for MacKillop, the industry have said how important it is for them to be able to get access to not only existing export markets but also new export markets, especially established ones.

We talked about the United Kingdom. No doubt business not only in MacKillop but all throughout South Australia will have warmly welcomed the announcement last week of the Australia-UK Free Trade Agreement in principle that Prime Minister Scott Morrison or his counterpart the British Prime Minister Boris Johnson announced. That's some fantastic news for our premium food, wine and agriculture exporters here in South Australia. It will also give encouragement for those who are looking to export to also export as well.

In our London office, we are heavily focused on not only trade but also investment, so we will look to leverage that free trade agreement once it's in operation but also, in anticipation, work towards what the results and the outcomes could be for South Australian business. The UK, of course, in the last 12 months to April, has seen \$400 million of exports, and that's a part of the record \$12.5 billion of exports in the last 12 months to April from South Australia. That's the highest ever in South Australia's history and really is a massive vote of confidence in our exporters here in South Australia, so we as a government are continually looking to see how we can help them with on-the-ground presence in some key markets.

Of course, Brexit is one of the reasons for the UK's renewed interest in Australia and in South Australia. The European Union is also going to be important. We will be looking in anticipation to get a free trade agreement with the European Union as well, hopefully along the lines of this UK free trade agreement. Of course, we don't want to have a cold start, wait for that to be signed and then start looking. We are keen at leaning in straightaway on this.

It was great news last week when we were able to give more confidence to exporters here in South Australia that we will be setting up, as a Marshall government, a European office based right in Paris to further help our South Australian exporters export into what is a key export market in Europe—\$700 million of exports consistently over the last five years, and that's each year. That's in a range of sectors as well.

I have talked about food, wine and agriculture, but there's also defence. We've got great synergies with France. The massive Attack class submarine is being built here in Port Adelaide with the Naval Group. We want all South Australian businesses that subcontract into those primes to also be able to export, and this is going to be a great opportunity to grow their exports.

Of course, renewable energy is also a massive source of investment here. I talked last week about Project EnergyConnect and how that's creating massive investment here. French company Neoen are investing \$3 billion here. We want to use that trade office to further boost investment here in South Australia. Space—a massive opportunity; we are the nation's space capital. We want to work with the European Space Agency around opportunities there.

This is fantastic news for South Australian exporters. We will look to work alongside them as a government with this trade office network not only in Europe and the UK but, as I have talked previously, in the massive markets of the US, in Asia and in China. So this is a way that we are looking to grow the economy here. In addition to the fact that we've got a fantastic place to live—

Australia's number one most livable city, the third most in the world—of course, we need an economy to support that. That's what our export plan in South Australia is aimed at doing.

KANGAROO ISLAND BUSHFIRE RESPONSE

The Hon. L.W.K. BIGNELL (Mawson) (14:45): My question is to the Minister for Emergency Services. Do you think that the investigations into the cause and firefighting effort of the Kangaroo Island bushfires have been adequate?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (14:46): I thank the member for Mawson for the question. No-one should have to go through what the people of Kangaroo Island had to go through during the 2019-20 bushfires. In saying that, I can advise the house that, following any significant incident, obviously the CFS do undertake an investigation and an independent review, and C3 Resilience was commissioned by the CFS to conduct the independent review into the CFS's response to the bushfires that burned across Kangaroo Island during December 2019 to February 2020.

Further to our independent review as a whole—and, obviously, we were the first state government in all of Australia to commission our own independent bushfire review held by Mr Mick Keelty—and consequent to that, I am pleased to advise the house that all 27 of the immediate action items have actually been implemented.

We are getting on with the job of making sure that we learn from the past and making sure that we continue to invest in our emergency services: new trucks, AVL technology being rolled out as we speak and thermal imaging cameras right across the board. If you look at thermal imaging cameras, if you look at AVL technology—AVL technology was around and able to be utilised by the former government since about 2012. The only thing that was missing was the government money behind it. We have made sure that we do respect the processes that are underway, but that we continue to invest in our emergency services.

Getting to the member for Mawson's question, I do understand that two personnel from one of the Kangaroo Island CFS groups have been suspended while an investigation is conducted. Obviously, as that investigation continues, it would be inappropriate for me to make further comment about that, but the member may be aware that there are the Fire and Emergency Services Regulations. They prescribe the manner in which these CFS disciplinary processes must occur. This includes the process that must take place when an initial complaint or allegation is made.

In accordance with the regulations, as the member is aware, if members have been suspended that would be standard practice in the CFS, and it is important not only to uphold the integrity of the CFS but also to afford natural justice to CFS members who are accused of anything. So we have to be very careful there.

Generally speaking, our government is continuing to invest in South Australia's emergency services. After there are any significant bushfire incidents, it's important that we take stock of what worked well and what can be improved. As it does with any significant incident, the CFS has commissioned an operational review into its response on Kangaroo Island. I have enjoyed going multiple times to Kangaroo Island, talking to and thanking many of the volunteers who gave up so much to do absolutely everything they could to defend the island during those fires.

As I said, in response to recommendations of the independent review we are delivering an over \$97 million action plan designed to create what I would say is definitely a safer, more bushfire-resilient South Australia, and I have spoken about things we are implementing such as better AVL technology being rolled out, over 25 new trucks, and a retrofit of CFS vehicles with turnover protection systems.

For the first time ever, there will actually be a permanent CFS staffing presence on Kangaroo Island—16 years of Labor government, and no permanent CFS resource on the island. We have come into government, we have done this review and we need to learn from the past: for the first time there will be a permanent CFS staffing resource on Kangaroo Island. That resource will work hard, night and day, to make sure they improve the situation over there.

KANGAROO ISLAND BUSHFIRE RESPONSE

The Hon. L.W.K. BIGNELL (Mawson) (14:50): My question is again to the Minister for Emergency Services. What does the minister say to the people of Kangaroo Island who lost so much in the bushfires of 2019-20 and who say that their voices and views haven't been heard in the reviews? Mr Speaker, with your leave and that of the house, I will explain.

Leave granted.

The Hon. L.W.K. BIGNELL: I have been speaking with many people on Kangaroo Island who feel they haven't had their views on the bushfires heard. One person told me:

We were on the ground. We know what government departments didn't do to help with the fires but no-one wants to hear us, and when we read the CFS report into the bushfires we don't see our views reflected there. We are really struggling with our mental health side of things, and being ignored and the prospect that mistakes will be repeated just makes it worse for everyone.

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (14:51): I thank the member for Mawson for the question. I do point out that the CFS has accepted all recommendations from the operational review, and I want to continue to thank the CFS volunteers, as well as the CFS volunteers and the farm firefighting units, who worked hard, especially during those 2019-20 bushfires.

There have been two reviews. They have been comprehensive, and the recommendations of the most recent one have all been accepted. There was another review in 2007 under the former Labor government. You might not be able to find that 2007 review in the public domain; however, it is very pleasing that this time around, when a review was done into what transpired on Kangaroo Island, the review was made publicly available for full transparency.

What I say to the member for Mawson is that if he does have any specific incidents or constituents, if they want to get in contact, the next time I'm on the island I am more than happy to speak to them. I do acknowledge and appreciate that for many people on the island this has been extremely difficult. That is why we are working very hard as a government to make sure that we give our CFS the tools they need to keep South Australians safe.

As I said, after significant bushfire incidents it's important that we take stock of what was done well but also what can be improved. We are investing like never before in our emergency services.

The CFS also held a public forum as the operational review was released, and I think that is a very important thing. It is very important that people on the island were able to have their say, but I do acknowledge that this has definitely not been an easy process for many people on the island, and many people are still getting over their grief, their losses, their trauma. We absolutely acknowledge that; it is not an easy issue.

However, as I said, for the first time ever we have invested in making sure that AVL technology is rolled out across the board. We are continuing to invest to roll out new CFS trucks like never before—

The Hon. L.W.K. Bignell: You might as well sit down, mate, because you're not actually addressing the people of Kangaroo Island: you're just repeating yourself.

The SPEAKER: The member for Mawson will leave for 20 minutes in accordance with standing order 137A—

Members interjecting:

The SPEAKER: —and he will leave in silence.

Members interjecting:

The honourable member for Mawson having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: Point of order, sir: as the member for Mawson was leaving the chamber, the Minister for Innovation and Skills yelled out an abusive term about the member. I ask that he apologise and withdraw immediately.

Members interjecting:

The SPEAKER: Order! There is no point of order. The member for West Torrens, as has been addressed on a number of occasions in recent weeks, will be aware, if only from my rulings in relation to similar matters, of the requirement in relation to a point of order of that nature. There is no point of order. The minister has the call.

The Hon. V.A. TARZIA: As I was saying, \$4.7 million has been allocated for nine additional regional FTEs, which will include the first permanent CFS staffing presence on Kangaroo Island. Under 16 years of the Labor government that was never the case, but we take this very seriously. We know that more needs to be done. We have put our money where our mouth is, and that is why, for the first time, there will be a permanent CFS presence on Kangaroo Island.

Apart from that, we do acknowledge the grief and the trauma that many of these people have had to go through, and that is why we have also allocated funding for an additional counsellor to support the mental health and the wellbeing of volunteers, which is very important.

As my colleague the Minister for Environment and Water would also know, in recent times we have also allocated \$37 million to increase hazard reduction, including prescribed burns on public and private land, which is very important because we know that, because of the terrain and as the climate continues to heat up, unfortunately there is a degree of inevitability when it comes to bushfires happening in South Australia.

However, what we can do as a government is to do everything we can not only to better steel ourselves and protect ourselves but also to give resources to the CFS so that they can keep South Australians safe.

TORRENS TO DARLINGTON PROJECT

Ms STINSON (Badcoe) (14:56): My question is to the Minister for Transport. Why has the minister broken a commitment to tell the people of my electorate—

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

The SPEAKER: The member for Badcoe will resume her seat. The Minister for Energy and Mining on a point of order.

Ms STINSON: I haven't even got half a sentence out.

The SPEAKER: The member for Badcoe is warned.

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order: the suggestion that the minister has broken a commitment in the asking of a question is against standing order 97.

Members interjecting:

The SPEAKER: Order! I have heard the—

Members interjecting:

The SPEAKER: Order, members on my right! The member for Badcoe will need leave should the member wish to introduce any facts necessary to explain a question. I will give the member for Badcoe an opportunity to rephrase.

Ms STINSON: My question is to the Minister for Transport. Did the minister break a commitment to tell the people of my electorate whether their homes and businesses are being compulsorily acquired for the Torrens to Darlington project by now? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms STINSON: On ABC television on 11 November 2020, the minister stated that residents would be informed of compulsory land acquisition once the reference design was complete, saying, and I quote, 'We'll be finalising the reference design, and that will be by the middle of next year,' which should be now. In addition, the minister's own departmental staff have told people at recent public consultations that the reference design is still months away and not due until December. On top of that, the Torrens to Darlington executive director, Susana Fueyo, told the Public Works Committee on 10 June that no properties have so far been identified for compulsory acquisition.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:58): No.

WATER INFRASTRUCTURE

Mr PEDERICK (Hammond) (14:58): My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the Marshall Liberal government is building what matters by investing in water infrastructure for drought-affected farmers?

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (14:58): I thank the member for Hammond for a very important question. Drought is a devastating thing that farmers face in their business on a regular basis here in South Australia. It is something that we need to help them with to get them more resilient going forward.

One of the key things that we have been working on is a benefit that has been seen in the electorate of Hammond, as well as elsewhere, which is the uptake of the On-Farm Emergency Water Infrastructure Rebate Scheme.

In Hammond itself, in the council areas of Mid Murray, Coorong, Southern Mallee, Karoonda East Murray and the Rural City of Murray Bridge there have been over 150 successful applicants in that space, which has been really important for those businesses to do infrastructure improvements to underpin their business going forward, particularly during those drought periods.

We have seen the livestock industry and the farmers involved jointly funded—up to 939 farmers—with a payout of more than \$12½ million between February 2019 and April 2021. This is a great benefit to those communities. We will see those farms being much more resilient going forward and making sure they have stock water available on a consistent level going forward. Whether they are able to underpin some of their horticultural areas, their crops, etc., it's certainly given an opportunity for these farmers going forward.

This is really important infrastructure that we are seeing them build. It's not just tanks, etc. It's pipework, it's troughs, it's everything that a livestock farmer needs to make sure they are able to operate in very dry conditions. We have also announced a new round jointly with the commonwealth—another \$5.2 million—where farmers can apply for this new round going forward. Also, on top of that we have seen an extra round, particularly focused on Kangaroo Island itself, with 600,000 available to those farmers specifically, recognising the impact they have faced through the bushfires.

In bushfires, sadly, often there is significant damage to water infrastructure, whether tanks are destroyed by the fire, whether they be poly tanks or even steel corrugated iron tanks that don't handle the heat as a fire goes through and they are lost. Pipework can be burnt. There are so many opportunities that we need to underpin going forward to make sure they can recover from those circumstances.

We have also seen investment in the drought hub, the Drought Resilience Adoption and Innovation Hub. This is very much a new program, working with the commonwealth, where, based at Roseworthy at the Adelaide University's campus, we will be working in nodes to actually underpin the research, extension and adoption of technologies to help farmers in drought. We will be working on looking at a variety of trials.

We will be working on the adoption of agtech. It will all help farmers underpin their properties going forward as we approach the next drought. We know the next drought is on its way. It's one of the factors that we face here in South Australia, that we know there is another drought coming. We need to make sure that the farmers are as ready as they can be, that they have the resources. We need to underpin these jobs going forward. We are building what matters and delivering services here in South Australia and particularly in the regions.

TORRENS TO DARLINGTON PROJECT

Ms STINSON (Badcoe) (15:02): My question is to the Minister for Transport. Will part or all of either Black Forest Primary School or Richmond Primary School be compulsorily acquired for the Torrens to Darlington project? With your leave, and that of the house, sir, I will explain.

Leave granted.

Ms STINSON: A map published on the Department for Infrastructure and Transport website indicates the route of the upgraded South Road will require widening in sections on top of Black Forest and Richmond primary schools.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (15:03): I thank the member for her interest in our \$17.9 billion infrastructure spend and one of the key projects, which of course is the north-south corridor. We have the toughest part of the north-south corridor left to do, the most important part, the most expensive part, but the most vital part for South Australia to unlock that 70-plus kilometre stretch and give us a nonstop corridor. Of course, it is going through that region, and we have talked about this at length and we have communicated this extensively with the people of that local area.

The fact is that the reference design is being done, and it will be done in the second half of this year. As soon as we know that detail, we will take it to the public and we will communicate it with them. We have made it excessively clear here because what we don't want to do, and what I fear might be happening from some, is fearmongering and scaring people about what might happen and what could happen without actually knowing the detail. I have talked at length about that—

Members interjecting:

The SPEAKER: Member for Badcoe!

The Hon. C.L. WINGARD: —and how important it is to make sure that we get that information. The north-south corridor is a ladder of opportunity for us here in South Australia, and it gives us the opportunity to reach for the top shelf as far as infrastructure is concerned. The member for Badcoe would be keen to know about those opportunities, especially in the local area. We are very keen to step it up and make sure that we are getting what is important for the people of South Australia. This piece of infrastructure is vitally important.

Mr Brown interjecting:

The SPEAKER: Member for Playford!

The Hon. C.L. WINGARD: We will continue to do that reference design, continue to do that detailed work and we will communicate with the people in that region as we have a concrete piece of information, but we will not be out there scaring people. We will not be out there suggesting their house may be acquired when it might not.

Ms Stinson: Well, you obviously have.

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

The Hon. C.L. WINGARD: We will do the work, we will get the detail and we will communicate with the people accordingly. We have had a number of good reference groups. We have had a number of—

Ms Stinson interjecting:

The SPEAKER: Member for Badcoe!

The Hon. C.L. WINGARD: —good engagements with the community, and we ask that wider community to continue to be involved with that. You can go onto the website and get all the information you need. That planning work is being done. We know it's a two-tunnel solution, of course. This has never been done in South Australia before, and we know that our solution will save—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —hundreds and hundreds of homes.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. C.L. WINGARD: Under Labor's plan, it was an open-cut chasm, which would have put a cavity right through the middle of the north-south corridor, right through the middle of a number of communities. We want to make sure we get this planning right. We know it's going to improve productivity for the distribution of goods along that corridor and of course give access to the airport as well, but we will be working with that community all the way along.

What I can say is that, by coming up with the hybrid plus solution, which we have done, we have saved quite a number of homes. I know the member for West Torrens is very keen on that because he was going to destroy the Thebarton Theatre with the open-cut design model they were going for, but we have saved the Thebarton Theatre and we are very, very keen about that. We have saved a number of businesses. Those who are in the vicinity of the tunnel know exactly that they won't need to be acquired, and what this gives us going forward as well is a great opportunity to—

Ms Stinson: Why won't you tell parents what is happening to their local schools?

The SPEAKER: Member for Badcoe!

The Hon. C.L. WINGARD: —make sure that we have east-west connectivity and that we can get back to more community-orientated living across that corridor because we know the north-south corridor as it stands had been neglected for so long through this section by those opposite. We are upgrading it and when we know that detail—

Ms Stinson: What's happening to Black Forest and Richmond Primary schools? That was the question.

The Hon. C.L. WINGARD: The member for Badcoe keeps yelling. The more she yells is not going to quicken up the reference design.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. C.L. WINGARD: The work is being done—

The SPEAKER: The minister will not respond to interjection.

Members interjecting:

The Hon. C.L. WINGARD: You can't just yell at people you work with, you're right. That's a very good point you make. You can't just yell at them and yell at them and insist that they do what you say. What you need to do is listen to what they have to say.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: So, again, to be really clear—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier!

Members interjecting:

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

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned. The Premier is called to order. The member for Playford is warned for a second time. The minister has the call.

The Hon. C.L. WINGARD: To the point of the question—and that was: when will people know what properties will be acquired and what won't—it is when the reference design is done. I can't be any clearer. We have made it really, really clear that—

Mr Odenwalder: That wasn't the question.

The SPEAKER: Member for Elizabeth!

The Hon. C.L. WINGARD: —those schools and those properties that need to be acquired will be informed when the reference design is complete. What houses and properties and where the

tunnel is going to be, they know and they know that certainly. I mentioned, of course, the Thebarton Theatre and the prominent church that's also in the member for West Torrens' electorate, and as we get that detail we will be taking it to the community.

The SPEAKER: Before I call the member for Kaurna, the member for Badcoe will leave for 10 minutes in accordance with standing order 137A.

The honourable member for Badcoe having withdrawn from the chamber:

COVID-19 VACCINATION ROLLOUT

Mr PICTON (Kaurna) (15:07): My question is to the Premier. Premier, why, as of 3pm today, are there currently zero available appointments at the Wayville mass vaccination clinic for a Pfizer first dose?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:07): I will take that question on notice and bring back an answer and leave the remaining 15 minutes of question time for those who would usually use this time.

The SPEAKER: The member for Mount Gambier.

MOUNT GAMBIER, PUBLIC HOUSING

Mr BELL (Mount Gambier) (15:08): Thank you, Mr Speaker.

Members interjecting:

The SPEAKER: Order! The member for Mount Gambier has the call.

Mr BELL: My question is to the Premier. Can the Premier advise how much of the \$900 million maintenance tender for public housing will be allocated to the seat of Mount Gambier?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:08): I thank the member for the question. I am responsible for the minister in this house in relation to these matters. I also have a lot of generic data in relation to other areas specifically in relation to Mount Gambier. I will make that inquiry and come back to the member.

SHOP TRADING HOURS

Ms BEDFORD (Florey) (15:08): My question is to the Premier. What comparison is being used when describing South Australia as an economic backwater and what evidence does the government have to demonstrate deregulated retail trading hours will, rather than increase costs, increase retail spending in South Australia and what increase is forecast? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms BEDFORD: In an article in *The Australian* on 17 June, outgoing Treasurer Lucas claims South Australia is derided as an economic backwater because of trading hours, yet the McKell Institute's March 2018 report on the economic impact of deregulation of Boxing Day trading hours in New South Wales shows there was no dramatic uplift in retail spending since December 2015, when businesses were first permitted to trade without restriction.

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:09): I am not familiar with the Treasurer's specific words that the member refers to, but I am often confronted with people who are here staying in Adelaide on holidays from interstate or from overseas and they do find it very unusual that the shops close at 5pm on a Saturday night and don't reopen until 11 o'clock on Sunday morning. I think that many people would consider this completely and utterly inconvenient and quite out of kilter with what goes on in other parts of the country and other parts of the world.

We have had a policy for a long period of time, and we have in some ways implemented that policy during the COVID pandemic—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: —where we did extend trading times. This was done after receiving some advice—

The Hon. S.C. Mullighan interjecting:

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

The Hon. S.S. MARSHALL: —from SA Health that we needed to spread the hours that businesses were open so that we could, if you like, reduce the density of people. Rather than concentrating the density of people around the existing opening hours, we extended that.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. S.S. MARSHALL: We didn't have a freefall in terms of job creation and a massive escalation in prices like some of our political opponents have asserted over a long period of time. In fact, we had quite the opposite. People found it convenient. It was healthier for people with regard to greater levels of distance that could be created when we weren't concentrating people going to those shops around narrower shop trading hours. What we saw in South Australia, and I think this is something that all South Australians can be very proud of, was record reflections in consumer—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee will cease interjecting.

The Hon. S.S. MARSHALL: —sentiment in South Australia, record in terms of business sentiment in South Australia and investor sentiment—quite the opposite from what our political opponents would assert with regard to following this policy which has existed for a very long period of time in other jurisdictions.

But, more than that, it's the current policy outside metropolitan Adelaide. Those opposite want to assert that for some reason there's going to be a massive increase in prices of groceries right across South Australia if we adopt the situation which has existed in country SA for decades and decades and decades. There's plenty of choice in places like Mount Barker, which has complete deregulation. In fact, I am not hearing any calls from those opposite for regulation of shop trading hours in Mount Gambier to stave off the evil of the extended shop trading hours.

Mr Brown interjecting:

The SPEAKER: The member for Playford will cease interjecting.

The Hon. S.S. MARSHALL: It would be quite ridiculous to start to regulate the shop trading hours in Mount Barker, but that is, in fact, what is essentially the position of the Australian Labor Party for metropolitan Adelaide. It serves no purpose, it reduces choice, it reduces the number of hours available for people to work in these roles, and what it does is it drives people to online sales. When you do not have convenient shop trading hours, it drives people online. When we look at those statistics, we in South Australia—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —have a higher proportion of online sales than other jurisdiction. We want to back those people who have invested in bricks-and-mortar businesses here in South Australia, who are employing people here in South Australia. Those opposite want to stick with an antiquated system, which, quite frankly, over the life of COVID-19 has proved to be complete and utterly ineffectual.

The SPEAKER: Before I call the member for Florey, I warn for a second time the member for Lee.

SHOP TRADING HOURS

Ms BEDFORD (Florey) (15:13): Again to the Premier: so you are assuring South Australian consumers there will be no rise or increase in prices if shop hours are ever deregulated?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:13): I just refer the member to my previous answer.

TRANSITION TO ADULT LIFE INTENSIVE PROGRAM

The Hon. G.G. BROCK (Frome) (15:13): My question is to the Minister for Child Protection. Can the minister update the house on the direction of the future support of young people with complex needs currently carried out under the Transition to Adult Life Intensive Program (TALI), which I am advised will cease at the end of June. With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. G.G. BROCK: According to my information, this program was launched in 2018 with support to those aged between 15 and 25 with complex needs in Upper Spencer Gulf, in Port Pirie, Port Augusta and Whyalla. At the time of the launch, the minister indicated that the program would be invaluable to young people who face multiple barriers transitioning to adult life from a residential or commercial care placement.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:14): I thank the member for his question. The Transition to Adult Life program was, as stated, in the Upper Spencer Gulf. It was a pilot program over 18 months. I visited many of the young people. It involved having mentors with lived experience and then new, younger children who were still under the guardianship of the minister.

When I met with them, I saw their life story books they were working on and I heard about the programs they were undertaking. The majority of them saw getting their driver's licence as one of the main features, which, in the country, it is. We extended the program by a further year because the young people weren't yet through the program, so it did take a lot longer than expected to go through it. It was evaluated and, based on that evaluation, we extended it by a year to let the children who were already in the program complete the program. On the figures and the evaluation at this point we won't be going forward.

Given that things like driving lessons were one of the major factors, I have been looking at other ways. There are Rotary Club courses that are available for learning to drive. We also have I think 10 lessons available for young people in care that are funded through our department. So we are looking at other ways that we can support young people, not just in the Upper Spencer Gulf but across the whole state.

BROWNHILL CREEK

Mr DULUK (Waite) (15:16): My question is to the Minister for Environment and Water. Can the minister please update the house on some of the investments occurring at Brownhill Creek and explain what measures are being undertaken to protect this important ecological open space, including the Kurna Shelter Tree Project?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:16): I thank the member for Waite for his important question about the Brownhill Creek part of our city. That area forms an important link from what is essentially metropolitan suburbia up into the Hills, connecting a whole range of corridors of open space, which, as we know, provide the space for biodiversity to survive and thrive. It has been really good, over an extended period of time, to work alongside the member for Waite since the 2015 by-election, when he first came into this place, to look at opportunities to enhance that environment. I know it is an area that he has had a long interest in.

We went to the 2018 state election making a commitment that we would partner with the Brownhill Creek Association, which is a friends group, a community group, that works exceptionally hard not only to look after the conservation value of that area but also to tell the Kurna story and the more modern heritage of that community as well. We partnered with the Brownhill Creek Association to provide a \$100,000 grant and that was to extend over a five-year period. They have now worked through that grant for three financial years and have been able to get some really exceptional outcomes for the environment, for accessibility through that area and also in the area of telling the Kurna heritage and the cultural story of that place.

Much of the work has gone to removing woody weeds, particularly through the creek lines and through the surrounding environs, which stretch up the Hills on both sides of the creek, and getting rid of the olives, the ash trees, the castor oil plants and the various other invasive weeds that have been choking out the native vegetation. We have then been able to institute a revegetation program with the Brownhill Creek Association and involve a whole range of other community groups working alongside the National Parks and Wildlife Service, the local rangers, to be able to achieve some really good outcomes for the environment there.

This area, as well, is known not just for being significant woodland bird habitat but also as a connection where the southern bandicoots are seen. They travel from Brownhill Creek through those corridors up into the Hills and are really becoming something of an iconic species towards environmental restoration through that district.

I am very heartened by the way that this organisation, the Brownhill Creek Association, has really been able to expand the money and multiply it many times over. Through their three financial years of spending around \$20,000 each year, they have actually been able to leverage in excess of \$100,000 each year in in-kind support, additional donations and so forth, connecting together the local council, other not-for-profits and organisations like Trees For Life.

Much of this is down to the work of one person in particular, and that is Ron Bellchambers. He is a very significant mover and shaker in that community and has connections across so many different groups and is passionate for environmental restoration and telling the Kurna story. He is particularly driving the Kurna shelter project at the moment. I want to take the opportunity today to thank Ron for his longstanding and enduring commitment to that site. The natural environment is far better off for his work.

MEDICARE REBATE SCHEME

Ms BEDFORD (Florey) (15:20): My question is to the Minister for Recreation and Sport. How will the federal government's proposed changes to the Medicare rebate scheme impact young children who are injured playing sport? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms BEDFORD: Medicare rebates for hip, shoulder and hand surgeries for injuries occurring to young sportspeople are being removed from 1 July. The cost must now be borne solely by the person who is injured, and with public hospital waiting times for orthopaedics at more than five years and the cost for private hospital cover escalating, this will see an injured sportsman face a dilemma of more time on the sidelines, continuing pain, or paying for the additional cost of surgery.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (15:21): I thank the member for her question. Whilst I can't speak for the federal government, what I can talk about is what we actually are doing in sport. We are doing an incredible amount especially for community sport. We have put some \$390 million into sport since coming into government, more investment in grassroots sports than sport has ever seen before.

Ms BEDFORD: Point of order, Mr Speaker.

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

Ms BEDFORD: The question was about sports injury, and if the minister has no information for the house, it would just be better if he sat down.

Members interjecting:

The SPEAKER: Order, members on my right and members on my left! The minister has only just commenced his answer.

The Hon. A. Piccolo interjecting:

The SPEAKER: Order! The member for Light is called to order. The minister has just commenced his answer so, in a sense, I am prepared to uphold the point of order insofar as it's a point of order as to relevance. The minister will direct his answer to the question. The minister has the call.

The Hon. C.L. WINGARD: Again, I thank the member for the question. I was going to give a short answer, but I can give a longer answer now. I do notice that they scoff over there, yet whenever money goes into their local communities they are very happy and very grateful, so the clubs are excited. But to get back to the question before I'm rudely interrupted, in particular by the member for Reynell—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat for a moment. The member for Hurtle Vale is called to order. The member for Florey rises on a point of order.

Ms BEDFORD: Sir, it is relevance. There is no relevance to injuries and what he's supplying in sport elsewhere. It would be better for him just to sit down so we can get to the budget.

The SPEAKER: Order! I have already ruled on the member for Florey's point of order. I have upheld it in respect of it being a point of order as to relevance. I have given the minister the opportunity to address his answer to the question. The minister had slightly more than a nanosecond in which to continue before the point of order was repeated. I will give the minister an opportunity to answer the question. The minister will direct his answer to the question. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir. If I can finish my answer before I'm rudely interrupted, specifically by the member for Reynell, I do want to point out that we actually have increased our sports vouchers and this actually leads to expansion into swimming. Swimming is a sport which of course is very therapeutic and very good for rehab and recovery. This is a really great initiative, I think, that we have taken that program that was only \$50 under the previous government and we have actually moved it to \$100.

I don't want to be a spoiler for the member for Lee, but this was announced a couple of weeks ago. He probably didn't notice. We have actually expanded it out to year 9, so we are actually putting more money back into the pockets of the people of South Australia. What we did also point out was that \$20 million has already gone back into the pockets of the people of South Australia and that will expand, and the Treasurer will outline that further when he comes into this house.

But adding sports like dance and swimming into this program actually does very much help people to have a bigger choice of sports they want to play. So if they don't want to play a contact sport—

Ms Bedford interjecting:

The Hon. C.L. WINGARD: If they don't want to play a contact sport, they can choose to do something that is less—

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

The Hon. C.L. WINGARD: —physically demanding as far as a potential injury is concerned. Having said that, we know that people can fall over walking down the street as well. We want to keep people active, we want to keep people doing healthy sports, we want to keep people running, we want to keep them exercising—heaven forbid, we want to keep them doing calisthenics as well—because we know how beneficial that is for their health and wellbeing.

Again, I can talk ad nauseam about the \$390 million we put into sport and how beneficial this is for the people of South Australia, not only from a physical fitness point of view but from a mental fitness point of view. We know as far as wellbeing is concerned, this is a really great uplift. I can turn to the Minister for Environment and the work he has done with the reservoirs, which fits under our Game On strategy here through the Office for Rec and Sport.

The departments are working incredibly closely again to get people out, to get them in nature, to get them walking, to get them riding, to get them to do things that are physically beneficial for them and make them fit and healthy. We will continue to do that, but I won't speak for the federal government.

*Parliamentary Procedure***BUDGET PAPERS**

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:25): I lay on the table the following papers:

Budget Overview 2020-21—Budget Paper 1
Budget Speech 2020-21—Budget Paper 2
Budget Statement 2020-21—Budget Paper 3
Agency Statements 2020-21—Volumes 1, 2, 3 and 4—Budget Paper 4
Budget Measures Statement 2020-21—Budget Paper 5

I move:

That the Budget Statement, Agency Statements and Budget Measures Statement be published.

Motion carried.

*Bills***APPROPRIATION BILL 2021***Introduction and First Reading*

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:26): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the year ending 30 June 2022 and for other purposes. Read a first time.

Second Reading

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:26): I move:

That this bill be now read a second time.

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

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

The Hon. R.I. LUCAS (Treasurer): Mr Speaker, as much as I always enjoy the company of you and your colleagues, I am delighted to note that this will be the last occasion on which I have to again thank you for your invitation to present the budget speech. It is a bit like waiting outside the principal's office to be summoned in to see the principal. I was well behaved.

Twenty-three years ago, when I presented the 1998-99 budget speech in the aftermath of the financial and economic catastrophe of the collapse of the State Bank, I stated that 'South Australians have witnessed the first stage of a financial rescue operation that is unparalleled in the state's history'.

Well, Mr Speaker, I am sure that all South Australians would agree that that was nothing compared to the financial and economic challenges we now confront. No-one would have ever contemplated framing budgets with a backdrop of the Governor of the Reserve Bank, federal Treasury secretary and national business and economic commentators all urging governments to keep spending and incurring massive increases in debt and deficit.

Last year's budget was geared toward two clear objectives—to save as many lives as we could and then to save as many jobs and businesses as we could. In the six months since the last budget, it is pleasing to report that there have been no further deaths related to the COVID-19 pandemic. We have also seen significant economic recovery as thousands of businesses reopen their doors and workers return to work or increase their hours of work.

Since the depths of the pandemic in May last year, more than 60,000 jobs have been created in South Australia and there are now more people employed than at any time in our state's history. The centrepiece for last year's budget was the largest ever economic stimulus package in our state's history designed to jump-start our economic recovery. This two-year \$4 billion economic stimulus

package is leveraging another \$1 billion in commonwealth, local government and business stimulus bringing the total stimulus to \$5 billion.

The independent commonwealth Parliamentary Budget Office has assessed the relative strengths of each state's stimulus package and concluded that South Australia's economic stimulus package was the second largest stimulus package of all the states as a percentage of gross state product. Whilst significant progress has been made, there is no doubt there is still more work to be done and this budget launches the next stage in our strong economic recovery plan.

This budget is our blueprint for a stronger South Australia—a positive plan that charts our course out of the pandemic by creating jobs, building what matters and delivering better services to further secure our growing global reputation as one of the safest and most attractive places in the world to live, work and raise a family. This blueprint for the future builds on the foundations of a completely new approach to economic growth and jobs growth that we outlined in our first budget three years ago.

Long-term sustainable jobs growth would not be achieved by an emphasis on politicians and public servants picking winners by giving grants to favoured individual businesses. This new policy for long-term sustainable jobs growth would be based on improving business competitiveness by reducing the cost of doing business in South Australia for all businesses.

If we want South Australian businesses to export more goods and services to national and international markets, then the costs of doing business in our state have to be nationally and internationally competitive. For three years now, we have implemented policies to achieve that objective:

- payroll tax has been abolished for all small businesses with payrolls less than \$1.5 million per year;
- ESL costs for businesses and households have been reduced by \$90 million per year;
- the top land tax rate has been slashed from 3.7 per cent to 2.4 per cent in the most comprehensive land tax reform package in the state's history;
- electricity costs for the average business have dropped by 20 per cent, and the recent approval of a second interconnector will drive electricity costs down even further; and
- water bills for an average business have dropped by \$1,350 per year, and a small number of high-volume businesses have saved up to \$1 million this year on their water bills. The overall water bill cuts have come at a cost to the state budget of almost \$200 million per year due to lower SA Water profits.

Treasury have estimated that a small nursery business with a payroll of \$750,000 saved \$7,730 this year, compared with what they would have paid if the policy settings of 2017-18 had been continued. Similarly, the annual savings for a business with a payroll of \$5.5 million are estimated to be \$5,178 lower than the equivalent in 2017-18. That business also received \$203,000 in direct COVID-19 relief, as well as deferral of \$107,500 in payroll and land tax.

This budget continues our economic growth strategy and rejects the alternative approach to post-COVID recovery adopted by the Victorian Labor government, which has just announced massive increases in land tax and stamp duty, gambling tax and the imposition of a new business payroll tax to fund health expenditure. This is very much the Labor way, as the former Labor government in this state introduced new betting and foreign investor taxes and tried to introduce new banking and car park taxes. Consistent with our jobs growth strategy, this year's budget provides further relief in the following areas:

- a 12-month extension of payroll tax exemption for wages paid for eligible new trainees and apprentices—a combination of state and federal government subsidies means that businesses can receive up to \$32,000 in support for new apprentices and trainees;
- a 50 per cent land tax discount will be introduced for eligible new build-to-rent housing projects, which will reduce the land values for land tax purposes up to 2039-40; and

- a further \$10.7 million in land tax relief in 2021-22 through the land tax transition fund for those taxpayers negatively impacted by changes to land tax aggregation rules in 2021-22. This initiative increases relief from 30 per cent to 70 per cent of the relevant increase in 2021-22, and brings total relief through the fund over three years to \$48.7 million. The government remains committed to ensuring annual land tax relief from 2022-23 onwards from the land tax reforms is no less than the originally estimated \$75 million per year.

As I outlined last year, a critical feature for ongoing economic recovery is increasing confidence in businesses and households—confidence in businesses to invest and help create jobs and confidence in households where workers have jobs to resume spending at pre-COVID levels rather than increasing levels of savings.

Recent confidence surveys of businesses and households have now shown significant increases in confidence, and the ABS this month reported that capital spending by business in South Australia in the last 12 months had increased by a massive 21 per cent—the highest increase of all states in the nation. When combined with the fact that last year we finally attracted more people from interstate into our state than actually left the state, we can be optimistic about what the future holds for our state.

The government in this budget has established a new \$200 million Jobs and Economic Growth Fund to promote economic development and help create jobs. This fund includes significant new funding together with unallocated funding from the former Economic and Business Growth Fund.

This new jobs fund will also be a potential funding source for the federal government's Modern Manufacturing Initiative, which provides significant federal funding for initiatives as long as it is matched by state government funding and private sector investments. The state government is considering a range of initiatives, including those in the hydrogen, space, defence and plant protein sectors.

Over the last three years, \$244 million has been committed to projects out of the Economic and Business Growth Fund. This budget is also funding a range of other job creating and supporting initiatives including:

- \$1.8 million to establish a trade office in Paris, which is in addition to offices in Tokyo, Houston, New York, Dubai, Singapore and Shanghai. In contrast, the former government closed down six trade offices.
- \$20.8 million to upgrade existing buildings at Lot Fourteen to enable the expansion of space, digital, hi-tech and cyber companies in a collaborative setting. A particular focus will be on companies involved in small satellite development.
- \$22.8 million to meet increased demand under the Post-Production, Digital and Visual Effects Rebate Scheme and also to continue the scheme beyond 2022-23.
- \$6.6 million to increase funding for the Screen Production Fund managed by the South Australian Film Corporation. This initiative will be funded by ceasing the payroll tax exemption and associated ex gratia relief scheme for film production.
- \$14 million per year extra into the Leisure Events Bid Fund as all the available funding from the former Adelaide 500 race is transferred into the fund.
- \$2.6 million to support small businesses developing digital and cyber security capabilities as well as other capabilities to enter the national trade market.
- \$4 million for the Great State Voucher scheme, including funding for another round of vouchers later this year. This scheme will include further support for accommodation providers in the CBD.
- \$500,000 in addition to the \$300,000 already announced to support activation of the Adelaide precinct by supporting events and activities that encourage people to return to work in the city or to visit and spend time in the city.

Mr Speaker, together with a focus on creating jobs and growing the economy, the government's other major priority in this budget is another significant increase in spending on hospitals and health services and, in particular, mental health services.

COVID-19 has placed enormous pressure on hospitals and health services throughout the nation, and this has also been apparent in South Australia. The government next year will commit a record \$7.4 billion in health spending, which is actually an increase of almost \$900 million over health spending by the former Labor government in 2017-18. The government is also allocating an additional \$800 million over five years to fund new initiatives, meet growing pressures as well as providing additional funding for savings targets unable to be achieved.

Budget papers estimate that total health staff next year will be about 1,000 higher than the number employed by the former Labor government in its last year. In fact, figures produced by the Commissioner for Public Sector Employment indicate that in the first two years of this government, from 2018 to 2020, the number of nurses and doctors actually increased by 855. These facts clearly debunk claims being made that pressure in the health system has been caused by funding cuts or cuts to the number of nurses and doctors being employed.

The government has a clear plan to tackle our health challenges, including fixing ramping and easing pressure in our hospitals. This plan includes four points:

- increasing emergency department capacity;
- reducing demand on our emergency departments;
- tackling bed block in our hospitals; and
- providing additional resources to our ambulance services.

In this budget, the government is going to spend an additional \$163.5 million over four years to strengthen the state's mental health system by supporting the implementation of the state's Mental Health Services Plan. The plan is designed to respond to the immediate need for support services and by also investing for the future to create a more resilient and flexible system. Some of the new initiatives include:

- \$20.4 million over three years to build a new 16-bed crisis stabilisation facility in the northern suburbs to support the mental health needs of the community.

The centre will operate 24 hours a day, providing acute crisis care based on a recovery model with highly skilled professional staff and peer workers in a high-quality therapeutic but safely designed setting. The centre will provide a further 16 beds of capacity in our acute mental health system and another alternative treatment pathway to reduce admissions to our public hospitals and ease pressure on our emergency departments. Operating costs will be about \$8.5 million per year.

- \$8.4 million per annum to increase the capacity of our community mental health services to provide help for people who have acute mental health challenges in the community and reduce the number of people in crisis presenting to our public hospitals. This includes investing in additional drug and alcohol services, child and adolescent mental health services, forensic mental health services, and support for adults with severe mental health conditions, including post-traumatic stress disorder.

Mental health clinicians will also be permanently assigned to work with our ambulance service to assist as first responders, and to facilitate referral to an appropriate treatment pathway, avoiding the need to transfer a person to a public hospital emergency department if this is not necessary.

- \$12 million in 2021-22 to support the fit-out required to create additional psychiatric intensive care bed capacity in our public hospital system. This will create the capacity for up to eight additional beds available to be commissioned by SA Health as necessary based on future demand.
- The Adelaide Adult Mental Health Centre opened in March of this year, providing adults access to a range of mental health support services in an alternative setting to a hospital

emergency department. The centre, opened in partnership with the commonwealth government, currently operates as a 12 hour per day service (12pm to 12am). \$4.5 million per annum is provided to expand the delivery of urgent mental health care to the community, including through expanding the centre's service to 24 hours a day. This will expand the number and type of patients that can be assisted by the centre, further easing the pressure on our hospital emergency departments.

- \$48 million over four years to construct a new 20-bed older persons acute mental health unit at Modbury Hospital.

This will allow for the decommissioning of the current Woodleigh House site at Modbury Hospital. This investment will allow for the transfer of the current older persons mental health unit from the Lyell McEwin Hospital to the new Modbury facility and for the current adult mental health patients at Woodleigh House to transfer to fit-for-purpose facilities at the Lyell McEwin Hospital.

- \$5 million in 2021-22 to support the building of additional accommodation to provide options for people living with mental health disability to live independently whilst accessing appropriate supports.

With a contribution to the up-front capital costs, the government will invite proposals by the non-government sector to build and operate such accommodation. This will also help to provide greater capacity to the public health system to discharge patients who no longer need acute medical attention in a public hospital but require support to return to the community.

- \$5 million over two years to support the immediate needs of the mental health workforce in our public mental health services by increasing training and oversight capacity to assist in filling immediate positions and to provide greater opportunity to the existing workforce to build skills in mental health treatment.
- \$7.3 million in 2021-22 to continue a series of additional time-limited programs designed to support the mental health, wellbeing and resilience of the community in the face of the COVID-19 pandemic. This includes increased in-reach support to vulnerable communities and increased access to phone and other counselling services over the next 12 months as the community continues to navigate the implications of the global pandemic.

Mr Speaker, this massive investment in extended and new mental health services is consistent with the advice from mental health experts over recent months. The state government continues to negotiate with the federal government about possible further extension of mental health services.

The government has always maintained its clear plan to easing pressure on our emergency departments, and fixing ramping required a comprehensive range of initiatives in a number of areas. A number of these new mental health initiatives and services will assist significantly in easing the pressure on our emergency departments. The government will continue to invest in other initiatives which are designed to also ease pressure on our emergency departments. They include:

- four priority care centres, providing community-based health care and treatment, including diagnostic and pharmacy services;
- My Home Hospital, delivering hospital care to people with certain conditions in the comfort of their own home;
- placing medic nurses in custodial facilities; and
- assigning mental health specialists with paramedic crews across the metropolitan area.

Another feature of the government's plan has been continued investment in initiatives to tackle bed block in hospitals, such as:

- the Transition to Home: Step Down program, with additional beds available for NDIS-eligible patients awaiting longer term supports;

- statewide hospital criteria-led discharge to help patients return home as soon as possible; and
- transferring metropolitan patients to peri-urban hospitals for ongoing care in times of peak demand.

When this government was elected just three years ago, we inherited a hospital system which, after 16 years of neglect by the former government, did not have anywhere near enough treatment spaces in our emergency departments. The government has allocated more than \$110 million to provide 140 new treatment spaces in emergency departments and emergency extended care units in nine hospitals and health services. This will increase treatment space capacity in these sites by 65 per cent.

Flinders Medical Centre is being transformed from the state's busiest ED into the biggest ED, growing it by 30 treatment spaces to 86 spaces. The Lyell McEwin Hospital ED is being increased from 39 treatment spaces to 72. The Queen Elizabeth Hospital will add 15 ED treatment spaces as part of the \$314 million redevelopment of the hospital. Modbury, Mount Barker, Murray Bridge, Gawler and the Southern Fleurieu Health Service in Victor Harbor will also grow their EDs by 45 treatment spaces between them.

The remaining critical factor in the government's plan to ease pressure in our emergency departments and fix ramping is to increase funding significantly to our South Australian Ambulance Service. The government has commenced the process of appointing an additional 74 ambulance staff as a result of a recent negotiated settlement with the unions, which involves agreement for significant roster reform which will significantly assist in improving ambulance services in our state. These extra employees will mean that since 2018 there will be an increase of 258 ambulance staff.

Claims that the government has cut funding for ambulance services are clearly wrong. In fact, funding for the South Australian Ambulance Service next year is budgeted to be \$28 million per year more than the funding provided by the former Labor government in 2017-18. In fact, South Australia has the second highest spending per capita on ambulance services of all states and territories. It is clear that simply increasing the number of ambulance staff will not by itself solve the problem of easing pressure in our emergency departments and fixing ramping. That is why the government's comprehensive plan is the only real solution to the challenges of fixing ramping and easing pressure in our emergency departments.

Mr Speaker, the government's commitment to deliver the new Women's and Children's Hospital has moved an important step closer with the recent conclusion of the business case. This new state-of-the-art hospital will have 500 treatment spaces providing more bed capacity, more operating theatres and a bigger emergency department than the current hospital. Overall, the new hospital will provide for a 13 per cent (59 treatment spaces) increase in capacity from the current hospital to cater for the needs of South Australian women and children for decades to come.

This increased capacity has obviously meant an increased cost, and the business case estimates the final cost at \$1.95 billion. However, a final estimated cost will only be resolved once the project has been reviewed by Infrastructure SA. This budget allocates \$1.1 billion in the forward estimates towards the building of the new hospital. The business case now estimates construction will conclude in 2026 and that the hospital will open for patients in 2027.

One of the most exciting initiatives in this budget is the \$50.1 million Early Learning Strategy, which will improve the identification of developmentally vulnerable children and enable early intervention and support. All parents will be familiar with the blue book that they are given in hospital when their baby is born as the place to record important milestones and development checks. Currently, every family is offered a universal home visit for their baby from the Child and Family Health Services (CaFHS) soon after birth, with milestone checks offered at six to nine months, 18 to 24 months and at preschool. Unfortunately, many parents are not aware of or do not take up this opportunity to utilise these checks. Records show the following percentages of children have accessed the developmental check:

- over 90 per cent of children aged one to four weeks old;
- 28 per cent of children aged six months;

- only 18 per cent of children aged 18 months; and
- 50 per cent of preschool children.

Under this new initiative, in partnership with CaFHS and non-government providers, we will be increasing the frequency and reach of screening and enhancing its effectiveness. The schedule will be widened to include additional checks at 12 months and three years. Increased monitoring of children's developmental milestones from birth to school age will reduce undiagnosed developmental delays in children entering the education system.

Around a quarter of South Australian children start school developmentally vulnerable in one or more of the following domains: physical health and wellbeing, social competence, emotional maturity, language and cognitive skills, communication skills and general knowledge. Many of these children do not catch up to their peers at school. To address this, the Early Learning Strategy will increase the number of children developmentally on track when they start school by identifying any issues early so families can receive support as soon as they need it. The strategy outlines a suite of initiatives including:

- \$35.1 million in new funding to expand the reach, frequency and number of child development checks;
- helping parents in their role as first teachers, including by partnering and providing grants to Playgroups SA and Raising Literacy Australia to give more families easy access to tips, tricks and resources to support their children's development;
- investment in new resources for teachers to build on the high-quality learning and development in every public preschool; and
- providing strategic vision and direction across the early years system, through the establishment of a new Office for the Early Years, within the Department for Education.

The government is committed to ensuring that those children identified with developmental delays through this program will be provided with additional supports and interventions. The government's commitment to the importance of education is clearly demonstrated by the fact that total education spending in 2021-22 will be \$769 million more than spent by the former government in 2017-18.

Over the forward estimates, the government is budgeting to employ 1,727 more teachers and other education staff than were employed at June 2020. Over the forward estimates, the government is continuing with its significant investment in upgrading education infrastructure with \$665 million being invested in education and schools. The government continues to invest in building new schools as it meets the increasing demand for government schooling in our state. New schools are being delivered at Angle Vale, Aldinga, Whyalla and Goolwa.

In this budget, the government is committing \$84.4 million to construct a new 1,200-student year 7 to 12 high school at Rostrevor. This new school is required to meet the growing demand in this area for government secondary schooling. Enrolment demand analysis makes it clear that the school will be required to open from the beginning of 2023 for year 7 students. The government will also provide additional capital grants of \$11.8 million for non-government schools focused on projects that grow enrolments, including improving non-government school facilities.

Since 2018, there have been more than 40,000 apprenticeship and traineeship commencements in South Australia. The number of new commencements in 2020-21 was almost double the number of commencements under the former government in 2017-18. This budget provides an extra \$68.9 million over two years to extend the existing Job Trainer Fund National Partnership Agreement. The government also continues to provide significant funding to TAFE and this budget allocates an extra \$215.5 million over four years to support TAFE as a contemporary training provider.

This budget allocates \$17.9 billion towards a record infrastructure program, which it is estimated will support more than 19,000 jobs during construction. The most important economic infrastructure project in this state remains the completion of the north-south corridor and this year's budget allocates \$3.4 billion over the next four years to the project. This project will provide a 78-kilometre nonstop motorway, connecting north and south and slashing travel time by 24 minutes. Productivity improvements will be enormous, as it is estimated that commercial freight operators will

save up to \$8.80 per trip. The project is estimated to create up to 4,000 jobs during construction and is still projected to be completed in 2030.

Updated traffic modelling has now estimated significantly increased traffic volumes on the motorway and this has necessitated wider tunnels to allow for three lanes each way. This has now increased the estimated cost of the project to \$9.9 billion. However, final estimated costs for the project will not be known until the final business case and the final reference design are completed later this year. Other transport initiatives include:

- an additional \$100 million towards the \$715 million Gawler line electrification project;
- \$99 million over 10 years for a railway station refresh program;
- \$48.5 million for a 700 car park Tea Tree Plaza park-and-ride;
- \$215 million to proceed with the Strzelecki Track upgrade;
- \$36 million to refurbish the Old Murray Bridge;
- \$202 million to construct a bypass of Truro township;
- \$180 million for stage 2 of the Augusta Highway duplication; and
- \$45 million to upgrade the Marion Road and Sir Donald Bradman Drive intersection.

Over recent months, the Hove level crossing project has attracted significant public comment during a public consultation process over various options for the project. The original project was originally estimated to cost \$170 million, but the two most favoured options involved very significant possible cost blowouts. One option was costed at \$290 million and the other was costed at \$440 million to \$450 million.

Local community concerns were expressed about both of these options and the federal government has made it clear that it was not willing to fund the additional cost of the \$440 million to \$450 million option. Given the lack of community support for this project and the massive blowout in estimated costs, the government has decided not to proceed with the project.

The budget contains funding of \$200 million for the exciting Aboriginal Art and Cultures Centre project at Lot Fourteen, which will be opened in early 2025. Funding of \$49 million is also being provided to build new world-class sports science and training facilities at Mile End as the new location for the South Australian Sports Institute.

Members interjecting:

The SPEAKER: Order!

The Hon. R.I. LUCAS: The government, earlier this year, committed to the building of a new multipurpose arena within the Riverbank Precinct. The new arena will be fully integrated with the Adelaide Convention Centre and will provide the capacity and flexibility to attract larger conferences and exhibitions of strategic importance to South Australia. It will also host professional court sports including basketball, netball and tennis, as well as having the capacity of 15,000 spectators for live entertainment performances.

The estimated cost of the arena is \$662 million, which will be reduced by the proceeds from the sale of the Adelaide Entertainment Centre site. The budget funds \$79 million in the forward estimates for planning and site preparation works and the project is expected to be completed in 2027-28.

This budget also funds a large number of new initiatives providing better services including:

- \$42.1 million to meet increased costs for the number of children and young people in care;
- \$18.2 million to establish the Newpin family reunification program, which is expected to support more than 200 families with children aged six years and under in care or on a temporary care order;

- \$11.3 million for the Resilient Families program, which is an intensive home-based family support intervention program. It is expected to support 300 families with children aged under nine years who have been referred for protective family preservation;
- \$3.7 million to establish family group conferences as an ongoing program;
- \$5.8 million to expand the successful sports voucher program to include students in years 8 and 9;
- \$10 million to implement strategies to reduce the rate of Aboriginal reoffending and over-representation in the criminal justice system;
- \$2.9 million to establish a new Aboriginal engagement reform model, which includes the creation of an elected Aboriginal engagement body;
- \$500,000 to develop a safeguarding smartphone app for people living with disabilities and their supporters;
- the commitment to 2.5 per cent indexation for eligible not-for-profit community service providers has been extended for four years;
- \$5.5 million to expand the green neighbourhoods program;
- \$22.9 million to fund projects investing in new technology and equipment related to mixed plastics reprocessing, improving the recovery and separation of soft plastics and increasing glass remanufacturing;
- \$6.3 million for a range of domestic violence initiatives to assist women to remain in the workforce and maintain economic security;
- \$5.5 million for an expansion of the residential aged-care enterprise system;
- \$3.9 million for an additional 100 electronic monitoring devices;
- \$21.1 million to implement stages 3 and 4 of the Shield project, which is SAPOL's primary information, data and records management system;
- \$7.7 million for the ongoing management, support and maintenance of the Automatic Vehicle Location system for the emergency services sector;
- an accelerated MFS fire truck replacement schedule, with eight new pumpers and an aerial platform appliance next year and a further six new firefighting appliances each year over the next three years;
- \$20 million to help reduce the backlog of people waiting for elective surgery procedures; and
- \$1 million to complete a detailed business case and a further \$5 million to acquire land and begin early works on a new Barossa hospital.

Regional South Australia contributes around \$29 billion to the state's economy, which is more than one-quarter of total GSP. This year's budget includes an additional \$875.7 million in new measures over the forward estimates supporting the regions. Together with the \$1.6 billion of new measures in last year's budget, this brings total new measures of \$2.5 billion funded in the last two budgets. For example, over the next four years there will be \$786 million invested on regional roads and \$120 million invested in regional education facilities.

The South Australian economy has performed much more strongly than expected at the time of last year's budget. Last year's budget predicted the state's economy would actually contract by 0.75 per cent in 2020-21, but it is now estimated actually to have grown by 2.25 per cent. While there are still segments of the economy that will continue to face challenges during 2021-22 as a result of the current COVID-19 restrictions, the economy is expected to grow by a further 3.5 per cent next year.

The economic turnaround has been due to a combination of the massive \$4 billion economic stimulus package and our state's impressive record so far of managing the health challenges of the COVID-19 pandemic. The improved economic outlook has resulted in expected increases in

GST revenue compared to estimates in last year's budget. For example, last year's budget revised down GST revenue in 2020-21 by about \$1.3 billion.

The economic recovery has meant that the level of GST losses has been reduced but not removed. Compared to pre-COVID estimates included in the 2019-20 Mid-Year Budget Review, GST estimates are still lower by \$374 million in 2020-21, \$364 million in 2021-22 and \$198 million in 2022-23, mainly reflecting South Australia's revised share of the GST pool. Total GST losses over just these three years are estimated to be \$937 million.

Last year's budget made it clear that the \$4 billion economic stimulus was strictly time limited to a two-year time period and it was the government's intention to return to a balanced budget as soon as possible. This budget outlines significant deficits for this year and next year before returning to surplus budgets from 2022-23, which is one year earlier than estimated last year.

The deficit for 2020-21 is now expected to be about \$1.8 billion, down from the \$2.6 billion deficit estimated in last year's budget. The deficit for 2021-22 is estimated to be \$1.4 billion, which includes increased contingencies for possible increased costs, such as costs related to managing the COVID-19 pandemic. This early return to balanced budgets is in contrast to the Victorian and commonwealth budgets, which do not return to surplus over the forward estimates, and the Queensland budget, which returns to surplus in 2024-25.

Whilst this budget does return to surplus earlier than expected, there are still projected significant increases in state debt due to record infrastructure spending and the short-term deficit budgets. Total net debt is still expected to rise from about \$22 billion this year to about \$33.6 billion in 2024-25. The total net debt to revenue ratio rises to 129.6 per cent in 2024-25 but remains lower than Victoria and Northern Territory and, based on 2020-2021 budgets, is lower in 2023-24 than the ratios for New South Wales and Australian Capital Territory. For example, the Victorian debt to revenue ratio is significantly higher, at 199.6 per cent in 2024-25.

Mr Speaker, when this government was elected, we promised to deliver not only lower costs for business but lower costs for families. The government is pleased to report that those promises have been delivered and that an average Adelaide household with two children and two cars is now around \$940 a year better off over a range of bills when compared to 2018. Lower water and sewerage bills, ESL bills, electricity bills and car registration/CTP bills, together with the doubling of the value of sports vouchers, have provided significant financial benefits to families.

This year's budget continues policies to drive down electricity costs and also extends the sports voucher benefits to even more families. The Budget Measures Bill associated with the budget this year only contains a limited number of measures, including the build to rent land tax concession and the payroll tax issue associated with the film sector.

The bill also incorporates a compliance measure associated with mining royalties and an amendment to the Motor Vehicles Act and the Road Traffic Act arising from a measure in last year's budget. Consistent with the commitment in last year's budget and now that legislation has passed in Victoria, the government will introduce in the coming weeks its promised bill for a road user charge for electric vehicles.

This budget provides the foundation and direction for our state's economic recovery and future. Our priorities in this budget are clear—jobs, health, especially mental health and education, especially the early years of education. As we manage our way out of the financial and economic destruction caused by COVID-19, South Australia is at the dawn of an exciting future.

I think as members would know, and as I told the media earlier today, I am generally a fairly miserable character as a Treasurer, but I have to say to the media and I say to the chamber today that I am as excited about this state's economic future as I have ever been in my 40 years of public life. It is a future which includes:

- thousands of new jobs building submarines and ships;
- rockets being launched as part of an exciting new space industry;
- Lot Fourteen continuing as a focus for innovation in sectors like cybersecurity and space;

- a state-of-the-art new hospital for women and children;
- the completion of the north-south corridor project;
- new job opportunities in areas like hydrogen and plant protein;
- an iconic and nationally significant Aboriginal Art and Cultures Centre, which is attracting visitors from interstate and overseas to Adelaide; and
- significant improvements in health and education services, especially in areas of mental health and the early years of education.

Mr Speaker, this government is excited about the future for our state and we strongly believe this budget provides the foundation and vision to chart the course of economic recovery and deliver on that future.

In conclusion, and I am sure I speak on behalf of all South Australians, including all members in this chamber, I again thank publicly all the hardworking staff, in particular in Health and related portfolios, and all the other public servants who have worked so hard to keep us all safe from the COVID-19 pandemic.

I again thank the Premier and my ministerial colleagues for their willing cooperation during this budget process. Their willing recognition of the need to return to fiscal discipline after we emerge from the pandemic has been an important part of this process.

I also again thank all the hardworking Treasury staff who have worked long hours in putting together this budget. Finally, on this last occasion, I want to thank all the staff in my ministerial office—and I am sure the former Treasurer will know some of them and he will probably join with me in terms of their commitment to whomever happens to be the Treasurer at the time. I do want to thank them for all the work they have done and the deadlines they have had to meet.

My last craven indulgence as I leave you, Mr Speaker, is I want to thank Caitlin, Bel, Gino, Julian, Sue, Luigi, Nino, Claire, Rachael, Tracey, Shaun, Belinda, Vicky, Kate, Toni (who has just left us), Naveena and Avdo for going above and beyond the call of duty over the recent weeks and months. With that, I commend the bill to the house.

The Hon. S.S. MARSHALL (Dunstan—Premier) (16:08): I move:

That the second reading be now resumed.

Motion carried.

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

Leave granted.

EXPLANATION OF CLAUSES

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2021. Until the Bill is passed, expenditure is financed from appropriation authority provided by the Supply Act.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

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

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

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

6—Expenditure from Hospitals Fund

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

7—Additional appropriation under other Acts

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

8—Overdraft limit

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

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2022

Debate adjourned on motion of Mr Brown.

STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL*Standing Orders Suspension*

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)
(16:09): I move:

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

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

Motion carried.

Introduction and First Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)
(16:09): Obtained leave and introduced a bill for an act to amend the Land Tax Act 1936, the Mining Act 1971, the Motor Vehicles Act 1959, the Payroll Tax Act 2009 and the Road Traffic Act 1961. Read a first time.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)
(16:10): I move:

That this bill be now read a second time.

The 2021-22 budget is focused on the government's priorities of increasing economic growth and jobs, supporting our businesses and the community and providing better public services for South Australians. The 2021-22 budget announces and includes the financial impact of measures that:

- as part of the government's housing strategy, introduce a 50 per cent land tax discount for eligible new build to rent residential construction projects. The discount will reduce the land value for eligible projects for land tax purposes by 50 per cent to the 2039-40 land tax year;
- ensure all future sale transactions of minerals are done within a reasonable market price reflective of an approved index price on the day of the sale, ensuring that mineral royalty calculations are done on a reasonable basis;
- abolish the legislated payroll tax exemption applicable to wages paid or payable in connection to a feature film produced in South Australia from 1 July 2022; and
- allow for the introduction of mobile phone detection cameras as prefaced in the 2020-21 budget.

I seek leave to insert the remainder of the second reading speech and the explanation of clauses into *Hansard* without my reading it.

Leave granted.

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

Land Tax Act 1936

This Bill introduces a 50 per cent land tax discount for eligible new build-to-rent properties. The discount reduces the land value of the parcel of land being used as an eligible build-to-rent property by 50 per cent until the 2039-40 land tax year. The criteria for an eligible build-to-rent property will be established in guidelines approved by the Treasurer and may include matters such as the minimum number of build-to-rent dwellings or units within a property, the minimum lease terms that must be offered to tenants and requirements to support the development of new affordable housing in build-to-rent properties.

Build-to-rent projects where construction commenced from 1 July 2021 will be able to apply for relief. The land tax discount will be available from the 2022-23 land tax year, providing time for the associated guidelines to be developed.

The reduction in land tax for eligible build-to-rent properties is designed to support the uptake of scale investment in residential rental housing, increasing the supply of housing and creating more opportunities for renters.

Mining Act 1971

The Bill introduces an amendment to the Mining Act 1971 to allow for the use of an observable market index price or similar independently determined sale price in cases where the mineral sale price declared as part of a royalty self-assessment is not consistent with market pricing of that commodity.

The amendment which is intended to take effect from 1 July 2021 is intended to close a loop hole that allowed tenement holders to pay lower royalties by contracting at less than market value.

Payroll Tax Act 1936

The 2021-22 Budget announced the Government's intention to abolish the film production payroll tax exemption and ex-gratia scheme and redirect the average annual costs of those schemes to the South Australian Film Corporation's Screen Production Fund.

The additional revenue expected to be raised as a result of this amendment and the cessation of associated ex-gratia relief provided on a case-by-case basis for film productions that do not meet the criteria of the exemption in the Payroll Tax Act 1936, will be used to increase the Screen Production Fund administered by the South Australian Film Corporation.

The Screen Production Fund supports the production of screen content for commercial release via theatrical, broadcast, or digital content platforms that generates significant economic outcomes for the South Australian industry. Projects funded under this scheme are expected to be substantially produced and post-produced in South Australia.

Historically the payroll tax exemption and ex-gratia schemes have cost \$1.6 million in total per annum, with the breakdown between the cost of the two individual arrangements varying by year.

The new arrangement will enable the South Australian Film Corporation to invest in local film productions.

The Bill removes the payroll tax exemption for film production from 1 July 2021.

The Screen Production Fund supports the production of screen content for commercial release via theatrical, broadcast, or digital content platforms that generates significant economic outcomes for the South Australian industry. Projects funded under this scheme are expected to be substantially produced and post-produced in South Australia.

Road Traffic Act 1971

The Bill introduces an amendment to the Road Traffic Act 1971 to allow for the detection of offences that involve use of mobile phone devices while driving using safety cameras, which in practice will be installed at high risk metropolitan sites. The high-definition cameras will target drivers illegally using a mobile phone.

Distraction, including using a mobile phone while driving, is one of the leading causes of fatalities and serious injury collisions on South Australian roads. Road crash data collected between 2015-2019 lists distraction as a key contributing factor in 43% (193) of all fatalities and 48% (1,396) of all serious injury collisions. In 2020, inattention/distraction was attributed as a contributing factor to 56% of crashes involving loss of life.

Motor Vehicles Act 1959

The Bill makes consequential amendment to the Motor Vehicles Act 1959 to ensure consistency of definitions resulting from amendments to the Road Traffic Act 1971 to implement the mobile phone cameras initiative.

Mr Speaker, the 2021-22 Budget is a responsible budget focused on creating jobs, better services and building what matters. The measures contained in this Budget Measures Bill 2021 support the efficient operation of government, the ongoing collection of necessary revenues, the provision of better services and improving safety on our roads and saving lives.

I commend this Bill to the House.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Land Tax Act 1936*

4—Insertion of section 7A

This clause inserts a new provision in the *Land Tax Act 1936* allowing for a 50% reduction in the taxable value of land (from 1 July 2022) where the Commissioner is satisfied that a building constructed on the land on and after 1 July 2021 is being used and occupied for a build-to-rent property in accordance with guidelines approved by the Treasurer.

Part 3—Amendment of *Mining Act 1971*

5—Amendment of section 17—Royalty

Subclause (1) substitutes section 17(5) and (6). Proposed subsection (5) provides that the value of minerals for the purposes of determining royalty will be the value that represents the market value of the minerals. The proposed subsection is a rewriting and clarification of the provisions that currently apply in respect of determining the market value of minerals sold pursuant to a contract with a genuine purchaser at arms length and minerals that are not sold pursuant to such a contract.

Proposed section 17(6) sets out the manner in which market value is to be determined, which includes a new provision allowing the Treasurer to determine the market value of minerals sold pursuant to a contract with a genuine purchaser at arms length in circumstances where the Treasurer is not satisfied that the contract price for the minerals reflects the market pricing of the minerals. Proposed subsection (6)(b) sets out the manner in which market value is to be determined in these circumstances, which replicates the provisions that currently apply to determining market value of minerals in circumstances where the minerals are not sold pursuant to a contract with a genuine purchaser at arms length.

Subclause (2) makes a consequential amendment.

6—Amendment of section 17B—Assessments by Treasurer

This clause makes a consequential amendment.

7—Transitional provision

Subclause (1) ensures that the amendments in this Part will apply in relation to the value of minerals for the purposes of determining royalty from 1 July 2021.

Subclause (2) provides for the continuing application of a declaration of the Treasurer made by notice in the Gazette under section 17(6)(b) of the Act after the commencement of this Part.

Part 4—Amendment of *Motor Vehicles Act 1959*

8—Amendment of section 5—Interpretation

This clause defines a 'series of photographs' so as to include a film, video or other continuous visual recording.

9—Amendment of Schedule 1—Evidence obtained by photographic detection device

This clause makes it clear that continuous visual recordings by photographic detection devices can be admitted into evidence in relation to registration offences in the manner provided for in the Schedule.

Part 5—Amendment of *Payroll Tax Act 2009*

10—Amendment of Schedule 2—South Australia specific provisions

This clause removes the payroll tax exemption for wages paid or payable to a person who is involved in the production of certain feature films produced in the State.

11—Transitional provision

This clause ensures that the exemption will continue to apply to wages that were paid or payable before 1 July 2021.

Part 6—Amendment of *Road Traffic Act 1961*

12—Amendment of section 5—Interpretation

This clause defines a 'series of photographs' so as to include a film, video or other continuous visual recording.

13—Amendment of section 79B—Provisions applying where certain offences are detected by photographic detection devices

This clause makes it clear that continuous visual recordings by photographic detection devices can be admitted into evidence in the manner provided for in section 79B(10).

14—Insertion of section 175B

This clause provides that evidentiary provisions can be made by regulation to facilitate the proof of offences relating to the use of devices in vehicles where the evidence is obtained through the operation of photographic detection devices of a kind specified in the regulations. The evidentiary provisions can include presumptions that the defendant has to rebut on the balance of probabilities.

This clause also provides that evidence obtained through the operation of the specified photographic detection devices can only be used in connection with the detection and enforcement of offences under the *Road Traffic Act 1961* or *Motor Vehicles Act 1959* or offences arising out of the use of a motor vehicle.

Debate adjourned on motion of Mr Brown.

Adjournment Debate

KANGAROO ISLAND BUSHFIRE RESPONSE

The Hon. L.W.K. BIGNELL (Mawson) (16:13): I would like to make a contribution on behalf of the people of Kangaroo Island, particularly those people affected by those deadly fires of 2019-20 that destroyed so much of the island; 211,000 hectares were destroyed, as were 87 dwellings, 332 outbuildings and 322 vehicles, and the fires killed 59,730 stock animals.

The pain and suffering for the people of Kangaroo Island continues because those people who lost so much and those people who were out there fighting the fires, either as members of the CFS or in farm fire units, saw things that went wrong. From the start of the fire through the fighting of the fire, which was not declared safe until early February—and let's remember these fires started in mid-December 2019—they think that they should have been heard and that lessons should have been learned from what they have had to say.

But, as to the review that was done, during question time the minister said, 'We were the first government to get a review underway.' But they demanded that the review report back by the end of June, so it was signed off by Mick Keelty in mid-June. It did not allow the review to talk to people and have the town hall meetings that the people running the review wanted to do because of COVID. They did an online survey through YourSAy to get people to go online to tell their experiences of the fire. There are several government departments that the reviewer was critical of because they did not make submissions about their role in the bushfires. I want to know what has happened to those government departments and why they did not put anything forward.

The hurt, the PTSD and the other mental health issues are real for the people of Kangaroo Island. When I came in here in question time and asked the minister whether he thought those people had been listened to, he reeled off a whole bunch of things that the Liberal government has spent money on. The people over there do not want to hear that. The people over there do not want this to be a Liberal versus Labor thing.

People just want to be heard, minister. They really want to have their views heard of what happened in the fire, about those things they say went wrong and what could have been done differently to save lives to ensure the fire did not spread as far as it did as quickly as it did. They want to make sure that they are heard in all this because we will see bushfires come again. They invariably do. The regrowth on the western end of the island, which was largely blackened in those 2019-20 bushfires, has grown back. There has been huge regrowth down that end of the island, plus we still have the eastern end of the island that people fear will be burnt.

People are critical of the fact that people came over to the island, without the knowledge of the vegetation and the climatic conditions and other things, and they did not actually know how to fight the fire. They have big questions about that that they feel have not been heard, and they definitely have not been answered in this review that was back in by 30 June. It is a little bit like saying, 'We were the first to put a cake in the oven.' If you have not put all the ingredients in the cake and you have not let it cook for long enough, when you take it out it is going to be a pretty ordinary cake.

This is no reflection on Mick Keelty because he had to go by the parameters that he was set, but perhaps the review time should have been extended, or do the review and it is tabled as it is on 30 June—he signed off on it on 16 June last year—and then say, 'But because of COVID we didn't get to have the town hall meetings, so we're going to have the town hall meetings now.'

I do not want to do anything that is going to further damage the fragile mental state of so many people who are now dear friends of mine. Some were before the fires and some have become my dear friends during and since the fires. I do not want to do anything to upset them, but the more I speak to them the more they want some sort of avenue, some sort of ability, to tell the world and the public what they think should have happened.

It is beholden on the government, perhaps it is beholden on this parliament, to ensure that those people who have lost so much do not go through this again next summer or the summer after. They just want to be heard, they just want things to go better next time around and they feel that their voices and their views have been totally ignored.

ATTORNEY-GENERAL

The Hon. A. KOUTSANTONIS (West Torrens) (16:18): The independence of the Director of Public Prosecutions is everything, I believe, for the implementation of fair and equal justice for all citizens. The opposition has sighted documents showing that the Attorney-General was the original complainant to the Office for Public Integrity in the matter of the Hanlon-Vasilevski case. I asked her in parliament today and she refused to answer. She refused to tell the parliament that she had been the original complainant. Let's consider how that plays out.

The Anti-Corruption Branch of South Australia Police conducted an inquiry into the conduct of the Attorney-General. The Attorney-General had made a complaint to the OPI and I understand was aware that an investigation was underway. Did the Attorney-General declare to those SAPOL investigators that she had prior knowledge of an ICAC inquiry into Hanlon and Vasilevski, and did she declare to those Anti-Corruption Branch investigators that she had already made a complaint that would have had a bearing on their investigation? That is point 1.

Point 2 is that we find out in question time today that the Attorney-General has sought advice or briefings from the DPP regarding what course of action that office might or might not take on this matter. That is deeply inappropriate. There is a process set out in statute about how the Attorney-General and the DPP should interact. If any direction is to be given, it should be tabled before the parliament.

The DPP's independence is everything in this matter. I have raised concerns about the potential impact of an ICAC influence on the DPP. Indeed, we have seen some matters before the courts where that has been thrashed out before lower courts, which have upheld interference from the ICAC into the DPP.

Our current DPP and our former DPP are fine public officers who, I believe, uphold the very best standards of independence, but if the DPP is receiving briefing requests from the Attorney-General, who was an original complainant in this matter, surely the Attorney-General must recuse herself from all deliberations in the matter. How can she possibly be involved in any matter to do with the prosecution or otherwise of Hanlon and Vasilevski?

Why is the Attorney-General anywhere near this? The Attorney-General cannot consider compensation—as she did for an accused murderer—for Hanlon and Vasilevski because she made the complaint to ICAC. The Attorney-General cannot be talking to the DPP about whether or not the DPP plans a further prosecution or an appeal or another charge because the Attorney-General made a complaint to the OPI alleging corruption. The Attorney-General should not be anywhere near this. Indeed, the Attorney-General should immediately inform the police commissioner and the DPP that she was the one who made a complaint to the OPI regarding this matter.

I have to say, if Vasilevski and Hanlon are up against the Attorney-General ringing up the DPP and asking questions about whether further charges will be laid, or whether there is any other way around what happened in court last Friday, that shakes the foundations of our justice system. The Attorney-General should not be calling the DPP, and the DPP ultimately will have to explain to

the people of South Australia, as will the ICAC, why it is that their prosecutors told the court that they had no evidence to support their charges.

These are questions that need to be answered, and they will be answered. I am sure there is an explanation for that and, if I know our DPP, a man of great integrity and an excellent choice by the Attorney-General and the government in making him DPP, we will hear that. However, if the Attorney-General is playing any role at all in this investigation she cannot be part of the prosecution.

The Attorney-General must recuse herself immediately from all considerations and explain to the parliament why it is she is not telling us that she was an applicant and whether she told the Anti-Corruption Branch, because I bet if the Attorney-General had told the Anti-Corruption Branch she was the original complainant there might very well have been a very different outcome to that investigation.

TARGETED LEAD ABATEMENT PROGRAM

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:23): All members of this house would be aware of the very important role the lead smelter plays in Port Pirie. The lead smelter is an outstanding employer. The company Nyrstar runs it under the leadership of Mr Dale Webb, a very capable leader who has many incredibly capable people working throughout that organisation and operation.

It is an unfortunate fact that lead smelters produce pollution, but the smelter at Port Pirie produces far, far less pollution than it used to. The EPA in South Australia oversees emissions from the smelter and does so extremely vigorously and thoroughly, and I have great faith that the company will continue the efforts it has put in place over the last several years with regard to reduction of emissions from the operation of the smelter.

There is, though, another very important issue connected with pollution and the lead smelter in Port Pirie, and that is legacy contamination. The Port Pirie lead smelter has been operating for about 130 years, and we would all accept that 50 years ago, 100 years ago or 130 years ago standards were not what they are today, yet the emissions back decades and decades into the past are in many cases still around, still in Port Pirie, in the sludge at the bottom of the river and buried in the dirt, which, when there is a dust storm or some form of excavation, can come to the surface.

I place no blame on any organisation or anyone who has ever worked at the smelter or been responsible for the smelter. These are legacy pollution issues, but they must be addressed. The previous government created a program called tenby10 back in the late 2000s, and then subsequently changed that program to the Targeted Lead Abatement Program (TLAP).

As I mentioned before, the EPA oversees contemporaneous emissions from the smelter, but this TLAP program is very specifically there to deal with legacy emissions and other non-contemporaneous emissions, if that makes sense—for example, fugitive dust and things like that, which get across the town of Port Pirie. This is very important work, and when we came to government we respected the work that had been done and we wanted to give that TLAP program every opportunity to achieve the very best results possible.

Unfortunately, we are going to have to make some changes because it has not performed the way it was expected. I know the previous government, together with the member for Frome as a cabinet minister and key architect of this program, did everything they possibly could, but it has not delivered the results that we need. We are still seeing lead in blood results, and particularly in infants in levels that are far too high, so our government is taking action on this.

We are going to change some of the operation. We are going to change some of the parameters in partnership with the Nyrstar company, because it is a South Australian government and a company initiative. It is co-funded and overseen jointly, so in partnership with the company we are going to make some changes, and some changes that are going to be for the better for the people of Port Pirie. The first change has already been announced.

Mr Peter Dolan, who until very recently has been the 2IC of the EPA, is moving into the role of Executive Director of TLAP. Mr Dolan will lead the board and also lead very importantly the on-the-ground working group which is so important to getting this work done. Mr Dolan is actually moving from Adelaide to Port Pirie. He has bought a house in Port Pirie. He will live in Port Pirie. He will take

this work home with him every night. He will be accessible and transparent and part of the community, and on the one hand an expert leader and on the other hand a local resident leading the charge.

There is much more to share on this initiative and this change, and the company and the government will do so in a very structured and coordinated way. Mr Peter Dolan starts his work officially on 12 July, so it would not be appropriate to share too much before that happens. However, let me tell you, Mr Speaker, and let me tell this chamber and let me tell the people of Port Pirie and the surrounding region, I am personally determined to make sure that the people of Port Pirie get a better deal under the Marshall Liberal government than they have received in the past. Very good work has been done in the past but not enough, and we are determined to do a better job for the people of Port Pirie.

GOLDING, MR G.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:28): I rise this afternoon to pay tribute to a significant South Australian and his family. Greg Golding, who is very well known to people across South Australia and particularly in the Lobethal and Lenswood areas, passed away tragically on the weekend. His widow, Connie, and his children and family are mourning the loss of a very significant South Australian. My family and I are very sorry for them and their loss, as are many thousands of people in the community.

The Golding family, through their Golding Wines Facebook page, put up a post on the weekend identifying that Greg was missing. The outpouring of support from the local community was then sadly replaced (I think on Saturday morning) with an update that Greg had passed away. That loss was shared 6,500 times on Facebook, attracting more than 2,000 comments identifying the way in which Greg's nature had appealed to so many people not just in the local area and the Adelaide Hills community but more broadly around South Australia because, of course, Golding Wines is a business that attracted many, many people from right around South Australia and interstate to engage in, and often Greg might be the first face that people saw upon entering the business.

I met Greg probably six or eight times in the winery, in the community and in my electorate office when he came to talk to me about some local road challenges. His manner was always kind and welcoming. He was thinking about other people and the community whenever he raised an issue. As a host, in visiting his venue I think that his character came across extraordinarily well. He will be very much missed around the community.

The way in which his neighbours and people more broadly have expressed their loss in recent days shows he will not be forgotten. In this chamber of the House of Assembly for the people of South Australia, I think it very appropriate to pay respects to the passing of Greg Golding. From my family to his and on behalf of the local community across the Morialta electorate, I want to pay my condolences and offer our respects. May he rest in peace. His contribution will not be forgotten.

The SPEAKER: I will add my personal sentiments to those expressed by the Minister for Education just now. The Goldings have been through a tremendous amount already in the 2019-20 bushfires, and I join with the Minister for Education in acknowledging this terrible loss to the Golding family.

At 16:32 the house adjourned until Wednesday 23 June 2021 at 10:30.