HOUSE OF ASSEMBLY

Wednesday, 25 August 2021

Parliamentary Procedure

SPEAKER, ABSENCE

The CLERK: I inform the house of the absence of the Speaker. Pursuant to standing order 17, the Deputy Speaker is to take the chair.

The Deputy Speaker took the chair at 10:30 and read prayers.

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

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (DESIGN STANDARDS) AMENDMENT BILL

Introduction and First Reading

Ms MICHAELS (Enfield) (10:32): Obtained leave and introduced a bill for an act to amend the Planning, Development and Infrastructure Act 2016. Read a first time.

Second Reading

Ms MICHAELS (Enfield) (10:33): I move:

That this bill be now read a second time.

I am pleased to introduce the Planning, Development and Infrastructure (Design Standards) Amendment Bill 2021. This bill is core to many of the concerns that have been raised with me since I became the shadow minister for planning. What this bill aims to aid is the implementation of design standards by the State Planning Commission.

As we all know, in 1837 Colonel William Light had a vision and it was a vision for South Australia that solidified in 1840. Light's vision was that of a wide city, and looking over Montefiore Hill, glancing over Colonel Light's vision, we can see that Adelaide was clearly carefully planned to be a city of space and freedom and one that complements nature. It is a healthy city, with an intelligent insight into the integrity of our landscape.

However, there have been significant concerns expressed to me by various stakeholders about the quality of urban infill. This represents a difficult challenge, particularly for metropolitan Adelaide. We have estimates that general infill has contributed to approximately 37 per cent of the net dwelling increase from 2010 to 2019. It is this pressure that people are seeing in their streets and around their neighbourhoods.

I have discovered in a short amount of time that planning and urban development is a tightrope between growth and livability. I have also formed the view that there are things that we can do better to enable both boxes to be ticked and better design is one of those things. In introducing this bill, I seek an amendment to the Planning, Development and Infrastructure Act that will enable a future Malinauskas Labor government to work on implementing design standards under an amended section 69 of the Planning, Development and Infrastructure Act to greater protect the character and feel of our local communities.

South Australians are proud and hold dear the character and history of their neighbourhoods, but many fear that their street's charm is at risk and I can understand that. We were recently named the third most livable city in the world by The Economist Intelligence Unit's Global Liveability Index for 2021. This study looked at health care, stability, culture, environment, education and infrastructure. It is clear that the way we live in Adelaide is the envy of the world; however, that can quickly turn if we take our eye off the ball.

Poor design outcomes have allowed character homes to be demolished and replaced with concrete boxes that do not reflect the character of the existing streetscape. While these builds may be cost efficient to construct, many feel they are devaluing the character of their neighbourhoods. The outcomes of good planning decisions are years in the making and we see the results of past decisions all around us in the buildings, streets, suburbs and regions that make up our state today.

When you get building design right, everyone benefits. Design quality is an important contributor for the retention of current residents and for future home owners. With the right design, new builds should add value, not devalue our streetscapes. High-quality design is a driving force in making a place livable and contributes to our wellbeing and aspiration to call a street home. Legislative changes can find a balance between new builds and preserving the character and livability of our local streets.

We cannot avoid urban infill. We cannot grow as a city, as a state and as an economy if we do, but we can ensure that, as with many well-designed cities around the world, we can grow and still be livable. That change starts with the design of new builds and that can be reinforced through a commitment to change the act. We know in this place the power of words. Today, I stand to just change one word and that is a powerful change that will have a positive impact on preserving and enhancing the livability of our streets.

Currently, section 69(1) of the Planning, Development and Infrastructure Act prescribes that the State Planning Commission may prepare design standards that relate to the public realm or infrastructure for the purposes of the act. This amendment bill seeks to remove the discretion of the commission to prepare design standards; rather, it will dictate that it is a requirement for the planning commission to prepare design standards. Furthermore, the amendment removes the limitation that design standards relate only to public realm or infrastructure so that we can have a broader range of design standards beyond footpaths, parks and roads.

On the face of it, this might appear to be a minor change, but I suggest it is an incredibly important one and one that has real and tangible implications for the design integrity of our urban development and the livability of our streets, suburbs and regions. It is imperative that design standards permeate all levels of the planning process and are implemented clearly and consistently.

That is why I am seeking this amendment today, to strengthen the design regulations of our built environment by ensuring that people charged with shaping our suburbs of tomorrow are required by the Planning, Development and Infrastructure Act to specify design standards, principles and guidance in all instances. The importance of this amendment is the result of the disappointing position of the Marshall Liberal government in character, heritage and environmental standards in our community.

Late last year, we held a community forum with the Leader of the Opposition and Labor's candidate for Adelaide, Lucy Hood, so we could hear firsthand from Adelaide residents about their views on the new planning code during the community consultation phase. Residents were vocal about the need to protect the character and heritage of our streets and suburbs, ensuring they are not lost for future generations. Concerns regarding the general aesthetic and boxy frontages of new developments and the impact these dwellings have on the livability, character and feel of the wider streetscape was specifically highlighted by attendees.

We have all heard the saying, 'I am not against development, just not in my backyard.' It is not until something unusual or out of place happens, or we are hampered in doing something and our lives are infringed in some way, that we start paying attention. We do not need to tell this to the residents living in single-storey houses who now find themselves overshadowed by new multistorey neighbours. They are forced to live with the damaging impact of bad design on their day-to-day lives.

I can hand on heart say that I am not against development. In fact, my father worked in the building industry and I have acted for many building clients over the years. My proposition is that we can actually use design standards to have regard to a better way to build, to minimise the impact on our neighbours and on the environment. Development and urban infill certainly have a place, and we just need to plan better with a long-term vision.

Removing the word 'may' and replacing it with the word 'must' will go a long way in curbing the fear of change in the community. We need to build confidence in the community that new homes

will add value, not diminish streetscape. But the need for getting the design right does not stop at a home's front door. The growing traffic congestion in our urban streets, which I am sure we are all aware of from our constituents, has led to a public outcry. From people parking across driveways to people simply not being able to find a park on the street they call home, this is a growing issue and I am sure one that we all agree needs to be fixed. Many South Australians fear that clogged streets are having an impact on the safety and livability of their communities.

As I mentioned earlier, change is hard. We have seen a lot of changes in the community over the last 20 years, but we need to ensure that legislation and regulations keep up to date with these changes. The once beloved quarter-acre block with a trusted Hills Hoist is slowly disappearing. Our backyards are being replaced with multiple homes to accommodate the changing needs of the community, and that does need to happen. While new homes may have replaced the backyard Hills Hoist, many of the developments replacing them are not being built with enough garage space to accommodate the modern standard car nor storage area for garbage bins nor many other design features.

The intention behind this bill is to ensure that design standards are implemented and go beyond the public realm in infrastructure. The content of those standards of course needs to be worked up. I would envisage that if I were fortunate enough to become the planning minister at some future point in time, we would be consulting on the content of those design standards across all relevant stakeholders. As part of a future Malinauskas government, I look forward to working with South Australian industry and government bodies to get the planning regulations right.

We need to be developing a long-term vision of what we want Adelaide to look like in 30 years, and we can at least in part use design standards, as well as our planning code, to make this vision a reality. It is too important to drop the ball on this. We want to be one of the most livable cities in the world. I want that for my children and my grandchildren, and using the levers that we have in planning and urban development, as well as infrastructure and transport, we can go a long way towards that.

When you get built design right, everyone benefits, both current and future residents of our state. Our streetscapes are a community asset. We need to ensure that we have strong design codes that protect the livability of our streets and our homes, and have it be not merely an option but a requirement. This can be achieved through the proposed amendments in the bill that I am moving today. I commend the bill to the house.

Debate adjourned on motion of Dr Harvey.

FAIR TRADING (MOTOR VEHICLE INSURERS AND REPAIRERS) AMENDMENT BILL

Introduction and First Reading

Mr DULUK (Waite) (10:44): Obtained leave and introduced a bill for an act to amend the Fair Trading Act 1987. Read a first time.

Second Reading

Mr DULUK (Waite) (10:45): I move:

That this bill be now read a second time.

Mr Deputy Speaker, as you know, car accidents happen. They can be minor bingles, like small dings and dents from a parking accident—even I have done that—all the way through to serious accidents which can result in statutory write-offs and, even worse, fatalities or significant injury. This can obviously be a very stressful time for all involved.

In South Australia, most vehicle owners have car insurance and most of the insurance contracts have a right to repair clause, basically giving the owner of the vehicle the power to choose who can repair their vehicle in the event of an accident.

This all seems very simple and easy to follow. However, when you introduce multinational insurance companies, small business crash repairers and consumers who at times have little knowledge of their rights or how the vehicle is repaired to 'pre-accident condition', this process can indeed be very confusing.

The crash repair industry has been vocal for decades in raising issues with this system, highlighting the following key issues:

1. Insurers steering customers to their preferred repairer network;
2. Insurers setting repair allowances for altering a repairer's cost estimate;
3. Insurers using 'funny time, funny money' to convert a repairer's estimate to their preferred estimation methodology;
4. Insurers using a 'two-quote model' to force a cash settlement; and
5. Insurers requesting repairers to use non-authorised genuine parts or incorrect repair methods without consumer knowledge.

When I was the Presiding Member of the Economics and Finance Committee, we initiated the inquiry into the motor vehicle insurance and repair industry following discussions with a number of my constituents and crash repairers who service my community.

I would like to thank the current member for Colton, who followed me as the Presiding Member of that committee, for his work in continuing with the inquiry as witness after witness, small business after small business provided a public in-camera contribution attesting to how the current system is failing their industry but, ultimately, the consumers of South Australia.

I would like to acknowledge the repairers who made confidential submissions to the inquiry, despite their concerns of being cut out from future work by insurers should their businesses be named publicly. Above all, the inquiry extensively heard how the voluntary Motor Vehicle Insurance and Repair Industry Code of Conduct does not provide the appropriate protections to prevent insurers exercising their considerable power to the detriment of customers and small business operators.

Following the committee's report, the government created a working group to examine ways to make the national voluntary code of conduct mandatory in South Australia, with robust mediation processes and penalties for breaches by those who do not abide by it. As such, I would like to acknowledge the Consumer and Business Services department (CBS), who are running the motor vehicle insurance and repair industry working group, and for the Attorney for her work as the relevant minister in this regard.

Since I announced my intention to introduce this amendment to the house some two months ago, I understand that working group has been working overtime to prepare and respond to an options paper on this very issue. In fact, in my time as a member of this place, I cannot recall seeing a government working group moving so quickly.

While their work is admirable, report after report around Australia has proposed that the outcome achieved by this amendment I am proposing to the bill be adopted by various parliaments. Western Australia, New South Wales and now the South Australian parliament have all prepared reports that demonstrate the need for action now. New South Wales has passed legislation, but without penalties, and it has shown that their legislation does not have the requisite teeth to assist consumers or small businesses.

It has not just been parliamentary committees that believe that insurers need incentives to meet community expectations for their actions. Indeed, in his response to the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, ASIC commissioner Sean Hughes said on 27 February 2019, and I quote:

> People take out insurance for peace of mind, to protect their homes, cars and families. The value of an insurance policy is in the promise—so that a consumer can feel confident and secure that they will be looked after when something goes wrong. However, we also understand that the community expects their insurer to be there when something actually does go wrong, and to be treated fairly and with dignity and respect.
>
> Unfortunately, testimony in the Royal Commission provided a sobering snapshot of a serious disconnect between community expectations and consumer experiences.

This was also the experience of the South Australian parliament's Economic and Finance Committee when conducting its inquiry into the motor vehicle insurance and repair industry. There will not be time today to go into the details of the committee's report which supports these proposed

amendments, but I do not believe this to be necessary, as members interested can simply look at the recommendations from that bipartisan report of the committee at the time, which outlines why these amendments are necessary.

Eleven members of the parliament heard testimony on this issue through the committee process, including the members for Wright, Newland, Schubert, Enfield, Lee and Chaffey. The Presiding Member obviously, as previously indicated, was the member for Colton. They all held membership of the committee at the time of the report's unanimous and bipartisan publication. To summarise, the following statements are taken from that report:

> The Committee received 53 written submissions and heard from 35 witnesses across seven public hearings and two in camera hearings…
>
> During the Inquiry, the Committee heard from many crash repairers and consumers about the issues they had encountered while trying to get vehicles repaired as part of an insurance claim. These issues included:
>
> - difficulties in consumers accessing their repairer of choice and claims of insurers steering consumers toward their preferred network of repairers;
> - the use of second-hand and/or non-original equipment manufacturer parts in repairs and related safety, warranty and liability concerns when using those parts;
> - a lack of transparency of information, with consumers often not being made fully aware by insurers of all the details related to their repairs and/or insurance policies;
> - disagreements over the methodology used by crash repairers and insurers to assess the repairs needed, and the cost of said repairs, to restore the motor vehicle back to pre-accident condition, and the quote negotiation process; and
> - insurers choosing to provide cash settlements to consumers instead of repairing their vehicles.

The report goes on:

> The Committee makes 11 recommendations aimed at increasing transparency, consumer choice and awareness across the motor vehicle insurance and repair industry, while maintaining consumer safety by ensuring that at all motor vehicles repaired as part of insurance claims are restored to their pre-accident condition.

The primary recommendation from the report was:

> The South Australian Government introduce legislation to mandate the Motor Vehicle Insurance and Repair Industry Code of Conduct (Code of Conduct) in South Australia as well as provisions for:
>
> - a binding mediation process to enable the expedited resolution of internal disputes between motor vehicle insurers and crash repairers, overseen by a suitable independent authority, such as the Small Business Commissioner or the Commissioner for Consumer and Business Services;
> - appropriate financial penalties for breaches of the Code of Conduct to ensure compliance by all parties; and
> - an ongoing review process to ensure that the Code of Conduct remains up-to-date and relevant to the current industry requirements.

Insurers are on record in the committee as supporting the code being mandated in South Australia, and I understand that there has been a suggestion that insurers may not support penalties for breaches. I can understand that. I am sure many members of the house support speed limits on our roads but are not happy when they are caught speeding, as they may have to pay a rather substantial fine. However, the main way to increase and enhance best practice in this regard is to ensure that there are penalties in there as well.

Many people have appealed to insurers to be good corporate citizens. Just as we continue to ask people not to speed on our roads but to help ensure that people do the right thing, it is important that in this regard there are some penalty provisions. Insurers are only doing what they need to do, which is to look after their shareholders, which is vitally important, and their policyholders. The only way to get insurers to change their behaviour is to create a framework that will impact them, where they will notice that if they do not act suitably there will be a financial penalty.

One issue that has been raised with me is whether the Motor Vehicle Insurance and Repair Industry Code of Conduct will stand up to any challenges. My understanding is that any feedback from legal or other areas would actually be welcomed by crash repairers at a national level. Crash repairers and their industry associations want to have a system that is fair and functional and, if exposing the code of conduct into the full sunlight to get better compliance is found wanting in any

way, insurers and crash repairers in the national code of conduct administration committee can then sit down in a room and thrash out an agreement on the best way forward.

One of the benefits of the proposed amendment before the house as it has been drafted—and indeed I want to thank parliamentary counsel for their support—is that, should a change to the Motor Vehicle Insurance and Repair Industry Code of Conduct be required, this can be done via regulation and the appropriate minister of the day and not through further changes to the act.

Small business forms the backbone of our economy, and I say that all the time. The crash repair industry is a collection of small businesses that have been crying out for a champion for a long time. That is why this parliament needs to pass this bill—not wait for another report, not wait for another committee or even wait for the federal government to drive this at a national level.

South Australia should and can lead on this issue and, given the bipartisan nature of the report from the Economic and Finance Committee, I would hope that the bill before the house is passed this year and through the parliament. I can see no reason to delay the debate on this bill. It is hard enough for businesses to operate during COVID. Let's make a small difference for an important industry in South Australia.

In finishing my remarks can I say a big thankyou to the Motor Trade Association (MTA) for their work in this regard, especially to the CEO, Paul Unerkov, and to Dario Tonon and Jeff Williams, who are leaders in their industry and here in the gallery today, and also to Daniel Forbes from the MTA for his work in bringing the industry together and really driving this issue. I commend the bill to the house.

Debate adjourned on motion of Dr Harvey.

ENVIRONMENT PROTECTION (DISPOSAL OF PFAS CONTAMINATED SUBSTANCES) AMENDMENT BILL

Second Reading

The Hon. L.W.K. BIGNELL (Mawson) (10:57): I move:

That this bill be now read a second time.

The Hon. L.W.K. BIGNELL: I rise to talk about this bill, which I introduced and which has passed the upper house.

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order: I ask you to turn your attention to standing order 159, which says that the same question cannot be put again. It is my belief that this proposed private member's bill is identical to one the house has already dealt with.

Mr BROWN: Point of order: this is a bill that has come down from upstairs. It is not a member attempting to introduce another piece of legislation that is identical to a piece of legislation that has been considered by the house already.

The DEPUTY SPEAKER: Could you repeat that a little bit more slowly?

Mr BROWN: This particular bill is a bill that has been passed by the other place. It is not the member seeking to reintroduce a piece of legislation that has already been voted on by this house. I would ask you to rule accordingly and allow the member to continue.

The DEPUTY SPEAKER: Minister for Energy and Mining, I will deal with your point of order in the first instance. I did anticipate this point of order prior to the day beginning and sought some advice. I am going to read a short statement to the house.

During the sitting of the house on 4 March 2021, a message was received from the Legislative Council, transmitting the Environment Protection (Disposal of PFAS Contaminated Substances) Amendment Bill No. 119. The message was subsequently read by the Deputy Speaker and the bill was read a first time. The second reading of the bill was made an order of the day for Wednesday 17 March 2021, in Private Members, Bills. The member for Mawson is the sponsor of the bill in the House of Assembly.

The bill transmitted from the Legislative Council is identical to the Environment Protection (Disposal of PFAS Contaminated Substances) Amendment Bill, House of Assembly bill No. 86,

introduced in the house by the member for Mawson on 23 September 2020 and negatived on its second reading on 11 November 2020. The standing order referred to by the minister is standing order 159, which states:

> Except for the purpose of amending or repealing an Act, it is not in order to propose a question which is the same in substance as any question which has been resolved during the same session.

There is no doubt that the bill received from the Legislative Council is exactly the same as the bill introduced into the house on 23 September 2020 and negatived on 11 November 2020.

The 'same question rule' can cause some confusion, but it is intended to prevent deliberate obstruction of business or to prevent the house from continually debating and determining the same issue over and over again. The extent of the standing order is taken to be limited to 'during the same session'. Proceedings on a bill are taken to be resolved when a decision has been taken on the second reading. In that context, the House of Assembly has clearly established its position on defeating the second reading of this bill.

With that very comprehensive explanation, my understanding is that the introduction of this bill is in fact out of order in accordance with standing order 159. That said, it can be the will of the house that standing orders be so far suspended in order to debate this, but that would take a separate motion and would depend on the will of the house. I am upholding the point of order but giving the member for Mawson that option, should he wish to proceed; otherwise, it will be out of order.

The Hon. L.W.K. BIGNELL: Thank you very much, Mr Deputy Speaker. I do point out that the make-up of the house has changed since this was last debated in this chamber. The government is in minority now and people may vote a different way, rather than vote along party lines, because we know that the Liberals do not want to protect the people of their area.

The Hon. V.A. CHAPMAN: Point of order, Deputy Speaker: if the member wants to deal with a dissenting position from your ruling, then he needs to put a motion.

The DEPUTY SPEAKER: Thank you, Attorney-General. I do not think he is dissenting from my ruling at this stage; I think he is building a case towards moving a motion—or somebody is, at least.

Mr BROWN: Mr Deputy Speaker, just a point of clarification: might it not have been cogent for those of the view that this bill should not have been debated to raise that at the time the message was received from the Legislative Council, rather than wait for the opportunity to pounce when the bill was being debated?

The DEPUTY SPEAKER: Member for Playford, it is the first opportunity I have had, from the Speaker's chair, to deal with this. So we are back to where we were. The Clerk has informed me that members would not have had a chance to consider the bill upon its receipt until they had had the opportunity to look at the content of the bill.

Mr BROWN: I might also note that the bill was put down in the *Notice Paper*—received by the house and put in the *Notice Paper*—but it cannot be debated according to your interpretation of the standing orders.

The DEPUTY SPEAKER: Regardless of that, member for Playford, I have indicated my position on this. The member for Mawson does have an option if he wishes to try to progress this. As I have indicated, it would be through a motion to suspend the standing orders. Should that pass, the debate would go ahead; if it is defeated, it will not. Otherwise, in reference to standing order 159, I will have to rule it out of order.

The Hon. L.W.K. BIGNELL: I can point out to the house that on 4 March, after this bill passed through the upper house, I wrote to all the members of parliament in the Liberal Party and asked them to support this bill to keep the people of my region and theirs safe and allow them to—

An honourable member interjecting:

The DEPUTY SPEAKER: There is a point of order.

The Hon. L.W.K. BIGNELL: They were very much aware of it. I have tried to work in a way that can protect all of the people—

The DEPUTY SPEAKER: Member for Mawson, could you take your seat, please. There is a point of order.

The Hon. V.A. CHAPMAN: I think the point of order is very clear: again, the member is trying to make a speech. If he wishes to move a motion to suspend standing orders, he has been invited to do that. If he wishes to dissent from your ruling and in some way progress this contrary to your ruling, then he needs to move a motion of dissent to your ruling.

The DEPUTY SPEAKER: I uphold the point of order, Attorney. Member for Mawson, I appreciate that you wrote to every member, and I recall receiving that email. However, I am going to ask you now what you want to do at this point. You have your options.

The Hon. L.W.K. BIGNELL: I will move that we suspend standing orders to deal with this matter.

The DEPUTY SPEAKER: We are working on some words here, member for Mawson.

Members interjecting:

The DEPUTY SPEAKER: Order, in the house! I am going to suggest some words here, member for Mawson. I am going to suggest that you move without notice that standing orders be so far suspended so as to suspend standing order 159 in respect of the Environment Protection (Disposal of PFAS Contaminated Substances) Amendment Bill.

The Hon. L.W.K. BIGNELL: I will say what he said—that is, I move without notice:

That standing orders be so far suspended so as to suspend standing order 159 in respect of the bill.

Thank you for your guidance—you are doing a tremendous job.

The DEPUTY SPEAKER: We will thank the Clerk. We need an absolute majority. An absolute majority of members not being present, ring the bells.

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

Motion carried.

The DEPUTY SPEAKER: We are debating the suspension of standing orders. The member for Mawson, as the mover or anybody else, can speak to this in the first instance. There is a right of reply, and then the member for Mawson has the opportunity to wrap up the debate. We have 10 minutes speaking time allowed. Member for Mawson.

The Hon. L.W.K. BIGNELL (Mawson) (11:09): This is an issue that is very important to all South Australians. It is one that has passed the upper house and has come back here with a changed make-up of the house now the government is in minority and we have people who were formerly in the government who now sit on the crossbench. We wanted to put this after I had written to all Liberal MPs pointing out how important this issue was, and that they had voted against it last year, and encouraging them to support this bill to keep the people of their regions safe as well.

I said, 'I note that when the bill came before the house last year, you voted against it. In other words, you voted to continue with the current regime which could see PFAS dumped in the electorate' of King, Elder, Adelaide, Newland and all the other electorates of MPs I had written to. I received a response from the member for MacKillop and I received an acknowledgment from the member for Stuart.

This is a really important issue and we supported the government when they came in and said they wanted to set up a parliamentary inquiry into PFAS and where it is dumped. we supported that. That inquiry is taking submissions until 6 October. Our last scheduled sitting day of this parliament before the election next year is 18 November, so we might not sit until April next year, regardless of the outcome of the election. That could allow anyone in any of our 47 electorates to apply for and get approval by the EPA to dump PFAS in one of our electorates.

The DEPUTY SPEAKER: Member for Mawson, this debate we are currently having and you are speaking to is about the suspension of standing orders, rather than the bill itself, so just keep that in mind.

The Hon. L.W.K. BIGNELL: Thank you very much again for your guidance, Acting Speaker. I think it is important that we suspend standing orders so that we can have the opportunity as representatives of the people we are elected to keep safe to discuss this bill and bring it to a vote so that we give every opportunity to keep people safe.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:12): Let me just point out that this debate at the moment is not about the substance or otherwise of the bill in question. It is actually about whether standing orders should be suspended to debate it right now. On this side of the house, we have very clear advice from the Clerk and from you which is that it would be against standing orders to debate this bill right now.

It would be completely inappropriate and it would throw open the opportunity that, if this attempt to debate this bill now were successful, then potentially any bill which was defeated by a majority of members of this house could be brought back any number of times this same way, and what a mess that would make this house become. As well as very clear advice that to do what the member for Mawson proposes is completely against standing orders, and very sensible standing orders, I do not think there is anyone here who would think it was sensible to be able to have a bill defeated and bring it back, defeat it, bring it back, etc.

In addition, it would be completely inappropriate for the house to decide to send this matter to a committee to look into it thoroughly and then, while the committee is looking into it thoroughly, before the committee has provided its responses and evidence, decide, 'Well, actually, we thought the committee would do a good job for us, but we're just going to bring it back and make a decision without the information the house said it wanted to get from the committee.' That would be completely illogical too.

Certainly I speak against the suspension of standing orders for those reasons. It is clearly against the advice of the Acting Speaker and the Clerk, and it is clearly illogical to ask for a committee's advice but then decide to plough ahead and make a decision in this chamber without that committee's advice. If we were to do that for this bill then potentially it could be done for any other bill, and that would throw the operation of this house into turmoil.

The DEPUTY SPEAKER: Member for West Torrens, I am not going to be able to allow you to speak because we need to come back to the member for Mawson, who has the remainder of the time to close the debate on the suspension of standing orders.

The Hon. L.W.K. BIGNELL (Mawson) (11:15): I think what we have here is a government that just wants to look after the big poison people who want to put bad things into our environment and put at risk our $850 million food, wine and tourism industry. This is a deliberate attempt—

Members interjecting:

The Hon. L.W.K. BIGNELL: If these people—

The DEPUTY SPEAKER: Member for Mawson, this is about the suspension of standing orders.

The Hon. L.W.K. BIGNELL: Yes, and if these people were genuine about looking after the people they represent, when I wrote to them on 4 March they would have come back and said, 'This is what we're going to do.' But they have waited now until 25 August—

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

The DEPUTY SPEAKER: Member for Mawson, there is a point of order. Take your seat.

The Hon. D.C. VAN HOLST PELLEKAAN: The suggestion from the member that a person's view on suspending or otherwise has anything to do with being genuine or otherwise with regard to representing their electorates I find offensive, but it is also totally separate from what we are actually debating at the moment.

The DEPUTY SPEAKER: I agree with you, minister. In my view, regardless of what might have happened in the past in relation to correspondence but certainly with regard to a previous incarnation of the bill, member for Mawson, you need to wrap up the debate on the suspension of standing orders, and then we will have a vote.

The Hon. L.W.K. BIGNELL: Just because we have asked for the suspension of the standing order in this case—and I do not know of this happening in the other 15½ years that I have been in this place—does not mean that you are going to open the floodgates, member for Stuart. It is a very important issue and one where I have asked the government of the day to join with us and suspend standing orders so that we can protect the people of South Australia.

This does not mean that it is going to be open slather, as you have predicted in your speech, and that we will be bringing things back before the house time and time again, because, again, it would have to go through this process and what we are trying to suspend the standing orders for would have to be judged on its merits. I will be telling everyone in all of your marginal seats that you guys in the Liberal Party do not want—

Members interjecting:

The Hon. L.W.K. BIGNELL: You see, you all jump up now—

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

The Hon. L.W.K. BIGNELL: —because you do not like it. The member for King, the member for Newland, you are all—

The DEPUTY SPEAKER: Member for Mawson, take your seat.

The Hon. L.W.K. BIGNELL: I have commitments from our Labor—

The DEPUTY SPEAKER: Member for Mawson, sit down!

The Hon. L.W.K. BIGNELL: —candidates that we will ban PFAS being dumped.

The DEPUTY SPEAKER: You are called to order. There is a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: The member again has moved away from the substance of the debate, and in a very threatening tone unfortunately.

The DEPUTY SPEAKER: My view is that the member for Mawson has again moved away from the substance of the question and, in a way, is pre-empting the outcome of this vote, I feel. Member for Mawson, we are eating into your time.

The Hon. L.W.K. BIGNELL: Thank you again. I wrote to all these people on 4 March. It is now 25 August. If they were genuine in what they are putting forward today that 'we can't have this', why did they not let us know so that the house could have treated this in a different way?

The Legislative Council agreed to this bill and we wanted to bring it back. I wrote to each and every one of them on 4 March. I got an acknowledgement from the Leader of Government Business, the member for Stuart, so he has seen the letter. I know others have seen the letter I wrote. If you are fair dinkum about dealing with something that is going to protect people, find another way, work with us, but I do not think they ever had any intention of voting for this bill, and I think they are using—

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

The DEPUTY SPEAKER: Yes, there is another point of order. Take your seat, member for Mawson.

The Hon. D.C. VAN HOLST PELLEKAAN: For the member to be guessing about how people may or may not have voted on the bill itself clearly has nothing to do with the debate on the suspension.

The DEPUTY SPEAKER: We are going around in circles here. Member for Mawson, could you wrap up the debate and then we will have the vote.

The Hon. L.W.K. BIGNELL: Yes, thank you, I will wrap up. If you are wondering how you might vote, why do you not just agree with us on the standing orders suspension and then we put it to a vote? We know how you all voted last year.

The DEPUTY SPEAKER: No, do not try to pre-empt the vote. We do not know what the vote might be.

The Hon. L.W.K. BIGNELL: Alright, let's suspend standing orders and find out. We will put it to a vote.

The DEPUTY SPEAKER: That is your job.

The Hon. L.W.K. BIGNELL: Excellent, thank you, sir.

The DEPUTY SPEAKER: The member for Mawson has concluded debate. He has moved that standing orders be suspended so far as to suspend standing order 159 with respect to the Environment Protection (Disposal of PFAS Contaminated Substances) Amendment Bill.

The house divided on the motion:

Ayes.....20
Noes 22
Majority 2

AYES

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

NOES

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

Motion thus negatived.

The DEPUTY SPEAKER: The result of the division: there being 20 ayes and 22 noes, it means that there was not an absolute majority of the house voting in either direction, and for a suspension of standing orders we need a majority of the house, so the motion lapses.

Dr HARVEY (Newland) (11:27): I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

CRIMINAL LAW CONSOLIDATION (COERCIVE CONTROL) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 December 2020.)

Dr HARVEY (Newland) (11:27): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes.....21
Noes 20
Majority 1

AYES

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

NOES

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

PAIRS

Teague, J.B.	Gee, J.P.	Wingard, C.L.
Piccolo, A.		

Motion thus carried; order of the day postponed.

Motions

AFGHANISTAN, CONTINGENT NOTICE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (11:33): Contingently on a Notice of Motion to note the events in Afghanistan appearing on the *Notice Paper* and Private Members Business, Other Motions, Notice of Motion No. 1 being called on, I move:

That all Private Members Business, Other Motions, be postponed and taken into consideration after the Notice of Motion to note the events in Afghanistan.

Motion carried.

AFGHANISTAN

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (11:34): I move:

That this house—

(a) acknowledges the more than 26,000 Australians who served in Afghanistan and mourn the ultimate sacrifice 41 Australian soldiers made while serving our country;

(b) supports the people of Afghanistan during this difficult time and acknowledges the sacrifices many Afghanis made over the last 20 years working with Australian and NATO partners to help free Afghanistan from the Taliban;

(c) supports and commits to work with the local Afghan community of all South Australia and provide assistance where appropriate;

(d) calls on the Morrison government to implement the following actions immediately:

(i) immediately grant all Afghan nationals who are already in Australia on Safe Haven Enterprise visas and Temporary Protection visas a path to permanent residency and ultimately Australian citizenship immediately;

(ii) immediately subject to all necessary security and health checks, facilitate migration to Australia of Afghan residents, including their families, who have worked with or assisted

the Australian Defence Force or consular personnel in Afghanistan in recognition of their service to Australia;

(iii) immediately announce a humanitarian refugee visa program for Afghan ethnic minorities such as the Hazaras and advocate for women's and human rights, journalists and other activists at risk due to Taliban rule; and

(iv) immediately prioritise and increase the number of Australian family reunion visas for Afghan Australians.

I thank the house for its granting me the opportunity to deal with this motion relatively speedily because it is important. It is important that this house establish its position on what South Australia can do to accommodate the very real and legitimate concerns that exist amongst the Afghan people of our state.

South Australia has an incredibly proud record of really leading the nation when it comes to multiculturalism, leading the nation in ensuring that we demonstrate that as South Australians we have those common ideals of compassion and openheartedness not just to people from other parts of the world but to people from other parts of the world who are in peril.

We know, tragically, that as we speak right at this very moment in another part of the world there are people in Afghanistan whose lives are in danger. Literally, their lives are in danger not because they have committed a crime, not because they have done anything wrong, but simply because they might believe in the value of democracy, simply because they might be female, simply because they have a different ethnicity or a different religion.

We know that, if we are to honour the tradition that this state has not to just maintain multicultural values but to welcome people from other parts of the world, we need to see changes within Australia not later on but now. I think it is outstanding, the news that broke in the early hours of this morning, that a plane landed at Adelaide Airport with just under 100 people from Afghanistan. I think it is a great credit to the state government and the federal government and all concerned that that has occurred.

But we need to go further because there is an opportunity before this house right now to send a crystal clear message to the Morrison government that it is not okay for people to have hanging over their head the threat of deportation, not now not ever, particularly those who have been in Australia and assessed to be genuine refugees—that is to say they have nowhere else to go safely and that is to say this country can provide them safe harbour that nowhere else can. It is not okay for those people to have hanging over their head the threat of deportation at any point in the future.

These are individuals. These are human beings the Australian commonwealth government have deemed to be genuine refugees and are able to be safely accommodated here in our great country, yet what they do not have and what they have been actively deprived of, not for 12 months or two years but in many cases for five, six, seven, eight years as a result of the Morrison government's policy, is the ability to have a pathway to permanent residency and, ultimately, citizenship.

I believe and I hope this house believes that that is wrong, because if we are sincere and genuine in our hearts in believing that these individuals should be able to call Australia home, then they should be able to call Australia home forever. That is what underpins the whole concept of citizenship.

When we talk about these big picture policy questions in generalities, it is easy to lose sight of the individual human experience, so I would like to share with you a few stories. These are real people who reside within South Australia right now. There is Fatima, who arrived in Australia in 2013. Her children were an eight-year-old daughter, who is now 16, a son who was seven and is now 15, and another son who was six and is now 14.

Two of Fatima's children had chickenpox on arrival, so they were closed in one container in isolation for 18 days before moving to the bigger camp for two months. Then they came to Adelaide, to Inverbrackie, for six months. In 2014, Fatima was released on a bridging visa with no work or study rights, but luckily her children were able to go to school.

While her kids were at school, Fatima learnt English at the community centre, and once her English had improved she even assisted the community centre with interpreting for other women in

a similar position. Fatima was granted a Safe Haven Enterprise visa in 2017. She is studying English and completing her certificate IV in that regard. Her intention is to become a teacher.

All three of Fatima's children are now in high school, in years 11 and 9. with the youngest in year 7. She describes how the pressure is really hard when you do not have a permanent visa. Her words are:

> I worry a lot about the future for my children and for me. I don't know what the government is going to decide for me and my children. Lucky for my daughter, she has received a scholarship but what about my son? He has a big dream to become a bio engineer, but how he will access university if he doesn't get a scholarship too? I have been so stressed about my children and their future. And on top of everything there is a war in my home country and I'm worried for my relatives there.
>
> I am safe here, my children are safe here, but it's only temporary—what about when my visa ends?

Then there is Ali, who arrived in Australia in October 2013 as an unaccompanied minor. Ali was just 17 years old and alone, with no family, when he arrived and spent the first few months in Australia in detention on Christmas Island.

Ali was then held in community detention in Adelaide later on where he was able to attend a dedicated English language program at his secondary level school. He was ultimately released on a bridging visa, which of course provided no work rights whatsoever. He was allowed to study at high school but with no financial support to do so. It was only thanks to the generous support of a school that he was able to complete his year 11 and year 12 studies, when ultimately he was awarded the Makin Humanitarian Award upon his graduation in 2014.

After graduating, he was still denied both work and other study rights on his bridging visa, so instead he dedicated his time to volunteering with different organisations, including the Welcoming Centre in Bowden and also as a surf lifesaver and assisting with community support following the 2015 bushfires. He says:

> Because of the isolation I felt, and my age, I was worried about being alone and the path that I could end up going down. I thought it was better to volunteer with my time helping people, so I found community organisations where I could offer my support. I also wanted to give people a different idea about asylum seekers—lots of people only believe what they hear in the news; it's harder to believe these negative things when you hear someone's story and meet them in person.

Isn't that true? Once finally granted work rights in 2015, he worked in student support for a high school as a caseworker and a bilingual worker, using his experience of seeking asylum as a teenager to inform his work alongside others seeking safety. He has finally received a Safe Haven Enterprise visa in 2019, but again finds himself with the threat of having to be returned home.

His mum and his two brothers remain in Afghanistan and he is deeply worried for their safety. His brothers were six and eight when he left and now, almost 10 years later, they are teenagers. He fears for the danger they have been subject to, which is now likely to increase. He is stuck on the SHEV and he is unable to access any family reunion to provide them with safety and a future.

Finally, Reza Hashimi arrived in Australia in November 2012 as a 19 year old—again, at Christmas Island, and then ultimately transferred to the Curtin detention centre. He was put onto a bridging visa, with no work or study rights, and was ultimately granted a SHEV in 2016 here in South Australia because of the work that was undertaken by the former Labor government to ensure access to SHEVs in South Australia.

Initially, he found it hard to get a job but became an Uber driver and worked for one year driving for Uber, saving money to ultimately buy his own business. There was limited success initially. He went back to Uber, got back into the business; it was a business on Prospect Road. COVID hit, desperately hurting the business, but now the business is starting to become a success, but he is still working part-time as an Uber driver.

This individual's SHEV expires next month—next month—so he has to apply for another temporary visa following. There is comfort taken in the words from Prime Minister Morrison recently that no-one will be sent back at this time, but when does that end? In the words of Reza Hashimi:

> I came here with the hope to make a life here and bring them to safety. I don't know what's going to happen in the future. It's already ten years I've been here. It's a very challenging time…Australia is a good country, I'm not complaining. I'm working hard to call this place my home and contribute to the community.

He also said, 'I have lived here for 10 years. We have some freedom, but we still don't have the same freedoms as others.' That is wrong.

These are just three cases. Yesterday, I mentioned I had the opportunity to attend the mosque last Wednesday night and to be with the Premier at the event in Victoria Square on Saturday night, literally inundated with people sharing story after story. It is hard not to be confronted when individuals present to you photos of family members they would desperately love to have back in Australia now. Our resolution today calls for change that the Morrison government can make immediately.

I believe there are individuals here today who are here on TPVs and SHEVs, and have been for some time. It is within the power of the Morrison government to immediately give these people a path to permanency and ultimately citizenship so they, too, cannot just call Australia home but also share the common will and desire that each of us holds to be able to influence public policy in our own country through the ballot box. Citizenship is an expression of something we all hold dear, and that is the democratic ideal.

Why should individuals who have lived here for five to seven years who want to be Australian not have a say on what Australia looks like? They are being deprived of that ability because they do not have a path to permanent residency. That can be fixed. This house has the power today to convey to Prime Minister Morrison that we need change and we need it now. This is not a Labor Party view, this is not a Liberal Party view—this is South Australia's view.

Let's pass this motion with acclamation so we can see the change that is required now so we can send a message not just to the people of Afghanistan but to people all around the world that we are a compassionate country and an open-hearted country and that, if you share our ideals, we share your hopes and aspirations and we will make them real.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:49): I rise to speak on the motion before us, which follows on from, of course, the Premier's indulgence commendation to the parliament yesterday and his very heart-wrenching contribution in relation to the circumstance that has developed in Afghanistan, which was supported by the Leader of the Opposition.

As we speak, as the world watches, Australia's mission in Afghanistan, our longest war, is of course drawing to a close, and as it does here in Australia and in our own state, we are offering all possible assistance to those affected by this humanitarian crisis. A repatriation flight landed in Adelaide this morning with 89 people from Afghanistan, who have been welcomed by the Premier this morning. There will be more. Over the past week Australia has already evacuated more than 1,600 people from Afghanistan on 17 flights. This has been achieved by working with our allies.

Here in Australia, we are also working closely with the Afghan community. Our Premier has met with a number of Afghan community leaders since the evacuation from Kabul began last week and of course, as indicated by the Leader of the Opposition, the Premier attended a vigil for South Australians to come together and recognise the significance of the plight of those in Afghanistan. The Premier has given his assurance that the South Australian government is ready to offer all possible further assistance. The Premier has also commended our Afghan community for coming together to assist us in this challenge.

South Australia's links with Afghanistan are enduring. The town of Marree in our Far North is home to Australia's first mosque. It was built of mud and brick by Afghan cameleers as the town was established in the 1880s and today South Australia is proud of our 8,000-strong Afghan community. The community continues to enrich the thriving multicultural society that we have become and as we have welcomed people from all corners of the globe to settle here.

Now we are preparing to settle more from Afghanistan, and South Australia will play its full part. As the Prime Minister has announced already, Australia will welcome an additional humanitarian intake of some 3,000 Afghani nationals by next July as part of our annual national program. He has made it clear that this is a base, not a ceiling. He has committed to continuing to increase the intake of Afghan nationals at elevated levels in the years ahead.

Since April this year, Australia has brought out from Afghanistan more than 430 locally engaged employees and their families to be resettled in Australia. This number is increasing and the evacuations are now underway. Since 2013, more than 8,500 Afghans have resettled in Australia

and we welcome them. They are part of a very productive and much-loved part of our community. This includes more than 1,900 locally engaged staff and their families. Under Australia's refugee and humanitarian program, Australia is second only to Canada on a per capita basis in the number of people we settle here permanently.

Currently, Australia's personnel are working under very perilous circumstances in Kabul: our Defence Force personnel, DFAT, Home Affairs staff and our intelligence agencies. They work in the knowledge that there are credible threats of terrorist attacks for those who intend harm not only to our people but to Afghan nationals. Australia's presence in Afghanistan continues to be marked by the supreme courage and devotion to duty. Let us support this work with practical responses and not attempts at political pointscoring. Let us think of their family members back in Australia, as they watch anxiously what is unfolding. We want them to all get home as quickly and safely as possible.

The DEPUTY SPEAKER: Could I interrupt, Attorney? Could I ask the chamber staff to head upstairs above me: a camera just flashed.

The Hon. V.A. CHAPMAN: I think it was a light globe.

The DEPUTY SPEAKER: It was a light? Okay, my apologies.

Ms Bedford: There is no-one up above you.

The DEPUTY SPEAKER: Thank you, member for Florey. Attorney, continue.

The Hon. V.A. CHAPMAN: We want to get them all home as quickly and safely as possible. Let us also honour those who have not come home. Forty-one Australians died in Afghanistan in the service of our nation and we honour their sacrifice. We recognise the terrible loss continuing to be suffered by their families. Let them know this: you fought with distinction and honour for a worthy cause. Australia is a safer place today because of your sacrifice. We will remain proud of your service and we will continue to support those who are left to carry the burden of your service—your families and our ex-service organisations.

Over the past 20 years, more than 39,000 Australian Defence Force men and women served our country in Afghanistan. We also acknowledge the work of thousands of diplomats, aid workers, members of the Australian Federal Police and other government officials who have contributed to our efforts. We recognise the sacrifice of our coalition partners and our allies who have seen their service men and women give their lives for the work they undertook in Afghanistan. To those who served in Afghanistan and survived, we will continue to honour your service, and to the fallen, lest we forget.

May I conclude by saying that I can recall, not in this house but I am old enough to remember, those who came to our shores from Vietnam, including our own Governor and his to-be wife, who had fled Vietnam. Prime Minister Malcolm Fraser welcomed those people to Australia and we helped resettle them. Scott Morrison, as the now Prime Minister, has made a commitment in relation to not only the repatriation and those who are fleeing at present, which of course is the priority, but has also made a commitment that he is not about to put people who are in Australia on a plane back to Afghanistan. That will be worked through with the law and with that commitment.

The Hon. Z.L. BETTISON (Ramsay) (11:56): On 15 August, we saw images on our television screens that shocked the world, as people clambered onto a plane escaping from Kabul because they were fearing for their life, they were desperate. We watched that as we were recounting how quickly after the withdrawal the Taliban had taken over.

This withdrawal was always feared by our Afghan community. They knew that the fight for democracy was not complete. Now, they live with stress and anxiety for family members and friends who remain over there. Of course, the Taliban are seeking out the people who assisted the NATO forces. They were people who were translators, security personnel and drivers. They need our support and they need Australia to stand up and show its leadership in the world.

I would like to talk a little bit about my Afghan community in the north. I have had the opportunity to be welcomed at places of worship, at the Wali-e-Asr Centre, the Fatima Zahra Mosque and Hussainia, and the Mahdi Organisation. I was particularly asked to come earlier this year when

our Afghan community had put their hands in their pockets to raise funds for the bushfire appeal. When I say 'raise funds', I am talking about $90,000.

People who have come here to start their life, who are hardworking, who are establishing businesses here, raising their families to be Australians, saw that their fellow brothers and sisters needed their help and they made sure that they delivered. I spoke about it in the house at the time, particularly about how the Hazara community saw this need and answered it. Not only did they put in $90,000, but 100 people volunteered to support those who had been impacted by the bushfire.

I like to say, 'Come to Salisbury and see the world.' One of the reasons I say that is that if you go down John Street, our high street, you can see the impact of the Afghan community, their entrepreneurship, their business investment. You can see restaurants, bakeries, grocers, travel agents and fashion. What a few years ago was a challenging street for our area has come alive. You can get pizza and juice, and there is movement and people there seven days a week.

We are very clear today about what South Australians know we can do. It is outlined here in the motion by our opposition leader. People are on pathways from temporary to permanent residency and ultimately citizenship. We also want to make sure that people who have been helping us, standing side by side with Australians, are supported and recognised for the danger that they are now in.

I particularly want to focus on family reunion visas, because anyone who has gone through a process for a partnership visa, or who is already married and wants their children and family to come over, knows it is a very long process. What I have heard is that some of our Afghan community were given the lowest priority to have family reunion, and they are waiting five, six or seven years. Let me be clear: these are people who have already applied to the Australian government. All the paperwork is there. This is an opportunity for Australia to stand up. This is an opportunity for us to bring those families together so they can start their lives in safety, commence their education.

Particularly if you have daughters, we know what the Taliban feels about women. I stand here today because I was treated equally with my brother. I was educated and I was listened to, but it is not the same for everyone and every woman in the world. I do not believe the Taliban when they say they have changed, because we know they are hunting women today to prevent them from working, to prevent them from having an education. This is something that we must always fight against and advocate for.

I would like to share with you some of the quotes I have had from people who have reached out to me in my electorate office. This is because it is personal and the fear is real. A young man wrote:

> I am waiting for my citizenship to be granted before going to Afghanistan to get married…Unfortunately the current situation would not allow me to go there to be with her.
>
> I fear for her life and safety as she was an active member and representative of the youth of Wardak province and has an active presence in Social Media. I would like to apply for a visa and need support from you to get her to Australia as soon as possible.

He fears for her life. Another person, who has been waiting for a prospective marriage visa for more than two years, writes:

> I have given up. He is probably days away from getting killed by the Taliban. I will become a widow before getting married.

This is our community. This is our community in South Australia asking for our support. We have done this before. History shows us, after World War II, after the fall of Saigon, after Tiananmen Square, after the fighting in Syria, Australia stood up and we accepted humanitarian entrants. Let's do it again. What are we waiting for?

I support this motion. I support our community. I know you are scared. I know you are getting daily phone calls from family and friends, begging you for help. South Australia supports you, and I support this motion.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (12:05): I rise to make a short contribution to this motion on behalf of the people of my electorate of Stuart. I am certain my electorate would have a stronger historical connection with Afghan people than any other part of the state.

As the Deputy Premier already mentioned, the very first mosque in Australia was established in Marree in my electorate. I believe it was 1862 when it was established. That is still a very special place in Marree. People in Marree respect that mosque. It is a fairly humble structure, not nearly as grand and special as the other ones that we see in Adelaide and in images from around the world. There is a mud and stone wall around about knee or thigh height that has been rendered, with native pine posts and a thatched roof over the top. It still stands there, and everybody in Marree has enormous respect for that mosque.

There used to be a natural spring that had a small pool in front of the mosque, where the Afghan worshippers would wash their feet before they went into this mosque. It is a place that is never vandalised, never messed with. Quite regularly it is renovated or just supported, if something just needs a little bit of help here and there. There is a large, thick rope of the sort that you would see from shipping circles around the outside of the mosque to stop people from going inside. It serves two purposes: it protects the mosque but also it respects the fact that a mosque is not just a place that tourists or anybody else can just wander in in their shoes and have a look around. It is actually a special place.

In Marree, there are still Khans, Bejahs, Dadlehs and Mooshas living in the town. It is a beautiful community in Marree, made up of Aboriginal descendent people, Afghan descendent people and, of course, European and Anglo descendent people, all living in perfect harmony. One of the reasons for that is because the Afghan people made such an enormous contribution to the development of the outback in South Australia.

Port Augusta, where I have my electorate office in the heart of my electorate, has pictures in the council chambers and other historic places of ships that went back and forth between Port Augusta and England, that took cargo back and forth one way and the other, largely exporting wool from the north of South Australia back to Europe. That wool was brought down to Port Augusta from the sheep stations by Afghan cameleers.

Afghan cameleers hold a very special place in the hearts and minds of people in outback South Australia. I have to say, in my many years of living in the north of the state, there has never ever been anything other than affection and support and recognition for the important role that Afghan people played in partnership with others in opening up, exploring and developing the north of South Australia.

Perhaps 16 or 17 years ago, I had the pleasure of seeing a photographic exhibition in the art gallery in Port Pirie that was all about the Afghan community in the north of South Australia 100 and 150 years ago. They were absolutely stunningly beautiful photographs of Afghans and their contribution. Whether it was in a labouring and toil way, whether it was in a business development way or whether it was in a teaching way, the clear thrust of that exhibition was that the Afghan community that came to the north of South Australia contributed much more than just their skills as labourers or cameleers; they actually brought a strong quality of society and education and ethics, and they were well respected in the north of the state.

I represent the people of Stuart. For those who may not be familiar with Stuart, it goes up to the Northern Territory-Queensland border and the northern part of the western border of New South Wales. That whole north-east area of the state would not be what it is today if it were not for migrants from Afghanistan who worked hand in hand with other people from other parts of the world, including Australian Aboriginal people, to develop that part of the world. In the north of South Australia, it is something that we are proud of, and in the north of South Australia I know we would welcome more Afghan people into our community.

Ms MICHAELS (Enfield) (12:10): I rise to support the motion of our leader, the member for Croydon, and thank him for his leadership on this issue. As you may be aware, Mr Acting Speaker, I have a significant proportion of Afghans, particularly the Hazara community, working and living in my electorate of Enfield.

I was with the leader and the member for Ramsay at the vigil on Saturday night. It was an honour to be there to listen to the prayers and the words of Mr Hussain Razaiat, someone I have had conversations with about his time at the Woomera detention centre and what he went through. I want to acknowledge what my community is going through right now.

We have had some wonderful members of the Afghan community be such strong leaders in the Enfield electorate. I want to mention a couple of them, including Hanif Rahimi, who runs the IGA just across from my electoral office. There was an article in *The Advertiser* on 17 August this year that I ask members to pull out and read his personal story of how he managed to get out of Afghanistan and into Australia by having the Taliban simply think he was dead because they beat him so viciously. He does wonderful work for the community, offers job opportunities through his business and is such a generous man, and his family are such wonderful and generous people.

As I look into the gallery I see Rahim, my dear friend, who runs The Ghan, right near my electoral office. He also does amazing work with Afghan youth, running the Ghan soccer club in my area. Again, he is a generous man with his time, his money and his support of youth. The wonderful women's soccer team that he runs is fantastic.

I want to read something to bring home how sad this is right now and how gut-wrenching this is right now for the people who have no certainty that they can stay in Australia and for people who have family in Afghanistan. This is an email that hit my inbox at 11.40pm last night from Samir. He says:

> My name is Samir and I am a Citizen of Australia…Thanks for supporting the Afghan people. I have been asking for my wife case for two and a half years, but unfortunately I did not hear any answer. Last week, when the Taliban took over the city of Herat in Afghanistan, they went from house to house trying to harass, humiliate and threaten Hazara people, including beating my wife a lot and threatening to kill her…

which you can clearly see in the pictures he attached to his email. We need to do more to help these people and bring them home to Australia.

Mr McBRIDE (MacKillop) (12:14): I rise to offer my support to the hundreds of Afghan residents living in my electorate of MacKillop whose family members have been tragically caught up in the unfolding situation involving the Taliban in Afghanistan. These constituents are understandably frightened and anxious about the fate of their family members. They are watching the terrifying scenes on television of panicked Afghan residents storming the Kabul airport as they attempt to flee this violent regime and the uncertain future that awaits them. Many have been unable to contact their family due to telecommunications issues, being displaced or being in hiding and fearful of the Taliban's violence and oppression, particularly towards women.

The Naracoorte Lucindale government area has the highest migrant population of people born in Afghanistan in South Australia. The 2016 census identified that 4 per cent of residents were born in Afghanistan, and our beautiful region is richer because of it. Our Afghan residents are pivotal members of our community. They own homes here, have businesses here, they shop here and they give our economy greater strength. They help our meatworks, JBS at Bordertown and Teys at Naracoorte, in their operations. They work in our vineyards and on farms, and their children go to our schools. They volunteer here and they give back to the community in so many ways. Australia is their home and they belong here.

It is estimated that there are now around 500 Afghan residents living in MacKillop, primarily in Naracoorte and Bordertown. Of those, approximately 65 are waiting for a permanent visa, 85 are waiting for Australian citizenship and around 70 of those are waiting for their family members to be granted visas to come to Australia. The process is not an easy one. There have been long delays in processing applications, with many people waiting years and some still waiting.

One Afghan migrant who lives in Naracoorte arrived here as an illegal immigrant around eight years ago. As a Temporary Protection visa holder, he is not eligible to bring his Afghanistan-based wife and child to Australia. He is considered to be a refugee, but he is in no-man's-land. He pays Australian taxes, owns a business in Naracoorte, employs locals and supports the community in many ways. This person needs our support and assistance and a pathway for his family and his future in this country.

In Bordertown, another Afghan migrant has a similar story. In 2013, he lodged an application for his wife, children and other family members to come to Australia. He became an Australian citizen in 2020, and he is still waiting for his family. The emotional toll, especially in this particular time, must be agonising. Sadly, these stories are not unique. There are many more people, mainly men, in similarly difficult situations.

In times of crisis, communities come together. Over the weekend, the Australian Migrant Resource Centre helped organise a vigil, in conjunction with the Limestone Coast Multicultural Network, for members of the Naracoorte Afghan community and their supporters. More than 60 people attended. In Bordertown, a similar event, coordinated by the Tatiara District Council, drew a crowd of nearly 200 people. The Cup of Kindness event, offering tea and scones, was a welcome distraction and a support for all involved.

We know our federal government is acting to ensure that those in immediate harm are being given priority to come to Australia. Australian citizens, permanent visa holders and Afghan locally engaged employees and their families are being evacuated. The 3,000 additional humanitarian places that will be allocated to Afghan nationals within Australia's program, which currently provides 13,750 places annually, is welcome. The government says that it anticipates this initial allocation will increase further over the course of 2021-22.

I urge the federal government to act quickly and efficiently to evacuate those at heightened risk of persecution from the Taliban. Importantly, I will also urge the federal government to help get the families of those Afghans who have settled here in Australia—those in my electorate of MacKillop—a safe passage out of Afghanistan. Compassion is needed. These are the wives, children, mothers and fathers of Afghan migrants in Australia.

I would like to add that, as the new member for MacKillop, I have got to know the Afghan community quite well. They have engaged and welcomed me on many occasions. I want to bring up two events that have happened just recently.

One was the Blackford fire at Lucindale this summer, which burnt around 14,000 or 15,000 hectares. The Afghani community and the migrant community in general gave very willingly to a major fundraising event for those affected by the fires. Not only that, but the Afghani community singlehandedly, as a community group went to the Lucindale fire area and provided labour and support to Blaze Aid. I highlight that because that is the sort of notion they bring to our community, that is the sort of participation they bring to our community, and they are willing to help in all those types of community events.

The other event was in Padthaway two or three years ago. The Afghani community are really well and heavily involved in the vineyard industry generally in MacKillop, and Padthaway has a large vineyard area. A lot of the Naracoorte Afghanis who work up towards Padthaway had a major get-together/banquet/barbecue at a private individual's house and there were over 200 people at this event. It highlighted to me again how our Australian way of life and the businesses in Padthaway value the Afghani community and how they pulled together and captured this group of people.

To speak of another piece of success and why this Afghani community is a great community body, one of the new Afghani locals, now an Australian citizen, is a major employer in my region. I think he employs nearly 700 contractors at busy times of the year in Naracoorte. This is the sort of business attitude that is coming to our regions and it is so valuable. They participate and they get involved. They come from very difficult backgrounds and they give it their best. I can tell you that we as a state will be better off with more of these people in our state. Now more than ever, I hope that help and support is afforded to them as quickly as it can be.

Motion carried.

VIETNAM VETERANS DAY

Mr BOYER (Wright) (12:21): I move:

That this house—

(a) acknowledges that 18 August 2021 marks Vietnam Veterans Day, and the 55th anniversary of the Battle of Long Tan;

(b) recognises the courage and sacrifices made by the Australian Defence Force personnel and medical officers who served in the Vietnam conflict; and

(c) reaffirms South Australia's commitment to recognise the contribution made by our Vietnam veterans and uphold their welfare through the provision and—advocacy for—appropriate support services.

Each year, 18 August commemorates the Battle of Long Tan, formerly known as Long Tan Day but from 1987 it has been officially known as Vietnam Veterans Day.

Starting in 1962 and ending in 1975, over 60,000 Australian Defence Service members from the Army, Navy and Air Force served in the Vietnam War, with 521 Australians paying the ultimate sacrifice. About 3,000 ADF members were injured. Of the 60,000 troops, 15,381 were conscripted with 202 of them killed in action and 1,279 wounded.

In 1962, the Menzies government sent in 30 Australian soldiers as military advisers. They were called the Australian Army Training Team Vietnam (AATTV) and eventually numbered 100 by 1965. Four Victoria Crosses were eventually awarded to the Australian Army Training Team Vietnam. In 1964, national conscription was introduced in Australia.

Selective conscription meant that a certain number of 20-year-old Australian men would be chosen to serve in the Australian Army. The process for choosing them was similar to a lottery. Numbered marbles each representing a day of the year were placed in a barrel. A predetermined number was then drawn individually and randomly by hand. If the number picked corresponded to the day of the year on which a person was born, they were required to present themselves for national service. Men chosen by this ballot, or balloted in, had to perform two years continuous full-time service in the Australian regular Army. This could include overseas service in Vietnam. After their full-time service they were required to serve for 3½ years part time.

My own father was 20 years of age in 1968 but thankfully the marble with his date of birth was not drawn out; however, some of his friends were not so lucky. I have often thought, as I am sure my dad has as well, how different his life would have been had his marble been drawn. He may not have returned from Vietnam or, like so many other young Australian men from that time, he may have come back and battled post-traumatic stress for the rest of his life.

Sixty-thousand men were called up under selective conscription and 20,000 served in South Vietnam. These were young men, often not sure how they came to be there, but they did what they were trained to do and they did it with courage. In 1965 the Menzies government sent in troops, including the 1st Royal Australian Infantry. The government continued to increase the numbers it committed over the next few years.

The Australian troops, like the US troops, had superior firepower and modern warfare strategies. However, they came up against guerrilla warfare. The Viet Cong could be anywhere, hiding from view and using extensive tunnel networks to hide their movements. On 17 August 1966, the Australian Task Force base in Nui Dat was bombarded by the Viet Cong with mortar attacks. The next day, 18 August 1966, 55 years ago last Wednesday, B platoon company, from the 6RAR was sent out in the morning to find where those mortar shells had come from.

The mortar attack positions were found by the rubber plantation near the village of Long Tan. The Delta platoon company from 6RAR, consisting of 108 soldiers, was sent out to relieve B platoon as they did not have the resources to be out in the field for an extended period of time. One veteran said that it got up everyone's noses that they were missing out on a concert by Col Joye and Little Pattie. In fact, they could hear grabs of sound from the concert as they were moving out into the jungle, a very eerie image indeed.

The rubber trees did not cover the soldiers' movements from the Viet Cong. The troops were hit with intense fire and tried to get A platoon out but they were not able to reach them. They could see the Viet Cong were very well equipped and not the civilians they had expected. They did not know they were facing 2,000 Viet Cong and North Vietnamese soldiers.

Then the monsoonal rain started. They were pinned down and called for artillery support. With heavy fighting from the Viet Cong, the supporting artillery fire was continuous for about four hours with a round of artillery fire every 10 to 20 seconds. The RAAF crew that flew in ammunition to D Company, when they were beginning to run out, were truly heroic to fly under that artillery bombardment and in those appalling weather conditions.

Gradually the soldiers' ammunition was depleted. One recalled, 'I looked around and most of my mates were gone, had been shot.' Another said, 'We knew we were having trouble with the weapons, we knew we were having trouble with the rain and the mud, and I thought this is going to be it.' A platoon company was sent out to help D Company. One recalled that when the A platoon company arrived, 'We didn't hear the APCs arrive because of the artillery and the rain but when they

did arrive it was just like one of those western movies when the cavalry turns up.' There was no further firing by the Viet Cong once the A platoon company arrived.

On 19 August, the Australian soldiers returned to the field to remove the bodies of the 18 soldiers who had been killed; 24 soldiers had been wounded. They thought that they had been defeated, of course, but realised they had actually won a major victory against the Viet Cong. The Battle of Long Tan had been fought by a small number of Australian soldiers against a much larger army that outnumbered them 10 to one. It was a major local setback for the Viet Cong. Now, every 18 August, we commemorate all Vietnam veterans and honour the bravery and ultimate sacrifice paid by those 17 soldiers from Delta platoon company and the one soldier from 1A platoon company. It was the single largest loss of life in one day of Australian soldiers in the Vietnam War.

From 1971, troops from Australia began to be withdrawn from South Vietnam as the anti-war movement started to gain momentum. In 1972, Prime Minister Gough Whitlam was elected and repealed the national conscription act thus ending conscription. Australian troops remained in South Vietnam until 1973. In March 1975, talks began to bring an end to the war and the Australian government sent the RAAF in to provide humanitarian assistance to the South Vietnamese.

The speed of the advance of the North Vietnamese Army took everyone by surprise and, on 30 April 1975, Saigon fell. The news photographers of the day captured and documented the fall of Saigon, and those images of helicopters and a panicking population remain iconic to this day.

Some of the Australian defence forces were not welcomed back in the way that veterans from previous wars were welcomed. In the 1970s some veterans felt excluded and shunned by the anti-war movement, and even by some veterans from previous wars. The 1970s and 1980s are often remembered by vets as the battle after the war, or more simply ‘The Aftermath’.

It emerged that veterans had been exposed also to Agent Orange, a carcinogenic pesticide that caused adverse health effects upon the veterans and birth abnormalities.

The Vietnam veterans banded together to form their own clubs and associations where they could look out for the wellbeing of each other. They fought for the recognition of the physical and mental impacts of post-traumatic stress. They took the Department of Veterans’ Affairs to court after denying compensation for injuries, including Agent Orange, and in 1983 a royal commission was held which found that two types of cancer could be linked to exposure to Agent Orange.

The Vietnam Veterans Counselling Service was established after intense lobbying by the veterans in 1982—seven years after the war ended. In 2007 it was renamed the Veterans & Veterans Families Counselling Service with its services being offered to all veterans and their families. In 2018 it was renamed Open Arms, which many members of this place will be familiar with.

Open Arms was a signal given by Australian soldiers on the ground indicating that it was safe for helicopters to land during the Vietnam War. Open Arms is a safe place for veterans and their families to seek help and to continue the specialised services they have provided since 1982.

Fifty five years after the battle of Long Tan the Vietnam veterans continue to fight for the health and mental wellbeing of veterans and their families. Today, of course, they are highly-trained advocates, having intricate knowledge of the Veterans’ Entitlements Act, the Safety, Rehabilitation and Compensation Act and the Military Rehabilitation and Compensation Act. They use that knowledge to help younger veterans, particularly those who served in the Afghanistan war, which lasted nearly 20 years.

Recent events, which we have just heard about in this place and spoken about with great passion by members of this place, have been exceptionally challenging, of course, not just for our local community here in South Australia but also particularly by veterans of the Afghanistan war.

I know, having spoken to some of those returned service personnel and reading about their stories online on social media, that the sudden and catastrophic fall of Kabul brought back a lot of terrible memories for them about what happened during their war service. In these following weeks and months, we must also make sure that we spare a thought for them, and as elected members of this place reach out in any way that we can to offer them support knowing that a lot of that traumatic stress suffered by those who served in the Vietnam war will be coming up again because of the events being detailed in such terrible clarity in the media and in our parliaments across Australia.

The fate of translators, their families and other Afghan citizens who helped and supported Australian forces in Afghanistan has brought back memories of the fate of those too left behind in Vietnam. One veteran told of five translators begging for him to take them to safety. Three were able to be rescued, but he heard that the remaining two were sent to re-education camps and most probably to their deaths. Another veteran said that a translator had wrapped his arms around his legs, pleading to be taken with him as he was about to be flown out of Saigon by helicopter. That memory is still crystal clear in his mind. The desperation of Afghanis trying to cling on to aeroplanes at Kabul Airport brought back memories of desperate Vietnamese trying to board helicopters and fly out of Saigon.

These veterans, more than anyone else, understand what our young Afghan veterans are going through now. They have reached out, of course, and have used their experiences and their knowledge of warfare and the effects of warfare upon human beings to offer support to these people, and I know they will continue to do that for as long as it is needed.

From their experiences in the Vietnam War, and the way they were shunned and mistreated after that war, they have shown the true value of mateship. Many of our Vietnam veterans were very young when they fought there, of course. They came back to an Australia that could be hostile towards them for doing their duty. These young men banded together to look out for each other, to fight the legal system for their rights to compensation, and established physical and mental health services that help veterans and their families and now also help younger generations of veterans.

After all they went through, as young members of the Australian Defence Force in Vietnam, after the challenges they faced when they returned to Australia, the Vietnam veterans have left a legacy of services for current and future generations of veterans and their families. It is only right that we honour their sacrifice and bravery, not just at the Battle of Long Tan but in all the battles in the Vietnam War, and pay tribute to those 521 Australian soldiers who lost their lives.

Last week, on Vietnam Veterans Day I attended the City of Salisbury's commemorative service in Montague Farm, where all the streets are named after the young Australian soldiers killed. I was joined by other members of this place. The Governor, His Excellency Hieu Van Le, once again attended the service, as he does almost every year. He of course has a unique perspective as a Vietnamese child refugee, fleeing with his family by boat to Australia after the fall of Saigon.

In the spirit of bipartisanship, it should not be forgotten, too, that it was Prime Minister Malcolm Fraser who made the controversial decision at the time to allow the Vietnamese refugees, who made the very dangerous journey to Australia that Mr Van Le has spoken about many times, to remain here and become a valued part of our society. I had the honour of laying a wreath, and I witnessed the continuing camaraderie of the Vietnam veterans as they shared their stories and continue to support each other as they grow older.

Many of my colleagues here today also attended that ceremony, including the members for Playford, Florey, Light, King and others who I may have forgotten. I should say, it was an excellent turnout, and I think it was a very good ceremony as well, held in a compassionate spirit. I was pleased to be there. I am pleased to have the opportunity to offer my thoughts on the matter and acknowledge those veterans here today at what is each year a very important time, but a very poignant one, on our calendar at the moment, given what has happened in Afghanistan and the effects that is having on our veteran community.

Mr WHETSTONE (Chaffey) (12:36): I, too, rise to support this motion, a very important motion: Vietnam Veterans Day on 18 August. The Battle of Long Tan conflict lasted from 1954 to 1975. The day is an opportunity to reflect on the involvement of Australia and others who served in the Vietnam War from 1962 to 1972. Almost 60,000 Australians served over the 10 years of involvement, with more than 3,000 wounded and 521 making the ultimate sacrifice for their country.

Australia's commitment mainly consisted of army personnel but also saw numbers of Air Force and Navy personnel and some civilians take part in the conflict. Australia's involvement in the Vietnam War began with the arrival of the Australian Army Training Team Vietnam in South Vietnam in July 1962, after South Vietnam's leader, Ngo Dinh Diem, requested assistance from the US and its allies in the fight against communist insurgents. Vietnam Veterans Day falls on the anniversary of the Battle of Long Tan in 1966. The Battle of Long Tan was a significant moment in Australia's contribution in Vietnam.

The men of Delta Company 6th Battalion Royal Australian Regiment faced approximately 2,000 North Vietnamese and Viet Cong troops in heavy tropical downpour. On this day, 17 Australians were killed in action and a further 25 were wounded, one of whom died days later. This battle marked the largest number of casualties in a single operation in the entirety of the Vietnam War. This year marks 55 years since the battle and 50 years since the cessation of Australian combat operations in Vietnam.

In the Riverland and the electorate of Chaffey, the Australian Vietnam Veterans Action Association was formed in late 1979 as a result of the perception of Vietnam veterans that exposure to chemicals was causing problems with their health and the health of their children. The chemicals, known by the generic name of Agent Orange, included 2,4,5-T and 2,4-D, a by-product of which is the extremely poisonous substance TCDD or dioxin. In my electorate of Chaffey there are many returned Vietnam veterans and different ex-service organisations, all of which play really important roles.

The Riverland sub-branch president, Max Binding is a stalwart of that organisation. In 2009, the Berri Barmera Council established a memorial on the riverfront, with the support of the Riverland community. This memorial was designed and erected by the Riverland Vietnam Veterans Association, with the support of the Riverland community, to honour those regular and national service personnel who served their country post World War II. It was officially opened by Brigadier Rick Burr DSC MVO on 30 October 2009. The memorial form is surrounded by a bed of red roses, with etched glass panels depicting pictures of the Army, Air Force and Navy, and of course the Chinook helicopter, which was an absolute signature of the Vietnam conflict.

This year again, supporters from across the region gathered at the monument to pay their respects on 18 August, with a fantastic turnout after the event was cancelled in 2020 due to the pandemic. Many of those from the Riverland who served were just teenagers, or only in their early 20s, with little idea of what lay ahead. Many of those returned servicemen have been affected by the battlefields and by their war-torn experience.

There are a whole range of returned and service organisations that provide a range of different services for different needs, and I have a few in my own electorate, such as the local RSL clubs—our veterans and their families would certainly be poorer without them. The support they provide is often not only to the veteran but also to their families and their children.

I would like to acknowledge all our veterans: those who are still with us, those who have passed and those who have served. I would also like to thank those who do so much work with the Riverland veterans and the wellbeing centre to support veterans in our community. It is important that we support our veterans who were asked to go above and beyond the call of duty to protect our nation.

Ms COOK (Hurtle Vale) (12:41): I rise in support of the motion for Vietnam Veterans Day, as moved by the member for Wright. The member for Wright is a very passionate spokesperson for veterans affairs on our side of the house, and I thank him for his work in that regard. I add my voice in recognition of those who served our country in the Vietnam War, and the sacrifices and contributions made by them and their families. This motion itself recognises the importance of Vietnam Veterans Day, and the 55th anniversary of battle. This gives us an important opportunity to reflect on service and sacrifice by so many in our community.

I would like to speak about one of my constituents, Sergeant Lloyd Stevens OAM. He lives in the suburb of Woodcroft in the electorate of Hurtle Vale. Lloyd served our country in the Vietnam War and was recently bestowed with the Medal of the Order of Australia as part of the Queen's Birthday Honours List for his service to the Vietnamese community of South Australia.

Lloyd signed up to the Army in 1964 in the small South-East town of Kalangadoo. He first served in Malaya, Borneo and on the Thai-Malay border in the 3rd Battalion of the Royal Australian Regiment before serving in Vietnam. Upon his return from Borneo, Lloyd was still a young man in his early 20s. Upon this return he felt like a veteran, he was included. He was signed up by the local RSL sub-branch, and they even paid for his first year of membership.

His experience on return from Vietnam, however, was very different. When he came home, like so many other Vietnam veterans, he was not treated well by his community. Some did not feel

that those returning from Vietnam had fought an honourable war. Seemingly, there was a fair debate about the war at the time—and there were differences—but it was not fair to have treated our veterans so poorly after they had sacrificed so much.

In fact, Lloyd was even turned away from an RSL in New South Wales. At a dawn service he was told by a president of another RSL that they would be closing that local sub-branch because there were no veterans to take over, despite Lloyd and other Vietnam veterans being in the area. Can you imagine how hurtful this would have been for those veterans? I know there would have been so many stories like this from other Vietnam vets. It was a long time before Lloyd and other Vietnam vets got the recognition they deserved for their service and were accepted by others in the RSL, yet they did persevere until they got it.

I know this might sound a bit weird, but I was an Army cadet for a number of years, and I really enjoyed it. I loved it. I can remember, as a young Army cadet, noticing that there was a difference with the way that Vietnam veterans participated in marches and other ceremonies. I thought it was a bit strange that they were not included in the main group; there was a real point of difference. I did not understand this at the time but, looking back, it saddens me how excluded people were from the veteran community.

This place, and the society we are elected to represent, has a duty to acknowledge and thank those have served and who have come home to a country that was less than welcoming. After a really, really hard fought battle by the wonderful Julie-Ann Finney in the name of her dear son David, who took his life, as well as many others in the same situation, right now the Royal Commission into Defence and Veteran Suicide is working to shine a light onto the tragically high number of returned defence personnel we continue to lose unnecessarily.

We now have the situation in Afghanistan, and Lloyd has highlighted to me just how tough times like these are for the veterans. He empathises with how they must feel seeing the country they fought so long and hard in to keep from the hands of the Taliban now falling. Many will be struggling with what has transpired over recent days in Afghanistan, and I just cannot believe or begin to understand how hurtful that must be. It is really important that we wrap our arms around the community and show that we understand this.

It is also extremely important to recognise the importance of mental health and PTSD support for our returned defence personnel. Support centres are vital, and we have to make sure they are contemporary and updated. We have to make sure we invest in services for the ongoing health of our veterans. One of those services that I would like to acknowledge, in particular, is the Jamie Larcombe Centre, which was built a few years ago. It is a state-of-the-art precinct that offers mental health services and support for former defence personnel. I am really proud to be part of what was a Labor government that delivered that change. It had its challenges, but it is a brilliant centre and very contemporary for our modern-day veterans.

I acknowledge the large Vietnamese-Australian community and the important contributions they make, none less than our wonderful Governor and Mrs Lan Le. We see people fleeing war-torn countries and coming from oppressive rule, and to see them shine and succeed such as His Excellency has is something we must nurture and be proud of. Out of the Afghani community, do we have a governor in the future? I certainly hope we have member of parliament and I hope we potentially have a governor as well.

We see so many parallels. It is my sincere hope that we do not repeat the same mistakes of the past where we treated people returning from that battle so appallingly. We must ensure that the serious and real physical injuries that we see and the terrible psychological traumas that we do not are not repeated, and that they are not exacerbated by ignorance. I thank the member for Wright for bringing this motion to the house. I am confident we have bipartisan support on this and I look forward to its passage.

Ms LUETHEN (King) (12:48): I also thank the member for Wright for this important motion and I rise to support it. On 18 August, we commemorate Vietnam Veterans Day on the anniversary of the Battle of Long Tan in 1966. We remember the sacrifices of those who died and say thank you to almost 60,000 Australians who served during the 10 years of our involvement in the Vietnam War.

The Vietnam War was Australia's longest military engagement of the 20th century. The arrival of the Australian Army Training Team Vietnam in South Vietnam during July and August 1962 marked

the start of Australia's involvement in the war. By the time the war had come to an end, almost 60,000 Australians had served during a decade of conflict between 1962 and 1972. Tragically, 521 of them died and 3,000 were wounded.

The Battle of Long Tan was a significant moment in Australia's war in Vietnam. On 18 August 1966, in a rubber plantation near the village of Long Tan, Australian soldiers fought one of their fiercest battles of the war. The men of Delta Company, 6th Battalion, Royal Australian Regiment, faced a force of some 2,000 North Vietnamese and Vietcong troops. The battle was fought in wet and muddy conditions during a heavy tropical downpour. By the end of the day 17 Australians had been killed in action and 25 were wounded, one of whom died a few days later. This was the largest number of casualties in a single operation since the Australian Task Force had established its base at nearby Nui Dat the previous April.

On this day, we commemorate all the battles fought by Australians in Vietnam, from large-scale operations to platoon and section-level encounters. We remember the sailors of the Royal Australian Navy who supported the land operations and the members of the Royal Australian Air Force who served in combat and transport roles.

Some veterans did not feel properly honoured for having served their country in Vietnam. In 1987, veterans received the welcome home parade that some felt had been denied them when they returned from war. Around 22,000 Vietnam veterans marched through Sydney in front of a crowd of some 100,000 Australians. The book *Homecomings* recounts those experiences.

The Australian Vietnam Forces National Memorial on Anzac Parade in Canberra was officially dedicated on 3 October 1992. It commemorates all the Australian Army, Royal Australian Navy and Royal Australian Air Force and associated personnel who served in Vietnam during the Vietnam War.

In South Australia, Vietnam veterans are represented by several different ex-service organisations, including the RSL. Some of these organisations include the Vietnam Veterans Association of Australia and the Vietnam Veterans' Federation South Australian Branch. On behalf of people living in King I attended a Vietnam Veterans' Day service at Montague Farm. I represented the South Australian government, Minister David Pisoni and the people living in King at this important commemoration along with Senator David Fawcett and candidate for Wright Graham Reynolds and other people in this place, including the member for Wright.

We heard a Welcome to Country from Uncle Frank Wanganeen, a prayer from chaplain Patrick Garton and a poem from Mawson Lakes School students. We heard from guest speaker Colonel Neil Bradley and stand fast and thanks by Pieter Dawson, President, Vietnam Veterans Association of Australia South Australian Branch, northern suburbs sub-branch. And we heard an incredibly moving speech by our Governor of South Australia, His Excellency the Hon. Hieu Van Le, who attends every year.

Thank you to all those who served and sacrificed and to those who continue to serve and sacrifice for us. Each year I learn more about service and the sacrifices by the veterans from the guest speakers. This year I was grateful to learn more about the catafalque party. The catafalque party is a guard, usually of four people, that stands watch over the coffin and catafalque of a distinguished person or over a significant monument.

Historically, a guard was placed around the coffin to prevent any interference with the body during the period of lying in state. The guard was referred to as a catafalque party and was therefore always armed. Although the need to protect the body is no longer the imperative, a catafalque party is still mounted for a lying in state as a form of respect for the deceased and, following the historical role, is always armed.

In Australia, a catafalque party acts as sentries for the memorial during annual commemorations. A catafalque party consists of a commander, four sentries and one reserve sentry. The four sentries and the reserve are to be armed; however, the catafalque party commander is not normally armed.

Thank you to the Vietnam Veterans Association of Australia South Australian Branch, northern suburbs sub-branch; the Salisbury RSL; and the City of Salisbury for your help with this

event this year and every year. The street names of this estate are named after our fallen soldiers. Lest we forget.

Ms BEDFORD (Florey) (12:54): My family are very close to the Vietnam War. My children's father is a Vietnam veteran. He was involved as a national service person in artillery and was stationed at what is called The Horseshoe, although I do not believe he had any direct contact with the Battle of Long Tan that day. But many people of course have been able to tell me over the years what exactly went on. Through Rob's service, we were able to settle in a War Service home in Modbury Heights, and that was where I met the wonderful Jock Clarkson who introduced me to Moose Dunlop and many of the other men—men like Len Opie, Bob Kearney and the regimental doctor, Dr Don Beard.

Also, up the street from us was a house where John Bailey lived, then President of the RSL. It was a shock one day to see him and Bruce Ruxton commissioning a flagpole on a Sunday morning as I walked past with my dogs. Of course, nothing should surprise you when you look back on the sorts of things that were happening because, as has been said, Vietnam veterans were not welcomed back to Australia in the way we would do so now.

Agent Orange has played a great part in our life because many children of the men in my husband's platoon suffered neurological disorders very young in their life, and our own son had a stroke as a child, which was pretty frightening but nothing you can actually sheet home to Agent Orange. We have no doubt in our mind it must have had something to do with it, as there was no history of neurological disorder on either side of the family before Rob's war service.

My association with the Royal Australian Regiment, through my association with Moose, Dogs, Len and of course Jock, has been long. I have been lucky enough to be associated with them for more than 25 years in a formal fashion, but for 40 years and beyond because of my husband's service. I would like to acknowledge here the work that the RAR Association does every year and particularly thank Catherine Lambert, the Terrace Singers and piper Des Ross for their participation in the ceremonies when we are able to have them at the RAR headquarters at Burnside.

This year was the 75th commemoration of the Battle of Long Tan. As other members have said, we gathered at the Montague Farm Estate in the electorate of Florey in the presence of all the dignitaries mentioned and the Governor. It was also good to have Alan Fraser, a Long Tan veteran, actually present on the day. Alan and his wife, Margaret, and their family are friends, and it was good to see them there.

As has been mentioned, New Zealand Colonel Neil Bradley gave a great speech. One of the things that came home to me during the day was that our men did go off to battle. As the Laurence Binyon poem *For the Fallen* says in the verse before the ode, they went 'with songs to battle' because they had heard the strains of Little Pattie and Col Joye as they marched off to the battle.

I was able to visit Long Tan and was privileged to go there with a group led by Bill Denny with Spike, Navy Moose, Eric and my now friend Meredith Wyles, who is a former president of Legacy South Australia. Meredith's birthday, remarkably, is Long Tan day. Her husband, Tony, served with distinction. He has sadly passed on, and we all remember Long Tan day as a very special day.

History unfortunately does repeat itself, and the scenes we have seen recently are scenes we have seen before. Until we learn from history, I do fear for world peace, which is a concept very close to everyone's heart and should be something we talk about more often and really strive to achieve because without an effort to maintain peace the same tragedies will recur.

I would like to remember all the fallen and those who have come back injured or mentally unwell or impaired in other ways. I acknowledge, too, as other members have done, that these injuries last forever. I thank them and their families for all they have done. We certainly do remember their service. Lest we forget.

Mr BOYER (Wright) (12:58): In closing, I would like to thank all those members who have made contributions this morning on this very important commemorative occasion. It is important that this remains an area of bipartisanship. I know that having spoken to veterans at many events, let's be honest, no-one really likes a political spat, but I think never less so than when it comes to military service and our veterans. I am very pleased that the contributions that have been made today have been made in that spirit, and I think we have reflected well upon ourselves as members of parliament in South Australia.

Finally, I urge members of this place at this time to reach out through their networks—whether they be the local RSL or veterans they know who live in their seats—to ask if any assistance can be given to them or to other veterans they may know, given all the feelings that will be bubbling to the surface due to what has happened in Afghanistan.

Motion carried.

Sitting suspended from 13:00 to 14:00.

Bills

MOTOR VEHICLES (ELECTRIC VEHICLE LEVY) AMENDMENT 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

KANGAROO ISLAND WHARF FACILITY

The Hon. L.W.K. BIGNELL (Mawson): Presented a petition signed by 393 residents of and visitors to Kangaroo Island requesting the house to urge the government to take immediate action to prevent the import and export of freight through the American River wharf and decree that American River is not a commercial port.

Parliamentary Procedure

ANSWERS TABLED

The DEPUTY SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

PAPERS

The following papers were laid on the table:

By the Deputy Speaker—

Independent Commissioner Against Corruption—Facilities Management in Local Governance

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr McBRIDE (MacKillop) (14:03): I bring up the 42nd report of the committee, entitled Subordinate Legislation.

Report received.

Question Time

CHILD AND YOUNG PERSON'S VISITOR SCHEME

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:04): My question is to the Minister for Child Protection. Is the minister refusing to fund the Child and Young Person's Visitor program that works to ensure the safety of more than 600 children and young people in residential and emergency care? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: The guardian, Ms Penny Wright, today published a statement in which she said that she is resigning the role of Child and Young Person's Visitor because without funding she is unable to meet the obligations of the role.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:05): The Child and Young Person's—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.A.W. GARDNER: —Visitor program was originally for two years through my department, as indeed it was a pilot program. In the role as the guardian, Ms Wright has independent statutory powers to determine how she spends the funding that she has, and indeed she has the power to visit residential care facilities in the state. She can continue to advocate for those children and young people.

Our government does remain committed to working proactively constructively with the guardian in her role, and we are committed to improving our—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.A.W. GARDNER: —outcomes for children and young people in care. I think that the Minister for Child Protection's record over the last 3½ years stands up very well indeed compared with that of anybody opposite who held that role over the period of time.

The Hon. A. Koutsantonis: She can't even answer a question.

The DEPUTY SPEAKER: The member for West Torrens!

The Hon. J.A.W. GARDNER: The Guardian for Children and Young People has a budget in the order of $2 million, which, again, as I say, is administered through my department, and indeed she has significant independence as to how she determines her priorities in spending her budget.

CHILD AND YOUNG PERSON'S VISITOR SCHEME

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:06): My question is to the Minister for Child Protection. How can the statutory role of the Child and Young Person's Visitor be performed without any funding?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:06): I inform the house that the Child and Young Person's Visitor Scheme was a two-year pilot program, as recommended in the Nyland royal commission. Recommendation 137 was to legislate for the development of a community visitor scheme, which we have. We have done that.

There was a two-year pilot program started in 2017 under the former government. The pilot program ended, and at this stage we are not reinstating it. However, what I can say is that this government is putting our money into early intervention and prevention. Like everybody, you have a budget and you determine what is the most important use. Firstly, under the guardian's—

Members interjecting:

The DEPUTY SPEAKER: Order! The minister will be heard in silence.

The Hon. R. SANDERSON: If you're interested in hearing the answer, it is part of the guardian's responsibilities and her powers to monitor. The guardian—as every guardian before her—has the ability to visit every single residential care facility, as previous guardians have, and to advocate individually for children and to see systemic issues and deal with those.

She still can do that, like she always did, like all the guardians did before her. She has resigned from one position, which was a visitor scheme. The act states that the minister may instigate—'may'. It's not a 'must'; it's a 'may', and at this point, as you know, it is not being continued.

Members interjecting:

The DEPUTY SPEAKER: Order! Continue, minister.

The Hon. R. SANDERSON: In this year's budget, what we have funded is $18.2 million over seven years for the Newpin reunification program, $11.3 million over six years for the Resilient Families program (an intensive family support service), $3.8 million over 2½ years for the Treatment Foster Care Oregon program and $3.7 million over four years for family group conferencing.

These are programs that never existed under the former government. These are programs to prevent children coming into care. These are programs to reunify and to strengthen families. Doing

the same thing that the former government did and expecting a different answer would be the definition of stupidity. We are focusing on early intervention and prevention. As I said, the guardian can visit residential care facilities, and she will continue to do so.

The DEPUTY SPEAKER: Before I call the next member, the member for West Torrens and the deputy leader are called to order.

GUARDIAN FOR CHILDREN AND YOUNG PEOPLE

Ms HILDYARD (Reynell) (14:09): My question is to the Minister for Child Protection. When was the last time the minister had a face-to-face meeting with the guardian, Ms Penny Wright?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:09): It was very recently. I am just trying to find the date, but I can get that. I am sure my office will send that through very quickly. It was quite recently—17 August.

CHILD AND YOUNG PERSON'S VISITOR SCHEME

Ms HILDYARD (Reynell) (14:09): My question is to the Minister—

Members interjecting:

The DEPUTY SPEAKER: Order on both sides! I cannot hear the question.

Ms HILDYARD: My question is to the Minister for Child Protection. Who will now undertake the role of child and young person's visitor?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:10): This just shows that you are not understanding the actual legislation. Under Nyland royal commission recommendation 137, the recommendation was to legislate for the development of a community visitor scheme. That has been done. Under that visitor scheme, there was a pilot program that lasted two years. The two years is up.

Members interjecting:

The DEPUTY SPEAKER: I am going to say to the opposition: it's your question time. If you are interjecting and I can't hear the speaker, we won't continue.

CHILD AND YOUNG PERSON'S VISITOR SCHEME

Ms HILDYARD (Reynell) (14:10): My question is again to the Minister for Child Protection. Will the role now be funded?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:11): I refer the member for Reynell to my earlier answer, which set out clearly the funding arrangements, and remind her that the guardian, who has the powers that were identified by the Minister for Child Protection just a moment ago, has an office budget in the order of $2 million.

NATIONAL LITERACY AND NUMERACY TESTS

Mrs POWER (Elder) (14:11): My question is for the Minister for Education. Can the minister update the house on the 2021 NAPLAN test results?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:11): I thank the member for Elder for this question; it's a very important question. I take the opportunity to indeed congratulate, commend and thank the entire education workforce across South Australia for what is indeed their life's work, their calling and their passion. I also commend, thank and congratulate South Australia's students on the work they have done in what has been, as has been shared with the education workforce and indeed the whole of our community, a really difficult year and half.

We are very pleased to see that 2021 NAPLAN results released this morning showed some very good news, some very good indicators of how the South Australian education system is travelling. We know that in 2018, when our government came to office, things weren't quite where we wanted them to be. There were a lot of people working very hard, committing their lives and their passion to supporting our children and young people, yet for a number of years our results, as

identified in the national standardised test for the NAPLAN for literacy and numeracy, weren't at the level we wanted.

Indeed, they are still not, but the trajectory over the last three years is commendable, it's outstanding and indeed it's significant. It is the most dramatic improvement in NAPLAN results of any state in Australia. Our year 3 students have more than doubled the national growth figure by the mean scores across Australia. Our year 9 students are the only students who have better NAPLAN results this year than they did in 2018, again significantly better than the national average and again showing steps forward. Our years 5 and 7 results were second and third by the same measure. We have achieved in years 3 and 5 spelling and reading the best results in the history of NAPLAN and indeed in year 5 numeracy.

We always want to be better. Our children deserve nothing less than the best. Every day, our goal, our ambition, in education in South Australia, no matter what town or suburb our children are in or whatever classroom or whatever school or preschool they are in, is to be the best we can. So we are not satisfied with the improvement that we have achieved. We want that improvement to solidify, continue and accelerate in the years ahead.

But it is an extraordinary achievement to take the figures. When I became the shadow education minister, we were fifth or sixth out of six states in a vast majority of domains. We were last in 10 out of 20 domains. We are now third or fourth out of all the states in a majority of domains. We haven't had anything like that since Jane Lomax-Smith was the education minister. I was very pleased to note Jane Lomax-Smith's favourable response to today's NAPLAN results this morning on social media, and I thank her for her encouragement.

Members interjecting:

The DEPUTY SPEAKER: Order! Just a moment, minister. I cannot hear, because of the constant interjections, what the minister is saying. The member for Wright is called to order.

The Hon. J.A.W. GARDNER: I hear the interjection, sir. It takes a special kind of cynical hypocrisy to have seen as Chief of Staff or as minister over a period of years in the last Labor government a deterioration in results from when Jane Lomax-Smith was minister to the awful situation we had later and then to see that turn around to the very favourable results we have now by comparison, and to criticise that, to look for any possible minor statistical opportunity to undermine the work done by teachers and educators and schools across South Australia.

The literacy guarantee work, the phonics check, the literacy coaches—the evidence-based school improvement measures taken by our department over the last three years are paying dividends. The hard work of educators, families and, most importantly, South Australian students is paying off. They should be proud and I encourage all members of parliament to write to their local schools, every one of them, and congratulate them on their efforts and their hard work.

MEMBER FOR WAITE

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:15): My question is to the Deputy Premier. Did the Deputy Premier background media outlets about the behaviour of the then Liberal member for Waite at a 2019 Christmas party shortly after she was made aware of it?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:16): Certainly not. I have made it clear to the house already that I contacted the Premier and advised him of the matter after receiving the phone call from Ms Bonaros, and that's it. He was on a media outlet, last that I heard.

MEMBERS, TRAVEL ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (14:16): My question is to the Attorney-General. Has the member for Hammond applied for reimbursement of legal fees because of an investigation into the misuse of the country members' travel allowance?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:16): Not that I am aware of, but the member has asked me questions in relation to reimbursement of legal fees. I know I have signed material to identify the number of members of parliament or former members of parliament in relation to receiving those benefits and if it is not with him shortly, I expect it will be. It has gone through the parliament.

MEMBERS, TRAVEL ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (14:17): My question is to the Attorney-General. Has the Attorney-General since being the Attorney-General approved the reimbursement of any legal fees to members of parliament because of investigations underway by ICAC, the Ombudsman or any other body?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:17): I have just answered that question. Former members of parliament and current members of parliament, I have provided the number. From memory, it is six, but it is coming through in an answer to the member on a question I have taken on notice. I haven't specified what political party they are in or whether they are an Independent or whatever but, to the best of my knowledge, there hasn't been any application for the matter that you have raised, but I can identify that.

Again, if there is any indication—because you go through these from time to time as to whoever they are, and my capacity to be able to disclose that to the parliament is more limited, as I understand it. But I have been given advice and I have provided you with the best answer and it is coming to you, if it is not already on your desk.

WOMEN IN SKILLS TRAINING

Ms LUETHEN (King) (14:18): My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is supporting females into training and jobs.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:18): I thank the member for King not only for her interest but for her strong advocacy for women, not just in King but throughout South Australia. South Australia has a record number of people in work, a record number of hours worked, a record number of South Australians working full time, and the lowest female unemployment rate in 13 years—4.4 per cent.

We have more women in work now than before COVID 19; that is 19,000 more women in work now than at the peak of COVID 19 and most of those women are working full time. To ensure that South Australia is equipped for today's new jobs and the jobs of tomorrow, the Marshall Liberal government's Skilling South Australia program is delivering nation-leading results, translating into more jobs and lasting careers in traditional sectors and in new and expanding industries like defence, space, advanced manufacturing, health and social care. Skilling South Australia projects, co-designed with business and industry, are supporting women into sustainable jobs and careers.

One of those examples that I can share with the house today is the Women in Welding project, a partnership with the Adelaide Training and Employment Centre (ATEC) and Naval Group Australia supporting women through pre-apprenticeship training. The $120,000 project aims to boost female participation in the Attack class submarine workforce and support women into exciting careers in specialist welding. Recruitment is underway for female participants, with the project expected to commence next month. The participants will then transfer into a paid trade apprenticeship in Certificate III in Engineering, metal fabrication, which will provide on and off the job paid training in the defence sector.

Since 2018, more than 44,000 apprentices and trainees have commenced under the Marshall government, and the Marshall government is leading the nation in apprentice and trainee growth, including in female participation. The latest NCVER figures show that South Australia has increased the number of female apprentices and trainees by 25.8 per cent in the last year alone. This compares with a decrease of 47 per cent over the last term of the previous Labor government—chalk and cheese.

Through the expanded Marshall government's Subsidised Training List, $70 million has been invested in training delivery, especially for women in 2019-20, supporting over 21,000 women to gain skills in the workforce. There are some other examples of where we have worked specifically with women, and this is a very important one: Empowering Career Options, the Skilling South Australia pre-apprenticeship program, targeting around 30 women who have survived domestic violence into

steady employment and economic participation through traineeships in Certificate III in Business Administration.

This project has been designed to break down barriers for affected women, empowering them through education and employment and providing them with skills and confidence and additional counselling when they need it. The project also aims to help women overcome challenges and take positive steps toward financial independence. Funding is open now for any employer who wants to participate in this program.

Women in Civil is a pre-apprenticeship program co-designed with the Civil Contractors Federation. This project includes mentoring and support for participants to successfully transition into paid apprenticeships. Until the Marshall government came to office, there were no apprenticeships in the civil construction sector. We have brand-new apprenticeships introduced by the Marshall government.

Resthaven Community Aged Care is a pilot program supporting women into traineeships. The sorts of things they had to do in their own time under the previous government they are now being paid to do under the Marshall government.

GLENTHORNE COUNCIL

Mr BOYER (Wright) (14:22): My question is to the Deputy Premier. When did cabinet approve the creation of the new Glenthorne council announced yesterday by the member for Davenport?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:22): The member would be aware, and if he is not I will perhaps remind him, that there is a commission that operates. It is chaired by Mr Bruce Green—

Mr Picton interjecting:

The DEPUTY SPEAKER: Order!

The Hon. V.A. CHAPMAN: No, there has been one actually—set up a new council. Obviously the member for Kaurna hasn't remembered in his own government. This is not a new one, this is—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. V.A. CHAPMAN: This is one that's been around for a long time, actually. In any event, it deals with the grants commission and it also has responsibility for boundaries. It has been around probably for all the time I have been here in the parliament.

Members interjecting:

The DEPUTY SPEAKER: Order!

Members interjecting:

The Hon. V.A. CHAPMAN: Well, you are not listening. I am happy to—do you want to hear—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. V.A. CHAPMAN: To the best of my knowledge it comprises Mr Green, Ms Campana and I think a representative from the South-East who are on that body. I think they are monitoring three applications for change of boundaries in South Australia at present and they are to make a decision and then apparently report to me on one, as I understand it, they are considering be presented to me for consideration for them to investigate. That's the process.

I am aware that there are others, not just members of parliament but others in the community, who write to me from time to time and ask me to consider changes of boundaries. I don't have that power. It's the commission that has to do that. In relation to any member who wishes to propose any change to boundaries within their electorate, then they can certainly go through that process.

Up until a few years ago, my recollection is that there would only be consideration of any change of boundary if both (or all three sometimes) councils who are seeking a boundary change between them agree. That has been the practice for most of the years I have been here in the parliament. In recent years, that practice is allowing the commission to receive those applications and to do it.

So members are perfectly entitled to present arguments and even propose them publicly and have discussion within their own areas, and the people they represent who want any changes in this regard, they are most welcome to canvass those and present their arguments to the commission.

The DEPUTY SPEAKER: The members for Lee and Playford are called to order.

GLENTHORNE COUNCIL

Mr BOYER (Wright) (14:25): My question is again to the Deputy Premier. Does the Deputy Premier personally support the creation of a new Glenthorne council?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:25): It is a matter, as I have indicated, that any of these applications need to go to the commission and the commission makes a decision about whether there should be an investigation. They do the investigation if they think that is correct and then they put a recommendation to me. So, in relation to any of these matters, I will wait for that due process to be undertaken if and when any of you put an application in or encourage your councils to do so.

GLENTHORNE COUNCIL

Mr BOYER (Wright) (14:26): My question is again to the Deputy Premier. Is the Deputy Premier aware that her office has briefed stakeholders that the member for Davenport's Glenthorne council proposal was not one that had been discussed at either a party or a policy level?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:26): I don't know the answer to that question.

Members interjecting:

The DEPUTY SPEAKER: Order!

ORORA GLASS PROCESSING PLANT

Mr PEDERICK (Hammond) (14:26): My question is to the—

Members interjecting:

The DEPUTY SPEAKER: The member for West Torrens is warned for the first time and the member for Kaurna is called to order.

Mr PEDERICK: My question is to the minister—

The Hon. A. Koutsantonis: Come on, Peds, push through; just like Christmas Day, keep working.

The DEPUTY SPEAKER: Order!

Mr PEDERICK: It's your time.

Members interjecting:

The DEPUTY SPEAKER: Order! I would like to hear this question.

Mr PEDERICK: My question is to the Minister for Primary Industries and Regional Development. Can the minister please update the house on how an upgrade to a glass processing plant is creating jobs in the Barossa and Adelaide Plains regions?

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (14:27): Thanks to the member for Hammond for his important question. It is very important that we invest into the regions. We have taken the opportunity, using the Regional Growth Fund, to very much stimulate job opportunities in South Australia by investing in projects, including one in his region recently with the upgrade of the Beston Pure Dairies factory, with $2 million towards

that to see jobs being delivered in his region. Unfortunately, the lockdown recently delayed the opening of that plant officially but I look forward to getting out there and seeing that plant in operation.

Looking at the glass processing plant in Kingsford, based in the area just on the Barossa side of Gawler, this is an $18 million state-of-the-art glass-recycling facility. The Orora Group are investing in this space and $4 million worth of state government money is going to this project. This is an $18 million project in whole. This is very important for the Barossa wine industry and the wine industry generally in South Australia to be able to produce high-quality glass wine bottles from this recycled glass.

This project is getting $2 million from the Regional Growth Fund as part of the Strategic Business Round. This round was very much there to see a delivery of $170 million worth of regional projects, which is great for the stimulus of jobs in the regions. There are about 1½ thousand jobs across our regions that are being delivered through the delivery of these projects. The project at Orora also received $4 million worth of commonwealth funding, which will see the state and federal governments work together to deliver this project.

Orora employ about 370 people and this project will deliver an extra 78 jobs across the life of the project, including 66 jobs during construction as well as an additional 12 jobs ongoing, with an additional shift being planned. The new plant will also rely on services from around eight local suppliers to support the materials, ensuring the benefits flow through the region and deliver the outcomes of more jobs within the regions.

Orora is a very important business for our statewide industry, with their Kingsford factory manufacturing about 60 per cent of Australia's wine bottles. This is so important to our wine industry, to have these bottles produced and recycled, to make sure that we have an ongoing supply chain of glass bottles coming through and also making sure we recycle those wine bottles in an effective way.

South Australia's unemployment is at a 12-year low, at 4.7 per cent. This is a great achievement for this government, to bring it down to that level. We have seen significant jobs being created, with 32,800 jobs created statewide since the beginning of the year. This is delivering an unemployment level of two percentage points below the average of Labor's last four years in government. Youth unemployment is also significant, being the lowest for a decade. This is very important for our economy, our regions, our young people. We are delivering what needs to be done. Jobs are important to the regions. Jobs are important to South Australia.

The Hon. A. Koutsantonis interjecting:

The DEPUTY SPEAKER: Member for West Torrens, that's out of order.

LOCAL GOVERNMENT AMALGAMATIONS

Mr BOYER (Wright) (14:30): My question is to the Deputy Premier. Can the Deputy Premier confirm that additional council amalgamations and not the creation of new councils is the Marshall Liberal government's policy for local government?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:31): Our position is very clear in relation to amalgamations of councils: it is entirely voluntary and it is entirely up to them. We have a process of review and assessment and recommendation, which I have outlined, as to what's to go through if they wish to present for any changes. There is no position of our side of the house for any mandatory changes.

KANGAROO ISLAND WHARF FACILITY

Ms MICHAELS (Enfield) (14:31): My question is to the Minister for Planning. Does the minister stand by her decision to reject the application by Kangaroo Island Plantation Timbers to build a wharf at Smith Bay? Mr Deputy Speaker, with your leave, and that of the house, I will explain.

Leave granted.

Ms MICHAELS: The minister issued a media release on 9 August confirming her decision to refuse the application.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:32): Yes.

KANGAROO ISLAND WHARF FACILITY

Ms MICHAELS (Enfield) (14:32): My question is again to the Minister for Planning. Can the minister confirm to the house whether the minister, any family member or related entity, owns land on Kangaroo Island located in an area near or impacted by the Kangaroo Island Plantation Timbers forest or a proposed port at Smith Bay?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:32): I have given a rather comprehensive, extended response to this to the parliament in a ministerial statement, but in short, no.

KANGAROO ISLAND WHARF FACILITY

Ms MICHAELS (Enfield) (14:32): My question is again to the Minister for Planning. Has the minister ever visited Smith Bay and can the minister confirm to the house whether she is aware if the Mayor of Kangaroo Island has a home or property that overlooks Smith Bay and whether she has ever been to that property?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:32): Yes, I have been to Smith Bay, and I have probably been to just about every other beach or bay on Kangaroo Island. I have swum there. I am probably more familiar with Emu Bay, which is just east of that area. Certainly, down at the other end of the island, which is where I was raised, there has been a lifestyle, of course, of coastal living for most Kangaroo Islanders. We have enjoyed—and I did; I'm included in that—the privilege of my early life in being able to partake in that. So, yes, certainly I have.

The mayor lives on a small rural property south-east of Smith Bay, which I have been to. I have been to that property when he owned it, when the previous owner owned it—in fact, when the previous owner before that owned it, actually—and I have been to other properties where other mayors have resided on Kangaroo Island in my lifetime, so yes.

I think there was a question raised recently as to some transport issue in relation to this project and whether he would be affected by that. My understanding, the contribution on that, is that there is no proposed route past his house for loads of trucks in relation to that. That's all I know about that aspect of it for him, other than the public position of the council, which has been to raise concerns about the development of that particular project. They put in a submission, like many others, for and against.

KANGAROO ISLAND WHARF FACILITY

Ms MICHAELS (Enfield) (14:34): Again, my question is to the Minister for Planning. Did the minister mislead the parliament in her evidence to the estimates committee on 2 August in relation to the planning commission's assessment report into the proposed wharf at Smith Bay on Kangaroo Island? With your leave, and that of the house, I will explain.

Leave granted.

Ms MICHAELS: The Minister claimed in estimates there were no recommendations made in that report to approve the port, that it was simply for noting and was introducing a new process. The Minister stated she had a good read of the planning assessment report and I quote, 'It does not ask me to approve anything. It just asks me to note the assessment report,' The minister went on to say, 'I am not sure whether there are any recommendations yet.' I further quote: 'This one seems to introduce a new process.'

The report made 56 recommendations, including at the outset one to approve the application. I quote page 8 of the report:

> Having carefully considered these matters, along with the advice obtained, it is considered that the impacts and potential risks associated with the Smith Bay proposal can be managed through a strict suite of management plans, and licensing when required. On this basis, whilst finely balanced, it is concluded that the proposal should be granted provisional development authorisation, subject to conditions.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:35): I stand by what I said in the estimates and indeed further what I have said on radio recently when I was asked about this matter. I absolutely stand by

that, and I refer members to the assessment report. Unlike any other major project that had been put to me, which is either recommended development or not, this had a recommendation of provisional development with reserve matters, whatever that means, and as I indicated to the committee, I did get further advice on that matter and made my decision.

KANGAROO ISLAND WHARF FACILITY

Ms MICHAELS (Enfield) (14:36): My question again is to the Minister for Planning. Did the Minister mislead the parliament on 2 August in response to my question about whether there has ever been a process undertaken by government to look at the best location for a port to export timber off from Kangaroo Island? With your leave, Mr Deputy Speaker, and that of the house, I will explain.

Leave granted.

Ms MICHAELS: The minister, in estimates on 2 August, claimed that no process had been undertaken by the government to determine the best location for a new port on Kangaroo Island, but on page 30 of the assessment report the commission itself confirms the government, in regard to the Smith Bay proposal, contracted Wavelength Consulting Pty Ltd to, and I quote, 'determine whether Smith Bay was an appropriate site for the wharf and port facility and to test the viability of alternative sites'.

The Hon. A. Koutsantonis: You can't lie to parliament.

The DEPUTY SPEAKER: Member for West Torrens, you are already on one warning.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:37): In direct answer to the question, no. In relation to the report that was referred to at estimates, I did make further inquiry about whether anyone else had done that. My understanding was that that Department of Transport, which at the time was assisting under a previous iteration of this particular project, had commissioned a report. I'm not sure whether that was for the proponent or who paid for it or anything else, but I made that inquiry and, yes, there was a report prepared by a company called Wavelength. I can't remember their full name, but it's something like that and it's referred to in the assessment report.

Matter of Privilege

MATTER OF PRIVILEGE

The Hon. A. KOUTSANTONIS (West Torrens) (14:38): I rise on a matter of privilege. The member for Enfield has detailed two occasions when the estimates committee was given information contrary to what the Deputy Premier has stated in the house. Sir, I ask you to examine the questions and the explanations inserted into *Hansard* by the member for Enfield and the answers given to questions by the Deputy Premier to the estimates committee to determine whether a prima facie case exists to establish a privileges committee to investigate whether the Attorney-General deliberately and intentionally misled the Parliament of South Australia to cover up her corruption.

The DEPUTY SPEAKER: There is a point of order.

The Hon. V.A. CHAPMAN: I do not wish to refer to the matter, but I do object to a disgraceful assertion and allegation by the member.

The Hon. A. Koutsantonis: You've been caught out red-handed.

The DEPUTY SPEAKER: Member for West Torrens!

The Hon. V.A. CHAPMAN: He is entitled, of course, to put a submission to you in relation to a motion of privilege. He is not, I suggest, entitled to speak of such a disgusting allegation and I ask him to withdraw and apologise. I request that you direct him to do so.

The DEPUTY SPEAKER: I was in discussions with the Clerk, Attorney. Did you request that the member for West Torrens withdraw that comment?

Members interjecting:

The DEPUTY SPEAKER: Well, yes. Member for West Torrens, you have been asked to—

The Hon. A. KOUTSANTONIS: Sir, I haven't—

The DEPUTY SPEAKER: Attorney, the member for West Torrens had risen on a matter of privilege, and whatever he said within that matter is contained within the matter of privilege. I am going to ask the member for West Torrens to provide any further information and I will duly pass it on to the Speaker—I am in an acting capacity today—and we will deal with it.

Question Time

RAETHEL, MS H.

Mr PICTON (Kaurna) (14:40): My question is to the Premier. Will the government refer to the Coroner the death of Ms Hazel Raethel regarding her missed cancer diagnosis at the Royal Adelaide Hospital in 2019? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PICTON: Hazel Raethel passed away in April last year, age 66, after a three-month delay in 2019 to inform her of a positive bowel cancer diagnosis of a colonoscopy that was performed at the Royal Adelaide Hospital. Hazel's daughter Ruth has told the ABC, and I quote, 'I'm disappointed in a system that's supposed to be there to help us and has failed miserably.'

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:41): I thank the member for the question. As he may be aware, the question of the actions of the Coroner is determined by the Coroners Act. There is power for referral, but it's ultimately the decision of the Coroner to determine whether there is a case for which there be an inquest or other inquiry, unless of course Mrs Raethel was within the reportable death obligation of which there are certain subsections that mandate that there be an inquest. I don't know sufficient particulars from what you have indicated.

Any member is able to request on behalf of their constituency any consideration by the Coroner, and I know frequently many of you do because sometimes you then come to me to try to hasten getting an answer in relation to that. Certainly, if there are matters which any member is concerned about, particularly if it's not in an area in which there is obviously a legal obligation already for the Coroner to undertake an inquest or a mandatory inquiry, then I would urge them to do so.

PRISON INFRASTRUCTURE

Dr HARVEY (Newland) (14:42): My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister please update the house on how the Marshall Liberal government is creating jobs and building what matters by delivering key infrastructure upgrades across our prison system?

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (14:42): I thank the member for Newland for the question, and I acknowledge his keen interest in the area. We know that we have an excellent correctional service system, and during the parliamentary recess I took the opportunity to go and visit some of the sites in our correctional system.

I went to Port Augusta Prison in the member for Stuart's electorate, I also visited Community Corrections centres in the member for Giles' electorate and also the member for Frome's electorate. It was very fitting to take that time and opportunity to thank the many workers we have in our system for the exceptional work they do in helping to protect South Australia.

As we know, our government has made the most significant investment in the South Australian prison system in literally decades, and our Better Prisons program has delivered expanded, modernised and also secure prison facilities. It has improved workforce flexibility—which is very important as well—and also benchmarked best practice operations right across our prison system.

In 2018-19, our government provided $35 million for the construction and the commissioning of 40 beds at the Adelaide Women's Prison and also a new reception and visitor centre as well as part of the substantial investment in our prisons through the Better Prisons program The new beds were delivered and commissioned on 27 March 2020, and we are getting on with delivering the new reception and visitor centre as well. Indeed, the 2021-22 state budget delivers an additional $8 million

for the project as well. The new reception will assist the servicing of the expanded prison but also the new visitor centre that will accommodate additional family and professional visits as well.

In addition to the new funding at the Adelaide Women's Prison, the Marshall Liberal government is proud to be investing an additional $14 million for the massive upgrade of the Yatala Labour Prison which is delivering 270 new beds and secure walkways at Yatala Labour Prison. This funding is, of course, on top of the $93 million in last year's budget and comes after the commissioning and the opening of the business centre, learning academy and wellbeing centre that occurred in November 2020.

I am also pleased to inform the house that infrastructure upgrades across Yatala and the Adelaide Women's Prison have supported the creation of not 100, 200, 300 but over 400 jobs. We have also finalised the transition from analogue to digital security systems at the Adelaide Women's Prison, Yatala Labour Prison and also the Adelaide Pre-release Centre. Added to these security upgrades are a further $1.9 million in what will be targeted security upgrades at the Adelaide Remand Centre, and this investment comes off the back of the 160 safe cell upgrades that were completed in December 2019.

In addition to this key infrastructure investment, our government is also looking to the future, with $1½ million included in the budget to develop what will be a full business case for a new rehabilitation prison. We know that this is the future of our prison system. It is really important that we do absolutely everything we can to try to rehabilitate offenders so that they come back as better people with better skills and that they stop reoffending.

Our investments are critical to ensuring that South Australian prisons are not only secure but also provide offenders with the rehabilitative support that they need to re-enter the community where they can. Our Correctional Services staff work hard to deliver exceptional results, particularly in reducing the rate of reoffending. We know that we continue to have the lowest rate of recidivism in the entire nation. So our government continues to invest in this area. It's a budget that is creating jobs. It's building what matters and it's delivering better services.

RAETHEL, MS H.

Mr PICTON (Kaurna) (14:46): My question is to the Premier. Will the family of Hazel Raethel be offered compensation for the loss of their mother and grandmother following a missed cancer diagnosis for three months in 2019?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:47): Again, can I indicate to the member that there is a process, of course, if people were to seek some reimbursement of compensation, redress, ex gratia payment, etc. from any government department if they were to claim that there was some basis upon which that should be granted. To my knowledge, I am not aware of any request or application made or any culpability assessment in relation to such a matter. But if the member is representing the family in some way, then I would encourage them to get in touch, if that's their desire to do so.

I just confirm that in relation to inquiries on behalf of any coronial matter in support of there being some kind of inquest, for example, in relation to a death, I would urge all members to ensure that they have the very clear consent of members of the family and next of kin in relation to these matters. Sometimes people come to us and make that inquiry and they want to know and they want there to be certain things to happen.

The position of someone who hasn't left any specific instructions before they have died is a situation that can be very sensitive, so I just urge members to ensure that they identify who the next of kin is and have their permission before they make representations to the Coroner. Obviously, the legal status of any of those will be looked at in relation to any request of the government. But to date, I am not aware of anything that has been presented.

RAETHEL, MS H.

Mr PICTON (Kaurna) (14:48): My question is to the Premier. How was it possible that the diagnosis of Ms Hazel Raethel was missed for three months before her doctors or she was notified after a colonoscopy at the Royal Adelaide Hospital in 2019?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:49): Again, I would raise with the member that whilst there

are statements made in relation to conduct, either in a state facility like a hospital or by medical or health professionals who are employed by the government or indeed any other private enterprise, there are appropriate processes that can be undertaken in relation to medical and health practitioners and any alleged breach of duty of their care of their patient, and they are matters that follow an orderly process. If there is some responsibility that is shared by another party or institution for which the state is responsible, ultimately that is a matter that is likely to come to my attention after it has gone through a number of things, including often coronial inquiries or other investigations such as—

Mr Picton: You haven't even referred it to the Coroner.

The Hon. V.A. CHAPMAN: The member says that I haven't referred it to the Coroner. I assume he means the government. The family—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. V.A. CHAPMAN: The Coroner, of course, reviews all reportable deaths every day. He has a meeting with pathologists, as I understand it—

Mr Picton: Has it been reported?

The DEPUTY SPEAKER: The member for Kaurna is warned for the first time.

The Hon. V.A. CHAPMAN: —about all reportable deaths. If the member was wanting to bring to the attention of the Coroner this particular case with the consent of the family to urge that there be some kind of inquest, that is something he is entitled to do. It may already be before the Coroner. It may be that he is already considering that matter, but if you want to be absolutely sure on behalf of this family, I would urge you to get their clear authority and then progress that request.

Dr Close: You could do that.

The Hon. V.A. CHAPMAN: The deputy leader yells out, 'You wouldn't do that.'

Dr Close: I said, 'You could do that.'

The Hon. V.A. CHAPMAN: I am not familiar with the circumstances surrounding Ms Raethel. I expect it is being traversed in a media story, but that doesn't mean that I am familiar with it. I am telling the house that I don't have any personal knowledge of this case or in relation to any application, either for the Coroner, who indirectly I am responsible for as part of the Courts Administration Authority, or indeed any civil action.

The DEPUTY SPEAKER: Before I call the member for Kaurna, I warn the deputy leader and the member for Playford both for the first time.

RAETHEL, MS H.

Mr PICTON (Kaurna) (14:51): My question is to the Premier. Since the missed cancer diagnosis of Hazel Raethel in 2019, can the Premier assure the house that there have been no further missed cancer diagnoses?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:51): Again, I urge the member that, if there are concerns about anyone, including this family member that he has spoken to about Mrs Raethel or any other party, we would be happy to receive that information and follow it up for the member, but I make this clear: sometimes with these matters, including particularly where there are some health circumstances surrounding people, they are very private about these things and they don't necessarily want them put across the media. So I would urge the member to either refer the matter to me as Attorney-General if there are concerns in relation to a request that has been presented, either with or without representation and—

Mr Picton interjecting:

The Hon. V.A. CHAPMAN: Well, in relation to some state liability, in relation to where there is any instrumentality or employee of government, I invite the member to write to me with the detail of that, especially if he thinks there has been some failing. At the moment, it appears from what he

has indicated to date—I may be getting this wrong—that there is an allegation of a breach of duty of care by one or more others in a hospital setting in relation to the diagnosis and care of a Mrs Raethel. That is really all I know.

I am not aware of any request for the Coroner to proceed with an inquest into this matter, whether it is a death that is reportable for the purposes of being in the care of the hospital or whether she was under any detention order or guardianship order and, thirdly, whether there was any request for support financially in any compensation request. If the member wants to send those matters to me with the permission of the family, I'm happy to have a look at that.

CHILD PROTECTION DEPARTMENT

Mr WHETSTONE (Chaffey) (14:53): To the Minister for Child Protection: could the minister please update the house on how the Marshall Liberal government is creating job opportunities that make an impact on our community through investment in frontline staffing within the Department for Child Protection?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:53): I thank the member for Chaffey for his question, and I can say that one of my top priorities when I became a minister in 2018 was to ensure that we recruited more staff to fill the long-held vacancies and ensure that our staff felt supported by the work they do. On coming into government, there were 279 vacancies across the Department for Child Protection, many in critical frontline positions. I am very proud of the work we have undertaken and the dramatic turnaround we have seen in this number.

In the month of June 2021, the variance to budget was down to just 60 positions, and that is not including the 24 new FTEs that we have in residential care who started last month. To achieve this reduction in vacancies, we introduced the broadening of qualifications policy, which uses a multidisciplinary approach when recruiting for case management roles in frontline service delivery.

While social work remains the primary qualification for child protection practitioners, we recruit professionals with a variety of skills and qualifications in health, justice and social sciences. Because of this, and our focus on continuous recruitment, we have seen an additional 299 FTEs employed in service delivery and practice roles compared to March 2018, and 57 of these were new FTEs in professional offices and engaged in case management roles under the new broadening of qualifications and 242 were additional social workers as AHPs.

In our residential care facilities in the last financial year to 30 June 2021, the department recruited 136 new residential care staff, including in the regional centres of Whyalla and Mount Gambier. As I mentioned earlier, we also have 24 new FTEs who started last month in our residential care facilities, and this impressive intake is possible because of the new approach we adopted in late 2020.

This approach streamlines recruitment and training using assessment centres to conduct group assessments providing certificate IV training through TAFE, and conducting rolling recruitment of new staff. Our recruitment will continue throughout 2021, and our next bulk intake is scheduled for October 2021.

I would like to thank all DCP staff for the important work they do. Since becoming minister, I have made it my priority to make myself accessible to staff within DCP. I continue to visit DCP offices and frequently meet with staff at social events planned for carers or children in care.

I want every staff member to be engaged and supported in their roles. The improvements we have seen recently in the I Work For SA survey are a testament to this focus. There is always more work to do, but I am confident that we are working hard to ensure that every vacancy is filled.

CHILD PROTECTION DEPARTMENT

The Hon. S.C. MULLIGHAN (Lee) (14:56): My supplementary is to the Minister for Child Protection. Was the minister successful in delivering all of the $14 million of savings that were required of her department in the 2020-21 financial year as set out in the government's first three budgets? With your leave, sir, and that of the house, I will explain.

The Hon. J.A.W. GARDNER: Point of order: this has ceased to be a supplementary.

The DEPUTY SPEAKER: Well, look—

Members interjecting:

The DEPUTY SPEAKER: Order! I take the point of order, but let's regard it as a separate question then. The member for Lee was actually on his feet before anyone else was, so it is a new question.

The Hon. S.C. MULLIGHAN: I am most obliged, Mr Deputy Speaker. Thank you. In the first budget handed down by the Liberal government, the government required $13.8 million of expenditure cuts across the Department for Child Protection. In the next budget, the 2019-20 budget, the government required $20 million of cuts over the four years of that budget's forward estimates, and in the 2020-21 budget the government required a further $18 million of expenditure cuts from the Department for Child Protection. In the 2020-21 financial year, this totals $14 million alone.

The DEPUTY SPEAKER: Member for Lee, I will remind you, and you would know only too well, that you should seek leave to introduce facts.

The Hon. S.C. MULLIGHAN: Yes, which I did, sir.

The DEPUTY SPEAKER: You did. Excellent.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:58): Obviously, there was a lot of detail in that question. I will take that on notice.

The DEPUTY SPEAKER: The member for Kaurna. It sounded like—

Members interjecting:

The DEPUTY SPEAKER: Order! My comment in relation to that question is that it sounded very much like an estimates question. The minister has taken it on notice.

RURAL HEALTH

Mr PICTON (Kaurna) (14:58): My question is to the Premier. What action has the Premier taken in response to warnings from rural doctors that rural towns will wither and die because of the government's refusal to offer them support? With your leave, sir, and that the house, I will explain.

Leave granted.

Mr PICTON: The Vice President of the Australian Medical Association (SA), Port Lincoln GP, Dr John Williams—who I am sure you know, sir—has said, and I quote:

> It seems that the South Australian government is willing to let the South Australian towns wither and die as residents lose yet another essential service.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:59): I thank the member for his question. He is quite right: there is a lot of work to be done to make sure that we have a rural GP workforce, the rural medical workforce that we want. What I can say is that since coming to government we have made this a priority. We have put money in place. I only met with Dr Williams very recently with the AMA president and chief executive. This is an issue which we are very focused on at the moment. This is one of the topics of conversation for our most recent meeting.

Members interjecting:

The DEPUTY SPEAKER: The leader is called to order and the deputy leader is warned for the second time.

The Hon. S.S. MARSHALL: It's hard to take any criticism from those opposite who let medical services right across regional South Australia wither on the vine. When we came to government—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. S.S. MARSHALL: —there was an enormous investment required into a range of services, particularly medical services—

Members interjecting:

The DEPUTY SPEAKER: Premier, just take a seat for a moment. Member for Playford, I seem to hear your voice today. You are warned for the second time. The question has been asked. I can't hear the Premier's answer. He will be heard in silence.

The Hon. S.S. MARSHALL: As I was saying, an enormous amount of work needs to be done right across regional South Australia, fixing the mess that we inherited from those opposite, particularly as it related to medical services right across the state. Yes, there is a lot of work to be done. I think every single regional member in this house would appreciate the complexity of getting the right rural workforce in place to support the health of people living in country SA.

Do you know what? These problems can't be solved in five minutes. What they require is respectful discussion with the people who are involved in the sector, and that is precisely what we have been doing. We have been upgrading facilities. We have been working through the urgent backlog in terms of maintenance across hospitals in South Australia and we have been upgrading facilities. I know that the member for Hammond is very pleased with the very extensive improvement to the emergency department at the Murray Bridge Soldiers' Memorial Hospital, which I was very pleased to be at earlier this year and last year.

You are quite right—the member for Kaurna raises a very important question. We don't get a lot of questions from those opposite about what happens in the country; we've got one today and so I am grateful for that question. We are going to be doing everything we can to improve outcomes in terms of workforce. This is an area of great focus for us, and I hope that we have some more positive announcements in the future.

COUNTRY DOCTOR AGREEMENT

Mr PICTON (Kaurna) (15:02): My question is to the Premier. Will the Premier now personally intervene to address the stalled negotiations for a new country doctor agreement? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PICTON: The agreement between SA Health and country doctors has expired and the Rural Doctors Association president, Dr Peter Rischbieth, a Murray Bridge GP, has said in response to the stalled negotiations, and I quote, 'SA's country doctors are being left out on a limb by SA Health and that limb is close to snapping.'

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:03): As I was saying before, this is a matter of high priority for all regional members on our side of the house and I presume for all regional members right across the state. Workforce is very important. There are negotiations which are currently underway. I only met with the health minister regarding this on Tuesday morning. Those discussions are continuing, and I hope that they come to a conclusion as soon as possible.

We want to make sure that we provide people living in regional South Australia with the health services they deserve. That wasn't the case when we came to government. We had crumbling infrastructure, we had a massive backlog of maintenance right across country SA, we had facilities which were not fit for purpose. Unlike those opposite, we want to make sure that we attract every single person possible to regional South Australia.

I have always said that our regions are second to none, but they require a very significant improvement in infrastructure, whether it be roads, bridges, health infrastructure or, of course, schools. In every single one of those areas, sir, you would know, most reasonable people would know, that that is exactly the priority of the government. We are making sure that we put those facilities in place for the regions in South Australia. Almost on day one of the current Leader of the Opposition assuming that role, he said that Labor had let South Australian regions down. He said that it would be a priority for him.

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

The DEPUTY SPEAKER: There is a point of order from the member for West Torrens.

Mr Malinauskas interjecting:

The DEPUTY SPEAKER: Order, leader!

The DEPUTY SPEAKER: There is a point of order, Premier, could you take your seat, please.

Mr Malinauskas: The most city-centric government in the state's history.

The DEPUTY SPEAKER: Leader! There is a point of order. You are actually interjecting on your own member.

Members interjecting:

The DEPUTY SPEAKER: Order! There is a point of order from the member for West Torrens. What is it, sir?

The Hon. A. KOUTSANTONIS: The Premier was debating the answer, standing order 98.

The DEPUTY SPEAKER: With his reference to the previous government's actions, I would uphold that point of order, but the Premier can continue his answer and come back to the nub of the question.

The Hon. S.S. MARSHALL: I am not quite sure why the Leader of the Opposition or his friend are so upset about this. It was a very clear post by the Leader of the Opposition. He said, 'Since I took over the leadership of the Labor Party I said on day one that Labor had let the regions down.' They are his words, they are not my words, but for some reason the member for West Torrens thinks it's debate. For some reason, he thinks it's debate. In the words of his own leader, he admitted that they had let the regions down. That's because he knew that they had let the regions down.

Sixteen years and he has the temerity to come into this chamber today and say that we, the new government, is the most city-centric government in the history of South Australia. You couldn't script this farce. This should be a Fringe show. I am going to get on to Heather Croall, the Artistic Director of the Adelaide Fringe. This will sell out. People love comedy. They need to lift their spirits. This is fantastic. It's your best work.

The DEPUTY SPEAKER: Premier, there is a point of order.

The Hon. A. KOUTSANTONIS: Standing order 98, debate, and perhaps maybe a sedative.

The DEPUTY SPEAKER: Premier, have you finished your answer?

The Hon. S.S. MARSHALL: Sure, why not

The DEPUTY SPEAKER: Before we do that, member for Playford, you are on two warnings already. The next time you are gone.

AMBULANCE RAMPING

Mr PICTON (Kaurna) (15:06): My question is to the Premier. Premier, what was the ramping hours peak that you were informed of in the month of May this year? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PICTON: The Premier told ABC radio on Monday morning, and I quote, 'I know that both June and July were lower than the peak that we had in May.' The government has not released any statistics in regard to ramping since the April statistics.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:07): The member for Kaurna is quite right. That was a statement that I made earlier this week or maybe late last week. I don't have those statistics with me, but I am happy—

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. V.A. CHAPMAN: —to get those statistics. They were being compiled by the South Australian Ambulance Service. I will make inquiries with regard to it and we will release those figures. I was made aware when I—

Members interjecting:

The DEPUTY SPEAKER: The member for Lee is warned, the leader is warned and the member for Elizabeth is called to order. We are almost there.

The Hon. S.S. MARSHALL: As I was saying, I made inquiries with regard to ramping at hospitals, a phenomenon that was introduced by the previous Labor government that we are doing everything we can to address at the moment. What I found out was that in both June and July we had a reduction in ramping in South Australia from—

Members interjecting:

The Hon. S.S. MARSHALL: Look at them!

The DEPUTY SPEAKER: Order!

The Hon. S.S. MARSHALL: They get so excited. They invented ramping. They brought it to South Australia and we are doing everything we can to address it. We will release those statistics. We are working hard to improve the situation, what we received from the previous government. In light of the time, I will sit down so that the Independents get their questions up.

The DEPUTY SPEAKER: Member for Florey.

Ms BEDFORD: I was hoping to ask a question of the Minister for Recreation, Sport and Racing, but I just notice that he's not here, so I will wait until tomorrow.

The DEPUTY SPEAKER: Member for Florey, you know very well that we should not reflect on the whereabouts—

Ms BEDFORD: Well, I was hoping he might come back in.

The DEPUTY SPEAKER: Regardless of that, just ask your question.

FRUIT FLY

Ms BEDFORD (Florey) (15:09): My question then is to the Minister for Primary Industries and Regional Development. How many fruit fly traps are there now out in the field to eradicate fruit fly, how often are the traps checked and is anything ever found in them?

The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (15:09): I thank the member for Florey for her question. I firstly want to thank the PIRSA staff for doing a wonderful job out there in the Adelaide metropolitan area as well as up in the Riverland and Port Augusta, working in the backyards and working with the people of those regions to get on top of fruit fly. They are doing an amazing job at being able to address the issue.

It is very pleasing to announce that in the last two weeks we have had no detections whatsoever of larvae or flies in the areas across that currently have detections, so it is really pleasing that that be the case. But it is so important that we do get on top of this. We will very much need to have the general public support in this as well, making sure they understand the need to make sure they minimise the movement of fruit off their properties when they are in those hot zones.

They can't take it off unless it is put in the green bin with the lid shut to make sure that fruit is not available for infestation by fruit fly. It's also important we remind people that there is the opportunity, particularly in those hot zones—and we have seen only recently out in Norwood, where the PIRSA staff have actually been assisting people strip their fruit in their backyards if they don't want that fruit to make sure that we don't have that fruit sitting out there as a host source as well. So there are many things that we are doing.

Regarding the traps and details, I am happy to get those details of particular numbers to the member for Florey. I don't have them here in front of me, the actual numbers, but we are seeing occasionally detections in those traps, yes.

Ms Bedford: You are seeing what? Infections?

The Hon. D.K.B. BASHAM: We do see detections of flies in those traps. They are how we actually detect the flies. The larvae are found in fruit detections, but the flies are found in traps. I don't have the actual details in relation to those, but I'm happy to get them back for the member.

SA AMBULANCE SERVICE

The Hon. G.G. BROCK (Frome) (15:11): My question is to the Premier. Can the Premier update the house on the 74 new staff for the SA Ambulance Service, which was promised by the government some months ago to help overcome the ramping of ambulances, and whether any of these additional ambulance officers will be allocated to regional South Australia and, in particular, the Upper Spencer Gulf. With your leave, and that of the house, sir, I will elaborate a bit further.

Leave granted.

The Hon. G.G. BROCK: First up, our ambulance staff, as we all appreciate in this house here, particularly in the Upper Spencer Gulf, are doing a great job and dedicated service to their communities. However, it has been reported to me that there are several occasions when staff do not have any breaks during their shifts due to the demands for their service from the public due to the lack of sufficient staff to accommodate the public demand.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:12): I will seek a response from the Minister for Health in relation to the member's question and bring it back to the house.

COVID-19 CROSS-BORDER PERMITS

Mr BELL (Mount Gambier) (15:12): My question is to the Premier also. Can the Premier inform the house how a person's vaccination status will affect their application or place in the queue for either returning South Australian residents or those waiting for exemptions?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:13): I thank the member for Mount Gambier for his question. This is something that we are looking at at the national cabinet level at the moment. The only statement we have made in South Australia at the moment is in relation to what we are calling essential workers who are coming in from level 6 jurisdictions, currently New South Wales of course, where we are saying that if somebody is coming in for 14 days of quarantine and they need to work during that 14 days, then they need to have had at least one shot. It hasn't been implemented yet, but we announced yesterday that within a 72-hour period, this is very likely to come in following consultation with the industry.

We know this has already been introduced in one other jurisdiction, Queensland. We think that, given the situation in New South Wales today—919 cases, many of them out in the community—we have no alternative but to basically increase the level of protection we have for our borders. Ultimately, I think it would be unfair to put very heavy restrictions on people who are unvaccinated because not everybody has had the opportunity to be vaccinated at the moment. The sole exception that has been agreed to at the national cabinet level so far has been workers in aged-care settings. We put a public health order in place here in South Australia to make sure that by 17 September all people who are working within an aged-care facility will have had at least one dose of the vaccine.

That is a nationally agreed national cabinet-endorsed position. We put our order in place using the public health order that will come into effect on 17 September. With regard to any other vaccination-required activity, there is nothing which is specifically contemplated at the moment.

I will draw to the attention of the house the situation that is developing in other parts of the world, where vaccination certification is required to participate in certain activities. For example, people can say, 'You're not coming into my nightclub unless you can show proof of vaccination.' We see this, commonplace, in the Northern Hemisphere at the moment, but nothing has been contemplated as part of that national cabinet arrangement or determination. What I will say, though, is here in South Australia we are looking to make it easy for people to identify whether or not they have been vaccinated using the mySA GOV app.

At the moment, when you go off for your vaccination, that vaccination is registered on the Australian Immunisation Register (AIR). It's pretty impractical for people to be carrying around a copy of that with them, so what we are going to do is create an interface which will query the AIR to see if there has been a changed status and, if there is, it will be something that is displayed on people's mySA GOV app. This is the same app that the vast majority of South Australians are now using for their QR code check-in. As part of that, there will also be an ability for them to say, 'I've been vaccinated,' or not. One of the complexities there is somebody who has been determined medically

not to have been suitable for vaccination, so we will be working on an arrangement around that so that they are not disadvantaged.

COVID-19 QR CODES

Ms BEDFORD (Florey) (15:16): My question is to the Premier. How likely is it that we will have a national QR code enforced and how soon might that happen?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:16): It's a good question because there is quite a lot of variation between jurisdictions. You would note that in the very early days what happened was individual states had different approaches and, in fact, some states just required a type of check-in methodology, which could have been manual or it could have been a QR code check-in that was determined by the individual business.

So you would have a situation in some jurisdictions where you would go to one restaurant and you would QR code and you would have to put all of your details in, and then you would go into a Bunnings and you would have to do a separate check-in, and then you would go into a government office and it was different again. This was cumbersome. It also, I think, led to issues around privacy. If individual businesses were collecting that data, how are they using it? This is an important question to ask.

In South Australia, we went the opposite way, so a central QR code register. This goes into the Department of the Premier and Cabinet. The information is encrypted. It is kept for 28 days, after which it is destroyed. I think there have been many millions of check-ins, which have now been destroyed, here in South Australia. On very few occasions so far have we had to go in basically to look at that data. The most notable time, of course, was with regard to the most recent outbreak, where it was extraordinarily helpful. The vast majority of times, that data is never accessed. It can only be accessed by SA Health—by nobody else—and then of course the information is used and destroyed.

With regard to whether or not people interstate adopt our system, I think the answer to that is that it is unlikely. When you get to an airport and you go and visit Canberra, you need to download their app. If you go to Queensland, you need to download their app. I don't think we are contemplating a situation where we are going to have a national QR code check-in because, again, for the reasons that I was saying before, we collect that data in the Department of the Premier and Cabinet here in South Australia. It is fully encrypted. Other states will have a different way of dealing with privacy and the data collected from people in their jurisdictions at the time.

I do personally hope that we can move towards greater levels of national harmonisation. Certainly from South Australia's perspective, we are sharing our learning in terms of the QR code check-in app that we have in South Australia, sharing the link that we have to the Australian Immunisation Register and how we apply that to a QR code check-in.

Of course, at the moment every South Australian should be quite proud that we are the national pilot for the home-based quarantine app, which is using facial recognition as well as geolocation to essentially supervise remotely people who are selected to do home-based quarantine rather than hotel-based quarantine. On the first day we did three and on the second day we did eight. I am not sure how many people were added to it today.

I can report to this house that all of the check-ins that were required—and it's done on a random basis; we don't tell people how many times they are going to be asked to check in per day because if we say there are going to be four, and they get to the fourth one, they could essentially leave home and come back the next day. It is a random number for each of those people who are doing it. All of it has moved very, very smoothly so far.

That gives us great confidence that this could be a way that people coming back, stranded Australian citizens who are coming back to Australia, can do that quarantine at home. But they've got to show that they can do it in a place that is free from any people coming to visit them or being co-located with them. I think it's working well at the moment, but we will have more to report to the national cabinet once this pilot continues to roll out.

COVID-19 QR CODES

The Hon. G.G. BROCK (Frome) (15:20): Supplementary: thank you for that answer to the member for Florey, Premier. From that answer, I am led to understand that if I am using my QR code

at a location, that particular location should not be able to communicate back with me on my mobile phone which I have used; is that what you're saying?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:20): Yes.

The Hon. G.G. BROCK: Well, I will talk to—

The DEPUTY SPEAKER: Is this a further supplementary?

The Hon. G.G. BROCK: No. I will talk to the Premier about this later on, but I am getting phone calls from those where I'm QR coding.

The DEPUTY SPEAKER: Thanks for that information, member for Frome.

The Hon. S.S. MARSHALL: This is actually a very important point. There may be other methodologies, that individual businesses have your information, but there is just no possible way that the—

The Hon. J.A.W. Gardner: If they're using our QR system.

The Hon. S.S. MARSHALL: There is no possible way that, for anybody using our QR code, that information will be used by marketing for the venue that you attended because they are just not provided with that information. That information only goes centrally. I am happy to set up a briefing for any members of parliament. It's very important that it can't be used for marketing purposes because this was one of the reasons why we designed the system as we did.

In other jurisdictions, with the individual QR code check-ins which were done on an individual basis, of course they have then got your data because you have manually entered it in. It's not the situation here in South Australia.

QUAD BIKES

Ms BEDFORD (Florey) (15:22): My question is to the Attorney-General. How many quad bike injuries and/or deaths have occurred in South Australia in each of the past three years; and when will all state governments take uniform action to protect quad-bike riders, particularly as it's often children who are injured while riding adult-size all-terrain vehicles?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:22): This is certainly a very important question, and I am happy to get the particular data that you sought for the last three years. I think there would be, certainly for people who represent rural interests here, a keen interest in relation to this issue because sadly these vehicles are often used in regional areas. Although they are not to be used by children under 12 in relation to operating these, sometimes they do or they are riding as a passenger on them, and we have seen some shocking deaths.

There has been some movement nationally to consider the question. There have been reviews on what we should do, etc. As best as I can recall, in relation to the last CBS meeting we had, the last I recall there had been a review, there had been a time frame allowed for the introduction of the regulation on this issue, including whether they be manufactured with roll bars, and such other safety methods that were to be introduced. That's the last on it, but I am happy to get some further briefing on it and find out what has happened.

I have owned one of these things myself, and I have got rid of it. I don't want there to be a situation on any property where children can have access to these things—it's bad enough on ride-on lawn mowers. In relation to these vehicles, they easily tip over, they are obviously dangerous for any operator or passenger on them. They have strict displays on the use of them but, unquestionably, they have taken lives and they have caused much tragedy. So I am happy to get the individual data on that and an update.

Grievance Debate

CHILD AND YOUNG PERSON'S VISITOR SCHEME

Ms HILDYARD (Reynell) (15:24): I rise utterly dismayed that South Australia's most vulnerable children—those who often face the most heartbreaking circumstances, those too often

targeted by predators, those who need careful support to emotionally and mentally thrive, and those who most need to be heard, seen and have someone resourced to be there for them—have again been abandoned by this minister.

I find it almost beyond comprehension that the child protection minister would place children and young people in residential care at even greater risk by not funding a visitor. I say 'almost' because this is a minister who, despite having had many of her portfolio responsibilities removed, still fails to grasp her remaining responsibilities to the most vulnerable children in this state. She does not seem to deeply understand those responsibilities, let alone take the actions, make the funding commitments or show the leadership that these children desperately need and deserve.

Following the devastating news that the guardian has had to step down from the role of visitor because of a lack of funding, the best this minister could offer was platitudes about programs that have no relation to the visitor scheme. What we also saw in relation to questions about this crucial issue was more of what we have seen in successive responses—a shirking of responsibility, a handballing of questions to the Minister for Education, prepared speeches with no relevance to the serious issue at hand, obfuscation about the visitor undertaking a pilot program and repeated assertions about matters not directly related to children already in care.

The minister's responses are an insult to the guardian and they are an insult to the children and young people that this minister has the most important responsibility to protect. The guardian has repeatedly asked about funding specifically for the visitor. She has repeatedly advised, including in her most recent annual report, that children in care are at serious risk of harm from predators. The guardian has repeatedly raised this issue because it is so important.

All children deserve to be seen, deserve to be heard and deserve to be safe and, rightly, many children in our community are. But those children who most need extra resources to be heard, seen and supported are those in care. With her harsh, cold refusal to fund a visitor to do this, this minister has utterly failed those for whom she is responsible.

Tragically, this is the latest example in a list of failures to support children in care in the way they should be. Serious failure by this minister was clearly highlighted by Judge Rice in his recent review. When the minister was asked in estimates about whether she took responsibility for those failures highlighted by Judge Rice, she refused to do so.

By any measure, child protection in South Australia is absolutely in crisis. Numbers of children in care are growing exponentially under this minister's watch. We have an ongoing staffing crisis in residential care. Children are being looked after in DCP offices. Foster and kinship carers are overwhelmingly feeling abandoned and used. In 2019-20, 10,166 missing person reports were made in relation to children in care.

Now Ms Wright has said that, without funding, she was unable to 'fulfil functions even to a minimum standard'. She went on to say the business case she submitted to the Marshall Liberal government prior to this year's state budget was simply ignored. It was ignored when neighbours of residential care homes regularly report antisocial behaviour from adult men loitering around residential care. It was ignored when the minister herself has admitted there is no curfew for children in care. It was ignored amongst heartbreaking high-profile recent cases such as the recent Port Lincoln tragedy and the two cases of teenage girls being abused by paedophiles—cases which highlight exactly why we need a funded visitor scheme.

Make no mistake, Penny Wright's resignation will impact children and young people who most need support. Children in care need more support. They deserve a minister who will fund a visitor to listen to them, to hear their concerns and to help keep them safe. They deserve better. They deserve a minister who simply does not ignore what they need.

Time expired.

STUART ELECTORATE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:29): It is a pleasure for me to share with the house what happened in my electorate in the Upper Spencer Gulf on Thursday and Friday last week. It was absolutely outstanding to be able to host my government member colleagues—

Mr Malinauskas: The basketball stadium convention, the basketball stadium organising committee.

The DEPUTY SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —in Port Augusta and in Port Pirie. It was a fantastic event. We managed to meet with many community members. We managed to organise some visits to some key projects in the area. My colleagues were able to visit the new bridge duplication project in Port Augusta. We were able to go to Sundrop Farms. We were able to go to the Australian Arid Lands Botanic Garden as well. We were able to have a look at the port of Port Pirie, and I know that was a particularly popular event. Flinders Ports took some of my colleagues out on a pilot boat on the water to be able to give them a view of the area. There was a tour of Nyrstar as well.

But perhaps the most important things we did were the two community meetings, where we were able to meet with community members in Port Pirie and Port Augusta. It is always difficult because all of us would like to meet with as many people as possible, but it is not possible to see everybody on every trip, so I am sure there will be other visits and other opportunities for my colleagues to meet with people there.

It was also a pleasure to be able to have our own normal sets of meetings in Port Augusta and Port Pirie at the absolutely outstanding sporting facilities that exist there. In Port Augusta, we met at the Central Oval sporting facility, which is a jewel in the crown, if you like, in the town, particularly from a sporting capacity. Similarly, we met in Port Pirie at the Memorial Oval facility—

Members interjecting:

The DEPUTY SPEAKER: Leader! It is out of order to interject.

The Hon. D.C. VAN HOLST PELLEKAAN: —another outstanding jewel in the crown, if you like, for the Port Pirie community from a sporting perspective. They are two fantastic places.

It was also lovely to be able to be able to share an announcement with the people of the Upper Spencer Gulf about a $22 million package to support the Port Augusta City Council with regard to the demolition of the old Great Western Bridge, something that had been on the cards for many, many years—in fact, before we came into government—for the upgrade of the wharf in Port Augusta.

The wharf runs parallel to the shoreline on the east side of the gulf and is another project that has been on the cards for many years, including since before we came into government, for the development of a brand-new swimming and fishing jetty/pontoon on the east side of the gulf in Port Augusta near the foreshore, so there are some really fantastic announcements.

It was also fantastic in both cities to be able to receive presentations from local government. In Port Pirie, the Mayor of Port Pirie came and spoke with every single government colleague, including government MPs and government ministers. In Port Augusta, the mayor, unfortunately, was out of town for work on the Nullarbor in his job working on the railways with Pacific National, but we were very fortunate to have the Deputy Mayor of Port Augusta and the CEO of the council come and present similarly.

In both instances, they were able to share some of the achievements of their council and some of the challenges that their councils face and also some of the things that each of those councils would like to see state and federal governments do to support them in their work on behalf of local people.

It was a truly fantastic two days. I thank my colleagues for the time and effort they put in to come to Port Augusta on Thursday morning for a set of meetings and visits and Thursday afternoon for our own meetings among ourselves and a community meeting in the evening. Similarly, but in reverse, in Port Pirie we had our own meetings, including with the council on Friday morning. Friday afternoon kicked off with a community meeting and then out and about around various projects.

I am particularly pleased that my colleagues were able to see the challenges associated with the ageing wooden marine infrastructure in Port Augusta and similarly get a better understanding of the challenges in Port Pirie with regard to lead abatement and the work we are doing to significantly

upgrade the program that has been in place there from the governments. They were two very good visits.

Time expired.

Parliamentary Procedure

ANSWERS TO QUESTIONS

Mr PICTON (Kaurna) (15:34): I rise in relation to a breach of the sessional orders as a point of order. I asked the Premier two questions on 11 June this year. Those questions are unanswered to this date. They were asked 75 days ago, well past the 30 days required in the sessional orders. They were questions Nos 528 and 530 regarding waiting times and transfer times for patients in emergency departments, and I ask that you address this breach of the sessional orders by the Premier.

The DEPUTY SPEAKER: I can certainly follow that up for you, member for Kaurna.

Grievance Debate

MAWSON ELECTORATE

The Hon. L.W.K. BIGNELL (Mawson) (15:35): I rise today to talk about legislation that is very important to the area that I represent in the seat of Mawson, and that is the character preservation legislation for McLaren Vale.

It is something that grew out of the local community back in 2009. I attended a community meeting and promised that 6,000 houses would not be built on Bowering Hill, which was land owned by the government. I thought that people would have been very excited about that. They were kind of excited, but they said, 'What happens if there is a change of government? How do we lock that in?'

From 2009 through to 2011, we worked and we got together the environmental groups, the grapegrowers, the winemakers and the business associations. We got everyone around the table. We used butcher's paper and we worked out what the legislation should look like to protect what we have because we had seen urban sprawl march southwards since the early 1960s. It had taken the wonderful agricultural and grape-growing lands of Marion and then moved further south, through Reynella, Morphett Vale and what is now Woodcroft, and we were very worried about that.

In 2012, it became law that you could not subdivide for any agricultural land in between the towns of McLaren Vale, McLaren Flat, Willunga, Aldinga and Sellicks. There was some scope to build within the town boundaries, but the agricultural land in between them was off limits. When we got the legislation through there was a proviso in there for a review to be held after five years. That review was done and it was handed to this parliament in June 2018.

Some comments were made in that review saying, 'There are eight anomalies in here that we think should be further reviewed.' Two of those anomalies included a combined total of 40 hectares of agricultural land on the southern boundary of McLaren Vale. We wrote to the Premier after we had 500 people attend a community meeting, and anyone in this place knows that 500 people turning up in a town of about 1,500 is a massive number of pretty angry people.

The Premier did not answer me. He got the then planning minister, the member for Schubert, to respond to me, and in those weasel words that we are used to from this Marshall government he said, 'We have no intention at this stage to do any further review.' People were white hot at this meeting. They wanted to march on Parliament House. I said, 'They're a new government. Let's give them a break.' I also believe that we should try to work together. Nothing happened—silence, silence.

They said there were no plans at this stage to do a review, but we kept watching and we looked at the fine print. We then found earlier this year that under a review of a different piece of legislation they had stuck these eight anomalies in to do a review, so we had another meeting. We had 400 people turn up to that meeting on a really cold Wednesday night in the middle of winter—400 people, again a massive turnout for a community meeting. I handed out this document that I put together, and I said, 'This is a dot-to-dot book. You read it and I'll join the dots where these people are trying to lie to you.'

They had sneakily put this review under a different review. In a letter that I wrote in early June to the planning commissioner, Helen Dyer, I indicated that she had referred to these pieces of land as anomalies. So apparently these 40 hectares are anomalies: 'We're going to have a review. We might decide to change it so that we can cut it up for a subdivision.'

I put out a flyer to the people of McLaren Vale asking them to come along to this meeting. I get a letter the very next day. This all stinks. There is a whole lot of political involvement here with the Planning Commission. I get a letter the next day. Despite saying on 4 June that they were anomalies, she said that to date the commission had not formed any view on the merits or otherwise of the eight locations, nor had it specifically identified these as anomalies. So then we get to the meeting and I joined the dots like everything else. The next day, on the Planning Commission's website they made a statement saying that misinformation had been put out there, pointing the finger at me, without naming me.

This is a disgrace, that the Planning Commission is engaging in politics because the Attorney-General in this place is directing her to do it. Guess what happened last week? The planning minister, the Deputy Premier, also put something out saying that it is misinformation. It is not misinformation. All the information has come from the planning commissioner. It has come from statements that the planning minister made at a Planning Institute session on the couch at a breakfast in mid-May. All this information is from the government and from the Planning Commission.

If they do not start listening to people, they will lose absolute credibility in not just Mawson but everywhere else where they try to hoodwink the local people who fought hard for this legislation and do not want it weakened in any way.

MACKILLOP ELECTORATE

Mr McBRIDE (MacKillop) (15:40): I am pleased to rise to speak today, as we move into the winter sports final season, to congratulate all teams on the winter season they have had.

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

Mr McBRIDE: Of course. Football and netball are two sports that together in my electorate, and of course in much my regional South Australia, play a very important role in bringing people together.

The sports and the club atmosphere around them provide an excellent opportunity for people to look after their physical and mental wellbeing. These clubs are without doubt part of the identities of our regional townships. In the MacKillop electorate, much-enjoyed competition and participation are provided through netball and football clubs involved in the in the leagues, including Mid South Eastern Football League and the Kowree Naracoorte Tatiara Football League. Teams from the electorate that also participate are the Mallee Football League and the River Murray Football League.

Going to the football and netball each week during the winter is a family event for many. Heading out for junior football and netball on a Saturday morning is a highlight for many young boys and girls and their families, and they will often stay for the whole day. Training during the week is a great way for everyone to build exercise into their weekly routine, catch up with team mates and work towards a common goal—be it winning the grand final, making gains in team performance or supporting each other to meet their own fitness goals.

I also enjoy the opportunity when I can to umpire games across these leagues. Doing this is an important and enjoyable part of my week and, perhaps contrary to what could be imagined, also supports my mental wellbeing. I absolutely do enjoy getting around my region and umpiring. It is a great way of us supporting the leagues, getting out and meeting all my constituents, participating in a wonderful game that I have always enjoyed and absolutely doing my best. I find it the most rewarding two or three hours of my week, and I will continue to do it, looking after all these leagues and games and umpiring in a way that is fair and for everyone to enjoy.

I would like to congratulate Kalangadoo, in the Mid South Eastern Football League, Mundulla in the Kowree Naracoorte Tatiara Football League, Pinnaroo in the Mallee League and Tailem Bend in the River Murray League, for finishing minor A-grade premiers. I also congratulate all the other finalists in all grades of football and netball.

Clubs do not exist without their sponsors and volunteers, whether their teams bring home the ultimate success—the grand final trophy at the end of the year—or if they finish with the wooden spoon. Not one of the clubs could function without the dedicated volunteers who turn up to club meetings, organise their canteens, bars and dinners, fundraise, coach their players, create rosters, take money and, in recent seasons, QR coding at the gate.

No league or club has been spared from the challenge of the impact of COVID-19 pandemic restrictions. It is the club volunteers who are the people who have also navigated the COVID activity rules that shift from time to time, making plans and implementing them to ensure weekly football matches are able to proceed. It is an effort that should not be underplayed. I know that as we move into finals a great deal of work has already happened and continues to go into ensuring that COVID-safe events can be run.

In our border communities, we have faced many challenges associated with border restrictions. Our football and netball have not been immune to these challenges. In the Kowree Naracoorte Tatiara Football League, the Border Districts Football Club and netball club have had to forgo games due to their border restrictions. This will continue to be an issue for the clubs' successful netball sides as they move into the finals series. While in the Mallee league, Murrayville has also suffered from border restrictions and has unfortunately been unable to participate further in finals due to the lockdown restrictions in Victoria.

It is my sincere hope that our clubs involved in finals are able to field their teams and navigate the restrictions at this time. I look forward to the prospect of a different landscape for winter sport next year as I hope we will see a marked change in the way we manage COVID with a high take-up of vaccinations.

I wish all clubs hosting finals well with their preparations, particularly the Mid South Eastern Football League grand final, held at Tantanoola; the Kowree Naracoorte Tatiara Football League grand final, held at Padthaway; the Mallee Football League grand final, held at Pinnaroo; and the River Murray Football League grand final, held at Mypolonga.

As we move into the finals weeks, I would like to extend my appreciation of what it takes to run a club and wish participants and clubs in the finals all the very best. I also really do hope that the COVID restrictions allow our finals to be the maximum game event that they are and the highlight for the year. I hope that the crowds that do wish to turn up can participate and I hope that those who are providing and hosting the finals can maximise their returns in what has been a tough year but a better year than last year. Hopefully, going forward, our teams come through this stronger and with participation being even bigger and ready for next year to start a better year than it was this year.

ANNIE LOCKWOOD COURT HOSTEL

Mr HUGHES (Giles) (15:45): I rise today to talk about a grave situation in Whyalla when it comes to aged care and the closure of Annie Lockwood. Annie Lockwood is operated by Kindred Living, which also operates Yeltana and Copper House Court in Whyalla. At Annie Lockwood, there are approximately 50 nursing home beds.

The residents of Annie Lockwood and their families were informed that come 27 August Annie Lockwood might well be closed down. It should be added, though, that if suitable accommodation has not been found for the residents, there will be an extension and they will not be moved on. I would encourage all the residents and the families to ensure that they sign nothing and go nowhere until they are more than willing to do so.

A number of people have found suitable accommodation. Some of the accommodation that has been found I think is questionable, but a number of people have found suitable accommodation. The concern that I have is that in a city the size of Whyalla the fact that aged-care residents might have to go to distant communities is deeply disturbing. As a local member, in the past I have been confronted with individuals who have been moved out of Whyalla to find other places, and their families often are very keen to get them back into Whyalla.

That was happening on and off prior to this. Now we are facing the prospect of 50 beds being lost in our community. If something like that happened in the city, in Adelaide, and somebody could not find accommodation in one facility, the overwhelming likelihood is that there would be other accommodation in Adelaide where they could go. But it is not like that in regional communities.

In a community like Whyalla we have one nursing home provider. You can use that technical language: it is a thin market. You have one nursing home provider. It is a small provider. It is a not-for-profit provider. If you cannot get a place there, the overwhelming odds are you are going to have to travel hundreds of kilometres away from your community. The nearest round trip to another nursing home care bed is around about 180 kilometres return, and that is the nearest. Often, Whyalla people are sent much further away than that.

So in a city the size of Whyalla, there should be adequate beds to accommodate those people who need nursing home care. What we see when it comes to nursing home care, and especially in regional communities across Australia, is an absolute train wreck. As of April this year, there were 166 aged-care centres in regional Australia that were at risk of closure. When it came to aged care, 78 per cent of facilities in regional Australia were running at an operating loss. It is a system that has been massively underfunded for years and all the chickens are coming home to roost, notwithstanding the royal commission and the promises of additional money.

There are deep fundamental and systemic issues when it comes to aged care not just in Whyalla but throughout regional Australia. We can talk about it in terms of systemic issues, but what it comes down to is the impact on individuals, the impact on those aged people who are not allowed to age in place and who might have to be moved hundreds of kilometres, the impact on their partners (if they still have a partner) and the stress involved in having to visit distant communities, and the impact on families. This is a totally unacceptable situation. I do not want to see any aged-care residents in Whyalla having to move out from our community.

There are some immediate problems that need to be addressed and one is about accessing enough registered nurses so that we can have an interim solution while the longer term issues are addressed. The longer term issues are around investment in sufficient beds so that people in communities such as Whyalla do not have to leave.

COLONEL LIGHT GARDENS

Mrs POWER (Elder) (15:50): I rise to share a momentous occasion for a suburb in my electorate, Colonel Light Gardens. This year marks the centenary for Colonel Light Gardens as a model garden suburb. Last Sunday, 22 August 2021 marked 100 years since the declaration of land sales for the suburb in 1921. To celebrate this historic day, I organised a community celebration, timing it with the unveiling of the new entrance statement archway at Oxford Circus.

It was an incredible afternoon, celebrating the heritage of Colonel Light Gardens, which is one of Australia's best examples of an early 1920s garden suburb. To go above and beyond—because that is what I like to do as the local member—and to make this centenary extra special for my community, my team and I organised the Mitcham brass band, who were just incredible, and a special cake, along with 100 cupcakes to add to the festivities.

The Premier opened the occasion and Keith Conlon, the Chairperson of the SA Heritage Council, reflected on the heritage standards, which ensures the suburb's heritage is protected, as well as sharing some of his own personal stories of his time growing up in Colonel Light Gardens. A question and answer session with Christine Garnaut, Associate Professor and author of the book titled *Colonel Light Gardens: Model Garden Suburb* also provided an account of key dates for the suburb over the past 100 years.

On Sunday, the atmosphere was buzzing and reflected the pride local residents have in their suburb. Almost 150 people came along to celebrate, including the City of Mitcham mayor, Dr Heather Holmes-Ross, and most of the City of Mitcham councillors, including ward councillors Coralie Cheney and Rod Moss. We also had representatives from the Colonel Light Gardens Residents' Association and the Mitcham Historical Society; our local primary schools in the area, including St Therese Primary School, which is on the corner of Oxford Circus; Colonel Light Gardens Primary School; and Clapham Primary School.

There were representatives from the Springbank Secondary College governing council, the Colonel Light Gardens Football Club—Tom Clarke, Charles and a few others—Scott from the Goodwood Baseball Club and, of course, we had local residents and our furry friends, the dogs of Colonel Light Gardens.

The archway at Oxford Circus is a significant new feature at the Springbank intersection. It was a part of the upgrade and it marks the entrance to the state heritage area. It was a really important addition that I was a strong advocate for. I am sure it will become a key landmark in the area for generations to come.

To further mark the centenary, I will be putting together a time capsule. I am inviting residents, local businesses, local sporting groups, community groups and all those who have some sort of memory or association with Colonel Light Gardens to contribute an item to the time capsule, which is to capture the people and places in Colonel Light Gardens as it is today, and we are certainly living in interesting times.

I had a group photo taken at the event on Sunday. That photo will be included in the time capsule, which will be quite interesting for people given we were all wearing our masks at the time. I am sure it is going to be very exciting and interesting for those who are going to be opening it in 50 years' time.

Preserving the heritage of a building or a place, let alone a complete suburb, even with the right regulatory framework like we have in place, takes people who are not only committed and passionate about heritage values but also have the knowledge about why it has heritage significance. I would like to take this opportunity to acknowledge Philip Knight and Christine Garnaut for their care of and commitment to Colonel Light Gardens.

It was, in fact, Philip Knight who reminded us when we went out to consultation during the Springbank intersection upgrade about Charles Reade's original vision for the suburb and the idea to build the archway. He gave his time and provided great input, working with Heritage SA and the infrastructure department to ensure this great outcome for our community. To everyone who contributes to Colonel Light Gardens, I want to take this opportunity in this place to say a heartfelt thank you. Communities are made great by the people in them.

PORT PIRIE

The Hon. G.G. BROCK (Frome) (15:55): Today, I would like to speak about a project that Aaron Ward from John Pirie Secondary School is getting students to undertake on people who have connections to Port Pirie and have had significant exposure to worldwide events.

Today, I want to talk about a story that Diana Cojocea did about Captain John Davis, Frederick Gillies and Charles Hoadley. It is February 1913 and Captain Davis desperately scans the alien landscape. A jet black sea contrasts against giant cliffs of brilliant white stretching to infinity in both directions. There is no sign of Douglas Mawson or his party. They are now two weeks late from a very perilous 1,000-kilometre sledging expedition across an unexplored expanse of Antarctica. This is an unforgiving place, consisting of nothing but icy rock and 200 km/h winds.

Some 2,400 kilometres to the west, a second party of brave polar explorers wait longingly for Davis, as he knows their plight and that they must be desperate for help. With winter closing in, Davis has to make a hard decision. The skipper of the *Aurora* was a veteran of Ernest Shackleton's first voyage during which his ship, *Nimrod*, became gripped in the ice. Her crew became trapped for the winter and Davis was not about to risk a repeat ordeal.

He made the decision to leave six volunteers and his remaining supplies at Cape Denison to wait for Mawson's party. He then collects the western party and returns to Australia and frantically raises money for a return rescue mission the following spring.

In 1917, John Davis retired from polar exploration to supervise the erection of a mechanical coal-handling plant at the Port Pirie smelter. In doing so, he became the third member of that desperate voyage to call Port Pirie home. Charles Hoadley had left his job with BHP in Port Pirie to volunteer for the western party which successfully navigated almost 1,300 kilometres of previously unexplored Antarctic Territory.

Pirie resident Frederick Gillies was the third Port Pirie resident to take part in this remarkable adventure as the chief engineer of the problematic *Aurora*. He would go on to enjoy a highly successful 25-year business career in Port Pirie until he was hit and killed by a taxi at the corner of Broadway Road and The Terrace in Port Pirie. A grateful town ground to a halt for his funeral; that was the high esteem in which he was held.

Captain Davis, meanwhile, had been offered the captain's chair for the ill-fated voyage on *Endurance*, but he turned that down. Both he and Mawson did emerge from retirement in 1929 for another expedition on the *Discovery*, the last traditional three-mast ship built in Britain. In many ways, that voyage marked the end of the golden age of exploration, an obsession which had gripped mankind for thousands of years and in which three brave men who called Port Pirie home had quietly played a small part.

These are projects that Aaron Ward is asking students to undertake at John Pirie Secondary School, which I might add has one of the best principals in Roger Nottage. Roger is doing a fantastic job at John Pirie Secondary School. Unfortunately, he will be retiring at the end of this year.

These projects Aaron Ward is getting the students to undertake not only give them the opportunity to learn the history of people who come from Port Pirie but highlight the great and the very high achievements of people coming from Port Pirie. Too often country areas, and I am saying that generally, are not acknowledged for their great attributes and achievements in the history of our state, our nation and internationally.

I can only say thank you very much specifically to Aaron Ward. He will be lost to Adelaide, I understand. He lives at Port Broughton, but I think his partner now has a full-time job in Adelaide, so Aaron will be lost to Port Pirie. This is the second project I have spoken about in this house, and I have another couple. I think it is a great tribute not only to Aaron Ward and the John Pirie Secondary School but to those students who have done all this history of their own accord, highlighting the important and great achievements in Port Pirie over many years.

PIED CORMORANTS

Mr ELLIS (Narungga) (16:00): I rise today to voice the concerns of the residents, businesses and community groups of the Stansbury and Port Vincent area of Yorke Peninsula with respect to an ever-increasing number of cormorants—a large gulp of cormorants, I think is the proper collective noun—that are having an impact on the life of the people in these wonderful, beautiful communities.

I have been contacted by a great many constituents regarding the effect these shags are having on the beautiful towns of Stansbury and Port Vincent particularly. I was contacted by the local publican, Rob Rankine, who does an extraordinary job running the tremendous Dalrymple Hotel, which is a wonderful establishment if anyone has the time to pop in, who shared photos of the seemingly daily task he has to undertake in order to remove shag excreta from the windows of his hotel so that patrons can enjoy the wonderful sea views while they are there enjoying their pint and parmi.

Likewise, hotel patrons have contacted me with photos of their parked cars covered with excrement. I also have photos of the roads covered with the same substance and of the extensive damage these birds are doing to the foreshore trees. I have accounts of the stench being so great that any human activity in the area is being strongly deterred. I have also been contacted by the Port Vincent Progress Association about the impact the shags are having not only on their members but also on visitors to their town.

Port Vincent, and Stansbury for that matter, is a town that relies on tourism dollars to ensure that their local economy can continue to prosper. It was most distressing to hear some of the stories visitors are sharing with the progress association. They even shared that some residents of the town are now too afraid to walk their dogs at dusk for fear of being the victims of unwanted droppings.

I was also contacted by the owner of some boat berths in the marina who had spent a good deal of money installing a sprinkler system on his docks to discourage the shags from landing there and on boats, and generally from hanging around his business. The business struggles to sell those berths and is reconsidering a future investment in the town while the shags remain a problem. I had a chat to the local coffee shop owner at Port Vincent at footy over the weekend, who also shared some quite harrowing stories of the impact the birds are having on their town.

YP Council to their credit have tried a great many things in order to control the shag population. My understanding is that the cormorants have been declared a protected species by the government and, as such, the council has been doing its best to control them by merely scaring them

away. They report having attempted this method for some 25 years, and they will be granted a permit to scare the birds from Stansbury, for example, only to see them relocate to Port Vincent, and then they will apply for a permit to scare them from Port Vincent only for them to relocate to Stansbury and so on.

All the while, these birds continue to increase in population while they inhabit Troubridge Island, where they are virtually untouchable because it is a conservation park. In my view, these band-aid solutions need to be rethought. A more permanent solution to this problem needs to be uncovered so that we can quickly put an end to it. One of the problems seems to be that these birds are considered protected but are in overabundant supply.

Perhaps the minister might see fit to remove or regionalise the protected status of these birds. They could remain protected on Troubridge Island, but the council and the landscape board could have greater leniency to control the population when they are in Stansbury and Port Vincent. These are beautiful communities and they need to be empowered to provide the best possible visitor experience as we approach the summer months and tourists start pouring in again.

I have written to the minister on the issue. I tabled a petition just yesterday with some 500 signatures, which demonstrates the widespread community support to do something on this topic, and I have talked with council about the efforts that they have gone to in order to control this problem. In my view, it is time for the state government to step up and help these communities control this problem before it gets any worse and becomes unsolvable.

Bills

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (REGULATORY SANDBOXING) BILL

Introduction and First Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:04): Obtained leave and introduced a bill for an act to amend the National Electricity (South Australia) Act 1996, the National Energy Retail Law (South Australia) Act 2011 and the National Gas (South Australia) Act 2008. Read a first time.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:05): I move:

That this bill be now read a second time.

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

Leave granted.

The energy sector is constantly evolving. This evolution includes the emergence of innovative technologies and business models in the national energy markets. These new initiatives can bring significant benefits to consumers.

It is therefore essential that the regulatory framework that supports Australia's energy market can adapt and respond to technological advancements to operate in the long-term interests of consumers.

The introduction of a regulatory sandbox toolkit aims to make it easier for businesses to develop and test these innovative energy technologies and business models. This type of innovation in the energy sector can lead to better services and lower costs for consumers.

A regulatory sandbox is a framework within which participants can trial innovative concepts in the market under relaxed regulatory requirements, on a time-limited basis and with appropriate safeguards in place.

The objective of a regulatory sandbox toolkit is to encourage innovation, which has the potential to contribute to the long-term interests of consumers, rather than simply to facilitate an increased number of trials.

The National Energy Laws (Regulatory Sandboxing) Bill 2021 presented to you today, seeks to implement changes to the National Electricity Law, National Gas Law and National Energy Retail Law to introduce a regulatory sandbox toolkit.

In the development of this package it was considered that various regulatory tools, both existing and new, could be used to facilitate proof-of-concept trials. These tools could be applied according to their suitability to a proposed trial.

It was considered that the existing regulatory framework may limit opportunities for trials of innovative products and business models which may provide significant benefits to consumers. As such two tools have been developed to provide greater flexibility in the regulatory framework.

The first introduces a new Australian Energy Regulator (AER) regulatory waiver power that can provide time-limited regulatory relief to eligible trials.

The second introduces a new power for the Australian Energy Market Commission (AEMC) to make a trial rule. This includes an amended rule change process for proof-of-concept trials that could be used if an eligible trial required new rules or the alteration of existing rules for a limited time to be conducted.

With regard to a trial waiver, a one-stop shop is considered necessary to undertake a trial project under this process. The AER is considered the appropriate body for considering and providing such exemptions given their role as the Regulator of the national frameworks.

The Bill includes a broad power for the AER to grant specific exemptions and waivers to facilitate the conduct of proof-of-concept trials, subject to the 'trial projects guidelines' the AER develops in consultation with the market bodies and relevant stakeholders.

This tool could be used if an eligible trial required an exemption from a specific rule (or rules) in the National Electricity Rules, National Energy Retail Rules or the National Gas Rules.

Registration requirements have been identified as a potential barrier to trial projects proceeding. The requirement to be registered is set out in the Laws.

Whilst the Laws provide for an exemption to these requirements, the responsible body is AEMO for certain registration categories and the AER for other registration categories. The Bill therefore provides for the AER to be the body that provides any necessary exemption from registration requirements for trial projects.

The Bill also ensures that the AER may only grant a trial waiver if it has taken into account the innovative trial principles introduced in the Bill and any matter required by the rules.

With regard to a trial rule, this new tool could be used if an eligible trial required new rules or the alteration of existing rules for a limited time to be conducted. The development of a separate rule-making power overcomes issues with the current rule making process which is considered too lengthy and represents too high a barrier for the purposes of a limited trial rule. The proposed trial rule change process will be conducted by the AEMC in under 10 weeks and encompass the National Electricity Rules, National Energy Retail Rules and the National Gas Rules.

It is possible that some proof-of-concept trials may require more than one of the regulatory sandbox tools to proceed. For other proof-of-concept trials, existing arrangements may be sufficient, and they may not need any of the sandbox tools to proceed.

Overall, the Bill seeks to achieve the following outcomes:

- The Bill introduces a set of innovative trial principles in the national energy laws. These principles must be taken into account by the market bodies when determining whether a trial project is genuinely innovative in connection with granting a trial waiver or making a trial Rule.
- Amending the functions and powers of the AER to make trial waivers for trial projects.
- Provision for the AEMC to make trial Rules for trial projects.
- Introduction of a more streamlined process for the assessment and making of trial Rules.
- Provision for the AER to monitor and enforce trial waivers, and associated conditions, and trial Rules and any requirements as set by the AEMC.
- Provision for the AER and AEMC to revoke a trial waiver or trial rule respectively should the need arise. For example, if conditions or requirements placed on a trial waiver or rule are breached.

The Bill also makes provision for the South Australian Minister responsible for administering the relevant laws to make an initial set of National Electricity Rules, National Energy Retail Rules and National Gas Rules associated with the amendments on regulatory sandboxing. Significant public consultation on the sets of initial rules has already been undertaken.

Finally, an innovation enquiry service will form part of the toolkit, however this can be operated within the existing regulatory framework. It was considered innovations that are in consumers' interests could be encouraged by establishing a clearer process for proponents of proof-of-concept trials to approach energy market regulatory bodies for feedback and guidance on regulatory issues and regulatory options to avoid unnecessary delays and costs for eligible trials. The AER will be responsible for its implementation including determining when the service will be launched and resourcing requirements.

By introducing a regulatory sandbox we are providing for a regulatory framework that is better equipped to respond to the rapid change in the energy sector and deliver benefits for customers through innovation.

I commend the bill to the Chamber.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *National Electricity (South Australia) Act 1996*

4—Amendment of section 2—Definitions

Certain definitions are inserted for the purposes of the measure, including *trial project*, *trial Rule* and *trial waiver*.

5—Insertion of section 7B

The innovative trial principles are inserted as section 7B:

7B—Innovative trial principles

The innovative trial principles are set out.

6—Amendment of section 15—Functions and powers of AER

An additional function is conferred on the AER relating to monitoring and investigating the conduct and outcomes of a trial project undertaken under a trial Rule or trial waiver.

7—Insertion of Part 3 Division 1D

New Division 1D is inserted into Part 3:

Division 1D—AER trial waiver functions

18ZJ—Definitions

A definition of *proponent* is inserted.

18ZK—Interpretative matters

Certain interpretative matters are provided for.

18ZL—Trial waiver

The AER may grant a trial waiver, being an exemption from section 12 of the Law or the Rules, or a provision of the Rules.

18ZM—Conditions of trial waiver

A trial waiver must be subject to any conditions required by the Rules and may be subject to any conditions the AER considers appropriate.

18ZN—Consultation on trial waiver

Consultation requirement that the AER must comply with before granting a trial waiver are provided for.

18ZO—Publication etc of trial waiver

A copy of a trial waiver must be published on the AER's website.

18ZP—Duration of trial waiver

A trial waiver has effect from the day specified in the trial waiver and for the period (not exceeding 5 years) specified in the trial waiver.

18ZQ—Extension of trial waiver

Provision is made for the AER to extend a trial waiver by a specified period.

18ZR—Compliance with trial waiver

A proponent is required to comply with the conditions of a trial waiver.

18ZS—Revocation of trial waiver

The AER is authorised to revoke a trial waiver.

18ZT—Other matters

Certain other matters relating to the granting of a trial waiver are set out.

8—Amendment of section 34—Rule making powers

The powers to make Rules in the Law are expanded to include any matter or thing related to, or necessary or expedient for, the purposes of a trial Rule, trial project or a trial waiver.

9—Amendment of section 87—Definitions

A definition of *trial Rule* is inserted. A trial Rule is included in the definition of market initiated proposed Rule. Other amendments are consequential.

10—Insertion of section 88C

New section 88C is inserted:

88C—AEMC must take into account innovative trial principles in certain cases

A requirement to take into account the innovative trial principles in making a trial Rule is provided for.

11—Insertion of section 90DA

New section 90DA is inserted:

90DA—South Australian Minister to make initial Rules relating to regulatory sandboxing

The South Australian Minister is empowered to make initial Rules relating to regulatory sandboxing. Certain requirements relating to the making of such Rules are imposed, including publication requirements.

12—Amendment of section 92—Contents of requests for Rules

In addition to the Regulations, provision is made for the Rules to prescribe requirements relating to requests for Rules.

13—Amendment of section 94—Initial consideration of request for Rule

In addition to the Regulations, provision is made for the Rules to prescribe requirements relating to requests for Rules.

The other amendments are consequential.

14—Insertion of section 96AA

New section 96AA is inserted:

96AA—Publication of final Rule determination for trial Rule

Provision is made in relation to the time within which a final Rule determination for request for a Rule that is a trial Rule must be made. Sections 96 and 96A are disapplied in relation to a request for a trial Rule.

15—Amendment of section 102—Final Rule determination

A requirement for the AEMC to give its reasons relating to a final Rule determination taking into account the innovative trial principles is inserted.

16—Amendment of section 103—Making of Rule

The AEMC is required to specify an expiry date for a trial Rule (which must be no more than 5 years after the date on which the trial Rule commences operation).

17—Insertion of sections 104A to 104D

New sections 104A to 104D are inserted:

104A—Extension of trial Rule

Provision is made for the AEMC to extend a trial Rule by a specified period.

104B—AEMC may impose requirements on proponent of trial project on making trial Rule

The AEMC must give consideration to revoking the trial Rule on the recommendation of the AER.

Debate adjourned on motion of Mr Odenwalder.

PETROLEUM AND GEOTHERMAL ENERGY (ENERGY RESOURCES) AMENDMENT BILL

Introduction and First Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:06): Obtained leave and introduced a bill for an act to amend the Petroleum and Geothermal Energy Act 2000. Read a first time.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:06): I move:

That this bill be now read a second time.

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

Leave granted.

The *Petroleum and Geothermal Energy Act 2000* (the Act), which regulates onshore petroleum and other energy resource exploration and production activities in South Australia, continues to well serve the state and the industry since its promulgation back in September 2000. This legislation continues to be widely recognised as a best practice regulatory framework. Maintaining best practice requires continuous review and improvement. Subsequent to the last review of this legislation back in 2009, the Department for Energy and Mining embarked on another review to further refine this Act through the release of an Issues Paper with proposed amendments earlier this year followed by the release of a draft Bill in June.

Given the predominately non-controversial and administrative nature of the proposed amendments, no major concerns or comments on the proposed amendments were received. These proposed administrative amendments are very much in accord with the Government's commitment to streamlined and effective regulation.

In addition, to reinforce the Government's commitment to South Australia's Climate Action Plan to embrace future fuels, amendments are proposed to expand the scope of the Act to include provisions for licencing and regulating the generation of hydrogen by means, such as electrolysis of water, in addition to the current scope that allows for the generation of hydrogen through the processing of regulated substances, such as petroleum.

The main premise for this amendment is in response to the hydrogen industry submissions to the Issues Paper to provide the non-petroleum-based hydrogen generation sector the same licencing regime and, in turn, one-window to government as has been afforded to the petroleum industry under the existing Act for more than two decades. This will be achieved via the new Hydrogen Energy Licencing provisions, which will include hydrogen generation for commercial purposes prescribed in the revised Act. In response to the amendments proposed in the draft Bill released for public comment in June, I am pleased to see that the Hydrogen Energy Council congratulated the Government on these amendments, calling them timely action that will provide essential certainty for potential hydrogen developments in South Australia.

The Government is keen to future proof this best practice regulatory framework for the energy resources sector in South Australia; therefore, the Act will now be called the 'Energy Resources Act' to reflect a broader scope to include future fuels such as hydrogen.

Changing dynamics in both Australian and global energy markets has called for regulatory frameworks to be more adaptive and responsive to such changes to ensure we can expedite energy supply and security as required. One such change has called for an amendment to the definition of transmission pipeline under the existing Act to allow for imported gas to be transported unhindered via licensed transmission pipelines under the Act to access such markets as required. The need for this has arisen from expressions of interest seeking to import LNG into South Australia and other States to address anticipated Eastern Australia gas market opportunities.

Improving stakeholder participation and engagement in the regulatory process is always a topic of priority in any such review. To that end, amendments are being introduced that will explicitly require stakeholder engagement by the licensee in preparing their Environmental Impact Reports (EIR) and Statements of Environmental Objectives (SEOs). An amendment is also being introduced to mandate a 30-day public consultation period for all submitted EIRs and SEOs as part of the Department for Energy and Mining's assessment and approval process.

A key principle under this Act when it was first developed was to ensure that any environmental liabilities always remained with the licensee. This principle continues to be delivered through smart policy when it comes to determining the amount of security that the government needs to hold against each licence. As additional back up to this policy in the unlikely event of bankruptcy, it is considered prudent to introduce a Statutory Security to ensure that the Crown has first priority over a Licensee's property in such an event.

To further strengthen the Act's regulatory enforcement provisions, a number of the maximum penalties have been benchmarked against the reformed Mining Act and modified accordingly.

In keeping with the Government's stance on efficient and effective regulation, the concept of Ministerial determinations as provided for under the recent Mining Act review is also being introduced to allow for greater flexibility and effectiveness in clarifying and guiding regulatory requirements, particularly for reporting provisions.

To further enhance the environmental protection provisions under the Act, the definition for 'environment' will be revised to better capture and regulate social and economic impacts in keeping with the principles of sustainable development. Principles, may I add, under which administration of this Act continues to be complied with.

The amendments proposed to the *Petroleum and Geothermal Energy Regulations 2013* detailed in the Issues Paper released back on the 11th February will be drafted post the Bill being passed in Parliament. The regulatory

amendments have been modified to accommodate comments received during the consultation period of both the Issues Paper and the draft Bill.

We look forward to working cooperatively with all members of Parliament to secure passage for this important Bill.

I commend the 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 *Petroleum and Geothermal Energy Act 2000*

4—Amendment of long title

The long title of the Bill is amended to update and include references to production, generation, transmission, storage and management of certain energy resources as a result of other amendments proposed in the measure.

5—Amendment of section 1—Short Title

This amendment proposes that the short title of the Act be the *Energy Resources Act 2000*.

6—Substitution of section 3

This clause substitutes the objects section of the Act as follows:

3—Objects

The proposed section updates the current objects of the Act to include references to energy resources and other matters as a result of proposed amendments in the measure.

7—Amendment of section 4—Interpretation

This clause amends and updates several existing definitions and inserts additional definitions in the Act consequential on other amendments in the measure. Key definitions inserted for the purposes of the proposed regulated substance licence and the proposed hydrogen generation licence include the following:

- a person *produces* hydrogen if hydrogen is produced by a process that involves the use of another regulated substance;
- *generating* hydrogen includes any operation or process by which hydrogen is generated, but does not include—
    - operations for the recovery of hydrogen from the ground; or
    - operations or a process of a kind excluded from the ambit of this definition by the regulations;
- generating hydrogen for a *prescribed commercial purpose* means generating hydrogen—
    - for the purposes of export; or
    - for use in the manufacturing of chemicals; or
    - for wholesale distribution; or
    - as part of a process of generating electricity for sale or supply to customers; or
    - for any other purpose prescribed by the regulations for the purposes of this definition,

but does not include—

- generating hydrogen for a purpose referred to in a preceding paragraph in circumstances prescribed by the regulations; or
- generating hydrogen for a purpose excluded from the ambit of this definition by the regulations.

8—Substitution of section 8

This clause substitutes section 8 as follows:

8—Authorised officers

The proposed section provides that inspectors appointed under the *Work Health and Safety Act 2012* will be taken to have been appointed as authorised officers under the section. These authorised officers are in addition to those authorised officers currently able to be appointed by the Minister for the purposes of the Act.

9—Amendment of section 9—Identity cards

This clause allows for inspectors under the *Work Health and Safety Act 2012* who are taken to have been appointed under section 8 to use, for the purposes of the Act, the identity cards issued to them under that Act.

10—Insertion of Part 2 Division 3

This section inserts a new Part 2 Division 3 as follows:

Division 3—Power to conduct geological investigations etc

9A—Power to conduct geological investigations etc

The proposed section allows for a process by which the Minister or a person authorised by the Minister may enter and remain on land for the purposes of undertaking an investigation or survey (including taking and removing specimens and samples). The proposed section further sets out the parameters of the authorisation, including requirements for notification of entry on land, and that results of an investigation or survey must be provided to the Minister and may be published by the Minister.

11—Amendment of section 10—Regulated activities

The proposed amendments update the definition of *regulated activities* for the purposes of the Act to include generating hydrogen for a prescribed commercial purposes to incorporate the proposed new licence category. It also expands the defined activity of construction of a transmission pipeline to include constructing, operating, maintaining, modifying or decommissioning of a transmission pipeline.

12—Amendment of section 13—Licence classes

This clause makes amendments consequential on the proposed addition of the new regulated substance licence and hydrogen generation licence.

13—Amendment of section 21—Exploration licences

The amendments in this clause provides for a proposed new category of licence—a regulated substance exploration licence.

14—Amendment of section 24—Areas for which licence may be granted

The amendment in this clause is consequential on the addition of the proposed regulated substance exploration licence.

15—Amendment of section 26—Term and renewal of exploration licence

This amendment allows the Minister to determine that the term of an exploration licence may be less than 5 years.

16—Amendment of section 27—Production of regulated resource under exploration licence

The amendments in this clause are consequential on the proposed addition of the regulated substance exploration licence and on updating references to regulated substances in the Act.

17—Amendment of section 28—Retention licences

The amendments in this clause are consequential on the addition of the regulated substance exploration licence and on updating references to regulated substances in the Act.

18—Amendment of section 30—Grant of retention licence

The amendments in this clause are consequential on the addition of the regulated substance retention licence and on updating references to regulated substances in the Act.

19—Amendment of section 31—Area of retention licence

This amendment extends the area over which a petroleum retention licence (and the proposed regulated substances retention licence) may be granted to either—

- twice the area under which (according to a reasonable estimate at the time when the licence was granted or last renewed) the discovery is likely to extend; or
- 10,000 km², whichever is the lesser

20—Amendment of section 32—Term of retention licence

This amendment allows the Minister to determine that the term of a retention licence may be less than 5 years.

21—Amendment of section 34—Production licences

The amendments in subclauses (1) and (2) relate to the addition of the proposed new category of licence—a regulated substance production licence. Subclause (3) substitutes subsection (4) to amend the scope of a gas storage licence to include operations for the withdrawal of a regulated substance from a natural reservoir in which the substance has been stored.

Subclause (3) also inserts proposed subsection (4a) which provides that a regulated substance production licence authorises, subject to its terms, operations of a kind prescribed by the regulations associated with the production of a regulated substance.

22—Amendment of section 35—Grant of production licence

Subclause (1) makes an amendment consequential on the addition of the proposed regulated substance exploration licence. Subclause (2) updates an obsolete reference to mining tenements to mineral tenements under the *Mining Act 1971*. Subclause (3) inserts a requirement in subsection (5) providing that the process of tender for grant of a production licence does not apply if the Minister has entered into a safety net agreement under section 94 in relation to a production licence in respect of a regulated resource in that area.

23—Amendment of section 37—Area of production licence

The amendment in this clause is consequential on the proposed addition of the regulated substance production licence.

24—Amendment of section 43—Royalty on regulated resources

This clause amends the day on which a royalty return is to be provided to the Minister from within 30 days after the end of each month to the last day of the month following each month in which a regulated substance or geothermal energy is produced.

25—Amendment of section 48—Alteration of pipeline

This amendment increases the maximum penalty for altering or modifying a pipeline other than in accordance with section 48 from $120,000 to $250,000.

26—Amendment of section 59—Relationship with other licences

These amendments provide that the Minister need not consult with an existing licensee in respect of area of land proposed to be covered under an associated activities licence if the existing licensee is the person applying for the associated activities licence.

27—Repeal of section 59A

This amendment removes the requirement for a special facilities licence to be located within an area declared by the Minister by notice in the Gazette.

28—Amendment of section 59B—Special facilities licence

This clause makes an amendment related to the removal of the declared areas in clause 27. It allows the area of a special facilities licence to be specified in the licence and limited to an area not exceeding 5 km².

29—Repeal of section 59C

The repeal of this section is consequential on the amendments in clauses 27 and 28.

30—Amendment of section 59E—Relationship with other licences

These amendments provide that the Minister need not consult with an existing licensee in respect of area of land proposed to be covered under a special facilities licence if the existing licensee is the person applying for the special facilities licence.

31—Insertion of Part 9B

This clause inserts a new Part as follows:

Part 9B—Hydrogen generation licence

59F—Hydrogen generation licence

Generating hydrogen for a prescribed commercial purpose (as defined in proposed section 4(5) and (6) of the Act) is included within the definition of a regulated activity for the purposes of the Act. The proposed section outlines the scope of the activities to be authorised under the hydrogen generation licence, namely—

- to establish and operate a site (which must not exceed 5 km² in area) at a location specified in the licence for the purposes of generating hydrogen for a prescribed commercial purpose; and

- to establish and operate facilities and systems associated with generating hydrogen for a prescribed commercial purpose (but not an electricity generation facility or a facility for manufacturing chemicals); and
- to undertake any other activities that may be associated with, relevant or incidental to, generating hydrogen for a prescribed commercial purpose; and
- if relevant, confer rights of access to and use of land specified in the licence necessary for undertaking activities under the licence.

59G—Term of hydrogen generation licence

The proposed section provides that the Minister may determine the term of a hydrogen generation licence and extend the term of the licence from time to time. The Minister is also empowered to cancel the licence if the Minister considers that the licence is no longer being used for the purposes for which it was granted.

59H—Relationship with other licences

This section sets out a process for the Minister to follow if a hydrogen generation licence is proposed within the area of an existing licence.

59I—Minister may grant exemption

The proposed section enables the Minister to grant an exemption from the requirement to hold a hydrogen generation licence in respect of activities that would otherwise require authorisation under the Act, if the Minister is satisfied that prescribed circumstances exist for the granting of the exemption.

32—Amendment of section 65—Application for licence

The amendments to this section are technical in nature and allow for fees to be prescribed by notice in accordance with the *Legislation (Fees) Act 2019* and clarify that the Minister may determine the manner and form of licence applications.

33—Amendment of section 69—Grant of compatible licence to area already under licence

These amendments provide that the Minister need not consult with an existing licensee in respect of area of land under a licence that is deemed compatible in accordance with section 69 if the existing licensee—

- is the person who is applying for the compatible licence; or
- is one whose licence has been offered, but not yet granted to them by the Minister in accordance with section 66.

34—Insertion of section 73A

This section inserts a new section as follows:

73A—Mandatory condition as to management system

The proposed section makes it a mandatory condition of every licence that the licensee must establish and maintain a management system that complies with any requirements prescribed by the regulations in relation to the regulated activities to be carried out under the licence.

35—Amendment of section 74—Classification of activities to be conducted under licence

This amendment is technical.

36—Amendment of section 77—Non-compliance with licence conditions

This amendment increases the maximum penalty applying for a licensee's non-compliance with a licence condition from $120,000 to $250,000.

37—Amendment of section 84—Records to be kept by the licensee

This amendment inserts a requirement for the licensee to keep a record of their approved statement of environmental objectives.

38—Substitution of section 85

This clause substitutes section 85 as follows:

85—Reporting of certain incidents

The proposed section sets out the manner and circumstances in which immediately reportable incidents and reportable incidents are to be reported to the Minister.

An *immediately reportable incident* is an incident arising from activities conducted under a licence specified in the relevant statement of environmental objectives to be an immediately reportable incident. A *reportable incident* is an incident (not being an immediately reportable incident) arising from activities

conducted under a licence specified in the statement of environmental objectives to be a reportable incident. The regulations may provide for other matters to be brought within the ambit of these definitions.

39—Amendment of section 86—Information to be provided by licensee

Subsection (1) is recast to provide that the licensee must provide information or material relevant to carrying out regulated activities under the Act as requested by the Minister. Subclause (2) inserts a new provision requiring any costs associated with complying with a requirement to provide information under section 86 to be borne by the licensee.

40—Insertion of section 86AA

This clause inserts a new section as follows:

86AA—Notification of acquisition of controlling interest in business of licensee

This section makes it a requirement for a licensee to notify the Minister within 30 days of a person acquiring a controlling interest in the business of the licensee. An administrative penalty applies for a failure to comply with this requirement. A person acquires a controlling interest in a business if the person would be treated as having a controlling interest in the business for the purposes of section 72 of the *Payroll Tax Act 2009* (disregarding section 72(1)).

41—Amendment of section 86A—Fitness for purpose assessment

The amendments in this clause update the requirements for a fitness for purpose assessment required to be carried out by the licensee. Currently, only certain licensees are under an obligation to undertake a fitness for purpose assessment under the Act.

These amendments extend the requirements to all licensees but limit the ambit of the assessment to be carried out to prescribed facilities (as defined in the section).

42—Amendment of section 87—Activities to be carried out with due care and in accordance with good industry practice

This amendment increases the maximum penalty for failure to carry out regulated activities with due care and in accordance with good industry practice from $120,000 to $250,000.

43—Amendment of section 88—Ministerial direction

Subclause (1) expands the ambit of the matters in respect of which the Minister may direct the licensee under section 88(1) to include a direction to take specified action required to ensure obligations under the Act or a licence are met. Subclause (2) inserts a requirement for a notice of direction under section 88 to include the Minister's reasons for giving the direction and to allow a reasonable time for compliance with the direction. Subclause (3) increases the maximum penalty for a failure to comply with a direction under the section from $120,000 to $250,000.

44—Insertion of section 91A

This clause inserts a new section as follows:

91A—Assignment of liability or obligation of licensee on surrender or cancellation of licence

The proposed section allows the Minister, on application by a licensee before a licence is surrendered or cancelled under Part 11 Division 12 of the Act, to agree to the assignment of a liability or obligation of the licensee under the Act to a third party on terms and conditions determined by the Minister.

45—Insertion of Part 11 Division 12A

This clause inserts a new Part 11 Division 12A as follows:

Division 12A—Extension of term or reinstatement of licence

91B—Extension of term of licence

The proposed section allows the Minister to extend the term of a licence to which the proposed section applies in a manner, and in circumstances, set out in the proposed section. The section is expressed to apply in relation to an exploration licence, a retention licence, a production licence, a pipeline licence or an associated activities licence.

91C—Reinstatement of licence

The proposed section allows the Minister to reinstate a licence to which the section applies that has expired in a manner and in circumstances set out in the proposed section. The section is expressed to apply in relation to an exploration licence, a retention licence, a production licence, a pipeline licence, an associated activities licence, a special facilities licence or a hydrogen generation licence.

46—Amendment of section 93—Obligation not to interfere with regulated activities

This clause increases the maximum penalty for the offence of interfering with regulated activities lawfully conducted under a licence from $60,000 to $150,000.

47—Amendment of section 96—Pre-conditions of regulated activities

This clause increases the maximum penalty for the offence of carrying out regulated activities without a statement of environmental objectives in force for the relevant activities from $120,000 to $250,000.

48—Insertion of Part 12 Division 2A

This clause inserts a new Part 12 Division 2A as follows:

Division 2A—Environmental impact assessment criteria

96A—Environmental impact assessment criteria

The proposed section enables the Minister to determine criteria (the *environmental impact assessment criteria*) against which the environmental impact of regulated activities is to be assessed for the purposes of Part 12. The environmental impact assessment criteria, and any variation or revocation of the criteria, are to be notified by the Minister in the Gazette. The environmental impact assessment criteria are to be reviewed in accordance with the requirements of the regulations.

49—Amendment of heading to Part 12 Division 3

This clause amends the heading to Part 12 Division 3 consequent on other amendments in the measure.

50—Amendment of section 97—Environmental impact report

This clause adds requirements for the environmental impact report, to include an assessment against the environmental impact assessment criteria (made under proposed section 96A) in a manner determined by the Minister or prescribed by the regulations. A requirement for the licensee to undertake consultation on the environmental impact report in accordance with the requirements of the regulations is also proposed.

51—Repeal of section 98

This section repeals a section mandating the classification of regulated activities.

52—Substitution of section 99

This section substitutes the current section 99 by updating it as follows:

99—Statement of environmental objectives

This proposed section revises and updates the current section regarding the requirements around preparing a statement of environmental objectives. A statement of environmental objectives must be prepared in accordance with the requirements of the regulations and submitted to the Minister for approval.

If the Minister determines that an approved statement of environmental objectives should be revised, a revised statement must be prepared in accordance with the requirements of the regulations and approved by the Minister. The licensee must also undertake consultation on the proposed statement in accordance with the requirements of the regulations.

53—Amendment of section 100—Content of statement of environmental objectives

In addition to the content currently specified in section 100, this clause amends the section to require that a statement of environmental objectives must set out—

- leading performance criteria (as defined in amendments to section 4 of the Act); and
- immediately reportable incidents and reportable incidents (as defined in proposed section 85 of the Act); and
- such other information as prescribed by the regulations.

54—Substitution of sections 101 to 103

This clause deletes sections 101 to 103 (inclusive) that refer to the approval of statements of environmental impacts as being in respect of low, medium or high impact activities. Statements of environmental objectives are no longer to be classified in this manner in the Act. The proposed section sets out the requirements for the approval and review of all statements of environmental objectives:

101—Approval of statement of environmental objectives

The proposed section sets out the manner in which the Minister may approve a statement or revised statement of environmental objectives, and the notice and other requirements once the statement or revised statement is approved.

102—Review of statement of environmental objectives

The proposed section provides for the circumstances in which a statement of environmental objectives must be reviewed, and how a review must be conducted and how such a revised statement is to be approved.

55—Amendment of section 105—Condition of licence to comply with statement of environmental objectives

This clause makes amendments consequential on other changes to the requirements around statements of environmental objectives in this measure.

56—Insertion of Part 12 Division 4A

This clause inserts a new Part 12 Division 4A as follows:

Division 4A—Consultation by Minister

105A—Consultation requirements on environmental impact report and statement of environmental objectives

The proposed section sets out the manner in which the Minister must undertake public consultation on environmental impact reports and statements of environmental objectives.

57—Amendment of section 106—Environmental register

The amendments to section 106 make amendments to the contents of the environmental register consequent on other amendments in the measure. It adds a requirement that the register is to contain any other document prescribed by the regulations.

58—Substitution of sections 108 and 109

This clause substitutes the current provisions regarding the power of the Minister to direct persons to take action to prevent or minimise environmental harm and rehabilitation of land as follows:

108—Power to direct persons to take action to prevent or minimise environmental harm

The proposed section gives the Minister power to issue an environmental direction if, in the Minister's opinion, regulated activities are being conducted in a way that results in, or is reasonably likely to result in—

- undue damage to the environment; or
- a breach of a statement of environmental objectives; or
- any other breach of the Act.

The proposed section sets out the manner in which a direction may be given and reviewed, the nature of the directions that may be given and imposes a maximum penalty of $250 000 for a person who fails to comply with a direction. Owners of land are required to be notified of a direction given under the proposed section.

109—Power to direct rehabilitation of land

The proposed section gives the Minister power to issue a rehabilitation direction to require action to be taken—

- to rehabilitate land in accordance with the requirements of a statement of environmental objectives (including land outside the area of the licence); or
- to rehabilitate land to a standard required to secure compliance with a condition of the relevant licence (including land outside the area of the licence); or
- to remove abandoned equipment and facilities.

The proposed section further sets out the requirements for issuing a direction and imposes an offence with a maximum penalty of $250,000 for a person who fails to comply with a direction.

59—Amendment of section 110—Application for review of direction

This clause makes an amendment consequential on the amendment in clause 58.

60—Amendment of section 111—Liability for damage caused by authorised activities

This clause inserts a requirement that a report under section 111(2) is to be made in a manner, and comply with requirements, determined by the Minister.

61—Amendment of section 120—Powers of entry and inspection

Subclause (1) increases the maximum penalty for obstructing, without reasonable excuse, an authorised officer in the exercise of powers under the section from $4,000 to $10,000. Subclause (2) inserts an offence with a maximum penalty of $10,000 or imprisonment for 6 months for a person failing to give an authorised officer such assistance as is reasonably required for the effective exercise of a power conferred by section 120.

62—Amendment of section 121—Power to gather information

This clause increases the maximum penalty provisions in sections 121(2) and (3) from $4,000 to $10,000.

63—Amendment of section 122—Production of records

This clause increases the maximum penalty provision in sections 122(2) from $4 000 to $10 000

64—Substitution of sections 129 and 130

This clause updates the current service provision in the Act and inserts a new offence regarding the giving of false or misleading information as follows:

129—Service

The proposed section recasts and updates the requirements for a notice or document required to be given or sent to a person under the Act.

130—False or misleading information

The proposed section makes it an offence with a maximum penalty of $150,000 for a person who gives information to the Minister, an authorised officer or any other person involved in the administration of the Act that is false or misleading in a material particular.

65—Insertion of section 132

This clause inserts a new section as follows:

132—Charge on property if debt due to Crown

The proposed section allows for a charge on property to apply to the owner of property who is liable to pay a debt due to the Crown under the Act.

66—Substitution of section 135

This section deletes section 135 and updates it in accordance with the following:

135—Disclosure of information

The proposed section outlines the limitations on the disclosure of information obtained by an authorised officer or other person who carries out or has carried out duties related to the administration of the Act. A person who discloses information other than as provided for in the proposed section is guilty of an offence with a maximum penalty of $20,000 applying.

67—Amendment of section 136—Administrative penalties

This clause increases the maximum amount that is able to be set as an administrative penalty in the regulations from $10,000 to $15,000.

68—Substitution of section 138

This clause substitutes the current section allowing the Governor to make regulations as follows:

138—Regulations and fee notice

The proposed section recasts and updates the power of the Governor to make regulations as are contemplated by, or necessary or expedient for, the purposes of, this Act. Several of the amendments are consequential on other proposed amendments in the measure.

The proposed section also allows regulations of a saving or transitional nature to be made consequent on the amendment of the Act by another Act, and allows for the Minister to prescribe fees for the purposes of the Act under the *Legislation (Fees) Act 2019*.

Schedule 1—Transitional and saving etc provisions

1—Transitional and saving etc provisions

This clause makes provisions of a transitional and saving nature consequent on the enactment of this measure.

Debate adjourned on motion of Mr Picton.

COVID-19 EMERGENCY RESPONSE (EXPIRY) (NO 3) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 August 2021.)

Mr PICTON (Kaurna) (16:07): I rise to speak again in relation to another COVID-19 expiry amendment extension piece of legislation in this house. I indicate that I am the lead speaker for the opposition. I indicate that we will be consistent in relation to our support for measures to keep our

state safe. We will of course consider any amendments that may come up in this house or in the other place.

It is important that we have in place very important powers for the State Coordinator to manage this emergency. I say that advisedly because, essentially, we started with a very big piece of legislation covering COVID-19 in South Australia and, bit by bit, we are reduced to this very small piece of legislation that we are now seeking to extend, particularly as there is a permanent measures piece of legislation that is soon to come into effect.

Basically, as the Attorney said in her second reading explanation, this legislation will be reduced to one key element, which is about extending the powers of the State Coordinator to make directions that take effect for the entire state or for any particular class of people. We have had a fantastic response from the South Australian community, a fantastic response under the leadership and the directions that have been put in place.

All those directions have been made, have been decided upon through this pandemic from one office, and that office is the office of the State Coordinator: Grant Stevens, the police commissioner. I also acknowledge Deputy Commissioner Linda Williams, who at various stages of the pandemic has stepped into that role for Grant Stevens and has also provided excellent decision-making. Once again, I put on the record to this house the complete support of the opposition in relation to the role that Grant Stevens has played in relation to making the difficult decisions in regard to how this pandemic should be managed.

This is different from what we have seen in other states, where there have been various other decision-making bodies or processes in place. It might be different in other states, where cabinet has had some involvement and elected members have had some involvement in the decision-making. That has not happened here. The Premier does not make the decisions in relation to directions or the management of borders, quarantine arrangements or restricted business arrangements. Those decisions are all made by Grant Stevens.

I also acknowledge that he is ably advised in that role by the control agency, and that is SA Health, which is led in relation to the COVID-19 area by Professor Nicola Spurrier, who has equally provided excellent advice and leadership for South Australia in these very difficult times that have seen us unite as a community and stay safe as a community. We have endeavoured to make sure that we are supporting those decisions and those directions as well, and there have been any number of times when we have been called upon to take different decisions on border arrangements or on particular limits for businesses and the like.

Around the country, you have seen oppositions do that and seek to put in place different political considerations that should be in place for, say, border openings and the like. We have not done that. We have supported those decisions by Grant Stevens, advised by Nicola Spurrier, just as the Premier and his government have done as well.

Essentially, under the framework that is in place under the legislation, and this is legislation that was put in place I believe in 2004 under the previous government that set up this role of the State Coordinator, under this arrangement and this declaration that have been in place for a record period of time—I think the previous record was less than two weeks and we are now well into the second year of this operation—it is the State Coordinator's decision in relation to what those declarations and decisions should be. I think that there would be places in Australia where people would be nervous about the head of the police force having such significant powers and how they would be exercised.

I know when I have spoken to colleagues interstate and explained how our legislation works and that the decisions are actually being made by the State Coordinator, the police commissioner, and that the decisions are not being made by the cabinet or the Premier, they are aghast: 'Would you really want your police commissioner making these sorts of decisions?' That might be a reflection upon police forces in other states and the regard they are held by people in those states.

Well, here I think we have been very fortunate to have both a well-regarded police force that has the respect and the cooperation of the community in the way they go about their business and a police force well led by Commissioner Grant Stevens, Deputy Commissioner Linda Williams and the entire team at SAPOL, who see their role as working in partnership with the community. I can speak

from my brief experience as police minister for six months of certainly being in admiration of the role that our police do, particularly the role that Grant Stevens plays as the leader of that force. We have now really seen that come to the fore over the past year and a half as he is making these difficult decisions on behalf of the state.

There are essentially some informal arrangements in place under those arrangements that have been put in place, I think acknowledging the fact that this is now such an extended period of emergency declaration in this state. Those informal arrangements are that, where there is a need to increase restrictions, those decisions are made following what is called a directions meeting. So the police and SA Health meet to discuss the situation and decide to put in place various restrictions and directions to deal with that threat.

As we understand from what the Premier has told the estimates committee, he is then told about what decisions have been made by Grant Stevens and then there will be a press conference where the Premier will tell the public what decisions the State Coordinator has made on behalf of the state following that directions meeting.

Equally, in the reverse, as there are decisions to remove restrictions, there is a meeting that is held, called the Transition Committee, and at that meeting are essentially senior public servants from across the government. I believe they are the Department for Health CE, the Treasury CE, the industry CE, the Department of the Premier and Cabinet CE and, of course, the Chief Public Health Officer and the police commissioner as the State Coordinator.

They decide what restrictions can be reasonably removed at those Transition Committee meetings. That decision, though, legally and ultimately, is a decision for Grant Stevens as the police commissioner and the State Coordinator to make. Those decisions are then communicated to the Premier and then the Premier is able to make an announcement, if he wishes, as to what decisions have been made by Grant Stevens as the State Coordinator. That is communicated to the public, or sometimes Grant Stevens will communicate for himself what decisions he has made under the legislation.

Through both of those meetings and committees, from what we understand from what we have been told in various forums such as estimates committees, there are not any political or elected representatives or cabinet members or the Premier at either of those meetings. Those officials meet and decide, and it is Grant Stevens who makes those decisions, then that is communicated to the public, often via the Premier after he has been told what decisions have been made. So that is probably different from what happens in other states.

Certainly, I recall the Premier telling the estimates committee that he had not been to any of the Transition Committee meetings, which is probably different from what some people might expect if they had been following the television coverage and the like when those decisions are announced thinking that he had been there, whereas we understand from what he said that he is not there, or perhaps he has been on one occasion over the past 18 months, but then those decisions that have been made are communicated to him and he will communicate them to the public.

I think, though, that very clearly those decisions that have been made by Grant Stevens have put us in a very good position. I know that we have previously discussed in the chamber the fact that over the last year there have been various discussions and proposals mooted for a change in these relationships, a change in how this process should be navigated. At every turn, it really has not resulted in any particular change. We have seen a continuation of those arrangements now being brought to the house and proposed by the Attorney-General that this should extend now beyond the scope of the next election until April next year for the biggest extension of time that we would have seen for these arrangements since they have been put in place.

As people would recall, when we had our lockdown following the Peppers hotel outbreak in November last year, there was discussion from the State Coordinator at the time in relation to whether this should continue.

In fact, in January this year, the Premier was quoted as saying that the government had been working on longer term reforms to the emergency management since November last year, so that would have been about the same time as that Peppers Hotel outbreak that they had been working on them. We are now nearing the end of August and there has been no decision on any different

arrangements and in fact the government is now extending these current arrangements beyond April this year. I believe that on 4 January this year, InDaily reported:

> As the state enters its tenth month under an emergency declaration—and Marshall enters his final full calendar year before kicking off his re-election campaign—the Premier said authorities were considering how to return the state's emergency decision-making to cabinet government.
>
> 'We are looking at that at the moment,' he said.
>
> 'We were looking at it very carefully in November—before the Parafield cluster.'

This is something that also has been discussed by the State Coordinator, Commissioner Grant Stevens himself, when he spoke to journalists. I believe he was asked when he may step aside from the role of State Coordinator, and he said:

> We are providing advice to the government in relation to what those options might be that see the requirement for a major emergency declaration to be revoked. At this point in time this is the only mechanism we have that gives us the ability to require people to participate in QR code activity, to have marshals on board, to have one person per two square metres, all of those things are contingent upon some ability to require people to do that, that's the major emergency declaration. The government is having a look at how we can replace that with another mechanism that provides the same level of accountability to the community and until that's developed, I'll continue to operate as the State coordinator...

So, clearly, there were discussions underway some time ago about some additional mechanism or other proposal that will be put in place where this would not continue and that role would not need to continue but, importantly, all those key requirements would be able to continue, but that has obviously come to nothing. The State Coordinator also said:

> …the major declaration is the only mechanism under the emergency management act that allows this to occur, the replacement for this would be a piece, a specific piece of legislation that provides a baseline level of restrictions for community activities and gives us the ability to introduce restrictions for people coming in to South Australia, so we can manage risk...

When he was asked whether he would continue as State Coordinator under such legislation, the State Coordinator responded, 'My role as the State Coordinator would cease.'

This has also come up when we have had previous discussions as to whether to extend these powers in relation to the parliament over really the past year and I believe at every turn the Attorney has said there are still things being worked on, that there are models being discussed, different proposals being looked at and that they have not landed on one but are still working on it. I think now we can pretty definitively say that that is not happening because what the government is doing now is putting in place these provisions permanently until after the next election through this bill, which is a very significant extension compared with the previous extensions we have had in place.

However, I think there is an understanding from the government that perhaps Grant Stevens has really done an excellent job, and certainly it is our belief as the opposition that he has done a great job. Presumably, that is why they have abandoned any other proposal or, as was discussed in InDaily, returning to cabinet government because the decision-making has put us in such a good position and those two officials who have really led the state's COVID response, Grant Stevens and Nicola Spurrier, have the full confidence of the South Australian public, which has been very united in making sure we can get through this COVID-19 pandemic so well.

I think it is worth looking at what the Attorney is proposing in terms of the timing of this legislation, because we are being presented with a very significant extension of this legislation that would take us to April next year, which is a longer extension than I understand we have had at any other previous point.

I had some work done looking at the previous legislation that we have had in place and how long it was between each of those pieces of legislation and the next time the parliament was able to consider that and consider extensions or alterations to that legislation.

The first legislation that was effectively put in place, I believe retrospectively to 30 March 2020 and the gap to the next time that parliament enacted legislation to extend that, was 185 days, so that was a significant period of time. The next one from September 2020 to 6 February was 129 days. There was then an extension from 6 February to 31 May of 114 days. Then there was

an extension from 31 May to 17 September, which is 109 days. That 109 days is the current extension of time which we have in place at the moment and which was approved by parliament back in May this year.

What we now have is a proposal to extend it from 17 September to 30 April. That would be an extension of time of 225 days. If you look at all those extensions of time—185, 129, 114, 109—each time they are actually reducing, whereas now the Attorney is proposing to increase the extension of these powers to a very significant 225 days.

I think that when we get to the committee stage, or at least in the Attorney's summing up, it is important to get that explanation as to why the government is proposing such a significant extension of time in this place compared with the shorter extensions of time where we have had a cooperative arrangement in making sure that none of this has expired previously, and where we have had a cooperative arrangement to make sure that our officials—particularly Grant Stevens who is making a lot of those key decisions—have the power they need, whereas we are now looking to double the last period of time that is in place.

Really, by the time we get to 30 April next year, which is the date the Attorney is proposing in her legislation, I believe it will be 25 months that these extended powers for the State Coordinator would be in place, which is obviously very significant. I believe that those powers would be in place for some 760 days.

I think it is worth spending some time looking at what is the current COVID situation. Clearly, we are in a worrying situation when you look across the border at what is happening in terms of New South Wales, if you look at what is happening in Victoria, if you look at what is happening in the ACT, and even now what is happening in New Zealand as well.

The Delta variant of COVID-19 is much more transmissible than the original strain of the virus that came from China last year. It is also more transmissible than the other variants of the virus we have had, and it is now causing a very significant issue in Sydney. We are now seeing a record number of cases that we have had ever in this country's history on a daily basis, and we now have a very significant number of people in hospital not only in New South Wales but also now sadly in Victoria. The latest stats I saw today were worrying in terms of how many people were in ICU and ventilated in that state as well.

Essentially, the spread from New South Wales has gone to Victoria, to the ACT and to New Zealand. We know that there also have been spreads previously here in South Australia, to WA and to Queensland, which thankfully have been able to be got on top of, but when you are dealing with the Delta strain very clearly that is a very difficult thing to do.

I think we can all be thankful for the work of health officials and also the State Coordinator, Grant Stevens, and the decision made to put the state into that seven-day lockdown and take the early action that protected South Australia in relation to the Modbury cluster, where that strain came from a traveller who had come from New South Wales.

Very clearly, if you look at what has now happened in some of these other states and New Zealand that also went into snap lockdowns, they are struggling to get on top of it, and that is very worrying. I think there is a temptation to think that Melbourne and Sydney are different. They have more apartments and more density of living compared with Adelaide. I think you just have to look at Canberra and Auckland, which are cities that are much more similar in density and population size to Adelaide than Sydney or Melbourne are, and they are now in a fully-fledged fight to get on top of the outbreaks there.

We need to do everything we possibly can to keep Delta out of South Australia, and we absolutely support the decisions Grant Stevens has made on the border restrictions that are in place in relation to a whole range of states, particularly New South Wales, Victoria and the ACT. I believe that restrictions have now been lifted in relation to Queensland and that today WA have removed their restrictions from South Australia, which is welcome news as well.

Clearly, this is a time when people need to be very careful about any interstate travel they embark upon because there could be a change to the border arrangements at any time. That is something we support to make sure that we do not see an outbreak here that could be devastating for the South Australian community.

We talked about the fact that there are all these decisions that are made by Grant Stevens under this emergency management framework. I think it is also worth looking at some of the things that are very important for the COVID-19 pandemic that are essentially the responsibility of the executive government and the cabinet in the normal way. These are not things that involve particular directions being put in place, but some involve funding or decisions made in regard to resource allocation and the like.

One of those issues is in relation to our medi-hotel arrangements. The government has used the term 'medi-hotels', but in every other state and territory it is called hotel quarantine. These hotel quarantine sites are in hotels that were built for tourists and business travellers. They were not built for keeping out a pandemic, let alone the highly contagious Delta strain we currently have.

We know we have had leaks from our quarantine system here in South Australia, and two leaks, very notably, have caused outbreaks and lockdowns. We saw the Peppers hotel outbreak, and we also saw the outbreak from the Playford Hotel that led to a lockdown in Victoria earlier this year. Even just in the last couple of weeks, we saw an awful situation, where somebody from the Hotel Grand Chancellor was able to basically walk out from hotel quarantine and go get a beer at the pub across the road, go get some KFC and some Macca's and go back in, eight hours later, I believe.

You cannot do that if you are in Howard Springs in the Northern Territory; you just cannot walk out and go to the pub, but that has been able to happen here in one of our hotels. We also clearly know the issues in relation to ventilation and their having a significant impact upon the risk of the spread of COVID-19. We know that the ventilation in a lot of these hotels in the CBD is not what it would be if there were a Howard Springs-style purpose-built quarantine arrangement.

The vast majority of other governments in the country have supported the need for permanent quarantine arrangements. I believe that every other mainland Premier has supported it except for one, except for the Premier of South Australia, who does not support it, who has not done any work, has not put any resources toward it and has not put any staff on to looking at how we could have a dedicated quarantine facility in South Australia.

In November last year, the Premier decried such an idea as apparently undermining public health officials, but a plethora of public health officials around the country are saying how important dedicated quarantine facilities are, particularly when we know that COVID-19 is going to be with us for a long time into the future and that there is going to be the continual threat of strains coming from around the world that we do not want to become significant issues here in South Australia or across Australia anywhere. As we saw with the Playford Hotel, an issue that happened here was able to spread quite quickly to Victoria.

It is fundamentally disappointing that the government have refused even to consider a dedicated quarantine facility. We now have the Howard Springs facility, which is clearly the best facility in Australia and we have not seen outbreaks of the virus in the Northern Territory coming from that facility. That is being expanded. In Queensland, the government have been pushing the federal government very hard to get approval for a new facility. They did a substantial body of work on a proposal at Toowoomba airport. That proposal was not supported. I think for a range of unimportant reasons they did not support that, including that it was not commonwealth land. However, there is now a proposal that has support and is going ahead, and construction of a dedicated quarantine facility will be starting soon in Brisbane.

Likewise in Perth, there is now agreement for a dedicated quarantine facility. Likewise in Melbourne, there is agreement for a dedicated quarantine facility. I think what we are going to see over the next few months into early next year is that these new centres are going to open up and clearly there will not be the need for hotel quarantine. We should be moving out of hotel quarantine into these dedicated quarantine facilities. We will not be able to do that here in South Australia because we have not done any work and we are not putting up any proposals to the commonwealth for any facility here in South Australia. That is incredibly disappointing.

You only have to look at the fact that the government is putting out contracts for people to provide bus services for medi-hotels well into the future, another year into the future with, I believe, another extension for another year after that, to see that the government has a long-term commitment

to hotel quarantine in Adelaide. This is going to be with us for some time to come, but there is no work being put in place for a dedicated facility.

We also know that this is a very expensive proposition, and in estimates Minister Wade outlined some of the costs. I believe it was in the order of $100 million that we have spent on hotel quarantine, only a fraction of which he revealed has actually been recouped by the people who have supposedly been paying for this. Clearly, it is costing South Australian taxpayers a lot more, but we are putting that money to a model that we know is risky and that we know is seeing repeated outbreaks around the country.

There is one exception, though, which is that the government have invested in a dedicated facility but only for international students. They have embarked upon an arrangement at Parafield Airport for a dedicated quarantine facility but only for international students. I think there is a very fundamental question that should be asked: why are we doing that only for international students but not for anybody else and we are going to continue to rely on hotel quarantine well into the future?

Another very significant issue in the hands of the Premier, the cabinet and the state government, to make sure is properly resourced is the vaccine rollout. It is very disappointing that, no matter what statistic you look at, we are currently near the bottom of the ladder in terms of the vaccine rollout. Certainly, if you look at some of the statistics for people above 50 and above 70 years old who have been fully vaccinated, we are currently the worst of all states and territories in the country—certainly for 70 year olds.

If you look at the analysis that has been done by the ABC and their analyst Casey Briggs, looking at the current trajectory of vaccine rates of how close is each state and territory going to get to at least ticking off their first doses for 80 per cent coverage, we are currently sitting last out of the eight states and territories for doing that. I believe we are the only one where that figure is projected to be in November based on the current rates, whereas in every other state and territory that figure is projected to be happening in September or October for first vaccine doses.

We know the statistics also show that we have some areas with the lowest vaccine rates on a regional basis. The northern Adelaide SA4 area, which covers essentially all of what we know of the northern suburbs of Adelaide but also the north-eastern suburbs of Adelaide, is sitting, I believe, 10th from the bottom of all regions in the country for their vaccine rates. That is incredibly disappointing and shows that we need additional resources, additional clinics, additional opening times to make sure that it is convenient and easy for people to get their vaccination.

We know that if you look at particularly the north-eastern suburbs, there is not a mass vaccination clinic in that area. We have been proposing that for some time. We have been working with the local community and listening to their desire for a mass vaccination clinic in the north-eastern suburbs. I commend the member for Wright and also our candidates Rhiannon Pearce and Olivia Savvas for their advocacy for a vaccination clinic in the north-eastern suburbs because that is essential to making sure that that community can be protected.

We also know that the western suburbs are without a vaccine clinic. The government put out to *The Advertiser* a heat map of where vaccine rates were high and low comparatively to the state average, and clearly the western suburbs is an area where we need to lift that rate. There is no clinic in the western suburbs for people to get their vaccine. In fact, the government had clinics in place in The QEH and Modbury Hospital which were set up to vaccinate their staff but which were closed down when Wayville was opened, saying that basically everyone had to go to three sites in Adelaide: Elizabeth, Wayville or Noarlunga.

When we have raised that and said, 'Either can you open this clinic at the hospital that is sitting there with all the signage in place and everything but just like a ghost town, or can you open up another one in the western suburbs.' The response we have had is, 'We can't open one. A hospital environment is not appropriate.' Then, at the same time, they still have a clinic open in the Women's and Children's Hospital, including a clinic that is dedicated to over 50 and 60 year olds.

It is unusual to say that you cannot have one at one hospital but you can have one at another hospital. Obviously, at that clinic there have been concerns raised for children who are going there for appointments, who might be immuno-compromised, as to whether the clinic is in the right place or not for the people who are going to it.

Clearly there is additional work the government can do to make sure that vaccine rate can improve. We know that the vaccine rate is behind the national average on every measure now: on first doses for everybody over 16, on second doses for everybody over 16, the same for people over 50, the same for people over 70. We are behind the national average on all those measures.

We have also raised the importance of advertising to make sure that people can come forward. I think it is very clear to South Australians that every time you see an ad on TV telling you how great the state government is, that should be an ad telling people where to get an appointment, how to get an appointment and the importance of coming forward and getting vaccinated. Getting that advertising campaign on TV is absolutely important, and this government should suspend all their other advertising—all their advertising telling us how great their spending is in the budget apparently—and put that money into advertising the vaccine rollout because that is so important for our state, for our economy and also for the protection of our community.

We can also use additional spaces. Sadly, the Convention Centre is not being used for a lot of conventions at the moment. We have seen in other states—in Melbourne, Brisbane and Perth—that they are using their convention centres as vaccine hubs. Let's do that here as well and open another mass hub in the city. It is convenient for everybody in Adelaide in terms of public transport links to and from it to make sure we can get as many people vaccinated as possible.

Another very important issue—and this is something which is borne out by the evidence in the Doherty modelling in relation to the vaccine rollout and what that means for further restrictions and lockdowns in the future—is that we make sure our vaccine rate is also high amongst younger people. We asked in the estimates process what the plan is for the vaccination of schoolchildren. There is currently no plan in place. The only answer we had was that there was going to be a discussion about starting some planning work.

I think that is very much in the hands of the government. They can start that work immediately to make sure that we know we can vaccinate those aged 16 and upwards—ticked off by everybody—and we know that we can vaccinate 12 and up because that has been approved by ATAGI for people in particular cohorts and I expect it is likely to increase further in the near future. That planning should be in place now.

There are also further studies underway at the moment in relation to cohorts of people under 12. We need to do the planning to make sure that, when they are approved, we can get those people vaccinated as well. The easiest and best way to do that will be through a school vaccination program, as we have done with many other vaccines in the past.

After I had my vaccine, I checked the Australian Immunisation Register to make sure it popped up, and there it was with some vaccines that I had back in high school, which I can barely remember getting. It shows importance of a vaccine program in high schools, particularly when you are dealing with the Delta variant, which we know has an increased propensity to infect younger people compared to the original strain of COVID-19, when we did not see as many infections. I believe the statistics out of Victoria at the moment, in terms of the percentage of cases they are seeing in people under 20 years old, are quite worrying. That means that we need to do that work as soon as possible to get that planning in place.

This is something that we have been promoting since the beginning of the year—it might have been in January this year. The Leader of the Opposition and I put forward proposals and plans to the government to make sure that we could get the best possible vaccine rates in South Australia. It is disappointing that we are now so far behind what is going on in almost every other state. There is still time to turn that around, and I hope the government can do that.

Another very important thing is the preparation of our health system. As much as we support and believe the work that is being done and the decisions that are being made by Grant Stevens are the right ones, there still remains a risk that COVID-19 will get into South Australia. We need to do everything we possibly can to make sure that, if that happens, we have the facilities, the staff, the capability in our health system to cope.

You only have to look at what is happening at our hospitals each and every day at the moment to see there is a huge problem with overcrowding, ramping, delays for patients and a lack

of capacity in our system as it is, let alone if we face a COVID outbreak of a significant proportion in South Australia.

One of the key issues with regard to that is making sure that there is sufficient staffing. This is not a decision made by the pandemic health officials or the pandemic State Coordinator, Grant Stevens. This is a decision made through the bureaucracy, through the ministers and through the cabinet, which has embarked upon a process of redundancies for our frontline health staff over the past year and a half, two years.

Everywhere around the world people have been hiring more staff to make sure that their hospitals can cope, but here we have been making staff in our hospitals redundant, which is absolutely the wrong approach. Over 120 frontline nurses have been made redundant by this government. If we face a significant risk, those staff are not going to be there. They have not been replaced by other people because those positions have been abolished by the government when they have made those positions redundant. That is the definition of redundancies that happen.

In the small number of cases that we had in the Modbury cluster, we saw significant numbers of health staff caught up in having been at exposure sites, particularly people who had been at Modbury Hospital, people in the Ambulance Service, people who work in other hospitals, such as Lyell McEwin in that same health network. They were unable to go to work, and we faced some significant staffing issues. At the same time, we faced significant staffing issues in being able to ramp up our testing capability.

We had people stuck in their cars for more than 24 hours trying to do the right thing, trying to get a test to protect the state. It is absolutely disgraceful that that should be able to occur, and it is a factor that the preparation for staffing reserves was not put in place to make sure that we had those people available when we needed them so we could ensure that if there was an outbreak, if there was an issue, we could put in place additional resources to make sure that people could get timely access.

I compare that to stories coming out of the ACT, I believe, of people having to wait six hours for testing. Compared to what people were doing in Adelaide, six hours sounds like a dream. A number of people I spoke to had to use nappies. It is absolutely disgraceful that there were adults who had to use nappies. This is something that the government—the cabinet, the Premier, the elected officials and the health minister, Stephen Wade—should be doing right now: increasing our health workforce now, not reducing it, to make sure that we can be prepared if something hits.

There was a lot of rhetoric a year ago, a lot of press releases saying that they were putting additional staff in place. That did not happen, we are not prepared and that is extremely concerning. There is time to turn this around, but if you look at the ramping situation in our hospitals you have to wonder: if we cannot cope right now without COVID and without the flu, how could we possibly cope if we are in a COVID situation? That is something that the government needs to do, and put in place those measures.

Very clearly as well, it is the government's responsibility to make sure that the economic relief is there for businesses that have suffered through no fault of their own but because they are following the directions that are in place, or they have been impacted by the directions that are in place—in particular, border closures and the like.

We had a protest here by people in the tourism industry. They have not had support, even though they have faced very significant reductions in their income because of border closures, which are being put in place for the right reasons: to keep us safe. But it is incumbent upon the government to put in place measures to support those businesses when they have been impacted. We have not seen that enough, and that is another thing that the elected government and the cabinet can do to help that situation.

Very clearly, this legislation deals with what is in place in relation to the Emergency Management Act. Those decisions are being made by our public servants, not by the cabinet, in particular the State Coordinator, Grant Stevens, advised by the Chief Public Health Officer. We will be following the debate in this house and in the other place, and we will be considering any proposals that do take place.

We want to make sure as always, as we have consistently through this pandemic, that our state is protected and that we have the right arrangements in place. However, we also need to apply

the proper scrutiny in relation to making sure that our legislation is as good as it can be and that there is the proper oversight in relation to those measures that should be in place. With those remarks, I look forward to the further debate and the further consideration of this legislation.

Mr BELL (Mount Gambier) (16:54): I rise to make some comments on the emergency response amendment bill and indicate that I have tabled some amendments to the bill. Time and time again, we hear the comments that restrictions will not be in place one minute longer than needed, so I am a little surprised to see a date of 30 April 2022 highlighted, which is after the next state election during caretaker mode.

When you look at the Prime Minister's comments, the federal government last month unveiled a four-stage plan to relax restrictions once 70 per cent of people are vaccinated, with stringent lockdowns highly unlikely to be required and, when coverage reaches 80 per cent, only highly targeted lockdowns will be necessary and inoculated Australians will be free to travel interstate.

The prediction for 80 per cent of people receiving the vaccination is actually December this year, as has been reported in various media forums. With that in mind, one of the amendments I will be putting forward is that we make 1 December this year the expiry date of the emergency response amendment bill. That would give the government time to assess how vaccinations are progressing and certainly to focus attention on promotion of vaccinations. That is the optional sitting week but a decision could be made in the last sitting week of parliament before that if the government did not want to come back for the optional sitting week.

That would tie in quite succinctly with what the federal government is putting out, that 80 per cent of Australians will be vaccinated by around December this year. It is really a commitment to the people of South Australia regarding these quite extraordinary measures, where unelected persons are making decisions—and I might say they have done a very good job up until this point in time—and that those powers would not be extended one minute longer than absolutely necessary in a free and democratic society such as South Australia.

The next part of what I will be aiming to contribute to this bill is that a regional representative is on the Transition Committee. Time and time again, in my electorate people are asking questions about why certain measures are in place or why certain restrictions are in place. Bear in mind that Mount Gambier is sits pretty well 20 kilometres from the Victorian border, so pretty much right on the Victorian border, yet we have not had a case of COVID-19 since May 2020. That case was a passing traveller who visited Mount Gambier who continued on their journey.

Yet there have been severe restrictions to people's liberties, including two statewide lockdowns, with certain industries being allowed to continue but certain others not. We have the timber industry, which I fully support, having a robust COVID management plan and being able to work through the lockdown period, particularly this last lockdown period. Yet construction and commercial construction of government priorities have not been allowed to be operate in Mount Gambier and, surprisingly, have been able to operate in the City of Adelaide.

Obviously, currently many people are questioning why, if we have not had a case in 15 months, we need to wear face masks around Mount Gambier. There is confusion around sitting down at a pub to consume a beer and not being able to stand up or sit at the bar, which pleasantly I have seen has changed. In all honesty, nothing has changed about the risk level for those residents of my electorate, yet the restrictions, pleasingly, are being eased a little bit.

We have had many cross-border issues to deal with. Casterton, which plays in the Western Border Football League, is not able to travel across the border at certain times, yet Melbourne clubs are able to fly in to play at Adelaide Oval, not that Casterton has had a case of COVID-19 in, I believe, the entire time it has been in Australia.

The Hon. L.W.K. Bignell: They had to cancel the Kelpie Muster too, which is very disappointing. Dusty and I were going over for that on the long weekend.

Mr BELL: I think they have cancelled the Kelpie Muster, correct. What we are looking at here is certainly getting some regional representation on the Transition Committee for those of us who live close to the border. I know I am not the only one, as there are also the member for MacKillop,

the member for Chaffey and the member for Hammond. Even the member for Stuart pointed out to me that he has three borders to deal with. I think his exact words were, 'What are you whingeing about? I have three borders to deal with.' I take his comments on board.

The next amendment to try to improve this bill is a speedy turnaround for people in our electorate who are either stranded or just do not know what is going on with their particular case. I am going to read out a few to give some idea of this week's workload. I need to really pay tribute to my staff, particularly Denise Urquhart in my office and Travis and Kate, who are dealing with an insurmountable load of issues that come through our desk, and Bailey, who takes the phone calls at the front desk.

It appears that we do nothing else other than support constituents who are either trying to return or seeking exemptions to travel. In fact, the phone starts ringing at 8.30 in the morning and it does not stop until 5 o'clock. In fact, it rings after that, but I make them go home at five so they can get a bit of peace and come back the next day.

The frustration is whether SA Health has enough manpower, and that needs to be looked at. When we are ringing our contact person, the phones now ring out and nobody gets back to us. We send emails and nobody gets back to us. I imagine that the poor SA Health workers or the minister's office are absolutely inundated as well. There might be a level of burnout and fatigue there, and that is a clear indication that more resources need to go into that area. Even if it is a no, it allows people to plan and progress ahead.

As I said, just this week these have come in. Stan and Gloria are waiting on a farm in Broken Hill. They applied for a cross-border travel exemption 27 days ago. Not only have they not been granted an exemption but they have heard nothing back from SA Health. My office has heard nothing back from SA Health after taking up that issue and trying to progress it for them on their behalf.

I have Keith, who has returned from the USA due to an urgent family issue. He quarantined in Sydney, was released yesterday and is now in Melbourne and waiting at the Victorian border because SA Health have not been able to get back to him. He has no accommodation at the border and applied 18 days ago for that exemption.

This one got sorted out this morning. We had six year 6-7 students from Glenburnie and Mil-Lel who had a couple of students who are within the cross-border bubble, but their Canberra trip was cancelled and they were not able to travel past 70 kilometres on the South Australian side. Those students were not able to come to Adelaide as part of their school studies as a replacement trip for the Canberra trip.

Alan and Faye have been waiting over 20 days. Having sent off their applications, they are now waiting in a caravan in Broken Hill. Alan says that the most frustrating thing is just not knowing. He understands the SA Health team is busy, but the lack of communication is a concern. It impacts businesses as well. I have an engineering firm that is waiting for their risk mitigation plan to be approved. This job is a maintenance job on Australia's largest glass manufacturing business. It is worth about $350,000 to this engineering firm, and the shutdown has been planned for a number of years. They are to construct a conveyor system, but if they do not hear back soon then they will have lost that job.

Seven weeks ago, Jason and Maddy did their application as essential workers. They have 20,000 cattle over seven farms in my electorate to artificially inseminate. The value of this work plus potential offspring is in the millions of dollars. Kimberly Clark Australia (KCA) requires a technician from Honeywell of Rosebud, Victoria, to service and maintain the tissue machine scanner, moisture control and steam shower control essential to the production of toilet paper and facial tissues. The technician had been granted an exemption, but the recent application has been declined. If this machine fails, it will cost millions and millions of dollars.

Jody has a deteriorating health issue and is returning to Mount Gambier for family support. She has had both her Pfizer vaccinations; again she has been waiting weeks but still no reply. Just this morning, we have had Megan and her partner, Scott, who are in a very stressful situation. Megan has just given birth to a baby, their lease has run out in New South Wales and they do not know whether they are going to be homeless any time soon. They are trying to get to Mount Gambier for family support.

What is concerning for me as the local MP and my office is that when we are reaching out to the SA Health team we are not getting the phone answered and it is ringing out. We have people's mobiles, but they are now not answering those mobile calls. We are sending emails, but they are not being responded to. All we are trying to do is help our constituents navigate through this.

Even if the government had the attitude that everybody has COVID who wants to come back to the South-East, that would be fine. You set up a system where you allow people to travel back and they need to self-isolate until they have their COVID test on days 1, 5, 13, whatever the actual days are, and cannot leave that self-quarantine until those tests come back negative. That would allow people to progress through with some level of certainty.

Obviously, we all agree that safety is an issue and that we need to treat this very seriously, but if we go into the mindset that everybody has got it then, if you have a place to self-isolate, this is the process to travel back safely. It would speed up the process, and they would need to self-isolate until they had a negative COVID test.

I have included in my amendment for the Minister for Health to ensure that sufficient resources are available for the purpose of applications, with an aspirational target of applications being dealt with within 48 hours after they have been received. I agree that 48 hours may be a way too short time line, but people waiting over 30 days with absolutely no response is certainly an area that needs improvement.

My other amendment is just a reminder to the Transition Committee that MPs are actually on the frontline and one of the government's greatest assets. All we want to do, as I said, is to support our community. My amendment to insert section 25A relates to consideration of regular briefings. It is about making sure that we are not just watching it on TV or having to sift through a COVID direction on a website, because as soon as it is on TV or on the radio we are hearing and watching it at the same time everyone else is and then trying to determine what that means.

Of course, the calls start straightaway. People think that you are fully briefed, that you know what is going on, and in most cases they think that you have had some input into the directions because they do not quite understand how it is fully set up at the moment. We need a proactive approach that says, 'This is the threat. This is what we are looking to implement. This is what it would mean for you,' and actually be proactive as MPs who genuinely are not playing politics with this at all. They are there to assist their constituents, and the more information we get the more we can help and the more we can take the load off state government resources.

Really, what we need is somebody who can make a decision and respond in an efficient manner with a decision going forward. If the State Coordinator or a delegate of the State Coordinator is issuing directions or requiring certificates that a direction or requirement is to come into force urgently, then as soon as practicable MPs or our staff should be fully briefed. We need to be informed that this is what it means and this is how you can assist the inquiries that come in.

Whilst there are broad determinations, invariably people have very specific situations that that broad determination almost never covers. We obviously receive inquiries of a specific nature, and if we had more background and more information we would be able to assist further instead of having to refer everything to a liaison person who, quite frankly, has now stopped taking the calls and stopped answering emails. It makes it very frustrating for our constituents, it makes it very frustrating for my staff and, as the local MP, it is very frustrating in terms of trying to support the government in this emergency response in which we are all trying to do the best we can.

My intention is and has always been to be constructive in these things. I think I do that by these three or four amendments, which we will get to in the committee stage. It has been an 18-month journey now, and I think that some of these things should be in place to support us, and in turn that supports the state government, and ultimately our state and our constituents are better for it.

The Hon. L.W.K. BIGNELL (Mawson) (17:14): I rise briefly to put on the record the appreciation and the thanks of the people of the electorate of Mawson to police commissioner Grant Stevens and all the police officers, who might be out in the cold and the wet on a border with South Australia to make sure that people coming through are checked, as well as Professor Nicola Spurrier and the health team for the amazing job that they have done for the past 18 months or more in keeping us safe.

During the most recent lockdown, I spoke to a lot of people via phone, particularly older people I just wanted to check in on and make sure that they were okay, and those people who live on their own. Everyone thought that it was the right thing to do to have a quick, short, sharp lockdown to make sure that we could stop the spread.

They were very appreciative and they talked in glowing terms of the professor. It is almost like Professor Spurrier has become a family friend to everyone with the way that she describes what is happening in her own special way. And then there is Commissioner Grant Stevens. Watching those daily press conferences, they like some of the retorts he gives to some of the media. I think there was one in particular when a journalist said, 'What if someone goes to a rally or something like that?' He said, 'I didn't see committing a crime being one of the five reasons why you could leave home.'

I think they have shown a lot of resilience and a lot of stamina to go the distance on something that we had no idea how long it would last at the beginning, back in February-March last year, and something that has continued. A lot of credit needs to go to the people in our communities as well. It is all very well for police commissioners and health authorities to explain what a community needs to do, but it is another thing for the community and individuals to actually carry out those wishes. I think South Australians have shown a great deal of understanding, a great deal of patience and, most importantly, a great deal of compliance when it comes to doing the right thing.

I think the mandate around mask wearing has been good this time. I remember the Parafield Gardens cluster last year, when the message was, 'We highly recommend people to wear masks,' and you could see people going to the shops and would think, 'Well, no-one else is wearing them. I'll leave mine in my pocket.' I think if they are highly recommended then we should just take that extra step and mandate it because when everyone has to do it no-one feels embarrassed to wear a mask.

Representing the area of Kangaroo Island is something that is a great honour, but it is also a huge responsibility in a remote community that is cut off by water. There is only one respirator on the island. The island has a very vulnerable population. A lot of older people live on Kangaroo Island, people with underlying medical conditions. I guess when I compare myself with other family members, to my colleagues in here and with my mates, I have taken a very cautious approach to the way I interact with other people. I am the butt of a lot of jokes amongst my colleagues—stuff about being a stickler for doing the right thing and probably going above and beyond—but I do not want to be the person who takes the coronavirus over to Kangaroo Island. I could not think of anything worse.

I was really happy that after a delayed start we now have the vaccination program being rolled out on the island. I am delighted to see that SA Health made the decision today to extend that to children aged between 12 and 15 as well, because you have to think of the costs for individuals and for families to get in their vehicles and catch that ferry across at this time of year. You can encounter rough weather. There is only one boat operating, so you could get stuck over here for a couple of days. The fact that the Royal Flying Doctor Service is over on the island and conducting these vaccine clinics is excellent.

I received feedback on a couple of areas, and one was that people thought that the government should have put more money and more resources into helping the health people see more people at the testing stations so they were not waiting there as long. Hopefully, that is something that has been picked up and acted upon in case we get another lockdown and we need thousands and thousands of people to be tested quickly.

The area that I think we all need to worry about is casual workers and those small to medium-size businesses that are really struggling at the moment. Being in an area that includes McLaren Vale, Yankalilla, Myponga and Kangaroo Island, we do have a lot of people who come down to our area as tourists. Just in McLaren Vale, the visitor economy with food and wine is worth $850 million a year. There are a lot of people employed in the industry and they are on casual contracts.

I spoke to a lot of businesspeople—and I thank them for their time—and asked them to explain to me the very real impacts that the shutdown has had on them. One business owner in particular wanted to keep paying his casual staff, so the shutdown cost him $20,000 in one week. He said, 'You can't keep going on like that. There needs to be a better way.'

I think last year, with JobKeeper and JobSeeker, it worked well because it kept business units together, it kept staff together and there was that safety net around people. The feedback from people was that the reality this time around is a lot more grim because staff did not know where their next dollar was going to come from and businesses did not know whether they were going to be able to continue because of the turndown in business.

Being tourism operators, there are a lot of people, like Chook McCoy from Chook's Little Winery Tours, a good mate of mine, and Mrs Chook, who have really been hit hard by the border closures. I am sure the member for MacKillop and the member for Mount Gambier would agree, too, that in places like Coonawarra and Mount Gambier wineries, when people book in and have to come across the border and then cancel, you spend your whole day refunding people's money. It is crippling to these businesses.

The federal government, I think, has put some support packages out there for businesses in New South Wales and Victoria because of the shutdowns in those states. We would just ask the federal government to consider helping out the people here who have similarly been impacted by those lockdowns interstate. I wish everyone in New South Wales and Victoria all the very best in getting on top of their cases.

I have to say that it is a miracle that we have not had more cases here. In McLaren Vale, we had the delivery drivers who went to Victoria, dropped off some stuff, including the coronavirus, and then came on, stopped in Tailem Bend on the way to McLaren Vale and spent five hours in the Vale. Thankfully, they did not stop anywhere. It was a bit in doubt for a while because their story kept changing a bit. Then they went back and stopped in Tailem Bend again.

How did we dodge that bullet, that no-one in Tailem Bend contracted the virus at the service stations, that they did not stop somewhere in McLaren Vale and drop it off? I have to say, as someone who lives in McLaren Vale, we were worried sick for over a week. This is the thing with this virus: we do not know whether it is in our community. People come up and they want to shake my hand and they say, 'We haven't got coronavirus,' and I say, 'We won't know for week or 10 days or more if we have coronavirus here.'

We do have coronavirus in those medi-hotels, which is another issue that a lot of people have spoken to me about in recent months. They have all said, 'Why haven't we got a facility that's not in the CBD, that's not a hotel designed for tourists but for people who may have a highly contagious virus? Why aren't these people out somewhere else in a specific purpose-built facility?'

Just go back to November last year when the very constructive Leader of the Opposition put forward that proposal and was laughed down by the Premier at a press conference. I have to say, I reckon about 90 per cent of the people who I speak to think it is a really dumb idea to have these people stuck in hotels where the virus can be transferred from one person to another in alleyways and through air-conditioning systems.

That is a little bit of feedback from the people of Mawson. I congratulate them on their patience, their resilience and the compliance that they have given to this. Let's hope we can get the vaccination rates up to somewhere where we can open up our society, whatever that looks like. Again, we will leave that to the police commissioner and to Professor Spurrier. We thank both those individuals and all the people who work on our frontline, including people at supermarkets, in shops, in chemists, in doctors' surgeries and in hospitals. We thank them from the bottom of our heart. We hope we can all get on with resolving this as soon as we possibly can. In the meantime, keep your chin up and hopefully we will all get there some time next year.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (17:24): I thank all members who have contributed to the discussion on the COVID-19 Emergency Response (Expiry) (No 3) Amendment Bill. I completely agree that all members of parliament in this house, particularly where they have a direct constituency, need to be commended for the extra work that they and their staff have undertaken to help South Australians get through this.

I hasten to add that I am sure the legislative councillors, those in another place, have also had some extra burden, but it is particularly acute when you have a direct obligation in relation to a

geographical area within the state, where there is an expectation of representation. So, unsurprisingly, it has been a really challenging time.

As members of parliament, we are fortunate we have not had the immediate and direct impact of having lost our job during COVID. We enjoy some security of income. I say that not just as members of parliament but I think of all the people who work in my own department and I sometimes remind them of the fact that we are actually making decisions—sure, it is hard at times and we are also having to support people in our constituency to get through all this—but just remember that you have secure employment and that is something not everyone in our community has, that security of financial means.

We have heard many stories, not just in this debate but over the last 20 months or so, where people have lost income, lost security and lost people they love, and there has certainly been a massive impact on their capacity to be able to move around. At the moment, that is within the area of overseas travel and, of course, some of our states. That changes, almost on a daily basis, for whatever challenge coronavirus gives us. I do not underestimate for one moment the extra burden and workload on members in this house and their staff, particularly in electoral offices, where there is a direct expectation on the plight of the individual in their electorate and what they are trying to secure.

I do say from time to time in relation to all the different reasons why people get exemptions under our directions structure that this model is determined by cabinet. A declaration goes to the Governor, a declaration is made and the appointment of the Coordinator kicks in and directions are made. Except for the first month when we were under the Public Health Act, we have been under this model since March last year. I suppose in some ways we are getting used to it but, on the other hand, it has certainly introduced some onerous obligations.

It is a model that has served us well to date and I thank, acknowledge and echo the sentiments made today in appreciation of those in our public sector, led by Professor Nicola Spurrier in public health and Commissioner Grant Stevens as our Coordinator and his staff. There are a lot of frontline workers, but these two are often on our television screens, people know and trust them, and they have acted in a leadership role with exemplary capacity and compassion during this time.

Every now and again we do get some little gems and I will share one with you because I am not immune from having people ring me or text me with, 'You have to get my grandmother out,' or, 'You've got to help me do this.' I had a rather curious one the other day when the South Australian daughter was in New South Wales. She had sold her house in New South Wales and was trying to get back to South Australia. She had actually settled and loaded up the delivery truck. The truck had come back to South Australia and then she was not able to leave. She had nowhere to live and she of course cannot get back to South Australia to even unpack the furniture truck. People get trapped in these situations, and they are very inconvenient in that sense, and obviously she would have to find some other accommodation.

I heard today of a young couple who have had a little baby and their lease has expired and they need to get back to the South-East to have some family support. These are sometimes inconvenient, and sometimes really desperate circumstances, and sometimes they have huge financial consequences; again, we have heard some examples today of these things. If they do not have a prompt and clear answer, even if it is a no, it can have a huge impact on them in the stress period of even waiting. I say to members that I fully understand that.

Recently, I raised with the Minister for Health, as I am sure others have, this question of how quickly we can expect answers. Obviously, sometimes the answers are prompt. I am not entirely sure how the priority works myself, but obviously you have a number of categories: someone who maybe has a compassionate matter with someone who is about to die may receive some extra treatment, or someone who needs to come interstate because the state border is locked down but they are seeking an exemption or an essential employment situation.

Here is one I got on the weekend from someone who got back into South Australia from Victoria before the shutdown on Saturday night: 'Sharing the good news. It's a salute to SA Health and SAPOL.' Within two hours of this particular application to transfer because of a health issue with her mother, she was given the tick:

She/we are so grateful. It was such an easy process. Can you please thank them all for their thoughtfulness. Brilliant to see bureaucracy remain personal even in these strange times.

So every now and again you do get a little gem, when you think, 'Okay, someone actually really appreciated all that has happened.' But it has been a very ugly, frightening and frustrating time for many, so I asked the Minister for Health how we manage this. Obviously all our constituents view consideration of their particular circumstance as urgent to them. We understand that these things have to be triaged, but how do we manage the expectation of our constituency?

His indication to me was that really, realistically, with a completed application you are looking at up to three weeks before there is an expectation of process unless it has an urgent status. I think we have to understand here that, even though our constituents are desperate, they are sitting in the caravan park at Broken Hill, or they are waiting for an answer, we all have to be realistic about what can be achieved in relation to the process of these things.

I think there are a number of things we do: (1) obviously we support our constituents and (2) we convey that and we have access to the Department for Health, and I hear of phones ringing out and things of that nature, and we have all experienced that. I think it is important to electronically submit that as the circumstances and assist our constituents to make sure they have provided all the information that is necessary for the consideration of an exemption.

I had a vaccination issue recently, where information was put about the health of the patient saying, 'I need to have a different medication because I even got hospitalised when I had the flu vaccination.' The patient gets a doctor's certificate, it needs to disclose the health circumstances and it needs to go to a certain place. We need to be able to help our constituents as much as we can and our people in our offices who are receiving these concerns and then acting on them.

We need to help our constituents to be able to collate all the material they need and make sure that we have a chance to ensure that there is a minimal going back and forth, 'You need to have this or you need to have that, or you need your driver's licence.' Let's just try to make sure that we help our constituents do that.

The third thing to do, and I should mention this as I think it is important, is that, where there is some financial support available to people who are in need of that emergency support, we make sure they have either accessed money, for example, under commonwealth entitlements or state benefits to small businesses, etc., so we need to help them in that regard. These are a lot of the things we have to do ordinarily, but we just have a lot of them and we have a lot of very frustrated people.

Another thing to do, I suppose, is to give them some realistic expectation of how this will be dealt with. It may take some time. We need to be able to support them through that and not give them an unrealistic expectation of it being answered or approved. Of course, if it is not approved—and this happens, and I am sure, and most members would have had the situation—and their constituent does not have essential worker status, has not been given an exemption or does not get the emergency relief they seek, they get quite distressed. It is not easy.

There are a couple of things that we need to consider about how we address that. Firstly, can I start with the last of the matters, which the member for Mount Gambier has foreshadowed, and that is this question of ensuring that members of parliament, all of us, are able to have access to briefings in a timely manner—if I paraphrase his objective here—in relation to the directions. Let's be clear about what the directions are. They are set by the commissioner. There are a lot of people and experts we have heard about who feed into that contribution before he makes that decision.

Our Crown Solicitor's Office, as a team, drafts these up for him and they go through the detail of implementing them. They are quite long documents. If you have not gone online and read one of them, I urge you to do so because they contain a lot of information. Obviously, they try to cover off on every contingency when, for example, they have a restriction in relation to an aged-care facility about who can go in, when they can go in, what they can do, the obligations they have, whether they have to wear a mask, be immunised, and all these other things. It is quite complicated for every little thing when they introduce a new direction that restricts our lives, our access to people or the ability to move to another area.

If you have not noticed, that process is one that is changing at least twice a week lately, and it is not something that is able, frankly, to go through a lot of process, where everyone gets a briefing before a decision is made. It is not even in the model of what is to be made, of how these directions are to be made. They are to be made by the commissioner. As we have heard, there is a transition committee. There is capacity for information and advice to come in, and he ultimately makes a decision on the direction and the terms of that direction.

As a member of the cabinet and the government of South Australia, and even as Attorney-General, I can say to you that I do not have someone at any time, in the preparation of a direction, come to me to say, 'Well, Attorney-General, what's your view in relation to this proposed direction?' or, 'Do you want to have a say in relation to that?' It does not happen. It does not happen, and it should not.

Obviously, some of my agencies help support the preparation of the drafting of these things. It is not a question of us as members of parliament or even us as cabinet ministers to be part of a process that works up or develops that direction. That is something that the commissioner does on the advice that he seeks. We have heard about the Transition Committee. Obviously, our senior public health officers are integral to providing all the statistics. Let's face it, they are the risk assessors for us in relation to health, so they get that information.

I say to members that it is reasonable that you have information as quickly as possible, and an extra briefing if you need it, to be able to have the situation explained to you, particularly if your region is that under a particular area of management of an issue. I completely agree with the member for Mount Gambier about our border representatives. He is one of them, with Victoria, and the member for MacKillop, the member for Hammond, the member for Stuart—who claims he has the most in the state—and the member for Chaffey, on that side.

I do not eliminate the member for Flinders, who is our Acting Speaker today—for most of the day, before you took over Mr Acting Speaker. Our Deputy Speaker, the member for Flinders, has a massive area of sharing a border with Western Australia. I just had a cousin over there recently in Ceduna waiting to go across the Western Australian border.

Our border members have an area of extra responsibility that most of the rest of us in metropolitan seats do not have the responsibility to manage, particularly where you are living in an area, and again I refer to the member for Mount Gambier here, where there is a lot of population and communities living either side of the border. As much as the member for Stuart might think he has long distances, to be frank there is not a lot of population transfer between Charlotte Waters across into South Australia, or Innamincka into Queensland.

The reality is that those of you in the house who have borders abutting New South Wales or Victoria have a significant amount of flow of population who travel daily for work, for school, we heard about sporting commitments today and for medical appointments. They have a life that traverses the border, so any kind of direction that impedes our travel or state lockdowns has a massive impact on these people's lives. So I accept that that is something extra and it is something that you are looking to have some support in how you have not only a contribution to the directions but, more importantly for you as members, to be able to be briefed and answer questions by the constituency.

I confess that I get asked questions: 'Are we allowed to have people at the football this Saturday night?' I do not have a clue, and I say, 'Well, I will have to get that information for you,' because it might be one of the issues that has been brandished across the sports pages but not something I have actually addressed my attention to in the previous 24 hours. I accept that our constituency do expect that we know everything all the time and that they do want us to find out fairly quickly.

There is an excellent website; we do have a great service there. I urge members, if they have not already done so to do as the member for Mount Gambier has done, which I am sure many of you have already—that is, make sure that you have direct alerts and icons in your electoral offices to the SA website information on these things because it is there. Once you get familiar with that website, you will find that is very easy to navigate. The South Australian government app, and the COVID service we add as an attachment to that, really has been fantastic. I think it is something that we are just going to have to get really savvy with, and many of our offices have already. They can help quickly navigate it and get that information to our constituents.

I am more than happy to raise with the Minister for Health the matter of regular briefings with members. For country members particularly, it may be easier to have those briefings directly when you are here in parliament. It may be that it is accessible through a health service in your own local towns, where you can have a meeting face to face if you wish. I understand the member for Mount Gambier, for example, has asked for a briefing. He is having a briefing tonight with the Minister for Health, and he can get that information while he is here.

The important thing here is that if any members have concerns about this there are three things to do: one is, yes, seek regular briefings, and I think all ministers in this house have responsibility to ensure that information is provided on these briefings; sometimes the ministers cannot always attend personally, but they have members of staff to do that; secondly, identify officers who are ministerial officers and advisers who can provide information and direct communication for members of parliament; and, thirdly, assist by providing that information on how to navigate what might be available online for you or your staff. I think they are all reasonable requests.

It would be very unusual to put all those things into legislation. I know it is only being sought to have a before or after consultation. The 'before' is not within the legal structure that we have. The 'after' is something that members are able to ask for now. If any minister declines to provide information or briefings in relation to matters, then I think it is an issue we ought to address, and I would be pleased to have any information if that was a situation that was prevailing.

In relation to the second matter that was sought to ensure there be an expeditious processing of applications for exemption from any direction it seems, it says here:

> …applications for exemptions from that direction—

so it is an ability to transfer from another state—

> …or for any approval required before the person is permitted to travel into the State while the direction is in force, must be dealt with expeditiously…

Can I say, firstly, I think all exemptions—it might be an essential traveller, it may be a travel permit, it may be access to a nursing home, it may be an opportunity to be able to visit a prison. There might be a lot of directions that impede someone's movement. Interstate travel is not the only one. I would hope that all these things can be dealt with expeditiously.

But let's be frank. We are in the middle of a pandemic. We have the health resources in relation to the public health implementation supported by the police force under pressure with this obligation. It has to be their priority. Frankly, I think that the 48 hours is unrealistic, but it would be somewhat unprecedented to require that in a circumstance of the Emergency Management Act. I am happy for both of those issues to go on the agenda for review when we have a look at the Emergency Management Act in due course.

The first thing that was sought in relation to amendment No. 3—and these are the temporary modification amendments that are sought—is that there be a regionally based person who is able to be a part of the Transition Committee, which the government has established. The theory with this is that it would be a person who is tasked with representing the interests of persons living in areas outside metropolitan Adelaide, obviously in our rural community. I think the member has quite clearly outlined why he asked for this, and that is because they have special issues that are significant to them. Cross-border travel, of course, is a very significant one.

I indicate that I have had discussions with the Premier and members of his office who have identified that the Transition Committee, firstly, is not a committee that has a statutory base. It is something that has been created to support the machinery of the emergency management model that is currently there.

So we do not have a transition committee in a statute which says it must comprise these people with these skills or these qualifications, chaired by a person, etc. It is actually a bureaucracy. It is a developed committee that operates to support the emergency management model. So if we were to introduce some kind of regional representative onto this, it would be bizarre in some ways because we do not actually have a statutory provision for a transition committee.

What the Premier has made clear is that it comprises largely bureaucrats—that is, senior public officials from different areas—and if there were to be a senior public official to represent rural

interests, it would be someone from the primary industries department. He has made inquiries as to whether somebody can be available to go on the Transition Committee to accommodate the member for Mount Gambier's request for some regional voice in relation to that.

I am instructed and authorised to provide that undertaking to the parliament that that is a commitment of the Premier to ensure that. There has been a name presented to the member for Mount Gambier and he can consider it. But I make that commitment here to the parliament of behalf of the government that a senior person from the primary industries department will be placed on that Transition Committee.

In relation to the question of substituting 30 April 2022 to 1 December 2021, which is in amendment No. 2, firstly, one of the members mentioned about the usual time frames of extension, and it has been three or four months at a time. Some thought was given to if we are extending this from a date in September when it will expire and we take into account the parliamentary sitting year and we consider the other debates that we have had in this house and we take into account that we have an election in March and, if there is federal election in March and we are pushed off into April, which is something I have already alerted the parliament is a possibility too, any new government coming in may need as long as 30 April 2022 to make a decision.

We could come back on 1 December, as foreshadowed by an amendment. If we did, the time frame for our doing that would be a situation where any bill required to further extend the COVID act would need to be assented to on 25 November 2022. Such a bill would need to be introduced to the House of Assembly on 26 October to give each house a week to consider it. This is only two sitting weeks that the bill currently before the parliament to extend the COVID act will be before the Legislative Council, so simply having this extension until 1 December means that we have to have this back in the parliament on 26 October to then go through the process to extend it past 1 December.

I know that there has been an anticipated program announced by the Prime Minister and endorsed by our government for the level of relaxation of restriction commensurate with the level of vaccination and that by Christmas we should hopefully be making sure that we have 80 per cent vaccination of those who can be or will be vaccinated in our community. We have a few months to go to be able to do that, so if we were to introduce the date of 1 December and then had to make a decision in early October to extend that, we are really not giving ourselves time to be able to do that.

The important thing to remember here is that, if you look at the whole of the current COVID act, the provision for the lapsing of this circumstance of being under emergency declarations is a date, and I am suggesting that that be April 2022 in this bill or within 28 days after the last declaration is made. So we have an expiration and, say, it comes to December and the cabinet resolves not to have any further declarations and at the request of the commissioner he says, 'I would need some time to dismantle what we have, therefore I seek 28 days after that,' then we could be out of this situation and all of this could lapse well before April 2022.

So we all get vaccinated. We have Christmas. In January, cabinet decides that we do not need to do this anymore. By the end of January, 28 days after, the whole thing could lapse. This bill makes provision for that—28 days after the last of the declaration periods or the April date in 2022, whichever first occurs.

So I would urge members—especially within the envelope of the praise you have given the Commissioner of Police, as the Coordinator, for his leadership and not just his robust attention to his duty but for his very measured and managed way—that we recognise that and make sure that we give him some level of support in facilitating that regime. We want to have the earliest collapse as possible of a restricted regime, but we also need to make sure that we have recognition of the contingency.

We had one recently where we were all shut up for seven days. We have had another situation with over 900 people in New South Wales today. Suddenly, things turn around and the whole thing goes to custard and we have to try to navigate our way out of it with extra restriction. So I would ask the house to resist the temptation of substituting 1 December 2021 in the foreshadowed amendment No. 2.

I come back to amendment No. 1 now in this reverse order that I am doing this because there are a number of things that I have raised. They are in relation to the amendments of Transition

Committee representation of a rural person, 48 hours as the time to be able to get a response on direction exemptions, and the briefing to MPs, as really machinery things to deal with peculiar circumstances of what we have as MPs—and I think I have explained that—and, in particular, the country MPs who have a border issue with transfer. So I am going to come back now to amendment No. 1.

Amendment No. 1 looks fairly innocuous, but because the principal bill has some schedules to it I think I need to explain what they would do. Here, it is to substitute subsection (1) and have an expiry provision as scheduled. It is in amendment No. 1, so I will not read it out, but I will just explain this. The effect of this amendment is that new clause 1(e), as proposed, cannot be expired by me before I expire 1(e) of schedule 2, and 1(e) of schedule 2—just if you are following this; this is where it gets a bit complicated—contains the amendments that clarify that scope of the directions that the State Coordinator can make, which includes across the state.

In relation to amendment No. 3, we have just traversed those extra provisions that the member wants to have. New section 25A, which is proposed by the third amendment, does those three things: the Transition Committee, the prompt resolution of the directions and the briefing of members of parliament. I think I have canvassed those and I am happy to answer any questions in committee when we come to deal with them, but it would set up a structure where it would be frankly unworkable in relation to the dismantling of this operation. So the government could not agree to amendments Nos 1 or 2.

In relation to amendment No. 3, whilst that is not workable in the sense of being in the statute for the reasons I have outlined, I think there are three things. There will be a rural representative via PIRSA on the Transition Committee. There needs to be diligent attention to all exemptions under directions and that effort will continue. Thirdly, members of parliament are entitled to briefings and if you do not get one, that should be reported to the Premier or I in relation to information that is necessary for you to be able to advise your constituents and we would take that up on your behalf.

For those reasons, I indicate that the amendments foreshadowed would not be agreed to, but I have made the undertakings as I have indicated. Otherwise, I thank members for their contribution and remind members that we will have a complete review of this legislation post this whole period, whenever we come out of it. That is an obligation that is a commitment we have made but there are also some statutory obligations in relation to those reviews and that will then take place. I thank you for your continued support and service during this time for both this parliament but also your constituency and commend the bill to the house.

Bill read a second time.

Sitting suspended from 18:00 to 19:30.

Committee Stage

In committee.

Clause 1.

The ACTING CHAIR (Mr Cowdrey): We have a number of amendments on file, and we will get to those in due course. Are there any questions in relation to clause 1?

Mr PICTON: I wonder if the Attorney can answer or perhaps take on notice between the houses: in relation to the directions meetings that occur as part of the State Coordinator's role in determining directions, can the Attorney provide the dates that those meetings occurred, and any dates that the Premier or particular ministers or any ministerial or Premier's office staff attended those directions meetings?

The Hon. V.A. CHAPMAN: I will seek some clarity at this point. Are we talking about the Transition Committee?

Mr PICTON: No.

The Hon. V.A. CHAPMAN: The directions meeting? I will take on notice for what I am able to advise in relation to those. It is the Premier or a representative?

Mr PICTON: Or ministers.

The Hon. V.A. CHAPMAN: Or ministers. Okay. Certainly such that I can disclose in relation to that I will take on notice.

Mr PICTON: The same question in relation to the Transition Committee as well. So if we could get the dates of those meetings that have occurred and whether on any particular date the Premier, a minister (and which minister), or any particular ministerial or Premier's office staff have attended and on which dates.

The Hon. V.A. CHAPMAN: In relation to the Transition Committee, I am not sure but I will certainly again take that on notice. I think that is chaired by the head of the Department of the Premier and Cabinet, Mr Nick Reade, and the rest are public servants. I do not think there are any ministers who are members of that but, in any event, again, whatever information I am allowed to provide I will get for you.

Clause passed.

Clause 2 passed.

Clause 3.

The ACTING CHAIR (Mr Cowdrey): Member for Mount Gambier, I understand you are not wishing to move amendment No. 1 standing in your name but wish to move amendment No. 2 standing in your name.

Mr BELL: That is correct, that amendment No. 1 be removed and no longer be considered. I move:

Amendment No 2 [Bell–1]—

Page 2, line 13—Delete '30 April 2022' and substitute '1 December 2021'

This is a date change, from 30 April 2022 to 1 December 2021. The common language around any of these extraordinary measures is that they will not be in place for one minute longer than is necessary. You have a federal government indicating that 80 per cent vaccination will occur around December this year, 2021. Therefore, it brings in line this emergency response amendment bill to a federal direction of December this year.

I do take on point the Attorney-General's comments; however, I am firm in my belief that these extraordinary measures should not be in place any longer than necessary. If indeed it is necessary heading towards that period of time, then it is up to this parliament to come back to consider any changes in the situation. If the federal government modelling is indicating an 80 per cent vaccination rate by December, then I think it is prudent for us to limit the extensive powers of this bill to that time period.

The Hon. V.A. CHAPMAN: I can answer this quite heavily in response but, in short, the implication of having a 1 December date means that by 26 October we would need to have a new bill introduced back into this parliament to deal with it in November, as I have indicated, for 1 December. I do not disagree at all with the member's indication that, with the vaccination rate, getting to that golden 80 per cent is achievable. But to then put the expiry on 1 December, when we would have to come back here in October, it would be nowhere near that at that stage. Hopefully, it will be a long way down the track, and we are looking forward to that.

I just remind members that 30 April 2022 is one date that is proposed. The earlier date of expiry of the end of a declaration would mean that it could be much earlier than that. The rules would set that it be only 30 April at the outside, but if there was an earlier expiry of no longer having a declared period by the Governor, it would lapse before that. To give you an example, if the declaration period continued until 1 December, for example, as a declaration order, and the Governor no longer extended that on Executive Council's advice, that would lapse and the terms of these obligations under the COVID act would lapse within 28 days, and that is only because the police commissioner has asked for that period.

So consistently through this we have set a date ahead, or such earlier date if it lapses before that, whichever occurs first. We are not trying to extend great lengths of time. Whenever the minute comes and we have arrived at that critical time, and if it is well before 30 April, that is fine. The fact that we have an election in between and potentially have to go into April is purely there to accommodate whoever is in government after the election.

The committee divided on the amendment:

Ayes 22
Noes..... 18
Majority..... 4

AYES

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

NOES

Basham, D.K.B.	Chapman, V.A. (teller)	Cregan, D.
Gardner, J.A.W.	Harvey, R.M.	Knoll, S.K.
Marshall, S.S.	Murray, S.	Patterson, S.J.R.
Pederick, A.S.	Pisoni, D.G.	Power, C.
Sanderson, R.	Speirs, D.J.	Tarzia, V.A.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.

PAIRS

Hildyard, K.A.	Wingard, C.L.	Piccolo, A.
Luethen, P.	Szakacs, J.K.	Teague, J.B.

Amendment thus carried; clause as amended passed.

New clause 3A.

The ACTING CHAIR (Mr Cowdrey): Member for Mount Gambier, if you would like to move amendment No. 3, standing in your name. I believe you are making an amendment to the amendment, so we will move it in amended form. If you could please, for the benefit of Hansard, indicate that amendment.

Mr BELL: Thank you, Chair. New section 25A relates to special provisions relating to directions under section 25(2). It is an amendment from 48 hours to 21 days, so the sentence would read 'must be dealt with expeditiously and the Minister for Health must ensure that sufficient resources are available for that purpose such that most applications are able to be dealt with within 21 days after they have been received'.

The ACTING CHAIR (Mr Cowdrey): If you would like to move the amendment taking into account that change.

Mr BELL: Noting the change from 48 hours to 21 days, I accordingly move:

Amendment No 3 [Bell–1]—

Page 2, after line 13—Insert:

3A—Amendment of Schedule 2—Temporary modification of particular State laws

Schedule 2, clause 1—after paragraph (e) insert:

(ea) after section 25 insert:

25A—Special provisions relating to directions under section 25

(1) The Transition Committee established by the State government in relation to the COVID-19 pandemic (or any other committee formed in substitution for that committee) must include a regional representative tasked with representing the interests of persons living in areas outside of metropolitan Adelaide.

(2) If a direction is issued under section 25 that affects any person's ability to enter South Australia from another State or Territory of Australia, applications for exemptions from that direction, or for any approval required before the person is permitted to travel into the State while the direction is in force, must be dealt with expeditiously and the Minister for Health must ensure that sufficient resources are available for that purpose such that most applications are able to be dealt with within 21 days after they have been received.

(3) The Minister must ensure that Members of Parliament are provided with an opportunity to attend a briefing on the effect any directions or requirements of a kind referred to in section 25(3)—

(a) before such a direction or requirement is issued; or

(b) if the State Co-ordinator, or a delegate of the State Co-ordinator who is issuing the direction or requirement, certifies that the direction or requirement is required to come into force urgently—as soon as is reasonably practicable after the direction or requirement comes into force.

I note that 48 hours is quite a tight time line. It is acceptable to me that people have notice of their ability to re-enter South Australia within 21 days or receive exemptions within that time period. As I mentioned in my second reading speech, a number of people who contact our office and the biggest complaint and the inability for us to help them is the fact that we do not receive any correspondence or communication with SA Health. This simply puts a time period where applications are dealt with, whereas currently there are no such time periods.

I think this goes towards good governance and certainly trying to assist the department by putting a structure in place and perhaps additional resources as it states in there so that people do have assurances first of all that their application has been received and, secondly, that the unique circumstances have been dealt with and that they receive an answer within the 21 days. I have previously gone through plenty of examples where people are waiting much longer than 21 days with no response.

New subsection (1) of the amendment deals with a regional representative being tasked with or being included on the Transition Committee. Really, that is to give the unique circumstances that regional communities face and to make sure that that voice is on the Transition Committee so that, again, we can assist the government in making decisions that affect regional communities, in particular those who live on the border, as far as practicable—decisions that benefit the citizens of regional South Australia the most.

I would like to see, if it is at all possible, a sitting MP from one of those regional areas included on that Transition Committee because I think it would aid the Transition Committee in making informed decisions that perhaps make the job easier for SA Health when dealing with specific instances of people seeking exemptions or needing to return to regional South Australia in particular.

The aspect of a briefing for new subsection (3) is really around communication and the flow of adequate communication so that, as a local representative, we want to work with the state government and we want to make sure that the advice is pertinent and that we assist our constituents as much as we can to return to South Australia or have exemptions in place. I gave examples of business interests who have a COVID management plan in place so that their businesses can continue to operate and survive and of course employ South Australians. These three measures are certainly designed to assist and improve the emergency response amendment bill. It is done with genuine intent and I hope that they are accepted.

The Hon. V.A. CHAPMAN: Again, I appreciate the sentiments of the member and I thank him for acknowledging the practicalities of being able to process these applications within a couple of days. It is simply not realistic, according to the information that the minister has provided, and I appreciate that.

I have given an undertaking in relation to new subsection (1) on behalf of the government and the Premier that there will be a representative from the bureaucracy, in this case, because all the other members apparently are from the bureaucracy, I am advised, in relation to this group. It is a bureaucrat's process as part of the Transition Committee. It does not exist in the statutes. It is something that is a creature of the mechanics sitting underneath the police commissioner, so it would be unusual to put it in the act, but if it is the will of the parliament that it be there, I will note the same.

I appreciate the 21 days. That helps to obviate the process. It is not in other jurisdictions, but it is there. New subsection (3) is really impractical for the reasons I have said. These things are changing sometimes on a daily basis. To think that we can have prior meetings in relation to any prospective change, when all the people have to come together to explain what the situation is and to be able to deal with it, is impractical. The whole idea of having a state of emergency is that you put a person in charge who calls for the expert advice and that can be from whatever source he sees fit, but it does not exist anywhere else in the state.

It is important, though, that it is the minister's responsibility and not the coordinator because he is the person who has been appointed by the government to do this and we are now imposing an obligation that there be a briefing provided. By whom and how do we hold up the coordinator if it is his view or that of his delegate that it is necessary to issue these proceedings?

If the concept of providing an opportunity to attend a briefing was to have access to information, we have made that very clear: ministers should be making that information available. But either we have an emergency management process where we are appointing the police commissioner to do this job without having to give briefings to any particular group as such or we do not. It does not apply anywhere else in the country. It is not the end of the world.

If it happens that the State Coordinator cannot make provisions for attending the briefing—here is the odd peculiar drafting of this—the minister must provide the briefing, yet the State Coordinator can make a direction the next minute. Do you see what I mean? We have an impractical process there.

Given the short term that this bill may apply for if it passes the parliament in the form that has been amended—that is, to come back on 1 December—I would ask that the member consider not advancing subsection (3) at the very least. I think it would be impossibly impractical. I note the amendment in subsection (2). If it is seen to be a failing, I note that you have a meeting tonight with the minister. I am hoping he will give you a proper briefing, as he should, and if there has been a failure in that between now and 1 December, I am sure the member would raise it again.

Mr BELL: Thank you, Mr Chairman. In the interests of progressing this bill, I am happy to take advice on whether I amend new subsection (3) or remove it for the period of time between now and 1 December. However, I would ask that the government of the day give an undertaking that members are briefed on changes, however that may occur. I agree to the practicality of attending a briefing and, if I had turned my mind to it, I would have taken those words out but certainly 'access information' I am very comfortable with. For the interests of expediating this bill I am happy to withdraw new subsection (3).

The ACTING CHAIR (Mr Cowdrey): I am informed, member for Mount Gambier, that you need to seek leave to amend your amended amendment further. So you need to seek leave to make that change, if that is okay?

Mr PICTON: Can I make a contribution to be of assistance? I might make an alternative suggestion, if that is open to the member for Mount Gambier. I think everybody is of the general understanding that quite often these declarations have to be made in rapid-fire order. There have been occasions when some of them have happened in advance, when they might come in within one or two days in advance, which presumably you could enable a briefing to occur in that sort of environment before it came in.

I think the vast majority of briefings that could be provided would be after the fact of a declaration being made under the act, and hence the arrangement under new subsections (3)(a) and (3)(b). It is much more likely to be new subsection (3)(b) that would be the case almost all the time. I do think that there is the need for strengthening briefing arrangements, particularly for those

members in those cross-border communities who have been bearing the brunt of the constituent issues.

I have to say, I read all these declarations or directions, and I am not sure everybody else in the state has that pleasure. They are enormously complex. If you are a layperson, to get your head around how they are drafted, how they work, it is incredibly difficult. If you are a member of parliament with a couple of staff in your office trying to do everything, to get your head around explaining them to people is very difficult.

I am personally aware that in other states they do have semiregular briefings of all members of parliament, in terms of the COVID response. The Leader of the Opposition and I, from time to time, have had some individual briefings but I do not think there has been the opportunity for members of parliament, including backbenchers, to have briefings on a regular basis. So I do think that this is a worthwhile suggestion, but perhaps my suggestion of how we could amend this would be to dispose of new paragraphs (a) and (b) and instead say after section 25(3) 'within three days' or 'within seven days'.

Seven seems to be the consensus with the member for Florey and me. That would be, I think, a reasonable proposition that would balance the needs of getting that information in place and also making sure that members can get that information that they can provide to their constituents. If there had been a number of changes made in that time then they could all be provided on that basis which, if there are regular changes, would be on a weekly basis. So, rather than withdrawing it entirely, that would be my suggestion to the member for Mount Gambier. I am happy to move it or if he wants to move an amendment to his amendment.

The ACTING CHAIR (Mr Cowdrey): I am not sure that necessarily solves the 'attend' issue. Member for Mount Gambier.

Mr BELL: If the committee pleases, a set of words similar to part 3—sorry, I am moving an amendment to the amendment.

The ACTING CHAIR (Mr Cowdrey): I am advised that you, as a member, are not able to amend your amended amendment. It needs to be a different member. I am happy, while we take a bit of time, for a set of words be drafted and then put by either the member for Kaurna or the member for Florey.

Mr PICTON: I have come to some conclusions about an amendment.

The ACTING CHAIR (Mr Cowdrey): We need a set of words to come to the table, if that is possible.

Mr PICTON: Yes, I am very happy to do that.

The ACTING CHAIR (Mr Cowdrey): Preferably ones that are succinct and sensible. I think we are there. Member for Kaurna, I simply need you to move the amendment.

Mr PICTON: I move:

(3) The Minister must ensure that Members of Parliament are briefed on the effect any directions or requirements of a kind referred to in section 25(3) within seven days.

Amendment to the amendment carried.

The ACTING CHAIR (Mr Cowdrey): We then turn to move the member for Mount Gambier's amended amendment, both by the member for Kaurna's amendment and his own previous amendment.

Amendment as amended carried; new clause as amended inserted.

The ACTING CHAIR (Mr Cowdrey): So we have inserted a new clause 3A.

Schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (20:04): I move:

That the bill be read a third time.

Bill read a third time and passed.

EMERGENCY MANAGEMENT (ELECTRICITY SUPPLY EMERGENCIES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 May 2021.)

The Hon. A. KOUTSANTONIS (West Torrens) (20:05): I can inform the house that I am the lead speaker for the opposition. It seems I have missed some excitement in the parliament. It is always good to see a bit of excitement in the parliament, a bit of movement in the corridors of power. It is always impressive.

The general thrust of this legislation is this. There are multiple acts that allow the government to act in an emergency to maintain our energy supply, and what the government is seeking to do here is to streamline, I understand, their relative powers within one umbrella under one act. That is to be congratulated, and the opposition is supportive of that measure, so I can say to the parliament that we will be supporting this legislation.

However, I have lodged an amendment, and that amendment I will describe this way. The government wants the ability, in order to stabilise the grid in terms of an emergency, to turn people's solar panels on or off. Mr Deputy Speaker, welcome back to the chair. It is always reassuring when you are here.

What the government is attempting to do, which I think has a basis in merit, is to be able to allow a greater cohort of people to be designated as electricity generators, to be under the instruction of the minister or designates, as it were, and to be able to turn solar panels on and off. The minister can now, technically, instruct AGL to operate or not operate, solar arrays to operate or not operate, Origin, any other large-scale thermal production or renewable energy assets.

What he is also seeking to do in this legislation is give himself the ability, in the name of system security, to turn off people's solar panels at their homes. That has a twofold effect. Solar panels on your home are not just about the feed-in tariff that you receive; they also offset your power use. In our household, we have solar panels. I am an unashamed supporter of solar energy.

For example, I can either rely on my solar panels to feed into the grid and pay me my 16¢ feed-in tariff or I can offset my use by, perhaps during a damp day which is still sunny, running the dryer or running the dishwasher, running household appliances during the day rather than at night, to offset the cost. What the minister's legislation does is give the ability to the government to turn that off without any consideration of the household's investment in solar energy.

Now we get to the pointy end of this legislation. Does the government have a right to turn your solar panels off when, if they do, you lose revenue and you lose the ability to use your solar panels to offset your use? There is a cost to the householder; you have made an investment. The government's argument, I think, is this: solar energy produced at the home is sold compulsorily. It is the equivalent of, 'Well, I am growing tomatoes in my backyard' and forcing all your neighbours to buy them, regardless of whether they want tomatoes or otherwise.

The government are saying in the name of system security, through those rare periods when there may be the need to turn solar energy off on household homes, this process streamlines it. My amendment says we will give the government the power to do that, but whoever is instructed by the minister to do this must compensate the householder for the time that their solar panels are turned off, but not just for their solar feed-in tariff, but for their offset use as well.

My plea to the House of Assembly tonight is: treat household solar investors in the same way you treat AGL and Origin. If the minister instructs Origin to turn on, or AGL to turn on their power plants, in the name of system security, they are compensated. Why not then pay households that are instructed to turn off? Pay them what they would have expected to have earned or what they would have expected to offset if they are turned off. The government make no such proposal.

The government are doing this, I think, in a manner that creates sovereign risk, because households have gone out in good faith and put solar panels on their roofs. Solar panels have come down in cost considerably, but they are still expensive. The average array could be anywhere between $2,500 to $10,000 depending on the size of the capacity of the solar array. If you put a battery on board as well, costs increase there as well, and the government are shrinking that subsidy. The government have their reasons for shrinking that subsidy. We disagree with it, but that is their point of view.

My argument to the House of Assembly is: why does AGL, which runs Torrens Island, or any other large-scale thermal capacity generator, get paid when they are instructed by the operator or the government to do one thing or another, but households do not? To me it does not seem fair. The amendment that I have lodged deals with that issue.

I hope the government can see their way to supporting this amendment. I suspect that they will not, and that the government will oppose this legislation, but I do point this out: I think the statistics are now close to one in three South Australian households have solar panels. One in three. The one in three solar households who have put solar panels on their roofs are right to ask this fundamental question: 'Why wasn't I told when I bought my solar panels, and when I invested my money in my solar panels, that there would be a differential rule for me to other generators in the NEM?' That is inequitable and unfair.

If you want to be equitable and fair in this debate, then what you do is you treat them all the same. Let's be clear about this: the minister is on the record as saying that he anticipates the times that people's solar power panels may be turned off during a period of system security emergency will be small and rare. Maybe; we do not know. Let's say the minister is right. If the minister is right, then the cost is negligible and no-one is worse off. If the minister is wrong, and it is for extended periods of time, not only is the minister rendering the feed-in tariff to that consumer and investor gone as a loss but he is also saying to those households, 'You cannot offset your power.' That is my concern.

My amendment was drafted quite carefully by parliamentary counsel—the oldest chambers in South Australia, just as a point of note. I think they have done an exceptional job at trying their very best to navigate this very complicated path. My amendment would give the minister and the government the ability to do what it is they want to do for system security but at the same time protect the one in three households in South Australia who are saying, 'Well, I have just spent $10,000, $5,000, $2,500 on a solar array. What gives the government the right to turn off my solar energy, not only as a feed-in tariff but to use offset at my home or to charge my battery, in the name of system security without compensation?' Other retailers are compensated. I do not know what the minister's view is on my amendment. I assume he is still opposed, which is understandable. I hope he sees fit to support that legislation. I think that would make this legislation's passage a lot easier.

Apart from that, I think the rest of the proposed legislation is common sense. The government have gone through a good process to get to this point. They have done a discussion paper, they have opened it to consultation, they have sought advice from interested stakeholders and they have given the opposition ample time to develop amendments and consult on those amendments. I thank the government for that, and I thank the minister for that. It is a very cooperative way to do legislation.

We are at this point now where I think the minister and the government may want to consider accepting our legislation. If we are unsuccessful in this place, I can foreshadow there will be amendments moved in the other place. Perhaps it would be better to accept them now rather than accept them later and lose the ability of the minister to use the security measures that he sees fit.

With those few remarks, I do not want to delay the house any further other than to thank my colleagues, parliamentary counsel, the minister and the minister's office for their extensive briefings to the opposition on this matter. I commend the amendment in the committee stage, so I am foreshadowing I would like to go into committee forthwith to move my amendment. I foreshadow the opposition will be supporting the legislation, but we will be supporting it with amendments.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (20:17): I thank the member for West Torrens for his very straightforward summary of his views. Yes, we have certainly done everything that we can to make sure that all members of the opposition and anybody else who is interested has been fully consulted and got as much information as they want.

I also appreciate the fact that the shadow minister has said that, barring his amendment, he thinks this is actually good legislation and a sensible thing to do. I never like to make too many assumptions, but I take from that that, in addition to his comment on behalf of the Labor Party that they will continue to seek to try to get this amendment up in the other place if it does not happen here, simultaneously, if they do not get the amendment up, they would still support this legislation because, broadly speaking, it is very simple.

We will get the chance to talk about this more in the committee stage, but let me just make it very clear that certainly the government will be opposing the proposed amendment. It is not because we have any philosophical objection for trying to compensate people if emergency powers need to be used—it is not that at all. It is actually just that the amendment is unworkable and would push up electricity prices.

The amendment suggests that for any household that has its power turned off because of these emergency energy powers, if they come into effect, that house would be compensated by an amount calculated as the average feed-in amount for a day that the house feeds back into the grid, times the average feed-in rate that the house gets, times the number of days rounded off to the next highest whole day—all of that, doubled.

If we just put aside for a minute whether that is a fair level of compensation, so that if a household has their electricity turned off for, let's say, two hours and they miss out on their feed-in tariff for two hours, they would get what their normal feed-in tariff would be for 24 hours instead of two hours, and then doubled again.

But if we put that aside for a second, there are a couple of other very serious problems. One is that it would be nearly impossible for the distribution company or the market operator—whoever the right organisation might be—to actually keep a system in place to firstly build a system and then secondly maintain a system. So that of the approximately 780,000 retail residential electricity customers in the state, of the approximately 35 per cent of them who have solar panels and are receiving the feed-in tariff, to keep a system that keeps track of what is their average daily amount fed into the grid, and as suggested by the amendment, as determined in the previous billing cycle, we would have to keep that up to date.

If a household's regular feed-in changes, if their way of working changes, that would need to be kept up to date. What their feed-in tariff rate is would need to be kept up to date. If they change retailers or the retailers change their rates—we could set this all up hypothetically on one day but in three or four or 10 years' time, when the emergency powers might be enforced, we would have to have kept this system up to date all the way through.

It is just flat-out not workable. The idea that this could be done is crazy. The idea that it could be kept up to date is crazy. The idea that without doing this it would be possible to provide this compensation to a household within 30 days is impossible if this work is not done. As well as that, the cost of doing all of this is going to end up being borne by electricity customers. It is unworkable and it would drive the cost of electricity up. The principle of saying, 'Wouldn't it be nice to compensate these households?'—sure. The proposal that is here is actually very unworkable.

I also have to contradict the shadow minister on a couple of things that he just said. If large generators are turned off under these emergency powers, they do not get compensated. They do not get compensated if they are turned off. To suggest, as the shadow minister did, that households need to be compensated because the large generators are compensated is just not true. They do not get compensated.

Secondly, the suggestion of sovereign risk is also untrue. As various levels of control or potential control have been brought in, with regard to solar panels, residential household solar panel feed-in, with people knowing that these things exist the take-up of solar is actually increasing. The take-up of solar is growing. When households that are considering taking up the solar, knowing that these types of things exist, they actually continue to take it up even more quickly than before these things existed. I am not suggesting they are taking solar up more quickly because of these types of protections, but clearly these types of protections are not impeding any take-up of solar.

If we put aside the fact that it would be completely overcompensating anybody—just put that aside for a minute—the proposal is actually completely unworkable. We expect these powers to be

used in cases of emergency. We expect that they might be used once every few or several years. I am sure everybody in this place would agree: the less they are used the better. Ideally, never.

It is the idea that you would keep a database up of every single household in the state that has solar and that you would maintain that database as their feed-in tariffs change and as their volumes of feed-in change, etc., so that one day, in three or five years or however many years it happens to be, this is necessary. We have maintained a complete database so that the subgroup of houses that might be affected by these emergency powers could be compensated for the cost of doing that. Unfortunately, under this proposal it would have to be shared by all houses, and it would mean that the total cost to electricity consumers would be well in excess of any compensation that would ever be received. It would push the cost of electricity up.

Lastly—because we will get the chance to go into more detail during the committee stage—these powers would only ever be used to protect electricity consumers from a far worse type of outcome. These powers would be used to stabilise the grid. Hypothetically, it might be that a certain number of households need to have their feed-in curtailed so that a much larger group of households do not get blacked out and/or curtailed.

Is it true to say that, if these powers were used, the subgroup of houses that might have their feed-in curtailed would miss out on the money that they would otherwise have earned for that period of time? Well, yes, that is true. Is it true that the member opposite and the opposition, the Labor Party, want to compensate people for that? Yes, that is true. But is it true that this is a sensible way to do it? No, that is not true.

These are not powers that target households with solar panels. If these powers were ever needed in a declared energy emergency—not just because somebody felt like doing a little bit of tweaking with the system and not because somebody just wanted to optimise a declared energy emergency—then the subgroup of houses missing out on the amount of feed-in tariff for the time that they might be curtailed is, I suggest, an insignificant cost compared to the cost to those same households—and definitely many more; potentially all the households in the state—if the powers were not used. It just does not balance out.

The government will certainly be opposing this amendment. I seek the support of all members of this house to oppose this amendment. I say lastly, just to reconfirm, because the member for West Torrens was in conversation and might not have heard what I said, that other generators, the large industrial generators that might also be impacted by this, do not receive compensation.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. A. KOUTSANTONIS: The minister said in his remarks that AGL is not compensated for system security events. If AGL is instructed by the market operator or the minister to operate units for system security, does he maintain his position that they are not compensated under the National Electricity Rules?

The Hon. D.C. VAN HOLST PELLEKAAN: I confirm what I said before. As I have checked with the adviser, whom we both think so highly of, yes, if AGL or any other large generator is directed to turn off, stop generating, under these emergency powers there is no compensation.

The Hon. A. KOUTSANTONIS: Are they then compensated?

The Hon. D.C. VAN HOLST PELLEKAAN: I am advised that there is no compensation provision to turn on or to turn off.

The Hon. A. Koutsantonis interjecting:

The ACTING CHAIR (Mr Cowdrey): Member for West Torrens, let the minister provide his answer to your question. This is your second contribution of three.

The Hon. D.C. VAN HOLST PELLEKAAN: There is no compensation under those circumstances, whether the generator is required to turn off or required to turn on under these emergency powers.

The Hon. A. KOUTSANTONIS: I did not ask you about these emergency powers, minister. I asked you about under the National Electricity Rules. If AGL is asked by the operator to turn its generators on, is it compensated?

The Hon. D.C. VAN HOLST PELLEKAAN: There are provisions for that sort of thing outside this legislation. We are here debating these emergency powers in these proposals. Under these proposals there is no compensation—that is what we are debating here.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

The Hon. A. KOUTSANTONIS: I move:

Amendment No 1 [Koutsantonis–1]—

Page 4, after line 9—After subclause (5) insert:

(6) Section 27C—after subsection (7) insert:

(8) If a prescribed designated person directs, or exercises its authority over, the operator of a qualifying generator (a *relevant requirement*) such that—

(a) the operator is required to cause or permit the qualifying generator to be disconnected from a distribution network; or

(b) the generation, use or export to a distribution network of electricity generated by the qualifying generator is limited or prohibited,

the prescribed designated person must pay the operator of the qualifying generator compensation in accordance with subsection (9) within 30 days of the day on which the relevant requirement ceases to have effect.

Maximum penalty: $1,000,000.

(9) For the purposes of subsection (8), the amount of compensation payable to the operator of a qualifying generator is double the amount determined by multiplying—

(a) the average daily feed-in amount; by

(b) the average feed-in price; by

(c) the number of days for which the relevant requirement has effect (rounded up to the nearest whole day) or, if a relevant requirement has effect for less than one day, by 1.

(10) In this section—

average daily feed-in amount, in relation to a qualifying generator, means the average daily amount of electricity fed into a distribution network by the qualifying generator for the billing period immediately preceding the period in which the relevant requirement is given to the operator of the qualifying generator;

average feed-in price, in relation to a qualifying generator, means the average amount paid (commonly known as the 'feed-in tariff') for electricity fed into a distribution network by the qualifying generator for the billing period immediately preceding the period in which the relevant requirement is given to the operator of the qualifying generator;

distribution network has the same meaning as in the Electricity Act 1996;

prescribed designated person means any of the following (including their respective successors or assigns):

(a) AEMO;

(b) ElectraNet Pty Ltd;

(c) SA Power Networks;

qualifying generator has the same meaning as in section 36AC of the *Electricity Act 1996*;

relevant requirement—see subsection (8).

The point I made to the minister and in my remarks is that, under the National Electricity Rules that currently stand, generators that are asked to operate, generally that are directed to turn on for system security, are compensated. The point I make to the minister is that he is bringing in a new set of rules and this new set of rules imposes a condition on people who have made investments.

I am not disagreeing with the need for the minister to have these powers, not for a moment, but the minister made two comments in his closing remarks that I think are contradictory, and I say that with the utmost respect. He said that, first, it would be impossible to keep records. From my understanding, electricity operators are under legislative requirement to keep detailed records of electricity use for their customers and their feed-in tariffs for a period of time and, secondly, it would be very expensive on householders. Yet he then says that this would be a rarely used event that could last only moments or a few hours. If it is only a moment or a few hours and it is used rarely, how could it possibly be a massive expense on the broader grid?

I do not doubt the minister's intention. The minister is doing all he can to try to minimise the cost on consumers. What I am saying to the government is that they are imposing a new set of rules on a group of people who bought equipment in good faith under the certain set of rules that were in place, with no warning, no sticker at the point of purchase saying, 'At any time, the government can turn this equipment off or have an agent turn it off and that, when it is turned off, not only will you lose your feed-in tariff but you will not be able to offset your own power use.'

The government maintains its right to do that. I accept the parliament's ability to do that, but my point to the government is that that is the very definition of sovereign risk. That is the very definition of the government using the power of this parliament to change what was before an expected right. Anyone who bought solar panels before the government announced this change would have expected that, when they put solar panels on their roof, any excess energy they had would be sold into the grid. There was no warning that would change.

What I am saying is that there should be a compensation. If the government disagrees with that that is fine. The government is entitled to disagree with that principle. The opposition's principle is that this is the very definition of sovereign risk. This is telling a group of people who are conducting an activity lawfully, who paid money to have those solar panels installed on their roofs, that if you do it now we can change the way they operate by instruction for system security—whatever the reason is. That is fine, but another set of people doing exactly the same thing, under a different set of rules but operating in the same grid, in the same system, can be compensated. That is inequitable.

The minister is right: under this legislation no-one is compensated, but the minister can use other legislation to instruct generation on or off where compensation is payable—but not for household solar. That is my point, so I do not see this as being an equitable outcome. I do not expect to win this amendment. I expect the government to carry the day on this, and I will move it again in the upper house, and they may carry the day again and we will take this to the election.

My view is very simple: if you put solar panels on your roof and the government changes the rules midstream you should be compensated. It sounds fair. That is what we do with anyone else. I am not sure why people who have solar panels on their roofs are treated differently. I am not sure why, if AGL are instructed to turn generators on when they normally would not have them on, under a different set of rules they are compensated, but households are not. That is the point the opposition makes. I accept the government's position. Maybe we are just better off having a division.

The Hon. D.C. VAN HOLST PELLEKAAN: There was a lot in that. There were some specific questions that I will try to address as clearly as possible. If I forget one just let me know. There were also some comments.

This is not actually about the principle of the compensation. This is just an unworkable set of procedures. One of the things in here is that it suggests the compensation would be paid within 30 days. To pay it within 30 days, you would need to have all that information very readily available, and it would be an expensive business to keep it readily available 365 days a year for all those hundreds of thousands of households so that, if and when the unpredictable emergency eventuates, and if the powers are needed, then within 30 days from there you could actually apply this.

So it is unworkable. To do that—I do not know if I used the word 'impossible', but if I did, so be it. 'Impractical' is probably what I really had in my mind. Nothing is impossible, but it would be incredibly expensive to do it, and then that cost would be pushed throughout all the consumers.

Regarding the suggestion of the compensation under emergency powers, there is no compensation for the big generators, and there is not proposed to be for the small generators. But perhaps the most important point here is—and this comes to the member's comments about sovereign risk and people having invested, so you change the rules after they have invested—as I said before, people knowing about these types of rules are still continuing to invest. So I think it would be fair to assume that if people are still choosing to go into the purchase—and I accept a very hefty purchase for most households—knowing about this, it is probably not an unreasonable imposition on the ones who already have it.

Perhaps more importantly this is about emergency powers. This is not about business as usual. This is not about, as I said before, somebody just trying to tweak the system or trying to optimise the system or just thinking, 'We can see we could get a little bit more, a little bit less over there.' If an energy emergency is declared, then these powers may or may not be used. There are already some powers and, in my relatively short time as an energy minister, I have declared an energy emergency once, but we did not actually need to use any of the powers.

The only reason I say that is that it is not as if you have what looks like an emergency, then maybe you move on to declaring an emergency, and then maybe you move on to using the powers. It is not automatic that you go 1, 2, 3. As I said, we have had a declared energy emergency without using any of these powers. The real point here is that if these powers are used—and let's say for this part of the argument it is the consumers who have household solar and that subgroup of those ones who might be switched off—the consumers, even without compensation, are much better off than if the emergency powers were not used and the emergency just worked its way through the system.

The emergency powers are used to protect consumers. It is most likely that, if these powers were required and not used, those households, instead of being directed to turn off so that others could be protected, would just be blacked out. They would miss the opportunity to collect their feed-in tariff anyway, so they are actually better off than they will be if we do not use the emergency powers.

I accept the shadow minister's suggestion that if it happens to be in the middle of the day, and it happens to be that the house is feeding into the grid and if it happens to be that they miss out on some of their feed-in tariff, which for most homes might be—and I will look to my trusty adviser—a few dollars? Yes. The last time not emergency powers but similar powers were used, I am advised, it was an average of a dollar per household.

So let's just say it was the middle of the day and minimal electricity was being used and power was going back into the grid and it went for a few hours, well, it might be in the order of a few dollars or several dollars, I am advised. I do not think it is unfair for me to say that if they miss out on those few to several dollars because these powers are invoked because it is necessary to do so, those households are still much better off than if the powers were not invoked because, at the very least, they would be blacked out anyway—they would not be getting the feed-in tariff regardless—and at worst there might be a much more serious impact on our grid more broadly than if the powers were used to protect them or at least to minimise the impact on them. For those reasons, I do not accept the proposal from the member opposite.

The Hon. A. KOUTSANTONIS: The minister again I think has contradicted himself. In one breath he says that this will be an extraordinary cost on South Australian consumers, then he says the cost will be minimal—one or two dollars per household. The principle of the matter is this: under emergency powers under the National Electricity Rules, generation can be directed to be turned on to stabilise the grid and they are compensated.

It is pure and simple: AEMO direct generation on as they do regularly in South Australia for system security. They do so and we all pay for the cost, and the minister has not complained about that once. In fact, there is no legislation before us to stop AEMO passing on their costs for their system security measures to have thermal generation on to synchronise the grid—not once in three

years. Yet when I say, 'When you turn the solar panels off on people's households for system security, compensate them,' he says, 'One or two dollars per household is an extravagant cost.'

The FCAS cost and the other costs across South Australia for turning generation on to stabilise the grid every year is in the millions. I take the minister's point, but all I am arguing is let's be consistent here. If under one set of rules, generation is directed on—even though when it is not commercial for it to be on it is directed on to stabilise the grid, that is an emergency measure, any way you look at it. They are compensated for having to generate electricity when they did not want to, when it is not commercial for them to do so. But they generate it on because they provide services to the grid that are not necessarily there.

At the same time, the minister is now passing legislation that allows him to turn off generation that is destabilising the grid to stabilise it but he does not want to compensate them. If it is good enough for one group under a different set of rules, it is good enough for this group under this set of rules. So like I said, the opposition stands by this proposition that if you make an investment in an asset that is in your house you should be entitled to use it. If a government wishes to intervene to turn it off for system security, as they do under other sets of rules in the National Electricity Market who are compensated, do the same thing for households.

It does not matter that the government is bringing in a unique piece of legislation where no-one is compensated, the principle remains the same. Yes, the government is treating everyone equally in this legislation but there are other pieces of legislation that govern the way generation is turned on and off and they are compensated, so there are two sets of rules and it is unfair. So I think the contradiction here is clear: households should be compensated, the government thinks that they should not. Let's have a vote.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you. Some things that the member has just said are true, most of them I have a very strong alternative view of. First of all, I did not say anything about extravagant compensation with regard to losses of a few dollars. I am advised that it is—last time it was a dollar—a few to several dollars, so trying to paint me in that corner is completely inaccurate. I did not have any contradiction with regard to high costs or low costs. What I said is the cost of establishing a system that would be required to implement the compensation, as the member opposite is proposing, would be extremely expensive and would outweigh the benefits to consumers.

The member opposite tries to characterise this as one side wanting to compensate consumers and one side just not wanting to compensate consumers. The member no doubt took a lot of advice, put in a lot of thought, used his experience and decided very deliberately to come up with the suggestion that is in his amendment. The proposal that is in his amendment is unworkable, would push up the cost of electricity to people, and would be completely counterproductive. Whether emergency powers were used or emergency powers were not used, accepting the proposal from the member from West Torrens would cost electricity consumers, including those with solar on their roofs that feed into the grid, more than they would ever get back.

The Hon. S.C. MULLIGHAN: Unsurprisingly, I rise to speak in support of the amendment put by the member for West Torrens perhaps for the simple reason that was just given by the minister. It is completely unworkable for the network provider. It is completely unworkable for those operators of the electricity network. Is that not the entire point? Is it not the entire point that, since 2004, when South Australia first initiated providing incentives for people to take out solar, we have seen a gradual and then a headlong rush, a proliferation, of the installation of rooftop solar panels?

This is not a new phenomenon. This has been growing for 17 years now. Yes, of course it has accelerated in the last 10 and, yes, of course it has accelerated even more rapidly in the last six, but now we are at a point where we have two significant changes which have been promulgated by this minister and this government. One is to impose a sun tax on those people who have rooftop solar, a charge of up to $70 a year on top of what, as the member for West Torrens said, they have already paid to install solar panels on their roof.

So, in addition to the supply charge, which they are required to pay to their electricity retailer, they now have to pay another charge on top of the supply charge in order to ensure that they can use electricity in their own homes. So a double taxation, basically, is the principle that the Minister for Energy is now pushing.

We know that there has been no incentive to date for the network operator, SA Power Networks—previously ETSA, privatised by the political party that the Minister for Energy is a part of—to have a network which can comfortably receive the levels of solar generation which are currently being pushed back into the poles and wires by households. That is the problem that they have. What they are choosing to do is to make that problem a problem for householders, not a problem for themselves.

I realise I do not necessarily have the exact same view on this particular issue as most MPs in this place. My view is a little bit more overt and a little bit more robust than what most MPs would say when it comes to the responsibility of the network operator in this regard. If you were going to pay in the order of $3.4 billion (20 years ago) to buy these electricity assets, and you were going to run them in the way that Bruce Mountain—a national independent energy market expert—has demonstrated, making a profit in the order of $400 million per year each and every year, and that is on top of the expenditures that are required to put into maintaining that network, I would have thought there would be some obligation to make sure that your distribution network was sufficient in order to accommodate the changing needs of electricity users, householders, commercial industrial users.

Now we learn, through this series of amendments brought to this place by the Minister for Energy, that they have not been doing that to the network, that instead what they need to do is dissuade people as best they can from installing solar by threat of a new tax on top of the existing supply charge or, if they do go ahead and have solar installed on their roofs, now they are going to have the capacity to turn it off. When can they turn it off? When they believe they need to turn it off. When do they believe they need to turn it off? When it does not suit their commercial objectives. That is when they believe they will need to turn it off, not when there is an emergency, not when there is a declared set of arrangements that is entered into and agreed to between the government of the day, the minister of the day and the network operator—just when SAPN believes it is necessary.

That is why somebody in this place, and in this case it is the member for West Torrens and it is the opposition, needs to start redressing the imbalance of power in this relationship between the network operator and households. Somebody needs to start sending a message to the network operator that they need to have some skin in the game, that the hand cannot constantly be out for more and more financial reward at the cost of South Australian households.

So I am glad the member for West Torrens has brought this forward. I am glad that he is standing up for the electricity consumers of South Australia in the face of a number of assaults from the Minister for Energy. If he did not do that, then what we would see from the Minister for Energy is a brand-new sun tax on people who have solar systems, and then on top of that a threat to turn them off with insufficient compensation.

The Minister for Energy does not know—nor do I, and nor does the member for West Torrens or anyone else—the financial circumstances of households which may be impacted by turning these panels off. It would also be a ridiculous regime if we said, 'Oh, well, we will just compensate them something equivalent, in the order of what we believe their solar feed-in tariff would be.'

Let's say we have a repeat of what we saw in recent months where—what was it?—50,000 or 60,000 households were turned off through this. Let me guess: 60,000 households need to separately and individually petition the network operator and justify exactly how much they were financially inconvenienced by that action—how many hours they were out, what the generation would have been of their solar panels, what their retail arrangement is with their retailer, what the feed-in tariff is—and some sort of calculation will be arrived at. Of course, that is not what is going to happen; that is unworkable.

What is egregious for this minister to suggest is that some level of compensation that equates to a dollar or a couple of dollars is sufficient. That is not a disincentive to the network operator to not turn these panels off whenever it believes it is in its own commercial interests, and we know what is in its commercial interests: it is to keep operating the network largely as it is and not undertake those investments that are required in order to give us a modern, contemporary, capable electricity network that can accommodate the new requirements being put on it. We do not have that at the moment and that is because nobody has been holding the whip over them to get them to upgrade the network appropriately.

We went through the period between 2000 and 2010 of gold plating, and now we are through a period, it seems, where these network operators can run around to governments of the day, demand new taxes, demand new imposts on households and, from this government and the Minister for Energy, they get a big tick. Well, that has to stop.

The Hon. D.C. VAN HOLST PELLEKAAN: Unsurprisingly, I refute just about everything that the member for Lee just said, most of which actually had nothing to do with the clause or the amendment bill. He certainly falsely characterised me in many ways, which I will not go into, and certainly misrepresented me. There was one thing he said, though, that caught my attention, and that was when he was talking about Bruce Mountain. Bruce Mountain was one of the people who said that, under the previous Labor government, we in South Australia had the highest electricity costs in the world. Maybe for you, Bruce is good one day and he is not so good the next. I just thought I would put that on the record; it might be something that the member for Lee forgot.

I will stake our government's record on electricity policy and deliverables for consumers compared to those opposite any day of the week. The member opposite was talking about double taxing and blah, blah, blah: (1) it does not make sense and (2) it is just not true. The reality is that these are not powers that the distribution network operator would use; these are not powers that the transmission operator would use; these are not powers that the generators would use—these are powers that the energy minister of the day would use, if necessary, after declaring an energy emergency, if that was necessary.

That is how it works. The things that the member for Lee said are in another world—in a completely different world. I would be happy to have a coffee with him one day and talk about those things that I am sure would be of interest to both of us, but that are not relevant to this. There is nothing in this legislation that talks about anybody other than the minister of the day making a very difficult decision, if necessary, and that decision would be made with the benefit of consumers, the energy system and the energy grid at heart.

Making a decision that would be in the very best interests of electricity consumers is what this is all about and it is very clear that the proposed amendment from the opposition would harm consumers. It would push the cost up for consumers and that is why we will not be supporting it.

The committee divided on the amendment:

Ayes.....18
Noes 21
Majority 3

AYES

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

NOES

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

PAIRS

Hildyard, K.A.	Teague, J.B.	Piccolo, A.

PAIRS

Luethen, P.	Szakacs, J.K.	Wingard, C.L.

Amendment thus negatived; clause passed.

Remaining clauses (5 and 6) passed.

Schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (21:07): I move:

That this bill be now read a third time.

While there is an area of clear disagreement across the chamber, I do thank the shadow minister and those opposite for the efficient treatment of this bill in this chamber.

The Hon. A. KOUTSANTONIS (West Torrens) (21:08): I am disappointed that we were unsuccessful in our amendment. I think that this issue is not going to go away. I think that the government's claims are contradictory and I do think that there is a growing groundswell of dissatisfaction with a number of measures in this area.

At the last election, the government made a commitment that they would lower electricity prices by $302 from 2016-2017 annual prices, published by ESCOSA. The average price in 2017 was $1,976 and now it is $1,975, a decrease of a dollar. The prices have decreased by a dollar in the life of this government from their baseline promise.

The next round of ESCOSA results is due to be released on 30 August, where we will measure the government's commitment to lower electricity prices by $302. What we have seen the government do is increase prices through a solar tax on every household that has solar energy and, through new measures now, turn solar panels on or off according to the whims of the minister and on the basis of an emergency.

I accept largely the minister's argument that this is for system security and I support the minister keeping the system secure. What I do not support is a two-tier system. I do not support some generators under different legislation and a different framework being compensated for being turned on or off but households under this system that will be entirely subject to this system not being compensated. That is unfair. It is unfair on people who have been encouraged by both governments to get solar panels and batteries.

The most egregious part about this direction the minister can issue is not just that they cannot feed into the grid; it is that they will not even be able to supply their own homes with solar energy. That is the part I find most difficult to contemplate. The minister is actually saying, in an emergency system where there might be blackouts, 'I'm going to stop you from being able to use your solar panels to power your own home, let alone feed into the grid.' That is the part that many South Australians will think, 'Well, that is just unfair. That is just unfair.' The minister will make many arguments that may sound reasonable but the principle is this—

Members interjecting:

The Hon. A. KOUTSANTONIS: To members opposite, not to me—to members opposite. They claim they are doing this in the name of system security and that imposing this would be expensive yet in the same breath he says people are only losing one or two dollars for a couple of hours. Well, either it is dramatically expensive or it is not.

The retailers already have obligations under the National Electricity Rules to keep detailed records, which is how we track disconnections, how we track financial hardship. They are already made to do these requirements. It is not difficult for an energy retailer to work out what the average cost has been to compensate a householder who has had their power turned off. It is just simple

principle. The government thinks it is unfair, the government are going to make their arguments. They think they are reasonable. We disagree and we will have this out at the election.

The Labor Party will be writing to people in the seats of Newland, King, Adelaide and Elder telling them that the government think it is okay to turn their solar panels off and they will compensate but, at the same time, if AGL are directed to turn on to stabilise the grid they will be compensated and those householders will have to pay for it. That is the difference.

The minister says it is unworkable and unreasonable and will increase power prices, yet at the same time the market operator every year directs generation on to stabilise the grid which we all pay for. That is okay, but if he turns power off to stabilise the grid people cannot be compensated because that would be excessive.

Why are the shareholders of Origin and AGL more important than the households of King, Newland, Adelaide and Elder? Why are they more important? They are not. The Labor Party stands on the side of those households and while the member for Adelaide was laughing, not understanding what we are actually debating right now, laughing about the Labor Party's opposition to this, we will be writing to every house with a solar panel in the seat of Adelaide, telling them exactly the member for Adelaide's view.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: You object?

The Hon. R. SANDERSON: Point of order: the member for West Torrens is completely misrepresenting me. I was laughing at his comment that the Minister for Energy will probably make some valid statements or some convincing statements or some good comments. That was what I was laughing at—nothing to do with my electorate. He should withdraw and apologise.

The ACTING SPEAKER (Mr Cowdrey): Minister, you have taken offence at the comments. You have taken offence at the comments made by the member for West Torrens. Member for West Torrens—

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members! Members, it is a quarter past nine, please. Member for West Torrens, the minister has taken offence at your comments. Are you happy to withdraw?

The Hon. A. Koutsantonis: No, sir.

The ACTING SPEAKER (Mr Cowdrey): You do not wish to withdraw?

The Hon. A. Koutsantonis: No, sir, I do not. Can I resume my remarks?

The ACTING SPEAKER (Mr Cowdrey): You can.

The Hon. A. KOUTSANTONIS: I disagree with the government on this. I understand that the minister is attempting to make an argument for system security and I understand his argument. His argument is that it is better to intervene early, to turn power off, to stabilise the grid so a larger number of people are not inconvenienced. That makes sense. What does not make sense is why some people in an emergency are compensated and others are not. When the minister tries to characterise my argument as saying under this legislation no-one is compensated—I never claimed it was. I said in the National Electricity Market, in emergency measures, large generators are compensated. That is true and the minister conceded that in the committee stage.

And that is my point. It does not matter that the minister is bringing in a unique piece of legislation for a unique event that he can use. The fact remains that the minister can choose either piece of legislation to choose to enact his emergency powers. He can step in and instruct the Australian Energy Market Operator to turn generation on and they will be compensated. Then he can use this legislation to instruct households to turn their solar panels off and they will not be compensated. That is an equitable. It is unfair.

But the problem with this argument is that the minister's intentions are based on a good foundation—that is, to stabilise the grid. I am talking about equity. I am talking about fairness. I am not talking about the actual action. That is the difference. We will be campaigning on this issue in the

lead up to the election and will be telling people who have solar panels in the homes what happened today. I think it is unfair. I think it is also unfair—

Mr Whetstone: We will remind them what you did to their prices.

The Hon. A. KOUTSANTONIS: Sorry?

Mr Whetstone: We will remind them what you did to their prices.

The ACTING SPEAKER (Mr Cowdrey): Member for Chaffey, there is no need to interject.

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Member for Lee, there is no need to respond to interjections.

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members!

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Member for Playford, please! Member for West Torrens, you have the call.

The Hon. A. KOUTSANTONIS: I would like to thank the member for Chaffey for his interjections—they are always entertaining. It's always bigger in Texas!

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members!

The Hon. A. KOUTSANTONIS: But we will be reminding people of this. Again, I commit the opposition to supporting the legislation. We will be moving this amendment again in the upper house. Hopefully, we will have a different reception there. If we do not, the legislation will pass and we will take this commitment to the election. That is the good thing about a democracy: we can slug it out at the election and let the people choose.

We will ask the communities of North Adelaide, Prospect, Walkerville, Medindie and Adelaide, 'If you have solar panels, is it okay for the government to turn your solar panels off and not compensate you? But do you know that at the same time the minister can choose another piece of legislation to instruct generation on or off and they can be compensated? And you can thank the member for Adelaide for that inequity.' Again the scoffs. There was a division. The votes are recorded. The member Adelaide supported this measure. I suppose you just have to live with it. That is the consequence of democracy. I commend the bill to the house.

The Hon. R. SANDERSON: Point of order, Mr Acting Speaker: I am sick of the member for West Torrens bullying me, as he is doing. He is naming me inappropriately. When I had to withdraw and apologise, I was named and kicked out when I did not, and he has not withdrawn or apologised and he continues bullying me across this room.

The ACTING SPEAKER (Mr Cowdrey): Minister, if you have a point of order under standing orders, you need to point me in the direction for that point of order.

The Hon. R. SANDERSON: A personal reflection.

The ACTING SPEAKER (Mr Cowdrey): A personal reflection on a vote?

The Hon. R. SANDERSON: No, on me. He is alleging against my own electorate and he has done it multiple times. He is absolutely bullying me across this chamber.

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members, we are in the same situation as we were 10 minutes ago—

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Member for Hurtle Vale, you are not assisting the situation. We are in the situation we were 10 minutes ago. The minister has taken offence to comments made by the member for West Torrens. I therefore am asking the member for West Torrens if he would withdraw his comments.

The Hon. A. KOUTSANTONIS: No.

The ACTING SPEAKER (Mr Cowdrey): He has decided not to withdraw his comments. The member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you, sir. I think it really is quite disappointing that the member for Adelaide would use 'bullying' when I pointed out her votes in a democracy. That is not bullying: that is transparency and democracy. There are no secret votes in this parliament.

The ACTING SPEAKER (Mr Cowdrey): Member for West Torrens, you are straying into the territory of argument now and not addressing with any relevance the subject matter of the bill in front of us, so if you could please return to that.

The Hon. A. KOUTSANTONIS: We will be supporting the legislation at the third reading, and we will be supporting the legislation at the second reading in the upper house. We will be moving an amendment in the committee stage of the Legislative Council. If that is unsuccessful, we will support the legislation and we will take this commitment to the election. We will campaign door to door and we will remind people of how they voted in this parliament on this legislation. That is not bullying. That is democracy. That is campaigning. That is what we do. I find it extraordinary that I was accused of bullying for saying that, but there you go. If you want to demean what bullying means, by all means.

The ACTING SPEAKER (Mr Cowdrey): Member for West Torrens!

The Hon. A. KOUTSANTONIS: Thank you, sir. I commend the bill to the house. I thank the minister for arranging the briefings. I also thank him for the way he has conducted the debate, and I thank him for allowing the opposition time to consult on this piece of legislation. It was a very collaborative way, and I think a good example of how legislation can be formulated. We can disagree in the end, but the minister has done a good job of allowing the opposition to come to its position after a period of consultation, so for that process I thank him.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (21:20): Again, an enormous amount of what the member opposite just said is completely incorrect, conflating a whole range of circumstances and trying to make it seem as if any minister, Liberal or Labor, would do one thing to help a company and one thing to hurt consumers. Not even a Labor minister would do the things that the member opposite is suggesting.

It is also a great shame that in the member's closing comments he politicised this issue so much. We had a debate about some emergency powers, and both sides of the chamber agreed with the need for these emergency powers. Those opposite came with an amendment. We have a different opinion on that amendment. Those opposite think that it would be good for consumers. We believe it would actually be bad for consumers, and we have a lot of advice that says it would be bad for consumers. It might look nice, but it would actually cost consumers more, so we are not doing it.

It is a great shame that the members opposite took an energy debate and a difference of opinion about the cost or otherwise on consumers and turned that into politics.

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members on my left!

The Hon. D.C. VAN HOLST PELLEKAAN: That is probably why those opposite delivered South Australians outrageously high and increasing electricity prices. That is why those opposite delivered South Australians blackout after blackout.

Members interjecting:

The ACTING SPEAKER (Mr Cowdrey): Members on my left, the member for West Torrens was granted the ability to provide his speech with limited interruption from my right. I ask that you give the minister the same service.

The Hon. D.C. VAN HOLST PELLEKAAN: The political approach of those opposite to energy policy is what harmed South Australian electricity consumers—higher prices, more blackouts, nonstop. We are taking the politics out of energy policy, and it is working. Electricity prices are going down, emissions are doing down and the number of blackouts is going down, because we are focused on the energy policy. We are focused on what is best for South Australian consumers and primarily South Australian household electricity consumers.

Bill read a third time and passed.

ELECTORAL (ELECTRONIC DOCUMENTS AND OTHER MATTERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 June.)

Ms COOK (Hurtle Vale) (21:24): I rise to speak on the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021. I have got myself ready to speak on this a few times now. I have been through my notes, and hopefully I have made any appropriate corrections to what seems like an eternity ago. As I was listening to previous debates, it seemed like a re-run of *Groundhog Day*.

The Attorney moved a bill that was very similar to this bill late last year. One of the key concerns raised about that other bill was the changing of the rules governing elections so close to an election. Frankly, at this point I think it is actually astounding that the Attorney, after hearing the concerns of members in this chamber and the other in relation to that bill, has decided to bring another bill, largely unchanged, back in after these other changes were rejected.

The Attorney might have been forgiven if the Electoral Commission had only recently published their report, but this report was tabled by the Attorney on 28 February 2019 which, if I am correct, is more than two years ago. In fact, as of Tuesday this week, it was 909 days ago. For more than two years, the Attorney has sat on this report and in the last-minute shadow of an election she is trying to change the rules.

I am pleased that this bill does not contain optional preferential voting. This is a failed thought bubble from the Attorney-General, and indeed the government, which is aimed at killing off the possibility of any new independent candidates in a future election. In fact, it will make it difficult for many candidates in a marginal seat, where, as we know, often elections are won or lost. That is again democracy playing out.

Of course, thinking about these types of things always brings me back to my journey and that of many others in this place. I often talk about this journey to people in my community. My election was a by-election, so conditions and timing—very, very different, of course—but my election was a nine-vote victory. There were several counts and recounts and rethrows of preferences in order to get a final result, and things went up and down and whittled away and changed throughout that time.

Can I tell you, I have met the five people that it takes to win an election by nine votes hundreds of times. In fact, in the early days, whenever I went out for dinner somewhere close to my electorate or in my electorate, I would have people call me over to a table. Not understanding how nine votes works, the people would say, 'We are your nine people, there are nine here at the table, this is your nine votes'. But really, it is five, isn't it, because if they do not vote for you they vote against you, so that is the swing over.

It is so important that we are able to have that opportunity to say, 'Okay, I like this person. I really don't want this person to win, but if I can't have this person then I'm happy to have this person,' and put that in order and submit that electoral voting slip and make that your decision on the day in order to be able to dictate what happens at the end of the day. I think it is the best way for us to get a good array of candidates.

I have had many people argue with me why we should not have preferential voting. Often, if I can explain that if you have something like 15 or 20 people—and I cannot quite remember, but I think it was nine or 10 who were standing in my by-election—and you only had first-past-the-post,

you could get someone up on 8 per cent of the vote. That is, if you had everyone else get less than that. Of course, it is a bit ridiculous, but you could have about 8 per cent of the vote to get you past the post in a populist decision based on nonsense policies that can never be delivered, and I think that would be a great shame. In the bill, we talk about—

The Hon. V.A. Chapman interjecting:

Ms COOK: Honestly, I am allowed to speak. We are on the bill, Attorney.

The Hon. V.A. Chapman interjecting:

Ms COOK: Yes, we are on the bill, and I am talking about the journey to get here. You can interject and say, 'Oh, we're on the bill now,' but honestly, the whole thing is about the bill, my friend—the whole thing. You do not need to interject. It is a bit of a waste of time.

The Hon. V.A. Chapman: I haven't objected. Keep going.

Ms COOK: Thanks for your permission. Some highlights of this include reducing the amount of time to enrol to vote, allowing any class of voter prescribed in regulation to vote over the telephone and allowing the counting of pre-poll votes before the close of polls. These are all interesting things.

In terms of enrolling to vote, the first recommendation of the 2018 election report, which was handed down more than 830 days ago, was, 'That the Electoral Act (1985) (the Act) be amended to enable eligible electors to enrol up to and on polling day.' I would have thought that you cannot miss it. It is recommendation No. 1 and further explanation takes up the entirety of page 15.

The rate of enrolment of young voters is declining. At the 2018 election, 38.9 per cent of 18 year olds were not enrolled, along with 25.4 per cent of voters between 18 and 24. I do not know if it is a deliberate tactic by the government because they do not think they can win the votes of young people.

The Hon. V.A. Chapman: We already have.

Ms COOK: No, you haven't. Their policies are irrelevant to young people, and maybe that is the case, so we have a government that is not persuaded to try to support or encourage this enrolment. Not only have they decided to go against the recommendation of the Electoral Commission but they have gone in the other direction.

They are reducing the amount of time to enrol to vote—that is right, making it harder for young people to get enrolled to vote in future elections. I will reach out to all the enormous database of young people that I have to explain to them that it is very clear to me that the government is not encouraging you to do it at your own pace. You are getting restricted. You are getting shut down.

In the six days before the 2018 election, almost 25,000 South Australians enrolled to vote. That is enough voters to fill an entire seat. If you assume that this was evenly spread over the six days, that is more than 4,000 new enrolments a day. If the government has their way, this would conceivably see 16,000 South Australians miss out on the opportunity to vote. Those of you in seats with young people should be worried about this.

South Australia has a proud history of universal suffrage. Unfortunately, the Liberal Party has a shameful history of denying or seeking to diminish the votes of South Australians. The Playmander meant that South Australians who lived in country areas had votes that were worth double that of city residents. Alternatively, the ironically named 'fairness clause', which sought to emulate the Playmander but in a less obvious manner, actually achieved the exact opposite of what the Liberal Party said its intentions were.

Here we see yet another example of the Liberal Party of South Australia trying to disenfranchise voters, presumably for their own gain, because why would you do it if it were not for your own gain? It is shameful. In recent days we have heard reports about the Liberal Party taking a right wing American approach—I should have corrected that because it is actually in recent months—and seeking to actively recruit from highly conservative outside groups.

We have seen the damage this has done to the Liberal Party in other Australian jurisdictions, and we wish them well in their endeavours. Actually, we have watched how this has been playing out and obviously I am pretty pleased with the way you are going about it because it is taking up a lot of your time and creating a lot of internal angst—really perhaps you should leave it alone. But it

is clear that the Americanisation and Republicanisation of the South Australian Liberal Party started before this recent hyperconservative recruitment drive.

Since the defeat of President Trump, American Republicans in many states have moved laws to suppress voters and make it harder for many people to participate in the democratic process. *The Washington Post* reported in March that no less than 43 states had proposed at least 250 laws to restrict access to voting. I do not think it is a positive way to express to your electorate that you are trying to encourage them to participate in the democratic process.

There are many fine attributes of the United States and its democracy. In fact, our own system, the Westminster system, is described as a 'washminster system'—in that we have a cross between the Westminster and the American democracies—but we should not seek to emulate the recent moves that erode democratic rights.

Australia and the United States both struggled for many decades to ensure proper voting rights for their citizens. Many Aboriginal Australians were denied the right to vote from the early days of Federation until the 1960s. By reducing the time to enrol, we risk disenfranchising many groups: young first-time voters, new Australians, Aboriginal and Torres Strait Islander people and others. We should be looking to expand participation in our representative democracy and not go in the opposite direction.

In regard to assisted voting, this was used for sight-impaired electors in South Australia for the first time in 2018 using electronically assisted software called VoteAssist. The Electoral Commissioner said it was successful and welcomed by vision-impaired electors. The problem was that it was very costly and changes were made in parliament late enough that it needed to be rushed. As a result, it was only used by a small number—I believe about 100 voters.

The Hon. V.A. Chapman interjecting:

Ms COOK: Yes. I note that this provision was added to the act and commenced in June just before the last election, so June 2017. We are now in August and even if this new bill is rushed through this chamber and the other, it will commence much closer to the next election than these other changes that occurred prior to the last election in 2017.

I think everyone in this place supports the idea that voters, particularly voters with disability, have equity in access. There is no argument. Of course, as someone who goes on about this verbatim all the time, pestering my colleagues about issues around equity in access and true democracy in our community, we have to ensure that nobody faces a barrier to vote, but I think that in leaving it so late as well, we are now causing problems. We are now setting up some problems for the future.

Under the current postal system, many voters who were overseas struggled to have their votes counted on time. I suspect the 2022 election will have far fewer voters overseas who are attempting to submit their vote by post because many people have come home. It will be interesting to see, in fact, what the difference is this time. I am sure the expat polling booths are going to be nowhere near as high use as they have been in the past. It is a great shame, I guess.

The Electoral Commission also prefers telephone-assisted voting rather than the specifically designed computer terminals with VoteAssist software to reduce the cost of a wider rollout. They are noble ambitions but the problem is that the wording of the bill does not actually mention people with disability, with the exception of sight-impaired electors. There are many other people with disability for whom I wish to make sure that they are taken into consideration in regard to all changes.

Finally, I will speak to the concerns around the counting of pre-poll votes before the closing of the polls. Knowing how many votes have gone to which candidates before election day does have the potential, if those vote counts are leaked, to have a real impact on how voters vote. The government claims that protections will be put in place via regulation to stop the vote counting becoming public knowledge.

The problem with that is that we have no detail. I have debated other bills in this place about which I have concern about leaving very important details like this to regulation. I understand it makes it difficult to change if you embed it in the legislation; I acknowledge that. However, I do think we

could have looked at this bill and put some of the guidelines in and made some changes that would give people a little bit of confidence.

The problem is that I am not sure the government will get it right. The government has made its fair share of mistakes, and it can easily change the rules without an opportunity to be reviewed by the parliament, and that is concerning. The opposition would be much more comfortable, I am sure, if the government had set out the protections in the bill so we could see what those protections are actually proposing. I will be listening in through committee, and I am sure we will have questions regarding that. Hopefully, they will be spelt out for us so that there is at least a documented record of that within parliament.

When the opposition was briefed on the bill, the Attorney-General's Department could not actually outline the protections at that point, but I hope that now they have had time to pull those together and are able to express them for us. Subsequent communications really only pointed to the safeguards New Zealand had in relation to the early counting of pre-poll votes. The one-line explanation that I understand was given was: 'In preparing regulations regard will be had to the safeguards set out in the New Zealand legislation.' I guess we will be watching that.

We are being asked to accept what is essentially New Zealand's model on this, except for the key safeguards that are protections already set out in the New Zealand legislation. If they can set it out, why can't we? I do have other reservations, such as the Electoral Commissioner having decision-making power for misleading information being stripped and given to SACAT or removing the function of the Electoral Commissioner to encourage people to vote on the day.

I will go back to where I started and say that this is being moved too close to the election. It is 909 days since the report. Any changes made now will not have time before the next election. I think this is a bit of trying to pick and choose which reform to bring on to benefit the government that is currently in power. I think it is something that needs to be done in the early parts of an election term, so that it can be bedded down, looked at and debated properly and so that time can be put in place for everybody to become accustomed to it.

I think that Jack Lang, a past Premier from New South Wales, once said, 'Always back a horse called self-interest,' and this one stinks of self-interest.

Members interjecting:

The DEPUTY SPEAKER: Order! It is getting late. The banter across the chamber will cease from all. Member for West Torrens, you have the call.

The Hon. A. KOUTSANTONIS (West Torrens) (21:44): Thank you for your protection from the Attorney-General's insults, sir. It is getting pretty petty, but we have come to expect that over the last 20 years. Since 2002, we have had the member for Bragg. It has been a lovely journey.

It has been my experience in this parliament over the last 24 years that, whenever one political party or another has attempted to change the electoral laws, it is dripping in self-interest, and I think this is no different. The legislation before us is a thinly veiled, blatant attempt by the government to make it difficult for people to enrol to vote, to access a ballot to cast their vote. I think that is reprehensible, and I think we are seeing this growing phenomena around the world where conservative parties believe that the people they represent are people to be feared, and that the easiest and fastest method to deal with that fear is to disenfranchise them.

This parliament is standing on the shoulders of some giants. I will give you an example: Steele Hall. Joan Hall was in parliament here yesterday. I have a lot of respect for Joan Hall. I think she is a lovely person. Her husband undid the Playford malapportionment in this state, the Playmander, as it was called at the time, knowing full well that it would cost him the premiership and cost him the election. Let us contemplate that for a moment, contemplate coming in here and passing legislation, knowing that you would lose.

The Labor Party and Liberal Party now are fighting over a smaller and smaller share of the vote. Neither political party has achieved over 50 per cent of the primary vote for nearly two decades. Don Dunstan received 53 per cent of the primary vote in this state and lost an election. Members opposite at the last election received a swing against them on primary votes from 44 per cent at the 2014 election down to about 36 per cent I think at the last election. Over two-thirds of South

Australians voted for someone other than the Liberal Party; same for the Labor Party. That vote is shrinking, so every vote is ever so precious, and there are few to squander and many to gain.

All the legislation that the Attorney-General is moving is based on one premise: how does she maximise the vote for the Liberal Party? Steele Hall did not have that in his mind, Don Dunstan did not have that in his mind, John Bannon and Chris Sumner did not have that in their minds when they lost an election in 1989 on a two-party preferred basis and brought in the fairness clause in an attempt to have the party that achieved a majority of the two-party preferred vote—

Mr Brown: The late fairness clause.

The Hon. A. KOUTSANTONIS: The late fairness clause. Over time, that no longer served its purpose and became actually anti-democratic. But, again, there was this sense of, regardless of what we think of each other, the public's will is sovereign, it is the most important thing we have to implement, and winning and losing is just part of the deal. If you want to be in parliament you win some, you lose some and you respect it.

What we are seeing now in some democracies is a refusal to accept the outcome of an election, delegitimising elections, and in other jurisdictions making it harder to vote. In the United States, voting is on a Tuesday. Why? Working people have to work, and it is harder to get to a polling booth. You have seen the scenes on our TVs where there are queues for hours. What we are seeing here in South Australia is people wanting greater amenity when they vote. They want to vote by post, they want to vote early. We have seen, wherever there are pre-polling stations, a greater clamour for pre-polling—they want to get it over and done with and vote early. Hopefully if they are angry they will vote early; that will be the hope we have. Either way, people want to express their democratic rights.

There are some people who think it is undemocratic to compel people to vote. I disagree with them. We do not compel them to vote; we compel them to think about who they are going to vote for. Whether or not they complete a formal ballot is entirely up to them, but we do require them to turn up to a polling station and have their name crossed off and think about who they are going to vote for. The fine is still $20, I think; I do not think it has changed any time recently, and there is no proposal to increase that.

I think what the Attorney-General is seeking to do here is a form of disenfranchisement. I think it is the Attorney-General trying to make it more difficult for people who might not vote for her form of conservatism, make it harder for them to enrol to vote, harder to get a ballot. Why would we do that to our neighbours and friends? Why would we do that? Why would we not do everything we could to make it easier to access a ballot? That is the principle of democracy.

In the end, it is not as if the opposition are arguing for the violent overthrow of the government. We are Her Majesty's Loyal Opposition. We believe in this system. We are not here to overturn it: we are here to participate in it. Disenfranchising people is undemocratic, and that is what this legislation does.

I have never been a supporter of a bill of rights because I think bills of rights impose one generation's views and morality on other generations, but I am starting to think that maybe we need one. Maybe we do need a set of constitutional rights, enshrined in a constitution by referendum, that cannot be undone: the right to access a ballot, the right to enrol early, to be given time to enrol, given time to access a postal ballot, doing everything we can as a state to ensure that no matter who you are voting for you get access to express your will.

The great thing about democracy as opposed to other systems of government is its equality. Rich people have money, but in terms of their vote they have only one. Poor people do not have money, but they still have the same vote as a billionaire. That is the beauty of our democracy, and that is what people in some parts of the conservative world support. Disenfranchise people from voting, make it harder for them to vote, and who do you disenfranchise? Generally it is working people; generally—and this is a broad generalisation and probably unfair—they vote for people who are centre or centre left, and you disenfranchise them on the basis of making it harder to get an application for a postal vote, making it harder to change their enrolment. I have to say, I think that is abhorrent.

In most democracies voting is voluntary. There are only a few jurisdictions in the world where it is compulsory, and that compulsion is something I support. The reason I support it is not because I think it changes the outcome of an election—I think the outcome of an election will be the same whether you have compulsion or otherwise—but because what compulsion does do is give us the ability to campaign from the centre, to win the broad, sweeping mandate of reasonable people paying attention who are interested in the future of their state.

However, democracy is not perfect and sometimes it is ugly and imperfect, and that imperfection generates a vast number of anomalies and outcomes. Those anomalies could be either extreme left or extreme right outcomes. When a moderate centre right party brings in legislation like this—which I think undermines the fairness in our democracies—what we are seeing is Trumpism at its extreme, a small portion of that creeping into the thinking of the government: how can we manipulate the electoral laws to benefit us because we have a majority in the house? That is the Playmander. That is gerrymandering.

Trying to change the rules at the very end of the game, months before an election, with only 14 days of parliament left for scrutiny is undemocratic. There is no question that the parliament has the power to do it. There is no question that it will be enforceable at the next election. But the question is: is it right? Is it right to change the rules on the public this close to an election? No, it is not.

The government have a number of amendments to the legislation—not ones we are debating now—so they would all fit this mould. Banning election posters, and let me be very clear about this, has nothing to do with amenity or pollution. That has nothing to do with it at all. The government have made a decision that they believe it will benefit them.

This bill has absolutely nothing to do with the intention of broadening our democratic principles but because the government think it will benefit them. I have grave concerns about this legislation and the motives of the Attorney-General and the motives of the government, so we will be voting against this legislation and doing all we can, using our democratic rights, to try to stop it. I fear we will be unsuccessful.

But again I say to the younger members of the Liberal Party, the ones who hope to have long, prosperous careers once this Premier is gone and this Deputy Premier is gone—remembering the Deputy Premier is in the twilight of her career, the peak of her career being in 2002—that you better hope you are in office forever because, if this type of partisanship enters our mainstream thinking about manipulating the electoral laws to suit one party or another, what is the natural consequence of that type of legislation?

Well, there is a reaction and ultimately one day, whether at this upcoming election or the following elections, there will be a reversal. What could be even worse is that the pendulum swings the other way even further. That is why we should not be doing this.

We have a level of independence in our electoral system. We have an independent electoral commissioner. That commissioner can direct the Premier or the opposition leader to apologise, to make corrections to statements, and the public have faith in them. We have institutions that people believe in. Where there are cracks in the institutions, these things do not happen quickly or suddenly; they happen over time and then they accelerate.

In the United States, for example, there has been a whittling down of trust and faith in democratic institutions to the point now where people believe that the President of the United States has been illegitimately elected. That is a tragedy for Western democracies and the Western world because the one great superpower left, which has at its core liberty and freedoms in its constitution, is now at war with itself because of hyperpartisanship.

How did that start? It started in very small measures, moved in the 1950s and 1960s when absolute power was wielded by politicians who were trying to get absolute power for themselves, changing electoral laws. Whether it was segregation, whether it was Jim Crow laws, whether it was voting suppression, these things had consequences.

Making it harder for people to enrol to vote is not Jim Crow or segregation. I am not saying it is, but what is the purpose of it? What is the purpose of making it more difficult to enrol to vote? Why the shorter window? What is the democratic principle behind that? I will tell you what it is: it is to restrict enrolment. It is very simple. That is what it is about. It is about nothing else, because the

government has made a judgement that a certain cohort of people are more likely to vote for their opponents than for them, so make it harder for them to enrol. It is just an algorithm they are following.

We cannot allow that. We cannot allow that in a democracy. One vote, one value—it is a very simple principle. The secret ballot was invented in this state by Commissioner Boothby, and we named a federal jurisdiction after him. There used to be the point where people would vote in Western democracies by turning up to a public place, calling out their name and saying publicly, 'I vote for X,' or, 'I vote for Y.' You could be beaten or ostracised. Indeed, we were just talking the other day about the word 'ostracised', which is a Greek word. The ancient Athenians would choose every year to ostracise a member of parliament who they thought was most susceptible to corruption and throw them out of the system, so they were ostracised.

One vote one value has developed over a long period of time and I fear these changes empower people to make other changes that cascade to this place being used to draft antidemocratic laws. We are better to leave the system as it is. The government will say, 'You got rid of the fairness clause.' I submit to the parliament that the fairness clause was not about fairness, it was about attempting to turn a redundant two-party system that obviously had three or four parties in it, it was trying to manipulate an outcome that was not the basis of what was actually happening in the electorate.

Think of the absurdity of this: what if the Labor Party in 2014 only contested 24 seats and won those 24? How would we win the two-party preferred vote? It is impossible, we would not be able to, we would lose the two-party preferred vote. Yet the fairness clause would have instructed the commission to draw boundaries to ensure the party that won 23 seats in that election would be the government at the next one. That is why the fairness clause was redundant because it does not make any sense anymore. It only made sense when there were two parties. It makes no sense anymore to have that clause in place.

What the government is now doing is using that excuse of what was a common terminology around fairness to say, 'They changed that, so we are changing this. And we are not just going to change this, we are going to change a whole series of other democratic principles because we think it suits us.' I think this is undemocratic and the government should not do it. They should withdraw it and should not attempt to proceed with it. I think the upper house will hopefully give it the attention it deserves, which is to reject it.

Our party had a platform of abolishing the upper house because we thought elected governments had the right to introduce their mandates. I am now a strong supporter of the house of review. Think of the genius of it, the genius of the delayed election and the staggered elections of the upper houses, whether it is in the United States Senate, which our Senate is modelled on, or the Australian Senate or the Legislative Council—22 members with half elected every eight years.

One party wins an election, tries to make a massive change and the minority are represented in the upper house, protected through previous mandates. It is a genius system of government that has served us well and has given us incremental change since federation and has built one of the great miracles of the Western world, this country. When you tinker with it to try to benefit one side over another, whether it is Labor or Liberal, you erode the ability for us to continue to provide that miracle to the Australian people. So do not do it. Like my mother used to say, 'Just don't do it.'

This is a mistake and the government may very well rue the day that they started playing with this sort of stuff because there will be people less reasonable than me in the Labor Party in future generations who may have the winner-takes-all attitude of the government and may start making all sorts of changes to our democratic institutions and our laws. If they have a majority in the parliament, they can do it, and there is no constitutional protection for anyone.

I say to the Attorney-General: be careful what you wish for, you just might get it. If you politicise electoral laws the way in which the Attorney-General is attempting to do now, as with other legislation before, you will rue the consequences. The beneficiaries will be the elite and the powerful. People will suffer, as will our institutions. When our institutions suffer we become ungovernable, and we start having the division and the problems that we see in the United States and other countries where democracy is in retreat and totalitarianism and authoritarianism is on the march, and we cannot allow that. So leave this legislation alone—do not pass it.

The Hon. Z.L. BETTISON (Ramsay) (22:04): I rise today in opposition to the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021. This bill is heading in the wrong direction. When we do reform, when we consider reform, it should be for the progression of democracy; it should not be to reduce it. A high turnout to vote gives credibility to the outcome. It shows high democratic health. That is what we should be seeking. That is what we should be aiming for.

As I rise to speak in opposition to this bill as the member for Ramsay, the shadow minister for multicultural affairs and as a former minister for youth, I express my concerns about the capacity of the proposed changes to disenfranchise or remove the rights of eligible citizens to cast a vote at the next election. I believe this bill will reduce the opportunity to vote, for young people, for culturally and linguistically diverse communities and for those people who find themselves itinerant or of no fixed address. Like many who have spoken before me, I am astounded. I am astounded at the timing of this bill, astounded at the focus of the bill and at the fact that this bill is the exact opposite to recommendations handed down by the Electoral Commission in the review of 2018 election.

I particularly want to concentrate on a section of this bill, where we had a report saying that eligible electors should be able to enrol up to and even on polling day. Yet this bill proposes to reduce it from six days, after the issue of the writs, to two days to enrol after the announcement of the writ. You have to ask yourself why. Why is this government reducing people's ability to exercise their vote? Why is this government giving less and less time for people to be on the roll? Let's remind ourselves that, in 2018, almost 25,000 South Australians enrolled to vote in the six days before polling day. That is one seat—one seat, with our 47 seats here—in the house.

We know that people enrol after the writs are issued; 25,000 people did it at the last election. We know that people move house, that people move state. People come onto the electoral roll because they have turned 18 or they have become a citizen. I want them to vote. I want them to be embraced by the full level of democracy that we have here in South Australia because democracy is precious. Democracy needs to be nourished and supported, and this bill does the exact opposite.

Let's talk about young people. For many people, it is rare that they are thinking about enrolling to vote just after their 18th birthday. It is probably not one of the first things on their mind. There might be a few other things they want to do when they turn 18. So I guess it was not surprising when 38.9 per cent of 18 year olds were not enrolled at the 2018 election.

Remember that we have set election dates in South Australia, so we think everyone knows when the election is. We know when it is: we have about 200 days to go. But the vast majority of South Australians are not thinking about when the next election is. It is certainly shown to us by this result that 38.9 per cent of 18 year olds had not even enrolled, nor had more than 25 per cent of voters in South Australia who are between 18 and 24.

When we reduce the time in which people can enrol after the writs are used from six days to two days, this will reduce the ability for young people to get on the roll. When we think about this reform and when we think about what is proposed, we look at what other jurisdictions are doing, and guess what? They have gone completely in the opposite direction.

Let me talk a little bit about New Zealand, Victoria and New South Wales. They have made changes in recent years; they have made reform to address falling participation. They, of course, have announced when there will be a date for the closure of rolls, and they have continued to do that, but they enable people to enrol after the close of rolls. They consider it a savings provision.

What this means in New South Wales, Victoria and New Zealand is if you turn up to vote, you vote. It encourages participation. We do not even know in South Australia how many people turned up to vote in 2018 and were turned away, because we do not capture that data. We are not even capturing how many people were disenfranchised at our last election, and yet we are proposing to reduce it even further. This is not democracy. This is not us leading democracy reform and health. This is about us playing around with people's ability to tell us where they see the future should go for our state.

Recommendation 1 of the Electoral Commission of South Australia's election report talks about 'Enrolment up to and on polling day'. The recommendation is:

That the Electoral Act (1985)…be amended to enable eligible electors to enrol up to and on polling day. After claiming enrolment, these electors would be allowed to cast declaration votes which would not be admitted to the count until an enrolment investigation had been satisfactorily completed in the week after polling day.

That seems to make sense to me. That seems to be positive reform. This recommendation quotes the changes that were made in New South Wales and New Zealand. It also talks about Queensland and Victoria.

Within this, it talks about the success of this reform and it measures that success. We have seen a significant increase in voters who have made use of this provision in New South Wales, from 20,960 people in 2011 to 41,978 in 2015; and in Victoria, from 34,546 in 2010 to 50,653 in 2014. In New Zealand, where late enrolment has been in place longer, there has been an even more significant rise in enrolments after the close of rolls, from 35,363 in 2005 to 130,757 in 2017. This is seen as success, this is seen as a positive way forward, and this is what the Electoral Commission of South Australia sought legislative change for, to bring South Australia into line with other jurisdictions to have access to this. So I am not sure if the Attorney read the same report that we all saw or she just chose to ignore it or actually there is another rationale here: to have fewer people vote.

What I think would be more important is not to just accept this recommendation that was made in the report but for us to seriously take on the educational role of encouraging people to vote and enrol early. Tell them about how to vote. Tell them why we make decisions and why we have democracy. What would have been really great in this bill is to have an encouragement to have an education program for new voters, but we see none of that. What we see is us going the opposite way.

The Commissioner for Children and Young People has written to our shadow attorney-general raising these concerns and expressing the fact that young people particularly want information about the electoral process: how to enrol to vote and how to cast a vote. As she says, 'Democracy works best when citizens actively engage with and participate in decision-making.'

What we should be talking about in this reform are the barriers to people enrolling to vote—the practical barriers, the cultural barriers and the attitudinal barriers. Let's remind ourselves that 25,000 people enrolled in that six-day period. There is work to be done here. There is work through education and there is work through understanding the democratic process. Young people want to participate. They are interested and I think at this next election we should think about what we have all faced, but particularly young people—the challenge of COVID, and what they thought, leaving school and becoming adults, their life might look like.

We have seen social events cancelled. We have seen sporting events cancelled. We have seen community events cancelled. The hospitality and retail industries particularly have had a dramatic impact where often young people might start their first job. Others would be looking to travel and that has been stopped as well. So I think they are going to want to have a say about how this economy looks post COVID—what the plans are and what the future is—as we approach the new normal. It is more imperative than ever before that young people are encouraged to enrol to vote and to vote, yet this bill takes us in the entire different direction.

I have had the opportunity to attend many, many citizenship ceremonies. In fact, my husband got his citizenship back in June and it was one of the proudest days of his life. What we see at those citizenship ceremonies are not only people pledging their loyalty to Australia but people knowing that they have the opportunity to vote and that their vote will be counted, and for many people who become citizens of our country, it is the first time they vote—the first time they vote.

They know that there is compulsory voting here. They know that their vote will be counted. They know that they trust in the system of how those votes will be tallied, but let's make sure they know when the election is on. Let's make sure they have actually voted. As excited as they were to receive citizenship, not everyone goes and fills out their form straightaway.

These are our proud new Australians. We want to encourage them to make sure that their voice is heard. Once again, where is the educational package here in this reform of electoral voting in South Australia to encourage people of our diverse communities, to understand the voting process,

to understand that we now have set election dates for our state election every four years, to understand the difference between voting in a federal election and a state election?

I am often asked this question by not only my constituents but many of the groups I connect with and spend time with because they are not always clear about what they are going to be asked and how they actually fill out the ballot form. There is a lot of work for us to do as a nation to make sure people understand our democracy and feel confident in how they participate.

By closing that window from six days to two days, we say to people not on the roll, 'It's too late. If you have not thought about it, your vote is not important to us. If you have moved and not changed your address, if you have moved from interstate and come to South Australia, if you are a new citizen or if you are a young person voting for the first time and you have not put the enrolment in, it's too late. You can't vote in South Australia.' That is simply not the way we should be going ahead. That is simply not what we should be looking for for progression in democracy.

It is interesting, as we look around the world, that we see more and more countries fighting for democracy. This has been a big theme that I have heard over the last 12 months. People from Hong Kong, from Burma, from Cambodia and from Russia come and talk to me about democracy movements in their own country because they see democracy here in Australia and they want that for their brothers and sisters overseas.

They see that it is one of the best forms of government—the best form of government—because your voice is heard, your voice is counted. It is very difficult for those people who are fighting for democracy in their home countries. How do we explain to them that if they miss out on being on the roll, they cannot vote here. This goes to the complete opposite of what we encourage—the full franchise of voting in South Australia.

We are running out of room for the next election, so the question has to be: why now? Why is this Liberal government bringing this bill to us now when they had an opportunity over the last two years to bring the bill forward for debate? What are they seeking to achieve? We are opposing this bill because it does the exact opposite of what we on this side of the house endeavour to do: have everyone's voice heard and encourage people to participate because that is the best thing for democracy in South Australia and Australia and the future.

The Hon. L.W.K. BIGNELL (Mawson) (22:24): I rise tonight to oppose this bill in the strongest possible way. The right to vote is the most sacred and fundamental right we enjoy in South Australia and Australia. Think of those who went before us who fought wars so that we could vote and live in the sort of country that we do and the sort of society that we do. Look at the tapestry behind me and look at the great work that the women's suffrage movement did in 1894 to secure the right for women not only to vote in elections—one of the first jurisdictions in the world—but also to stand for election. These women would be looking down on our Attorney-General, our Deputy Premier, in dismay that she would want to take away from people the right to vote in elections.

This is absolutely disgraceful. I have been reading a lot in the US papers over the past few months about what is happening in Texas, where more than 50 Democrat members of the House of Representatives got on planes and flew up to Washington DC so that there was no quorum in the state House of Representatives in Texas, because of the repressive moves that the Republicans in Texas are trying to introduce to stymie people's rights and abilities to vote.

I thought that was kind of what you would expect in some of the southern states in America, particularly in the aftermath of Donald Trump and his claims that an election was stolen. His big mantra was 'Let's make America hate again.' He is a divisive character, a terrible president and will be judged accordingly. You read it and you think how could America have gone so far off track and how could they disenfranchise, or try to disenfranchise, so many people who vote?

Elections are won, elections are lost. Sometimes if you lose one it might take a little while to get over it, but you do not carry on like Donald Trump and Giuliani and all those characters he had around him carried on. You do not go out and incite the sort of violence that we saw at the Capitol in January this year.

I cannot think of a single South Australian who has asked for this reform, so who are you playing to, deputy leader? Who are you playing to, Attorney-General, except your own party, your own political future? You are trying to distort the political and democratic process of this state. You

are no better than Donald Trump and the people who carry on in America trying to change rules; you are trying to change the democratic rights of people of this state.

I said at the outset that the right to vote is the most sacred and fundamental right that we have in South Australia and that we have in Australia. You had a report handed down in February 2019. That was a year before COVID hit South Australia, a full year before COVID hit South Australia. That was 2½ years ago, and now, with just 13 sitting days left in this four-year term of parliament, you are bringing this undemocratic filth in here and expecting to get it through the parliament. This is on the same day—

The DEPUTY SPEAKER: Member for Mawson, I am not bringing anything to parliament.

The Hon. L.W.K. BIGNELL: Sorry, the Attorney-General is bringing this filth in here. I am very sorry, because you are a very good man. You have done a great job filling the role of Speaker for the past two days, and I thank you very much for the way you conduct this house. This has got me so angry that people would come and do this, not for the betterment of South Australia, not for the betterment of the democratic process in South Australia, but for their own good. That is all this is about. You are doing this because you think it is going to help you win elections. That is a disgrace.

This report that was handed down a year before COVID hit South Australia, 2½ years ago, did not ask for the things that you want to do to the people of South Australia, the voters of South Australia. In fact, it said that the act should be amended to enable eligible electors to enrol up to and on polling day. Instead, you want to restrict that. In the final six days before the rolls were cut off, we had 25,000 people enrol. Under this plan, there will be 16,000 people who want to vote—these people are putting their hand up to vote in an election—and will not get that right.

I was talking to a mate in the UK on Tuesday night, and he was lamenting the lack of leadership, the lack of capable people putting their hands up for leadership roles and to enter politics in the UK. One of the things he said was that the Australian system is such a good system because it has compulsory voting.

Again, we look to the women for whom this tapestry was done to celebrate the centenary of women's suffrage in 1894. You look at the great leaps forward that we have had in this state and in this nation—we have been world leaders—and you want to take us back. You want to be more like Trump than these women who led the suffrage movement in South Australia. You will be remembered for this, just as Donald Trump will be remembered for inciting hate across America and for claiming that an election was rigged. You will be remembered for this. There is no doubt about that. Not one person in South Australia has asked for these reforms that you are bringing in here.

We are here tonight debating this legislation that no-one has asked for, yet there are people all around South Australia who do not want the poison, toxic PFAS dumped in their electorates, and you would not entertain debating that in here today. That just shows where you put your values and who you want to protect. You do not want to protect the citizens of this state that each and every one of us is elected to protect. You just want to protect your own political futures.

You want to give yourself every edge that you think you can squeeze out of changing the democratic process that we enjoy so much in South Australia. It is a disgrace, and we will be telling everyone that we possibly can from now until the next election on 19 March 2022 that the Liberals are all about themselves and they are certainly not about protecting the people who they are elected to protect.

There are some people who are under-represented in here. They are the young people. Obviously, you have to be 18 to come in here to vote, but I would say we would step up a few years before we get to the person closest to 18.

I was really interested to read a letter from the Commissioner for Children and Young People in South Australia, Helen Connolly. She gives voice to these people. I want to read some of the words that she has written on behalf of these young people. To inform her response to the bill, she asked a group of young South Australians, aged 15 to 22 years, their thoughts on the barriers to enrolment and voting for young people and how the proposed amendments that are being put forward by this government, by this Attorney-General tonight, will affect those people across South Australia. She says:

Children and young people want to understand the systems they live in, know how to engage in the world around them, and acquire the skills they need to transition into adulthood. They recognise that their understanding of civics, and particularly their ability to participate in the state and federal elections, is central to being active citizens in Australia's democracy.

Is that not something we should all be aspiring to in here? We actually have kids who are stating that they want to be involved in this process and yet these terrible measures that are being proposed by the Attorney-General and Deputy Premier will stymie all that. The commissioner says:

Young people have unique experiences, ideas and passions, and they want to be active members in their communities and in the democratic process that affect their lives. However, significant numbers of young people report making it through their years of schooling without being taught about South Australia's electoral process. This includes a lack of information about how to enrol to vote, let alone how to cast a valid vote once they are enrolled.

Young people describe a lack of education or 'little education' as one of many barriers to enrolment and to voting. Many young people make a distinction between an 'uninformed vote' and an 'informed vote', and they are worried that their civics knowledge is insufficient. They identify several other barriers to voting, including a lack of experience and motivation, inaccessible places to vote, income, family attitudes, and feeling excluded from decision-making.

Many young people do not feel that the adults or institutions around them respect their feelings or opinions. While they understand the importance of voting, they describe how it is difficult for young people to 'care about politics and voting' if young people themselves do not feel like adults in positions of power care for them.

Hello, are we listening over there? These are the young people. This is what they are saying. I want to put this on the record in here. I want to put this on the video to send to the people in my electorate because I think what she is saying here on behalf of these young people is very important. It is going to resonate with a lot of people I speak to when I am out and about in my electorate. A 17 year old said:

A lack of knowledge about the workings of our political system and a lack of knowledge about the candidates' and parties' values causes many young people to feel disengaged in politics.

The commissioner said:

It should not be surprising then that some young people, as with the broader population, are becoming increasingly disillusioned by or disengaged from mainstream politics.

We know that over one third of eligible 18 year olds, (38.9%) and one quarter of eligible 18 to 24 year olds (25.4%) were not on the electoral roll at the time of the 2018 state election. Participation was also lowest amongst this age group, with only 76% of enrolled 18-24 year olds casting a vote, and younger voters reported the lowest levels of confidence about completing their ballot papers.

The consequences of a growing lack of trust when combined with a growing list of civics proficiency is worrying for the future of our democracy and the ideals and values it represents.

However, this is not inevitable. Democracy works best when citizens actively engage with and participate in decision-making to uphold agreed ideals and values. Where this is not happening, this is a reflection on us as adults and how our political institutions and educational institutions are falling short in catering to young people's needs.

This is from a 13 year old, and remember that they do not have a voice in here because you have to be 18 to vote and you have to be 18 to run for parliament. Here is the voice of a 13 year old:

If we had a say in what the government did, it would make many of us trust them and their desisions (decisions) more.

A 14 year old said:

We can see that some of the descisions (decisions) made today by adults have very effectively screwed us over, and that is a big factor. Kids want to be included. The government & world leaders hold our future, yet exclude us from shaping it. If we are to trust others, they should trust us and include us in what may very well shape our lives. Trust is a two-way street.

Wise words from a 14 year old. The commissioner continues:

One young person reported how they 'do their best' to 'let other young people know that it is their right to be able to vote'. When it comes to something as significant as enrolment and voting, it should not be left up to individual young people to share this critical information with each other.

It is up to us as adult leaders, community representatives and decision makers to ensure systems are designed in a way that enables every person to be informed so that they can exercise the fundamental democratic right to vote, regardless of age and circumstance.

That is from the Commissioner for Children and Young People, and I think she makes a compelling case. I think that the Attorney-General has brought this bill in here for her own political means and not for the betterment of South Australia, not like the women behind me featured in the tapestry that brought the right for women to vote back in 1894. No, these people came in here with good hearts and with good intentions of building our society, of building our democracy, and what we see here is the complete opposite of that by the Attorney-General.

I want to quote a couple of other young people who are mentioned in the commissioner's letter. A 14 year old said that 'better education for teens leading up to the coming of age and being able to vote' is something important. A 15 year old said:

> Voting laws—bring the age to vote down. But before this is done, people need to be educated on the political topics they will be voting about.

Then a few more points are made in the commissioner's report. She says:

> It is concerning that this amendment has the potential to be particularly disenfranchising for young people and could leave South Australia behind other jurisdictions in Australia and internationally in terms of ensuring that all people of voting age, particularly young and new voters, are able to vote.

That is a shocking statement when we look back to 1894, when we were world leaders in making sure that we gave more people than anywhere else in the world, as a percentage of our population, the right to vote. Listen again to what the commissioner says, that this 'could leave South Australia behind other jurisdictions in Australia and internationally in terms of ensuring that all people of voting age, particularly young and new voters, are able to vote'. Who can support that? I look the opposition members in the eye and say, 'Are you really going to support this?'

When we go out and go to the school groups and the young people in your electorates, we are going to be telling them exactly what the Deputy Premier and the Liberal Party of South Australia are trying to do to them. We should be helping these kids. We should be encouraging them to get on the electoral roll and get out and vote. Instead, you are shortening the time period. If you give a kid an instruction to do something, it is not going to get done on the first day, I can tell you. It is not going to get done on the second day, but, under these rules, by the time people do get around to doing it, it will be, 'Oh, it's too late.'

Yet one of the very recommendations in the report that was handed down was that eligible electors could be enrolled up to and on polling day. That seems like a pretty fair system. How you can spend 2½ years sitting on this report and then bring it into this place when we only have 13 days of sitting, after we have been sitting for four years—how you can do that and try to force this through the parliament—is beyond comprehension. It is beyond any sort of decency. It is a terrible thing to do to the people of South Australia.

I want to thank Helen Connolly, the Commissioner for Children and Young People, because I think she has done a tremendous job in the time that she has been in the role, since back in 2017 when she was appointed I think by then Premier Jay Weatherill. I want to thank her for writing to us and giving us the voices of young people, because it backs up what we are hearing from the young people in our own electorate.

We do not want to go the way of America. What a terrible place that has turned out to be in the past five or six years. I wish them all the best in repairing it. When you see 50 members of the Texan Democrats get on planes and go to DC so that there is no quorum in the House of Representatives in Texas, where they are trying to push through unreasonable, unfair voting rules, you have to ask yourself, 'That's really weird, and why are they doing it?' Why are they doing it? Because they are trying to appeal to their base.

Why are the Attorney-General and the Liberal Party trying to do it here? They are trying to shonk the system. They are trying to make it easier for them to win elections and disenfranchise, as we said, the 25,000 people who joined the electoral roll to vote in the six days leading up to the cut-off point before the 2018 election. In the time that I have available to me, I have one more thing from Helen Connolly's letter:

> In particular, I am concerned that this goes against the Electoral Commission's function, to 'ensure that the public is adequately informed of their democratic rights and obligations under this Act'…This is particularly important in light of findings from the 2018 report about awareness of voting options.

- 33% of electors were unaware of postal voting,
- 55% were unaware they could vote at a polling booth outside their own electoral district, and
- 56% were unaware about pre-poll voting.

If this gets through, we will not have a tapestry done to honour the Deputy Premier and Attorney-General and her Liberal cohorts who are trying to undermine democracy in this place. I hope there is a statue of the Deputy Premier built somewhere that is surrounded by a massive flock of pigeons.

Ms MICHAELS (Enfield) (22:44): I rise to also speak on the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021. As I sat down to contemplate this piece of legislation, I was struck by something that was raised by the member for Mawson just now and by the member for Kaurna in his second reading speech. He noted that this is the result of the Electoral Commission's report, which was tabled by the Attorney on 28 February 2019. That date is fairly important to me as it was my very first week sitting in this place and the day after my maiden speech.

Mr Odenwalder: Ages ago.

Ms MICHAELS: Ages ago. As the newest member in this house, along with the member for Cheltenham, I cannot say that I am terribly shocked by the slow pace of things happening in this place, but it is very concerning that it has taken the Attorney so long to introduce this bill into this house and, as the member for Mawson said, a bill that has amendments that are not even consistent with that report. However, given how those on the other side of the chamber have governed to date, I guess I should not be shocked by the slow pace and the inconsistency.

Considering that only in recent sitting weeks we have dealt with other reforms to fix the government's bungled attempts, for example in fixing land tax reform, there has been a raft of bungles that have been brought about by this government in the 3½ years they have been in power. So, I guess I should not be surprised by the delay in preparing this bill and introducing it at the 11th hour before an election.

As I mentioned, as the newest member in this house it is not difficult for me to recall the many challenges faced by the voters of Enfield in the 2019 by-election, whether it was young people, the elderly or those living with disability, and now this government is seeking to make things even harder for them, as I guess some sort of play to tip the scales in favour of the Marshall Liberal government winning at the next election, and that in itself is disappointing.

We all know that many voters are disengaged from our political system. The recent conscience votes that have occurred in this house have prompted many of my constituents to re-engage with the democratic process, and I encourage that. We have had the euthanasia debate, the abortion debate and, before that, the sex worker bill, and that has inspired thousands of my local constituents to contact my office and make me aware of their views on these important and difficult issues.

These have been positive steps in my electorate, and sharing with my constituents what is happening in this place is always an important part of my role as their local member of parliament. The extent to which people are disengaged from politics in general, however, and more specifically state politics, has become glaringly obvious to me in the weeks leading up to the by-election and in the months after the by-election.

I knocked on doors and made calls and spoke to thousands of people in the weeks leading up to the by-election. The electorate was covered with corflutes of the seven candidates. The entire electorate was letterboxed multiple times by me, let alone the other candidates. However, come that wonderful day, when the residents of Enfield were able to stand safe and free from harm at their local polling station, no matter their political views, and despite the early morning rain, the most important part of democracy was offered to those 26,000-plus voters of Enfield. Yet only just above 20,000 voters actually turned out to vote, and some of them, in my crossing paths with them and encouraging them to vote, were actually annoyed that they even had to go and vote, so that is the level of disengagement with state politics.

But we had 6,000 people in the seat of Enfield who chose not to vote or who were so disengaged they did not even know a by-election was happening. As I mentioned, in the weeks and months that followed, as the Electoral Commission sent out please explain notices to those 6,000

people, many visited my office seeking assistance. The votes that we are granted have such a powerful effect on how a state is governed and what direction it will take and what future our children will have in this state. We can ask the member for Hurtle Vale when she is in the chamber about what could have occurred had the nine people voted differently for her at her by-election when she came into this place.

I was saddened that so many people chose not to take part in our democracy on that day. Now we have those on the other side of this chamber seeking to take that right away from so many more by making it more difficult for them to vote. This government wants to disenfranchise our youth and our new citizens. Young people are one of the groups most difficult to engage with, and that was highlighted in the member for Mawson's speech just now. No doubt many members in this place have tried to engage with young people in their electorates, with varying levels of success. It seems that the Premier and the Marshall Liberal government are sick of trying, and now just want to make it harder for them, to effectively stop them from voting altogether. That is shameful act, and one I am greatly disappointed in.

Look at where we stand. We have the wonderful tapestries hanging in this place celebrating the struggle of those amazing women who fought to ensure that women had not just the right to vote but also the right to stand for parliament, and just across the way we have the portrait of Joyce Steele hanging in honour as the first woman to sit in this chamber. I wonder what she and others would have thought if they had had the opportunity to review this bill, which seeks to make it harder to exercise that powerful right to vote each of us have at election time.

It is a right I have exercised each time since the 1993 state election. Sadly, at the time of the federal election in 1993 I was still too young to vote, but thankfully the Hon. Paul Keating won without my vote. I then got to vote in the state election.

The very report this bill is based on recommends 'that the Electoral Act be amended to enable eligible electors to enrol up to and on polling day'. Yet despite sitting on this report more than two years, the Attorney seems to have misread that recommendation. Instead of extending the time for a young person to enrol to vote, the Attorney seems to have, perhaps accidentally, (although I do not think so) reduced the amount of time a young person has to enrol to vote before an election.

Was this a mistake, or was it an attempt to gain an advantage for the Marshall Liberal government by taking away the right to vote from young people, or at least making it harder for them to do so? The disenfranchisement of our young people and new citizens is most egregious, and the reason why I cannot and will not support this bill.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (22:51): I rise to make my contribution on this bill and explain why I share the view on this side of parliament that we ought to oppose it.

I had been aware this bill was coming but had not looked into it in any detail initially, preferring to start from the question of what the principles are with which one ought to approach a piece of legislation like this piece of legislation that, because it deals with voting, inevitably it goes to the very heart and nature of our democracy, the structure of our democracy and the rules that govern it.

Probably all my life, but particularly in the last couple of years, I have taken a great interest in reading about early times in the development of democracy, through ancient Athens, through Rome, and then through the various versions in Western Europe. To say that, I do not in any way disregard the various forms of democracy and decision-making that existed in a great many different cultures, not least in the original First Peoples of this nation. The principles of Westminster democracy have their approach primarily through that Western European tradition.

What is very evident when contemplating the history of the last few thousand years is that democracy is precious and fragile. It is not an inevitability and, having had it, it is not certain that one will retain it. I think that when you grow up in a terrific place like Australia, with a sense of being part of a stable and secure democracy, you can make the mistake of thinking that it will always be this way. The member for Mawson, in referring to Donald Trump, touches on some disturbing trends that we have seen very recently in other Western democracies, where the very foundations and institutions that support it have suffered serious assault and have called into question the integrity of their systems.

I say that not to exaggerate the concerns we have with this bill, but to recognise that we have to take any change to the rules that govern our democracy seriously. We have to question them, as I said, from the principles of what it is we expect if we are to have a secure and coherent democracy.

I might just touch, as we are late of hour anyway, on an interesting lesson in one of the books I was reading. It is a terrific book. I had first read it a very long time ago, in year 11, and I then re-read it in the last year. It is a book called *The Greeks*, by Kitto, which is largely, not exclusively but largely, about the Athenian Greeks of ancient and classical times. It extols the virtues of sixth century Athens and questions what went wrong that led to the end of that democracy—of course, it was not a full franchise; we can take that as read, but it was a democracy as understood then—and what led to the decline that saw the end of that version of democracy, as they headed into the fifth century Before the Common Era.

Kitto marked a change in the attitude of those who had a bit more, who had a bit more access to power, who were born of more wealthy families, that they started to become more interested in personal wealth rather than shared wealth, communal wealth and that the houses of those who had more became more grand, whereas in the height of Athenian democracy they tended to live largely in very similar houses and the expenditure on beautiful things was on shared beautiful things, shared places, shared art.

Increasingly, they turned to caring about their private domain, and I fear that we are seeing an element of that in our Western democracy now, where rather than sharing and having the communal good—that every public school is of the highest order—those with wealth have started to creep away from that and are more interested in whether their house is the grandest, whether they have the best holiday house, whether they are paying the highest fees for their children to go to a private school.

I do not mean to digress too far, but it is interesting to see the signs that happened then; there are elements of that now, which makes me focus all the more on maintaining our democracy, so I wrote down a list of the principles I thought would be commonly understood to be necessary for a democracy and against which we ought to test this piece of legislation.

The first question, of course, is of the franchise, and I may extol the virtues of classical Athenian democracy but I recognise the limits to the franchise. We are reminded, as several speakers have said, of the struggle in our own nation to have full franchise. But there is a question of who is eligible to vote: who is able to be recognised fully as able to vote and eligible to exercise that right? While we now regard ourselves as effectively having full franchise, it is relatively recent when it comes to the other place, and there is a live debate about whether the age of 18 is the appropriate one. The debate over full franchise is not over.

The second question, though, that comes right alongside that is what I have termed the practical franchise. So having accepted that this group of people have a right to vote, how easy is it for them to take that up? How many barriers are there of a practical nature, of a logistical nature, between being accorded the right to vote and being able to exercise that right? That is where I have some concerns with this legislation.

There is then the question of the person actually going along and voting. How easy is that to do? How practical is it to do? Are they aware that there is an election on? I know that the banning of corflutes has been removed now from this legislation, or this is a version that does not include that. I am an incumbent. I do not need corflutes to be known in the way an opponent of mine might need corflutes to be known, but I believe that one of the purposes served by having corflutes is to make sure that people know there is an election on, making sure of that level of information to make it practically real that someone will be able to cast their vote matters. Voting also needs to be accessible. It needs to not be hard to get to a polling booth. It needs to be not hard to vote.

We then get to principles I adhere to but are up for debate. I believe that every vote should be cast. I believe in compulsory voting. I think it is one of the reasons that we have a more secure democracy than many other Western nations, because by virtue of every vote being compulsory—although we do not always, of course, see everyone exercising their obligation to turn up to the polling booth—our political parties are not trying to just activate their base. They are recognising that they need to speak to more people, the true majority, and that I think does have a moderating effect on our politics.

It is also important that every vote is counted, that is why I am an adherent and a fan of preferential voting, of allowing every vote to go through, so that if your first preference is not going to win you still have a capacity to exercise a choice between the other candidates. I think that is essential so that we do not just get that first past the post and people exhausting their vote after one vote.

It is essential that the way in which we manage the vote is fair and able to be contested. Again, I am a big fan of a piece of paper that can be written on by pencil and that can be stored and taken out and re-examined, if necessary. Electronic voting scares me because it does not have that same chain of security where we are able to count it again, to have the scrutineers, to do the recount, to store it and to bring it back out again. I think that is important.

An eighth principle is that any changes to the system ought to be free of party political interest. It is so important and precious that we have an independent Electoral Commission and we should listen to the independent Electoral Commission. We should not have what America has primarily, which is that whichever party wins is able to start drawing lines on maps and is able to control the way in which the vote is counted.

Finally, I think we need to have any changes that we do make to a system known clearly and understood by all, that we make a considered decision about it, that it is public, it is contested, it is debated and, as we are reasonably late tonight as the representatives of the people, that there is the possibility of full consultation and engagement before we make changes to this very precious system.

They were the principles that I drew up without having carefully interrogated the bill, which I now have had the opportunity to do. I turn to the concerns that I have with this bill. The first, of course, as has been mentioned by several other speakers, is the extraordinary length of time between the government receiving the independent Electoral Commissioner's report and our debating these changes—February 2019 to today.

What that means is that we are now very close to an election. We are now at the time when the rules really ought to be understood and clear. We ought not be making late changes just before an election. However, that period of time has not been used having a wide, deep and fulsome public consultation and discussion. We have not had a roadshow out into the community looking at the recommendations made by the Electoral Commissioner, having the alternatives presented by the government, where they do not want to support those recommendations, and having a full debate.

We have not been spending the last couple of years doing that. What we have had is a failed attempt at some changes, which included the corflute changes and messing around with the preferential voting system, and then suddenly—13 days is it now of sitting before the election—we are being expected to make some, I think, pretty significant changes.

The first of those significant changes that I am not happy with is the question of when people can enrol to vote, so that comes to that practical franchise. People have the right to vote but how practically are they able to make sure that they are recognised on the electoral roll, which is our version of expression of the franchise. The recommendation made by the Electoral Commissioner, as has been canvassed, was up to and including the day of voting. That is, in my view, a very good idea and is entirely consistent with my view of how important corflutes are.

Lots of people just cannot wait for 19 March. They are hanging out for it, they know when it is, it is in the calendar. A lot of people know it is coming but have not really paid attention to having to make some decisions on that day. The corflutes tell them, 'Oh, right, the election's coming. I had better make sure I've enrolled to vote.' Then suddenly they are told it is too late: 'You can't. You've missed your chance.' 'But the election isn't yet.' 'No, too late. You have to wait for the next time.' Why is it too late?

In the proposal not only to ignore the Electoral Commissioner's recommendation to be able to enrol right up to the day and then cast your vote but to reduce the time from six days after the issuing of writs to two days, we know that we will lose people. They will primarily be young people by virtue it being young people who are not on the roll, who have become eligible since the last election. We know that there will be young people who would like to vote, who will be turned away from being able to do that. What possible justification is there for that? Why on earth would a

government want to mess with the practical franchise? Why would that fundamental tenet of democracy be ignored?

I would hate to think that it is because they know that young people tend not to vote conservatively. I would hope that is not the base political motive in making such a proposition, but I have not heard any other justification. We have had canvassed by others, so I will not over it, the recognition of the number of people who enrolled in those six days—some 4,000 a day—so we can count a good estimate of the number of people who will not be able to enrol. We know that we have under-representation of young voters already on the electoral roll.

I cannot help thinking that we will have a lot less under-representation if we did listen to the Electoral Commissioner's advice and allow enrolment all the way up to the day, the day when they see all that bunting out, they see those enthusiastic volunteers and they are driving by and they say, 'Right, I've got to vote.' They come out, line up and are told, 'No, you're not on the list.' 'What do you mean I'm not on the list? I'm 19 years old. Why can't I vote?' 'Well, you should have got yourself organised earlier.' Why? They have a franchise. They have the right to vote. We ought not be standing in that way.

That is the most significant objection I have. There are three others, though, that I would briefly like to go through. One is this question of assisted voting. I think we recognise the importance of being able to ensure that people with disabilities—visual impairment in particular was mentioned—are able to have a form of assisted voting. The difficulty with the changes that sit in this piece of legislation is that there is that magic capacity that governments often give themselves to create a regulation to create another class of people.

While the bill purports to have assisted voting for people with disabilities, it creates this opportunity for the government of the day to create a regulation to create another class. This assisted voting comes to my question of whether every vote is able to be accessible for people and be freely cast and contestable. It disturbs me that we have this risk presented by the vagueness of this piece of legislation.

The next question I have—the third of my objections—is the early count of pre-poll. We all know how frustrating it is not to know who has won on the night. We know that as pre-polls become more and more prevalent there is more and more expectation that people do not in fact have an election day; they have an election fortnight. I do not like that, and I will come to that in a minute. I think we should reach a judgement, as close as possible, with the same set of facts. There is a very real risk, when you have people voting over an extended period of time, that facts come to light that would change someone's vote, and it means that you do not have everyone having the same view on the same day.

We do have pre-poll, and there are legitimate reasons for some people to vote in pre-poll and in postal votes. But if we are going to have pre-poll it is annoying that we sometimes have to wait a couple of weeks for all of that to be counted, but the risk of having an early count is that it will become known and therefore influence people who are voting later. The last thing you want is to have people voting here changing the minds of people voting here. It exacerbates the problem of pre-poll in not having everyone reach a decision at the same time with the same set of facts. Some people risk knowing how the vote is going already and are being influenced by that.

How will that be protected? Regulation—so we do not actually know. How will we be certain that any early count of the pre-poll would certainly not be known? In this parliament, making this decision we do not know because it is captured by regulation. There is a vague reference, as I understand it, in early speeches to whatever New Zealand does. Well, I love New Zealand. New Zealand does some beautiful things. Its electoral system is pretty wild and exciting, but I do think we should be making decisions with full possession of the facts here.

The final concern that I have is that the Electoral Commissioner would no longer be required to encourage voting on election day. As I said, I object to anything that puts further pressure on the principle of everyone reaching the same decision on the same day with the same set of facts. While I accept that there are reasons for early voting, and particularly for postal voting, I do not accept that that means we should give up and say there is an election fortnight, and that the Electoral Commissioner no longer has an obligation to try to do everything the Electoral Commissioner can to encourage voting on the same day. That sneaks into this piece of legislation: let's smear it out over the fortnight and run a risk that maybe people will know how the trend is going.

Most importantly, and I come back to this initial objection that I have, is the idea of choosing to disenfranchise people by making a change in this parliament to say, 'You turn up and you're a day late—the election hasn't yet happened—but you can't vote. You're not eligible.' Well, that is not what democracy is founded on and we must not be so complacent as to assume that we can sneak these in and retain the quality of our democracy.

Mr ODENWALDER (Elizabeth) (23:11): I, too, rise to speak on the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021. It is interesting that in the previous debate in this place several hours ago now, the Minister for Energy berated members on this side of the house for having the temerity to practise politics in this house, in a house of parliament. This is a house where politics is practised every day.

There was also a suggestion from members opposite that members on this side of the house were bullying people in making the suggestion that the way they voted on a particular measure would be used politically. This is what democracy is all about, and this is what this bill essentially is about. This bill, in fact in large part, is entirely political. The Minister for Energy again waxed lyrical about how we should approach every piece of legislation on its merits, not bring politics into it and treat all these things as practical measures, which we could or could not take, but this bill in very large part is almost entirely political.

It is worth noting from the outset as others have that this bill is pretty much a regurgitation of a bill which the Attorney introduced last year and one which, of course, history has shown was roundly rejected by the parliament as a whole. The main thrust of this bill, as was the case with the last bill, has only one clear intention and that is to change the rules of our electoral system to favour the Liberal Party in South Australia. It is an entirely political exercise. The clauses in this bill are entirely political. I will go through some of those changes, but it is worth reflecting on what has been left out in the second iteration of electoral reform from the Attorney-General.

First, it no longer includes optional preferential voting. Of course, that is a good thing. The last bill did include optional preferential voting, and again this was roundly rejected. This was such an obvious power grab by the Attorney-General and by the government that the Legislative Council quite rightly rejected it. They rejected it because we know that, in our current electoral system, many seats, the seats that decide elections, are won often on very few votes. The member for Hurtle Vale can attest to that, and others may attest to that in the coming election. I happily have never been in that situation.

Indeed, I remember a time handing out in the lovely town of Watervale, which some people may know. Riesling lovers may know Watervale. The Attorney-General is nodding. It is a beautiful town. I have not visited it for a long time, but on this occasion I was handing out for the Labor candidate, whoever that was at the time, diligently all day. From memory, 200 or 300 people passed through that booth throughout that day. Every single one of them, to a man and a woman, was extremely pleasant and encouraging, shaking my hand and wishing me the best of luck and wishing my candidate the best of luck and, to the best of my memory, I think the Labor Party achieved 14 votes in that election.

The Hon. V.A. Chapman: Liberal voters are always polite.

Mr ODENWALDER: Indeed, they are. They are polite. But they are not the seats that win elections. The seats that win elections are those seats that hang on very few votes. I think that Hurtle Vale, if I remember rightly, was nine votes and there are other examples of seats. The seat of Bright, I do remember, several elections ago, was similarly close. These are the seats that win elections and this is what optional preferential voting, I believe, was ultimately designed to disrupt. It seems that even the Attorney-General has now reflected on this measure and accepted that it is a bridge too far.

It also of course omits any reference to the banning or the limiting of corflutes. It is worth noting that, first of all, there is a bill—and I will not reflect on that bill in any great detail because that would be unparliamentary—by another member that does seek to limit and ban corflutes in most circumstances. I will not go over the reasons why that is a bad thing. The member for Port Adelaide just traversed that territory exceedingly well.

It is worth noting that the Attorney-General today introduced another bill that seeks to limit and partially ban the use of corflutes. As the member for Port Adelaide said, this clearly

disadvantages non-incumbent candidates and new Independent candidates too. Again, it was a purely political exercise and it will be again.

The Hon. V.A. Chapman: It was yesterday.

Mr ODENWALDER: It was yesterday. I stand corrected; it was yesterday.

The Hon. V.A. Chapman: It has been a long day today.

Mr ODENWALDER: It has been a long today, yes. It is nearly the day before yesterday. It was again, and will be again, a purely political exercise, and despite being omitted from this bill, the fight for unfairness is not over for this Attorney-General. I do not seek to tell the Attorney-General how to do her job, but I would be surprised if in the next 13 days we do not see a partial resurrection of the idea of optional preferential voting, but that remains to be seen.

The Hon. V.A. Chapman interjecting:

Mr ODENWALDER: We are counting, do not worry. This bill does depart a little from the previous bill, but it keeps the intent intact and the intent of a very large proportion of this bill is to serve to advantage the Liberal Party in future elections.

Of course, as previous members have gone over, one of its major aims is to reduce the time available to new electors—that is, mostly young people—to enrol to vote from six days after the writs are issued to two days after the writs are issued. Clearly, this further disadvantages young people who are new to the electoral system and is clearly unfair.

Of course, electoral reform is an evolving process and from time to time this place will consider changes, usually on the advice of the independent Electoral Commission, so it is worth noting again, as others have, that the Electoral Commission, in its 2018 state Election Report, recommended almost the exact opposite of what the Attorney-General now seeks to achieve. I am not aware of any amendment before the house at the moment that exactly duplicates what the Electoral Commissioner was suggesting in the report of 2018, but its first recommendation was very clear and that is:

> That the Electoral Act…be amended to enable eligible electors to enrol up to and on polling day. After claiming enrolment, these electors would be allowed to cast declaration votes which would not be admitted to the count until an enrolment investigation had been satisfactorily completed in the week after polling day.

The Electoral Commissioner gave some very good reasons why this should be the case and, in doing so, outlined in reverse the arguments against the measures that this bill seeks to introduce. The report states:

> The declining rate of enrolment of younger electors and the increasing numbers of non-voters are a matter of concern not isolated to South Australia. Indeed, there has been longstanding unease about both trends among electoral commissions and commentators in Australia, New Zealand and further afield.
>
> One of the solutions to address falling participation rates successfully implemented by ECSA's counterparts in New South Wales (NSW), New Zealand (NZ), Queensland and Victoria (as well as most Canadian jurisdictions) has been to allow people to enrol after the close of rolls. Although the commissions of these jurisdictions continue to have and to advertise a close of rolls, they allow enrolment on the day as a 'savings provision' to enfranchise people who inadvertently miss the close of rolls.

The Attorney-General's clear intention is to do the exact opposite; it is to disenfranchise people who, for one reason or another—and, again the member for Port Adelaide outlined these reasons very well—have not enrolled to vote. They may simply be unaware, they are young people who have never voted before or they may not, as we do, take much of an interest in what happens in this place. In any case, the decision to do exactly the opposite of what the Electoral Commissioner has suggested is, as I said, an entirely political exercise.

As others have noted, this report is now some 2½ years old. This is a hallmark of this government: reports are prepared by independent bodies, by experts, suggesting things that the government should do and, in some cases, suggesting time lines, suggesting some urgency in which they should be done, and the government then simply does nothing.

I saw this in my own portfolio area—and a very important portfolio area—of road safety, where, following some particularly horrific road death and road trauma statistics in 2017 regarding motorcyclists, the Motorcycle Reference Group was convened, a report was prepared for government for the then minister, the member for Kaurna, which outlined some changes which

should be made to motorcycle licensing and the motorcycle licensing regime to bring it somewhere closer to the licensing regime imposed upon the drivers and novice drivers of cars.

I will not go over the detail of that, but suffice to say the new government, upon its election, received this report. Presumably, it sat on the now Minister for Transport's shelf gathering dust for 2½ years, so much so that the road safety stakeholders in the community approached me and the Leader of the Opposition in desperation. They knew that these measures were urgent. They knew they needed to be done and they knew that this government simply was not going to do them. So it was up to us on this side of the house to take action and to implement some of the recommendations of that expert report.

This is nothing new. This is a hallmark of this government: reports are prepared by experts, the government says thank you, sits on them, ignores them and, in this case, decides to implement them with only 13 sitting days left and some five months out from the next state election.

The Attorney-General is the top law officer in the state. Her job is to protect our legal system and her job is also to protect our electoral system and keep it fair. What this measure does, though, is absolutely subverts that aim—it is patently unfair. I am sure the Attorney-General will call everything we are saying on this side about this measure an overreaction, but we do know that the rate of enrolment of young voters is declining in this state and elsewhere. We know that 38.9 per cent of 18 year olds were not enrolled at the 2018 election, along with 25.4 per cent of voters between 18 and 24.

We also know that in the six days before the 2018 election almost 25,000 South Australians enrolled to vote. Again, as others have observed, this is more than enough in fact to fill a quota to fill one state electoral district. Again, I think the intent is clear: it is to disenfranchise a certain group of people, young people who, as others have observed, generally or more than other cohorts do not vote conservative, are more likely to vote Labor or perhaps even, perversely, the Greens. It is an attempt to game the system and to permanently increase the Liberal vote.

Others in the course of this debate have mentioned the Playmander, which of course was used in the past by the Attorney-General's predecessors to achieve similar outcomes to the one the Attorney-General hopes to achieve with her so-called reforms in this bill. The Playmander delivered government to the Liberals for at least three decades, despite the fact that for at least 20 of those years Labor achieved a much higher statewide vote than the party of Playford.

The mechanism is very different, but the effect is the same: the disenfranchising of Labor and new and Independent voters for the direct benefit of the Liberal Party. Unlike many others on this side of the house, I do have a bit of time for Playford, not as much time as he had, but I do have some time for Playford, in that he was partly responsible for a lot of things that have played a very great role in my life.

In his role as a designer, as an instigator of the South Australian Housing Trust, he indirectly built several of the houses I have lived in over the course of my life. His name lent itself to my high school. He attracted General Motors here and they established Holden, where my dad worked and where many of my friends and family have worked until, sadly, its closure several years ago. So I do have some time for Thomas Playford, but I do not want to see—

Mr Brown: Sir Thomas Playford.

Mr ODENWALDER: Sir Thomas Playford. I stand corrected by the member for Playford. I do have some time for Sir Thomas Playford, although, as I said, not as much time as he did. The Playmander worked and the Attorney-General, as a student of history and a student of politics—and indeed as a practitioner of politics, which must grate on the Minister for Energy—very well understands that messing with the electoral system in such a blatant way works.

We saw, as I said, over the course of 20-odd years, despite getting, in many cases, a much higher statewide vote than the Liberal Party, or the Liberal and Country League as they were called then—is that right, member for Playford?

Mr Brown: Yes.

Mr ODENWALDER: They were called that for all that time?

Mr Brown: Yes.

Mr ODENWALDER: I could digress, but I will not. For instance, in the 1947 election Labor received over 48 per cent of the vote, gaining 13 seats, whereas the Liberal and Country Party received just over 40 per cent of the vote and won 23 seats. Again, in 1950, 48 per cent of the vote went to Labor, which netted them 12 seats, and 40 per cent of the vote went to the Liberal and Country Party, meaning they held 23 seats.

In 1953, more than 50 per cent, nearly 51 per cent, of the statewide vote was won by the Labor Party, which give them a grand total of 14 seats, compared to the 21 seats that the 36 per cent of the statewide vote that the Liberal and Country Party achieved won them. In 1956, again nearly 48 per cent of the statewide vote got the Labor Party 15 seats, while 36 per cent of the statewide vote got the Liberal and Country Party 21 seats. This continued until the late sixties and early seventies, when more democratic heads in the Liberal and Country Party, or in the Liberal Party, recognised that they could not keep up this undemocratic charade forever.

What we are seeing here, sadly, is a deliberate attempt to replicate the success of Sir Thomas Playford, who, as I said, I have a lot of time for. The aim is clear and that is what Jenny Tilby Stock in her essay 'The "Playmander": Its origins, operation and effect on South Australia' called 'the indefinite exclusion from office of the Labor Party', and in the modern context the Greens, minor parties and Independents. It is undemocratic, and we on this side of the house value democracy. Winston Churchill famously said:

> Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except for all those other forms that have been tried from time to time.

What this bill does is it moves our democracy here in South Australia further from a democracy which at least strives to be perfect and all-wise. What large parts of this bill and the intent that lies behind it show is that the Liberal Party have learnt from the best of their own people, they have learnt from the success of Sir Thomas Playford and they have also learnt from the best, or perhaps the worst, of what we have seen from people like Trump's Republicans, who find every trick in the book to game the system in favour of their own candidates in order to bring about, again, the indefinite exclusion from office of the Labor Party.

Mr GEE (Taylor) (23:30): I rise to speak on the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021. I will be opposing this bill. There is good legislation and there is bad legislation. Many good electoral reforms could be made by this government, but they are not in this bill. This is simply bad legislation. What is worse is that now we are less than seven months out from an election and the Attorney wants to change how it is conducted. It is quite extraordinary really. We will be even closer to the election if and when this bill gets implemented. How ironic it would be if the Liberal Party lost the next election on electoral reform. Maybe this could be the straw that breaks the camel's back.

This government so far has managed to offend almost every group in our community. We have those paying land tax, religious groups, conservatives, healthcare professionals, retail workers, our state emergency heroes, our farmers, our regional workers, the tourism industry, the construction industry and almost every other group I could name. As much as Labor would welcome these votes, Labor will do what Labor always does, and that is fight for a better future for all—a quality education for our kids and grandkids, good jobs for our community and quality health care for all. We on this side do not play political games but carefully listen to our community and support democracy. Let me tell you, this legislation will be bad for democracy.

Young people will lose under this bill. The first recommendation of the 2018 election report was to extend enrolment up to and including polling day. How hard would that be? It would not be difficult to implement in our digital age, but, no, the Attorney and the Premier want to reduce the opportunity to enrol. It is hard to believe, but it is true: that is what this bill does. It is typical of those opposite. Their party, the Liberal Party, recently tried to prevent new applicants joining the party and at the same time we had their parliamentary MPs trying to restrict community members enrolling to vote with this bill.

At the last election, 25.4 per cent of those aged between 19 and 25 years old were unenrolled. Also, nearly 40 per cent of 18 year olds were not enrolled to vote. If that trend continues, compulsory voting would just be a nonsense. Is that the real agenda—forget the young and focus on

seniors in the blue ribbon seats? The young folks are leaving those rural areas. Young people are becoming more disengaged than ever before.

The changes in this bill further reduce the ability for enrolment once an election is announced. We are not seeing a political commitment from our young people these days, yet I believe politics and our democracy depend on our young people. They really are the future, and their outlook is different from that of most of us. It is hard to imagine what this place will look like 20 years from now.

While we hope for the opposite, the recent trend towards apathy and right-wing politics is making the world a less honourable, less generous, less tolerant and less respectful place, and this bill does not correct that. It winds back our democracy. We should be standing against attempts to curtail voting rates, not supporting them.

This government does not value our young people. They claim there is a record investment in schools, but most of the funds are going into infrastructure, not improved learning in the classroom. Our young people in care are suffering due to overstretched workers and funding cuts, and our children's and grandchildren's future is being hurt by the continuous cuts to TAFE.

It is disappointing that the South Australian Liberal Party would try to remove individual rights around voting or other aspects of life. We have already heard that in the United States at this time the electoral system is under threat with over 250 laws currently being drafted or considered to curtail electoral rights. With only 60 per cent of our 18 year olds enrolled, governments have a responsibility to introduce reforms that increase participation, unlike the bill before us now which does the opposite.

We currently have a large crossbench and the parliament has had several very effective crossbench members in the past: namely, the unforgettable Peter Lewis; the intelligent Karlene Maywald; and a true gentleman, Bob Such; the current member for Frome, Geoff Brock; and the member for Florey, Frances Bedford.

This chamber and the state has benefited from these MPs. Whether they have been elected as crossbench members or joined it for other reasons, we have seen over the years an increase and dissatisfaction with major parties and more support for smaller parties and Independents. I believe many South Australians think we should be encouraging and giving the opportunity for everybody to be elected to this place, not only major party candidates.

At Federation, Indigenous people in South Australia were denied the right to vote and did not regain that right for more than 60 years—60 years is an average lifetime for many people. The bill is again seeking to deny eligible citizens the right to vote. The bill will affect first-time voters, new migrants, Indigenous Australians and those Australians who have become disengaged.

I support assisted voting, especially for those people who struggle with their sight or other disability that requires them to need assistance, and this must be legislated in the bill. Something as fundamental as electoral matters, especially when one person is aiding another, should not be prescribed by regulation. I would advocate for those who are semiliterate to ensure that they can participate but not through regulation. The bill does not specifically mention those with a disability or those trying to vote overseas. It is likely that there will be less overseas voters this election, unless they are stuck overseas because this Liberal government is incapable of organising a quarantine facility aside from hotel quarantining.

This government would rather focus on spending hundreds of millions of dollars on an unpopular basketball stadium while our health system buckles from underfunding. The other issue with this provision is that these regulations could be brought in at any time and so would incur a large cost on taxpayers. Regulations can be disallowed but the government has already shown us in this term that they are more than willing to reintroduce almost identical regulations the next day if the first set is disallowed.

I know that those in power will set the table in their favour as well as using regulation which would escape the appropriate scrutiny of this place. Parliament generally rises about three months prior to the scheduled election; however, when we rise on 18 November it is unlikely that we will return before the 2022 election, potentially giving the state government four months to introduce regulations that would apply to the 2022 election, and the parliament may not sit again until May to

consider a disallowance motion. If the Liberals want to allow anyone with a disability or overseas electors to be able to access assisted voting, then that is what this bill should say.

Earlier I spoke about young people, and now I am going to speak about aspects of the bill that will reflect the older members of our community. The first is the digitalisation of advertising of polling places and digitisation of copies of the electoral roll, but only when it comes to public accessing of the roll. We know that many seniors, and surprisingly some younger members in our community, do not have access to a computer or are not computer literate and they are potentially going to be prevented from voting because they cannot access the locations of the polling places. While I appreciate this arises out of the recommendation by the Electoral Commission, a good government would ensure both hard copy and electronic copy options were available.

Furthermore, not only will the days to enrol after the writs are issued be reduced from six days to two, as I alluded to earlier, additionally the terms of the writ calling or deferring an election will no longer have to be published by the Electoral Commissioner in the newspaper circulating throughout the state. This is just more cost cutting by the state government. It may only be four days, but that can see thousands of people enrol, and seats can be won or lost by a tiny margin. Just ask my friend the member for Hurtle Vale or the member for King. This will affect young people, new migrants, the homeless and other communities marginalised by this Liberal government.

I will move on to pre-poll voting, electoral postal vote applications and the early counting of pre-poll votes. We will start with this bill removing the Electoral Commissioner's function of encouraging voting at a polling booth on election day. I personally find this a very disappointing aspect of the bill. There is something special about election days. The baseline is that we have an election day on which the vast majority of votes should be cast to enable a fair contest, with all parties and candidates able to campaign until the blackout with as equal an opportunity as is possible with two major parties. It is appropriate to have pre-poll voting for those who are working or have other commitments on the day, but not because people want to get it out of the way or want to avoid the queue or for any other non-legitimate reason.

People in nations across the world die for the right to vote. They risk their life to vote for an opposition candidate, spend time in prison for speaking out against the government or vote in an election where the winner is predetermined. This is Australia, and everyone is required to exercise their franchise. They can choose to vote for a major party, a smaller party or an Independent, in a safe place, and are able to go on with their life once they have taken a few minutes to vote. Therefore, as many people as possible should be encouraged to vote on election day.

I understand that electors will be able to apply for a declaration or postal ballot online. This raises two questions for me, the first being: has electronic declaration voting been considered so that people applying online for a declaration ballot can register online and vote online? This is rather than applying online, receiving a ballot paper and then posting it back. The second question is: will paper application forms for postal ballots continue to always be available as there are many voters applying for declaration ballots who could not complete the online process? This is important as my team have many people whom they assist to change their electoral details as paper forms are now scarce. Recently, my office assisted many residents to order hard copy census forms as they were unable to complete the process online.

Finally, I get to the proposal in this bill to allow the scrutiny of postal votes before election day. I am unsure why the Electoral Commission has suggested this proposal when it is a threat to our democracy. Every vote should remain secret and not be processed in any way until after 6pm on election night. As I mentioned earlier, we should value our democracy as sacred and not take any actions that will diminish the free, fair and safe elections that we have in South Australia. This provision must be opposed. Every member should oppose this.

In summary, the government have once again had the opportunity to deliver reform for the South Australian community but have not got there. I ask that all members consider voting against this bill. Sadly, during this current term of government, while we have rightly seen long overdue social reform we have also seen privatisations, people literally dying while waiting for ambulances, redundancies of our nurses and doctors, and homelessness services defunded.

Mr HUGHES (Giles) (23:43): I also rise to express my opposition to the Electoral (Electronic Documents and Other Matters) Amendment Bill. A lot of ground has been canvassed tonight, all the way from Athenian democracy right up to the contemporary world, in terms of what is going on in the

United States. I think I am someone who always has a degree of perspective. I actually do not think there is a Trumpian revolution going on on the other side. I do not think that at this stage they have taken on board the worst elements of the Republican push in the United States to actively suppress the vote amongst a whole range of groups in the United States.

I do note, though, that there are reasonably close connections between Republicans and Liberals at a federal level, and I would hope that at a state level we would always resist the worst elements of what is going on in the United States at the moment. Even though I do not believe there is a Trumpian revolution going on on the other side, you could argue, given some of the provisions proposed here, that there is a little bit of a thin end of the wedge. I will get on to some of that later.

A whole range of people have canvassed some of the positive elements of South Australian history when it comes to the franchise, that we were amongst the leaders in the world when it came to women getting the vote back in 1894, and also the right to stand. We should be incredibly proud of what happened back then and that collective effort put in, especially by women, to secure the vote. Many countries took many years to match what had been done here in South Australia in the closing stages of the 19th century.

We have a proud history. People have mentioned that darker period when it came to voting in South Australia, the Playmander and what happened there, to especially disadvantage the Labor Party and urban communities in this state. It was pointed out by the member for West Torrens that Steele Hall and others did put principle ahead of self-interest to overturn the gerrymander that had existed in this state for such a long period of time, to the advantage of the conservative parties at the time.

We now come to the current day and to this particular bill. It is probably worthwhile refreshing our memories on what the key proposals in this bill include. I will not, in the time available to me, go through each of these in detail, but I will focus on one or two elements. The key proposals in the bill are: the reduction in the time to enrol to vote after writs are issued from six days to two (that is an issue that I will speak about at more length); the expansion of pre-poll voting, by allowing people to vote in their own division before election day without having to cast a declaration vote; and removing a function of the Electoral Commissioner to encourage voting at a polling booth on election day.

The member for Port Adelaide made some strong points on the importance of people being exposed to all of the facts when it is drawn out over a period of time; the dynamics of the election period are such that things can change and change very significantly in the last week—not always but on occasions.

It allows for the electronic lodgements of documents with the Electoral Commissioner modernising requirements around the Electoral Commissioner advertising the election, removing the automatic unenrolment of itinerant electors if they leave South Australia for a period longer than one month or do not vote at a general election, removing compulsory voting for itinerant voters, allowing for postal vote applications to be lodged digitally and creating an offence for providing false or misleading information under the act. This is an area that probably needs more attention than it gets in this bill in a period of social media. I speak from experience, given the sustained campaign in the year in the lead-up to the last election that I had to put up with in my electorate.

It is allowing injunctive relief to be sought for noncompliance around electoral advertisements, commentaries and other materials, and allowing the early counting of pre-poll votes. Some concerns have been expressed about that, given the lack of real clarity about ensuring full confidentiality when it comes to pre-poll votes and the potential impact, if it is not done in a very rigorous way, of influencing the outcome of an election, influencing voters.

It is also to remove the requirements to physically print electoral rolls, the issue I would be most concerned about, especially given the nature of my electorate. I have the APY lands in my electorate, and we make an effort to encourage people to enrol and vote. There is still a significant number of people in the APY lands who do not vote; indeed, there are significant numbers of people elsewhere in the electorate who do not vote, for a range of reasons. The whole thing about the universal franchise and one vote, one value is that we should make it easy for people to vote. We should not make it harder for people to vote, and some of the features of this bill actually do make it

harder for people to vote. The number one recommendation was clearly wanting us to go in a direction that would make it easier for people to vote.

To refresh people's memories, that recommendation was that the Electoral Act 1985 be amended to enable eligible voters (electors) to enrol up to and on polling day. After claiming enrolment, these electors would be allowed to cast declaration votes, which would not be admitted to the count until an enrolment investigation had been satisfactorily completed in the week after the polling day. The commissioner, in his report, backs up that argument and he backs it up incredibly well with real-world examples from interstate and overseas. It is a recommendation that I know all of us on this side fully support because it is making it easier for people to cast their vote, and that is what we should be doing, especially given the decline in voting amongst some sections of our population, especially young people. There are a range of reasons for that, but one of the things we can do is make it easy for people to vote.

It is probably worth going on at length about what the commissioner had to say when talking about enrolment on the day. He said that the declining rate of enrolment of younger voters and the increasing numbers of non-voters are matters of concern not isolated to South Australia. Indeed, there has been a longstanding unease about both trends among electoral commissioners and commissions in Australia, New Zealand and further afield.

He goes on to talk about the states that have gone in the opposite direction to what is being proposed here by the government and talks about New South Wales, New Zealand, Queensland and Victoria. He also refers to most of the jurisdictions in Canada and how they have all gone in a direction to make it easier to vote. It is interesting when you look at the figures presented. He presents the figures about this state and the likely impact and what has happened in past elections, while acknowledging that some of the data is a bit sketchy when it comes to South Australia. He provides the figures about what a difference it did make in Queensland and Victoria, in New Zealand and elsewhere.

A significant number of additional people were counted in the vote, and surely that is what we all want to see. We want to see more people participate in our democratic system. It is a system that we do not people to lose an attachment to because in the world at the moment there are an increasing number of countries and jurisdictions that are moving in a more authoritarian direction. So the more people we can get involved with voting and the more—I seek leave to continue my remarks.

Leave granted; debate adjourned.

STATUTES AMENDMENT (IDENTITY THEFT) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 23:57 the house adjourned until Thursday 26 August 2021 at 11:00.

Estimates Replies

KURLANA TAPA YOUTH JUSTICE CENTRE

In reply to **Ms COOK (Hurtle Vale)** (30 July 2021). (Estimates Committee B)

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

There are no strip searches conducted at the Kurlana Tapa Youth Justice Centre.