

## HOUSE OF ASSEMBLY

Tuesday, 26 October 2021

The **SPEAKER** (Hon. D.R. Cregan) took the chair at 11:00 and read prayers.

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

### *Parliamentary Procedure*

#### STANDING ORDERS SUSPENSION

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)** (11:00): I move without notice:

That standing orders be so far suspended up to and including Thursday 28 October to enable ministers and members to speak and conduct business from any seat within the chamber and the Speaker's gallery and that members of the Legislative Council be prohibited from admission to the Speaker's gallery.

**The SPEAKER:** As an absolute majority is not present, ring the bells.

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

Motion carried.

#### SITTINGS AND BUSINESS

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)** (11:02): I move:

That the sitting of the house be extended beyond 6pm.

Motion carried.

### *Bills*

#### UNCLAIMED MONEY BILL

##### *Second Reading*

Adjourned debate on second reading.

(Continued from 5 May 2021.)

**The Hon. S.C. MULLIGHAN (Lee)** (11:03): I indicate from the outset that the government supports this bill. This is a relatively straightforward change to repeal and replace the Unclaimed Moneys Act, which has—

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** Sorry, yes; I am five months ahead of myself. The opposition indicates its support to repeal and replace the Unclaimed Moneys Act 1891, with the goal of modernising and simplifying the administration of unclaimed money in South Australia. This is part of a commonwealth project agreement for small business regulatory reform, with some additional reforms proposed by the Department of Treasury and Finance.

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)** (11:04): I appreciate the Labor component of the opposition's support of and swift dealing with of this bill in this house, and I commend the bill to the house.

Bill read a second time.

##### *Third Reading*

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)** (11:06): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA)  
(TELEPHARMACY) AMENDMENT BILL**

*Second Reading*

**Mr PICTON (Kaurna) (11:07):** I think the minister has done his second reading already on this.

**The Hon. D.C. van Holst Pellekaan:** Yes.

**Mr PICTON:** Thank you. I speak in relation to the telepharmacy legislation. I indicate that I am the lead speaker for the opposition. Our community pharmacy sector is a vital part of our healthcare system. These pharmacies have done a particularly incredible job over the past two years as we have confronted the COVID-19 pandemic. While over the past two years, at various stages of lockdown, there have been various businesses that have been able to move online, close—

**The SPEAKER:** Member for Kaurna, I hesitate to interrupt. I am advised by the Clerk that the second reading has not been moved.

**Mr PICTON:** I did ask the government and they said they had.

**The SPEAKER:** You are quite right, member for Kaurna, you did in fact inquire of the government; I now inquire of the government. Leader of Government Business?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I apologise to the member for Kaurna and to the house. I was of the expectation that the second reading explanation had been provided to the house, whether written or tabled, and apologise for accidentally providing the wrong information.

**The SPEAKER:** No matter, minister. We can continue to proceed, except to say that of course somebody must move that the bill be read a second time.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I draw your attention to the state of the house.

*A quorum having been formed:*

**The Hon. D.C. VAN HOLST PELLEKAAN:** I take this opportunity on behalf of the people of Stuart to speak on the Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Bill.

**Mr PICTON:** Point of order, Mr Speaker: somebody needs to move that the bill be read a second time.

**The SPEAKER:** Thank you, member for Kaurna; I accept that point of order. Minister, I do draw your attention to that point of order. Perhaps you or the Minister for Education will so move.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:11):** I am really pleased to move:

That this bill be now read a second time.

This is an important bill that seeks to effect the enactment of a number of measures that were brought as a result of the COVID situation. For the house's benefit, I was not aware that we were going to move so quickly through the first bill. Replete with knowledge about the bill as I am fortunate to be, I am very enthusiastic about this bill.

**Mr Picton:** What does it do?

**The Hon. J.A.W. GARDNER:** It serves a number of things. It serves communities in regional and rural South Australia, particularly in circumstances where a pharmacist may well have a number of outlets but they might not be able to be present at each of them for the entire opening hours. Rather than a community member who needs medicine urgently having to wait until the pharmacist is able to be on site to dispense the medicine, this bill will provide the opportunity for those community members to receive the medicine they need urgently through this telepharmacy practice. It will give certain security to the community to know that it is being done safely, but indeed the pharmacist does not need to be on site at the moment when things are being dispensed.

In introducing the Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Bill, can I advise the house, as I think I have just enunciated pretty clearly, the purpose of the bill is to make permanent the legal provisions for the authorising of telepharmacy in South Australia—spot on so far. Similar temporary provisions were supported by members as a part of the COVID-19 Emergency Response (Further Measures) (No 2) Amendment Bill. I am not sure I need the notes. These provisions were extended with the passage of the COVID-19 Emergency Response (Expiry) (No 3) Amendment Act and are set to expire on 1 December 2021. That aspect is why I needed the notes.

Telepharmacy, as I said before, is the provision of pharmaceutical care and products to a patient through the use of video and audio telecommunication where the pharmacist is not physically present in a pharmacy. This also includes the provision of medicines where the pharmacist is not able to receive and/or provide the medicine to the patient personally, and therefore the provision of medicines is achieved through the use of telecommunications and information technologies to the patient at a distance.

I am very pleased to introduce further new information without any further repetition. In 2004, telepharmacy was provided in South Australia as part of the national trial to enable provision of care to rural and remote communities. More recently, telepharmacy has been provided on the understanding that it is not prohibited under the Health Practitioner Regulation National Law (South Australia) Act 2010.

This bill will consolidate the legislative base and provide the Pharmacy Regulation Authority of South Australia with clear and express powers to authorise telepharmacy arrangements under strict conditions. Clarifying the powers of the regulatory authority will also provide assurance to the communities that rely on these services. Telepharmacy services have been provided successfully in limited regional locations, which include Cleve, Cowell, Kimba, Crystal Brook, Laura and Gladstone.

Under the provisions of the national law, the Pharmacy Regulation Authority of South Australia, or PRASA as I am told it is called, is responsible for the administration of part 4 of the national law, which concerns pharmacy. PRASA is established under section 27 of the national law and has a number of functions, including the registration of pharmacy premises, depots and pharmacy services providers, ensuring compliance with the national law and preparing, endorsing and publishing codes of conduct, which also have to be approved by the minister.

The bill will clarify the law in regard to the authorisation of the remote attendance of a pharmacist by PRASA. Since the national law came into operation, telepharmacy has continued on the understanding that it is not prohibited by that act. This bill will provide PRASA with clear and express powers to authorise telepharmacy arrangements under strict conditions. There has been ongoing consultation with key stakeholders, in particular PRASA and the Pharmacy Guild of Australia (SA), in relation to the bill, which has led to further amendments and the inclusion of additional safeguards.

The bill builds upon the provisions included in the temporary COVID acts to ensure that the provisions allowing for telepharmacy are not misused to promote a new business model and to require compliance with PRASA's code of conduct. The bill provides that PRASA may only authorise the provision of telepharmacy services where the authorisation is necessary to ensure that pharmacy services are available to people who otherwise would not have direct and timely access to these services. This addresses any perceived potential for new business models for routine delivery of pharmacy services.

PRASA recognise that the best practice is for a pharmacist to provide professional pharmacy services in person to a patient. However, in the event that a pharmacy is unable to open and maintain essential pharmacy services—for example, due to an outbreak of COVID-19 from within their staff cohort—telepharmacy services may provide a safe and appropriate option and allow isolated South Australian populations to continue to access pharmacy services without the physical presence of a pharmacist. Community pharmacists play an important role in the delivery of medication and other services to customers and continuity of service is imperative.

The bill also requires that PRASA may only grant an authorisation where it is satisfied that the pharmacy services provider has taken all reasonable steps to ensure that it will comply with the relevant code of conduct when providing services remotely. The Pharmacy Regulation Authority of South Australia has developed a code of conduct for this purpose. In addition, PRASA may only

authorise the provision of telepharmacy services to a pharmacy located within an area prescribed by the government. This requirement was inserted as part of further amendments to the bill in the Legislative Council.

As a result of consultation with the Pharmacy Guild of South Australia, the bill has also been amended to include that conditions on any authorisation for telepharmacy may be prescribed by regulation as well as by PRASA. This amendment provides another layer of oversight around the provision of telepharmacy in South Australia. The bill has been amended to include a penalty of up to \$50,000 for providers who fail to comply with conditions of authorisation.

The commonwealth government has moved to enable provision of medication review services through telehealth systems during the COVID-19 pandemic to ensure vulnerable patients can receive pharmacist-delivered support while remaining isolated from COVID-19. This supports the safety of patients and pharmacists and ensures continuity of care. Technology is enabling the enhancement of the safety and quality of health care for the community through access to pharmacy services where they would otherwise be unavailable.

It is important that this framework is established permanently, and I commend this bill to all members. I seek leave to insert the explanation of clauses without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Health Practitioner Regulation National Law (South Australia) Act 2010*

###### 4—Amendment of section 43—Supervision of pharmacies by pharmacists

This clause amends section 43 of the Act to provide that the requirement under section 43(1) that a pharmacist is in attendance and available for consultation while the pharmacy is open to the public does not apply in circumstances where—

- (a) the person is authorised by the Authority to operate the pharmacy business without a pharmacist being physically in attendance at the pharmacy; and
- (b) a pharmacist is, by means of Internet or other electronic communication (other than communication of a kind specified by the Authority), in attendance during any period the pharmacy business is operating and is available for consultation by members of the public.

The amendment provides that the Authority may only grant an authorisation for the exemption to apply if—

- (a) the pharmacy is located within a prescribed area (however this requirement will not apply in circumstances determined by the Authority to be circumstances of an emergency); and
- (b) the authorisation is reasonably necessary to ensure that pharmacy services are available to persons who would not otherwise have direct and timely access to such services; and
- (c) the Authority is satisfied that a pharmacy services provider, who is proposed to provide pharmacy services as part of the operation of the pharmacy business without a pharmacist being physically in attendance at the pharmacy, has taken all reasonable steps to ensure that the provider will comply with a code of conduct applying to the provider under this Act in respect of such operation.

The amendment also provides that an authorisation granted by the Authority will be subject to any conditions prescribed by the regulations and any conditions imposed by the Authority. It will be an offence to contravene or fail to comply with a condition applying in relation to an authorisation granted by the Authority with a maximum penalty of \$50 000 applying.

###### 5—Amendment of section 46—Conditions

This clause amends section 46 of the Act to provide that a condition of the registration of a pharmacy that is inconsistent with section 43(1a) (as proposed to be inserted by clause 4) will, to the extent of the inconsistency, be taken to be modified to give effect to that section.

**Mr PICTON (Kaurua) (11:19):** Who says that parliament does not deliver some hilarity given what has gone on this morning on the other side of the house, with not being able to understand their own agenda that was set for this morning's events? I indicate that I am the lead speaker for the opposition in relation to this bill and that the opposition will be supporting the bill. I had my folder prepared already, unlike the Minister for Education.

As I was saying before the confusion on the other side, very clearly pharmacists and community pharmacies have provided a vital role during the course of the COVID-19 pandemic. They are an absolutely essential part of our healthcare system: very well-trained professionals who provide both administration and advice in relation to drugs and pharmaceuticals right across our community. While there have been many other types of services—officers, even other healthcare provision that has been able to go online and virtual—this is not possible when it comes to operating community pharmacies. They have been open and available.

Obviously, we are talking about a specific type of telepharmacy in relation to this legislation, but by and large pharmacy services need to have a physical presence. Hence, the staff who have worked in pharmacies have worked through what were some of the scariest days of the beginning of last year when most other organisations and businesses were closed, but people who had symptoms obviously went to chemists, pharmacies, and those staff—pharmacists and pharmacy assistants—had to confront the dangers that were apparent to them by turning up to work. On behalf of the opposition, I pay my thanks to all staff, all the pharmacists and all the people who work in our community pharmacy sector, for the support they have provided our state over the past two years.

This legislation will make permanent some measures in relation to how telepharmacy works. Through the initial stages of COVID-19, certain pharmacies were temporarily granted the ability to deliver telepharmacy or remote pharmacy in regional areas of South Australia. This bill serves to make permanent those temporary COVID measures but ensures that those powers are limited to certain rural and remote areas.

This legislation was introduced into the parliament one year ago, back in October 2020, in the other place. It shows the glacial movement of this legislation from this government and the passage of it through the houses. But it is not just tardiness: essentially, what happened was they introduced this legislation without actually properly working and consulting with people in community pharmacy about what the legislation provided. Very quickly, after it was introduced without that proper consultation, the phone was running hot from people in community pharmacy extremely concerned about what the government introduced and the potential unintended consequences that could flow from allowing telepharmacy, with very limited restrictions around it.

Very clearly, a principle we would agree with is that telepharmacy needs to be in place in certain limited areas, but it is not as good as seeing a pharmacist in real life. It is not as good as being able to speak to that person one on one and get that advice at your local community pharmacy. We do not want to see a situation where we see our local community pharmacy network replaced by a remote service, unless it is absolutely necessary, and there are examples of this.

You only have to look at the United States, where a huge component of their mail system involves the delivery of drugs. We do not have that in Australia. People have access to a good network of local pharmacies where they can get that advice. Clearly, it is a more unsafe situation that they have in the United States, where the delivery of drugs via internet and then courier or mail services occurs very regularly.

This sat on the *Notice Paper* for six long months after it was introduced—just sat there, no progress, no speeches, no discussion—and clearly this was because of the lack of consultation. The government then had to go through another round of consultation to address all the flaws they had in their legislation. They then filed amendments back in June this year, some nine months after the bill was originally introduced into the other place, and it then passed back in August. It has now been sitting here for a few months before this discussion this morning.

Much detail was left to the regulations in relation to the pharmacy regulation. There was great concern that there needed to be more specification. In particular, I pay credit to the Pharmacy Guild for their advocacy in this area: that we saw more definitions, more protections put in this legislation via amendment to make sure that people have the protection that this should only be available in certain areas and have a number of protections around it.

We continue to have concerns in relation to what will be left to the regulations, because a large amount of this will be left to the regulations. I appreciate the government eventually gave me a briefing on this legislation. I think, off the top of my head, I waited between six and nine months to get a briefing from the government in relation to this legislation, clearly because they were in this mad panic trying to rewrite it after they introduced it into the parliament.

Very clearly, for a lot of the detail we are going to have to wait to see what the regulations say. The government have given commitments to the Pharmacy Guild and other stakeholder groups—the Pharmaceutical Society of Australia and others—in relation to how many of these provisions will be replicated in regulations, but they will be, obviously, up to regulation rather than in the legislation.

Matters left to regulation include minimum time requirements for telepharmacists to check in with a physical pharmacy, the exclusion of schedule 8 drugs of dependence and compound medicines from telepharmacy, the level of pharmacy technicians who perform certain roles, mandatory specifications surrounding the telepharmacy consult itself and that prescribed areas for telepharmacy will likely be Monash level 5 and above. All those requirements are very important in terms of making sure that this is a limited scheme.

The Monash model is, as members may know, a model that determines how remote particular locations are. There are a whole range of different health service requirements that flow from that, probably the most famous being in terms of regional doctors, their payments and attraction bonuses, etc. But clearly this is now going to say, 'You have to be a level 5 area under the Monash model to be able to undertake this,' so that leaves it to relatively remote areas of South Australia. We certainly would not want to see this in metropolitan areas or in large regional centres, etc.

The opposition has consulted—we did what the government did not do initially—with the Pharmacy Guild and with the Pharmaceutical Society. The guild have made clear that they do want to see comprehensive engagement and consultation regarding the regulation development, and we will be watching very closely the practical implementation of this. However, we do support the legislation. It is important that we put some structure around this, particularly for those areas where we struggle to find a workforce. This can be a solution to making sure that people can get services, but they need to have the protection around them to ensure that they are safe and that people get the right services to make sure they can adequately have their drugs administered in a very safe and responsible manner.

This is, of course, just one of many issues affecting pharmacists at the moment. I was privileged to speak to the Pharmacy Guild at their members' dinner and conference recently, along with the Minister for Health, and very clearly there are concerns from community pharmacies in relation to the fact that in South Australia we used to be a leader. We used to be a leader in terms of making sure that pharmacists could operate at their full scope of practice and could make sure that they provided the services needed to the community in their local areas.

However, what has happened over the past 3½ years is that other states have caught up. Not only have they caught up but they have often now exceeded us in terms of the additional services that people are able to access from their local pharmacy. So we have really seen a big leapfrogging in terms of our legislation in South Australia.

One of those areas that is very striking is in relation to the administration of vaccines. When we were in government, we changed the law to make sure that pharmacists could provide a whole range of different vaccines. What we have seen is other states leapfrogging us now in terms of what their legislation allows, in particular in relation to the administration of the National Immunisation Program vaccines for influenza.

As people may be aware, you can go to a pharmacy at the moment to get your flu shot, but that is not the same vaccine that you can get through the National Immunisation Program. People who are seniors, people who are in particular vulnerable groups, are able, under the National Immunisation Program, to get access to a particular type of flu vaccine—quad flu vaccine—which provides a greater level of immunity, particularly for vulnerable groups.

In various other states and territories the government have now allowed pharmacies to provide that vaccine, but not here in South Australia. The South Australian government prohibit those

pharmacies from being involved in that program providing their quad National Immunisation Program flu vaccination to South Australians, and there does not seem to be any reason for that whatsoever. It seems to be basically on the basis of too much administration for SA Health to have to worry about, whereas other states and territories have been able to do that.

It shows how ridiculous this situation has become when you see that the pharmacies are now playing a fantastic role in relation to the rollout of the COVID-19 vaccination program. On the one hand we are saying to pharmacies, 'You can now be involved in providing the rollout of the COVID-19 vaccine.' I believe, in fact, that they are the only places rolling out the Moderna vaccine across Australia, but with this flu vaccine that we have had for decades in this very long part of our health system, 'You can't be involved in administering that. You're skilled enough to do COVID, but you're not skilled enough to do flu.' It is a totally ridiculous scenario.

I thank all those pharmacies that are involved in the rollout of the Moderna vaccine. I know that in my electorate there are a number involved in the rollout. Certainly, across South Australia many have put up their hands to do it. I think it is unfortunate that it took so long for pharmacies to be involved in that rollout, and not only too long on a national basis but too long in terms of South Australia compared with other states. I think it was weeks, I believe even maybe up to two months, later than we saw in Queensland that a significant number of pharmacies in South Australia became involved in the rollout of the vaccine.

Where that really affects people is in regional South Australia because there are many areas of the state where there has not been enough access. Obviously, we are not going to have a Wayville-style mass vaccination clinic in every small regional town across South Australia, but we do have pharmacies and we do have the ability for them to provide support. An earlier rollout of that vaccine certainly would have ensured that the number of vaccinated people in some of those regional areas would be higher now.

It is unfortunate that it has taken so long. It is good that we have finally got there. It is not that long before the start of the flu rollout again at the start of next year and now the government are saying, 'We are going to have a task force to look at whether this should happen or not.' Give me a break! This does not need to be some long, drawn-out consultative process in relation to whether pharmacists are going to be allowed to be involved in the National Immunisation Program for flu vaccines when they are doing a great job at the moment with COVID. They have done a great job with other flu vaccines. It actually needs a decision that this minister has been delaying for the last 3½ years as to whether he wants to go ahead with this or not.

We are very supportive of the role community pharmacies play in this state. I believe that pharmacies have been raising with government a number of different ways in which they want to provide additional support for people in their communities. They have been putting these ideas to the government. They have said repeatedly that they believe they can play a great role in terms of addressing the ramping crisis we are currently in, in terms of supporting people's medication management, making sure that we do not have people ending up in emergency departments because of errors in terms of drugs.

To be honest, there are so many South Australians who have a very complex regimen of drugs they need to take and they all have different effects. They all have interactions that can cause damage to those people if the wrong drugs are taken in combination with others. That is where pharmacies can play a great role. They are keen to do that, but their calls to the government have been falling on deaf ears. We encourage the government to actually speak to those frontline pharmacies who have felt left out in the cold.

Look at what is happening in other states, in terms of how supportive other states are now being in the role of their pharmacies, and make sure that we can use all those hardworking pharmacists to the best of their abilities to ensure we can keep people healthy here in South Australia. I support the legislation.

**Mr WHETSTONE (Chaffey) (11:37):** I, too, rise to make a contribution to a very important part of the health system through the Health Practitioner Regulation National Law (South Australia) (Telepharmacy) Amendment Bill 2020. There have been some inaccuracies by the opposition in their contribution to date about the lack of consultation by the government and having an understanding and having those conversations with pharmacies in the regions in particular.

I know that I have been briefed to within an inch of my life, and I thank the Pharmacy Guild—Nick Panayiaris, the president—and also all the pharmacies I have spoken to in Chaffey for giving me a better understanding of how important it is that we have video and audio telecommunications that are being used and have been used to provide important pharmaceutical care and products to all South Australians.

For those living in our regions and remote areas, such as the Riverland, the ability to provide an alternative means of service via telecommunication is extremely convenient. It makes care and products more available and accessible to those in need of them most. Although telepharmacy has been employed by many regional pharmacies for years, the lack of clarification regarding the powers of the Pharmacy Regulation Authority of South Australia has caused some confusion.

The telepharmacy services have proven to be successful throughout the state and in some cases have become the main way of distributing pharmaceutical services to customers particularly, as I said, in rural and remote areas. For this reason, many South Australian pharmacies rely on the use of the telecommunication services and without them could end up permanently closing their doors. The bill will see the clarification of the regulatory authority's powers and make legal provisions for authorising telepharmacy permanent, ensuring South Australian pharmacies can continue to employ fantastic services to those in our regional and remote areas.

I must say I want to thank the Pharmacy Guild not only for the briefings that I have received from them and their members but also for the guild coming in and making presentations to standing committees here in the parliament. I think it is critically important that we continue to engage with them and better understand the challenges with the modern-day health services and what they mean to every South Australian.

Obviously, being a representative in one of the great regions in South Australia and having the ability to have satisfactory health services, in Chaffey we have a number of hospitals and healthcare providers, with none more important than the Riverland General Hospital, which is the main base in the Riverland and potentially some of the Mallee. There is a hub-and-spoke approach to some of those healthcare services, namely, Renmark hospital, Loxton Hospital, Barmera hospital, and Karoonda hospital, which services some of the Chaffey constituents.

Karoonda is in Hammond, and of course the Waikerie hospital cannot be understated, as well as Lameroo and Pinnaroo currently, as I said, also in the electorate of Hammond. They also provide an outreach service to some of those constituents in Chaffey, and when they are looking for health services or health care they go to their nearest point of contact. I think we also need to pay respect to the Royal Flying Doctor Service. For many regional people needing health care, if we do need people to be either flown to hospital or have services or supplies provided to them, we occasionally look to the skies and to the Royal Flying Doctor Service.

It is always a concern when we see the plane go overhead and land in a nearby airstrip, but it is there to provide a service—and a vital service it is. I did pick up on the opposition talking about providing services in the COVID pandemic. I think we need to understand that the pandemic is something that has changed the world's thinking about health care, and particularly pharmaceutical care, but what we need to understand is that potentially the health system and health care might be changed forever with the pandemic.

My view is the pandemic will pass, as other pandemics have. It will leave its legacy on today's society for health care, and my heart goes out to those families who have been impacted by the pandemic. I also want to say a very loud thankyou and give a big shout-out to those who are responding to what the pandemic has presented to all South Australians, but particularly in the regions, with people getting vaccinated.

It is critically important that we all play our role and, for those who are sitting on the fence, I say, 'Look on the other side of the fence. Look to the eastern seaboard: it has not been good.' Their vaccination rates are higher than ours, but for very good reason. As I understand it, in New South Wales there are over 30,000 active cases of COVID-19, with an increase every day. We look to Victoria, with the sad stats that are presented every morning by the Chief Health Officer or the health professionals who are there to give us a daily brief. Here in South Australia, I think the government should be commended.



The Transition Committee has performed extremely well in keeping the pandemic and the number of cases at bay. Yes, we will now go through a transition with borders opening, with relaxing some of those levels of restrictions, and we will see numbers start to increase potentially and we will have to deal with that the best way we can. While we are dealing with that, using the science and the health professionals' advice, I think South Australia is poised to be one of the great destinations globally with the way that this government has handled it.

Of course, in the day-to-day operations of providing a satisfactory health service via telepharmacy, I want to thank all the frontline professionals, all those frontline service providers, for their dedication and providing us what I consider a first-class professional healthcare service. If they are providing telepharmacy services, which many people living in the regions would only understand, they need to be commended for keeping us as safe as they can, keeping us in the best of health possible.

We know that when we are sick, when we have an accident, when we have needs through natural causes or natural needs or ongoing treatment, we all look to the health system to provide that level of comfort, to provide that level of care and to save lives. For far too long, people have very much had an expectation on the health system. I just want to make sure that those frontline service professionals are given the accolades they deserve, particularly coming out of this pandemic. I think they have put their services and their health on the line to provide an outstanding level of care not only in country South Australia, remote South Australia, but of course here in metropolitan South Australia.

We know that without good levels of health care, without good levels of professional dedication, the health system would not be what it is today. Without further ado, I support the bill and I hope that it has a very swift passage through the parliament.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:46):** I thank the member for Chaffey for his strong advocacy on behalf of his constituents, and other people living in regional South Australia, and his support for the bill. I thank the opposition for supporting the bill. I commend it to the house.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. A. PICCOLO:** I would just like to make a few comments in support of this bill. I think it is a very important bill, but it probably does not go far enough and probably does not provide enough protections, which I would anticipate. However, there are two things that I would like to point out.

First—and I do not have to tell you, sir, the importance of this because you live in the country areas—is to ensure that people get access to various services, particularly where they do not have doctors in place, where there is a shortage of health practitioners, and that is important. Secondly, the bill is actually designed to keep our pharmacies viable in country places as well. That is a very important element of this because if we do not have pharmacies, do not have doctors, then there are actually very few primary healthcare opportunities for people in regional areas.

For those reasons, even with its limitations, I would support the bill. I think we should come to a point sometime in the future where we actually get a better understanding of the important role that pharmacies do and could play in our rural communities to support the services and also to keep them viable.

**Mr PICTON:** I am wondering whether the minister can outline the current status of the draft regulations: have they been drafted and have drafts been circulated to key stakeholder groups, such as the Pharmacy Guild and the Pharmaceutical Society of Australia?

**The Hon. J.A.W. GARDNER:** There have been ongoing discussions with key stakeholders in relation to the regulations. The minister has written to PRASA and the guild, outlining the key matters proposed to be included in the regulations: prescribed areas where telepharmacy can be provided; that a telepharmacy service, where authorised by PRASA, may only be used when/if in the

pharmacists' professional judgement there is a need for immediate supply to the service of a person; and that the locations at which tele pharmacy can be provided be limited to locations with a rating of the Modified Monash Model (which is a measure of remoteness in Australia) of no less than MM5 or small rural towns.

Note, this provision is not proposed to apply in the case where the authorities are authorising telepharmacy to ensure maintenance of pharmacy services during an emergency, as defined by the authority. Further, schedule 8 drugs cannot be dispensed by remote attendance and compounded medicines cannot be dispensed by remote attendance. A requirement is that a pharmacist must physically attend each pharmacy that is undertaking remote dispensing each day it is open and dispensing drugs to the public and that staff working at a pharmacy providing a telepharmacy service are qualified in accordance with the requirement specified by PRASA.

Those items were certainly included in the examples of matters proposed to be included in the regulations. The regulations, as drafted by parliamentary counsel, will be provided to the key stakeholders and a consultation period of two weeks provided for feedback. Following consultation, it is proposed that the regulations will be finalised and gazetted. If I can take the risk of abbreviating the advice provided, the detail of everything that is to be in the regulations has been socialised and circulated and is being consulted on. The legal drafting of the regulations will be further provided upon the passage of the bill.

**Mr PICTON:** Presuming that we pass this legislation today, which we probably will before midday, what are the government's intentions in terms of timing for when this will come into effect?

**The Hon. J.A.W. GARDNER:** As soon as possible.

**Mr PICTON:** The last question, which did answer a number of questions I had in the first one, which was very helpful: in the regulations is there a level of pharmacy technician who will be authorised to deliver pharmacy services?

**The Hon. J.A.W. GARDNER:** That is among the things that will be the subject of consultation being considered.

Clause passed.

Remaining clauses (2 to 5) and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:54):** I move:

That this bill be now read a third time.

In moving that the bill be read a third time, I offer my thanks to the officers of the Minister for Health, who have provided me with outstanding support through the lengthy passage of this debate, in particular our Chief Pharmacist, Naomi Burgess, who serves the people of South Australia so well. I commend the bill to the house.

Bill read a third time and passed.

## **DRIVER TRAINING AND ASSESSMENT INDUSTRY BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 8 September 2021.)

**Mr PICTON:** Deputy Speaker, I draw your attention to the state of the house.

**The DEPUTY SPEAKER:** My attention has been drawn to the state of the house; there not being a quorum present, ring the bells.

*A quorum having been formed:*

**The Hon. A. KOUTSANTONIS (West Torrens) (11:58):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes ..... 20  
 Noes ..... 23  
 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.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A. (teller)
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

NOES

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

PAIRS

Odenwalder, L.K.	Tarzia, V.A.
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Motion thus negatived.

**The Hon. A. KOUTSANTONIS (West Torrens) (12:04):** The government is planning to overhaul driver training practices. I apologise to the house: the shadow minister is unwell today and unable to be here for the debate. Unfortunately for the house, I am the government's representative on this matter—

**An honourable member:** Opposition's.

**The Hon. A. KOUTSANTONIS:** Opposition's—for now; the opposition's spokesperson on this matter. I think it is fair to say that electorate offices across the state have been inundated with a large volume of correspondence on this matter. It has caused a lot of confusion and it has caused some concern amongst some driver trainers.

I have to say that, looking at what the government is proposing, it looks relatively reasonable and relatively commonsense; however, the responses we are getting from driver trainers is a little bit more alarming, and it is important that the house considers those concerns. There are a number of concerns around the impact of this measure on cost and what this measure will cost potential driver trainers. Will this ultimately drive people from the industry? Will we be able to satisfy demand for driver training in regional areas as a result of these changes?

I understand from briefings the shadow minister has attended that the department has assured him these changes will not adversely impact the driver training industry. That is certainly not the view that has been given to my office and to many members of parliament from the two driver training associations that cover this area, the two relative ones—their acronyms escape me. They have raised serious concerns, and those concerns deserve to be aired and discussed. They claim there is a level of opaqueness around the changes.

To be fair, I am not qualified to say whether that is accurate or not. What I am qualified to say is that I have not seen this level of agitation from driver trainers to a change. Some of the re-accreditation issues are of concern to them, and the costs of that; the cost of installation of cameras in their vehicles, how they are operated and who maintains them. I understand that—again, I am taking this second-hand, because I am at a disadvantage as the shadow minister is unfortunately ill—the cost and operations of the cameras will be determined by regulation after this bill is passed.

We are nearing the end of this term; the government has only two more scheduled sitting dates. That means there is almost no ability, if the legislation passes this house and the other house, for a disallowance motion of any regulation, because the government is not planning on sitting again after the following week. That puts us in a very difficult situation.

It puts the opposition in a situation where, on the face of it, the reforms the government is proposing seem quite sensible, but the people at the coalface, the people who are actually doing the driver training, have raised serious concerns not only with me but also with the crossbench. So crossbench members and the opposition are actively considering whether we refer this legislation either to a select committee in this chamber, or a select committee in the other chamber, for further discussion.

I do not know what the outcome of that will be, other than to say that these changes have been put about, I think, with good intentions. From what I have seen reported—not only in the public press—there have been accusations of corruption in the driver training industry which the government is attempting to stamp out. There have been accusations of sexual assault in the driver training industry, and the government is attempting to protect young people while they are learning to get their licence.

The opposition supports the government's endeavours to try to clean up the industry. I am not questioning the media reports, because some of these involve reports of charges and outcomes of trials. In one example, one driving instructor pleaded guilty to four counts of abuse of public office and one count of bribery only days before he was due to stand trial. Another media article states that an instructor took bribes, and there was editorialising within the paper about changes to this legislation.

I think there is broad agreement in the parliament that we do not want to see a driver training industry that faces the accusations of bribery and sexual assault and that we want to make sure that young people, who are vulnerable on their own in a motor vehicle learning how to drive, are protected. On that aspect, I congratulate the minister and I congratulate the government on bringing this legislation to the parliament.

What I am concerned about is the consultation and what I am concerned about is the industry reaction because I do not think we can lump all driver trainers into the one basket. I do not think we can say that an entire industry is corrupt or that an entire industry is perpetuating sexual assaults on the vulnerable. With that in mind, without more detailed notes, what I will be doing, with the government's agreement, is adjourning this legislation after my remarks. The opposition, on the face of it, thinks that this is a good idea and the opposition, on the face of it, thinks that there should be reform.

There are a number of issues raised within the driver trainer sector that have raised concerns about the re-accreditation, the retraining and the costs of that on the driver training industry and what that will mean for the industry going forward: either it will be a full cost recovery process, where the fees and charges are increased for people who are attempting to get their driver's licence to try to recover the costs of the regulations the parliament will be imposing on driver trainers, or whether there is a happy medium, where we can consult more broadly with the industry to have that industry then be more supportive of the changes and we can have a bipartisan approach and reform this.

I do not want to see anyone take bribes for a driver's licence, nor do I want to see anyone sexually assaulted while learning how to drive. We do need to protect people. Given we have cameras in taxis, it makes perfect sense to have cameras in driver training vehicles. An example from the one briefing I had with both driver associations was that there was very little clarity from the department—and I do not know if this is accurate or not; this is again a third-party description of the

industry briefings from the department—and the questions were asked: who would operate the cameras, who would hold the data and for how long, and who would be responsible for the cost of the maintenance of that data?

Another pretty important question is: which way would the cameras face? Would the cameras face inwards at the driver and the driver trainer, or would they face outwards? I do not know. Given that we are talking about bribery and corruption, maybe there are other experts in this place who might want to give us a few of their anecdotes about bribery and corruption.

**Mr Whetstone:** You should know which way they face.

**The Hon. A. KOUTSANTONIS:** The member for Chaffey volunteers. I think it is an important piece of legislation that the government has brought forward. I think the intentions of the minister are honest in relation to this matter and I think, given the media reports, there is an industry here that needs greater regulation. The question is: can we do both with the agreement of the industry as a whole?

Another concern I have is the impact on regional communities. Again, I have been told by the associations that this will have an adverse impact on regional communities and the accessibility of driver training in regional communities because of the extra potential cost and regulations. I do not know if that is an ambit claim or if it is true. I do not know if that is what the associations are simply telling us so we do not pass this legislation, or if there is actually an issue about regional learner drivers getting access to driver training in regional communities. I imagine that the tyranny of distance applies to many things, including driver training.

Perhaps at the end of this process, while the minister is kindly sitting in the chamber and listening to the contributions, he goes back to the department, gets some answers for the opposition on these matters and we consider whether or not a brief select committee of a day or two, just to take evidence from the driver trainers associations on what exactly their concerns are, or do that between the houses, potentially in the upper house, to make sure that we are passing a piece of legislation that the industry will embrace.

In my experience, whenever we impose regulations on an industry we could see a whole number of people exit that industry who have years and years of experience and who are valuable to driver training. I also point out that I have had a number of driver trainers come to me completely supportive of these changes, who have said over and over again that they support these changes, that they think these changes are necessary and want to see the industry cleaned up. When you ask for detailed evidence, they provide some, but again the devil is always in the detail.

I am interested in getting to the bottom of the costs—the cost of operating the camera, the cost of installing the camera—and the regulations governing the operation, use and storage of data from those cameras. There are some basic questions: will the cameras pick up audio, or is it just visual? I am assuming you would need audio as well to be able to accept, discuss, a bribery, but I do not think the cameras are there about the bribery. I am assuming they are about attempted assaults. Again, I would like some clarity from the government around those issues. Other than that, it is a good piece of legislation.

The associations' and the driver trainers' wariness of it came as a bit of a shock to me when it first came to my desk, that they were opposed. When you read the legislation, it all seems very reasonable but, when you speak to the practitioners, many of them found it very offensive. It is important that we hear what they have to say because they do provide a valuable service to the community. We cannot afford to lose large numbers of them from the industry.

With that in mind, I point out to the house that we are supportive of the bill. We are not attempting to delay its passage dramatically. What we would like to do is to get some evidence on the parliamentary record from the associations about their views on and concerns about this legislation. Perhaps the government can address those quickly and easily and we can pass this legislation very, very quickly.

If we can get an assurance from the minister about those questions, about the regulations, the cost, the data management and of course making sure that we are not throwing people out of the industry because of the increased cost burden, these are things I think we can work through together and get an answer on relatively quickly.

With those few words, I again apologise to the house for the shadow minister not being here, but he is ill and he is paired with the member for Hartley, who is celebrating exceptionally good news—the birth of a new baby. We all wish him and his lovely wife all the very best on the safe arrival of their newborn. I am sure his parents are very pleased that finally he has made them proud.

Debate adjourned on motion of Dr Harvey.

### **ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 24 August 2021.)

**Ms MICHAELS:** Mr Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Ms MICHAELS (Enfield) (12:21):** I rise to make a brief contribution to the Associations Incorporation (Miscellaneous) Amendment Bill. It seeks to make some wholesale reforms of the Associations Incorporation Act, some of which are long overdue given the act has not been reviewed, from my memory, probably for 20 years, perhaps.

**The Hon. V.A. Chapman:** Since 1997.

**Ms MICHAELS:** Since 1997, the Attorney says, so over 20 years. Some of these changes we would support; however, through my consultation since this bill was introduced I have found that there has been a lack of consultation with various industry groups on this. I have sought feedback from the Law Society, which has not provided a submission on this. I have received submissions from SACOSS, which has serious concerns about how this will impact very small not-for-profits in terms of compliance costs.

Although the opposition support going through a process of reform, we do not support going through this process this late in the parliamentary sitting with such little consultation, and so I indicate that we will not be supporting this bill.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:22):** I thank the member for Enfield for indicating her position in relation to the opposition's consideration of the matter to date. Our department, that is the Consumer and Business Services department (CBS), recently met with the Conservation Council SA and SACOSS, as has been referred to by the member, to discuss this bill and the feedback they had received.

Another aspect in relation to this, but perhaps in more legal terms, was received from MinterEllison, who are solicitors in South Australia with a very significant interest in this area of law. I thank them for their contribution. As a result some of the issues raised, in particular the impost in relation to very small associations, I indicate are foreshadowed in amendments that have been tabled by the government.

I thank the Conservation Council, SACOSS—the Arts Industry Council had also raised some issues, I think indirectly through SACOSS—and MinterEllison solicitors, who provided further feedback in respect of the bill. As I indicated, I will go into the detail of each of those matters that have been covered in the amendments during committee, otherwise I thank the member for her contribution.

The house divided on the second reading:

Ayes ..... 24  
 Noes ..... 20  
 Majority ..... 4

**AYES**

Basham, D.K.B.  
 Cowdrey, M.J.

Bell, T.S.  
 Duluk, S.

Chapman, V.A.  
 Ellis, F.J.

## AYES

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.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

## NOES

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.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A. (teller)	Mullighan, S.C.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

## PAIRS

Tarzia, V.A.	Odenwalder, L.K.
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Second reading thus carried; bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Ms MICHAELS:** Can I ask the Attorney about the origins of this bill. Was it something that the commissioner and Consumer and Business Services brought forward to you, or was it something that you and your department had been working on for some time?

**The Hon. V.A. CHAPMAN:** Consumer and Business Services, under the leadership of Commissioner Dini Soulio and his staff—Nerissa Kilvert in particular—have been working on this matter for a number of years, and this was a culmination of their work and a recommendation to me.

I have Damian Allison here as an adviser from the department to confirm that that is the origin of this recommended reform. As I indicated earlier, one of the parties in particular, after the consultation period for a month in June this year on what had been presented for comment, had two further meetings at SACOSS. That is the South Australian Council of Social Service for those who are following this debate. I am advised that a very large number of the issues that they had raised have actually been resolved, but those that have not are in the amendments I have foreshadowed.

**Ms MICHAELS:** Can the minister confirm that the proposal from Consumer and Business Services (CBS) is in the form of this bill? Have there been any changes to what they recommended?

**The Hon. V.A. CHAPMAN:** Not that I am aware of, but we can check between the houses if there were. This is not an area of reform that was initiated by the government: it was CBS's review. It had not occurred since 1997. I think it is fair to say that, in discussion with Mr Soulio and his concern about the compliance or lack thereof in relation to some associations, he singled out in his discussions the challenges that faced some of our Aboriginal communities.

In addition, there were some of our multicultural communities who were challenged by both process and their obligations in general terms under the associations act. Indeed, via me, the government listened to Mr Soulio's concerns about these matters to support funding initiatives to try to ensure that those two particular communities have some education and support in understanding their responsibilities and compliance obligations in relation to any associations law.

I should also say that very often it is not the large corporates, of course, who seek to have an umbrella of association via corporations law. In a way, they often have the financial position and expertise to ensure they are properly advised for compliance in relation to corporations law. I think it is fair to say that association incorporation is designed for those who wish to associate not in a corporate world but very often in an NGO world.

Sometimes it is for sporting activity. Sometimes it is for community activities. As we know, sometimes in the multicultural community these associations are established as an alliance between those who may have recently migrated to South Australia. One of the challenges has been when different groups set up their own associations within the same cultural group.

These are the sorts of things that have been raised with me. I think they are matters where we need to try to have a process that is as easy to follow as possible, is able to be complied with and is able to be operational for the purposes of the cohort of those in the community who wish to utilise this type of legislation for their assembly purposes.

**Ms MICHAELS:** The Attorney raised the issue of Indigenous incorporated associations and multicultural incorporated associations having to deal with these changes. What consultation have you done with these two specific groups and how much additional funding are you proposing be provided to CBS to be able to educate these groups?

**The Hon. V.A. CHAPMAN:** Aboriginal community-controlled organisations have also made submissions and they were consulted. I am not sure whether this list of consultation has already been provided to the member. There has not been a lot of interest by members. I am pleased that at least the member for Enfield appears to be interested in this reform. I think she was the only one from the Australian Labor Party who came to see us. The crossbench attended meetings also to be able to do that. Nevertheless, if they have not, I am happy to read them out.

The list includes South Australian Council of Social Service Incorporated, Southern Cross Care (SA & NT) Incorporated, Volunteering SA & NT Incorporated, St Vincent de Paul (SA) Incorporated, Fundraising Institute of Australia, Guide Dogs Association of SA and NT Incorporated, Clubs SA, The Returned and Services League of Australia (SA Branch) Incorporated, Klaus Becker, Arts Industry Council of SA, South Australian Sports Federation Incorporated, Football Federation South Australia Incorporated, South Australian National Football League Incorporated, South Australian Cricket Association Incorporated, and Women's and Children's Health Research Institute Incorporated.

It also includes the National Heart Foundation of Australia (SA Division) Incorporated, Eldercare Incorporated, Resthaven Incorporated, The Asthma Foundation of South Australia Incorporated, Meals on Wheels (SA) Incorporated, Royal Automobile Association of SA Incorporated, Motor Trade Association of South Australia Incorporated, South Australian Wine Industry Association Incorporated, Master Plumbers Association of South Australia Incorporated, South Australian Commission for Catholic Schools Incorporated, Conservation SA, Lutheran Church of Australia Incorporated, CPA Australia and Not for Profit Accounting Specialists.

It further includes the Law Society of South Australia, who did in fact put in a submission on 28 June 2021 and I imagine that is still available on their website—JusticeNet SA; Justice Connect (NFP Law); Australian Charities and Not-for-profits Commission; Department for Communities and Social Inclusion; Office for Recreation, Sport and Racing; Multicultural Affairs, which of course is in DPC; Aboriginal Affairs and Reconciliation, which is also in DPC; MinterEllison lawyers; and O'Loughlins Lawyers. In addition to that is ORIC, which is the commonwealth regulator.

Each of these issues has been raised, in particular by Aboriginal Affairs and Reconciliation, and Multicultural Affairs (DPC). There were several million dollars, but I cannot recall the exact amount that was allocated for the implementation of new reforms, general education and support, which I referred to. I will obtain that information between the houses.

**Mr BOYER:** Minister, in relation to the multicultural and Indigenous groups you mentioned, is there extra funding going to help with the education specifically of those two groups on the new proposed legislation?



**The Hon. V.A. CHAPMAN:** Yes. I think I made that point clear both in my reply and in the committee as to the money in relation to that. That was the question of your colleague sitting next to you as to the amount that is available for those two areas for the support and the education of the new model and to assist them in relation to what their obligations will be under the new act.

**Mr BOYER:** Sorry, minister, if I was not listening or missed you saying it, but what was the amount you referred to that has been given to those groups?

**The Hon. V.A. CHAPMAN:** For the third time, can I say that my recollection is several million dollars, but I will get the detail between the houses.

**The CHAIR:** The Attorney has agreed to seek the—

*Members interjecting:*

**The CHAIR:** Order! We are only on clause 1. The Attorney has agreed to get that information between the houses.

Clause passed.

Clause 2.

**Ms MICHAELS:** Can the Attorney indicate when she would expect this to commence and what transition would proceed from the commencement of this act?

**The Hon. V.A. CHAPMAN:** If this had not been evident during the consultation, I will make it clear to the parliament and this committee that there are regulations yet to draft, and it is expected they will have quite a lot of areas to cover. In fact, I think I referred to that provision at the time of my second reading. In any event, they are yet to be drafted and implemented. That is the first stage, and then, of course, we take advice from CBS as to when that should occur.

As I have indicated, subject to the parliament's endorsement of these reforms, I just assure them that there is some extra money available to be able to deal with that and assist those we are trying to regulate without unnecessary complication.

**Ms MICHAELS:** Would you anticipate 1 July next year as being a reasonable start date, or is that too soon, do you think?

**The Hon. V.A. CHAPMAN:** I do not have the detail of that at this point; I will rely on the CBS advice as to when they are ready. They are the regulator in relation to this area. They do it now under the current legislation. Certainly, it has been Mr Soulio's clear indication to me; hence, the submission to have extra funding to support a number of those who are covered in this area is so significant. Given his presentation to date that that should be accommodated before the new regime comes into place, I expect it would be some months, but I do not have any particulars or advice from him at this stage.

Clause passed.

Clause 3 passed.

Clause 4.

**Ms MICHAELS:** Clause 4(5), the definition of prescribed association, refers to revenue in excess of \$500,000 or such greater amount that is prescribed by regulation. Has any submission been made to you that that amount should be prescribed at more than \$500,000 by regulation, or do you anticipate doing so?

**The Hon. V.A. CHAPMAN:** No.

**Ms MICHAELS:** Subclause (7), the definition of revenue that is being inserted, talks about 'the total amount of the receipts of the association including any money received as a devise or bequest and any grant or subsidy', etc. If property was given, for example, real property was given—\$1 million, \$2 million—would that come into that definition?

**The Hon. V.A. CHAPMAN:** I will advise for the benefit of the committee that the definition of revenue has been raised previously at consultation by the member for Enfield as to the exclusion of money received from selling assets that had not originally been purchased for the purpose of

resale from the definition of revenue. The example raised was of a motor vehicle or other large asset being gifted to an association and whether or not it should be captured.

The definition of revenue in the bill is consistent with the Australian Charities and Not-for-profits Commission (ACNC), which has been adopted from the Australian Accounting Standards Board (AASB). Briefly, the proceeds from selling assets not originally purchased for the purpose of resale would not be considered as revenue—the measure in relation to financial reporting requirements—but would form part of the total income; that is, total revenue plus other income equals total income.

The explanation that was provided to the member and that I give to the committee is as follows. The sale of an asset would result in a gross flow of economic benefit, and the inflow would result in increased equity, which means it is income, but it would not be revenue. The basic principle is that the gain—not necessarily the proceeds, if the charity paid something for the asset—would not be revenue because it arises outside the ordinary activities of the association, as it was not purchased for the purpose of resale.

AASB 116, property plant and equipment, is directly relevant to the example of an association's motor vehicle not purchased for the purpose of resale. I refer to section 67, which reads as follows:

Derecognition

...The carrying amount of an item of property, plant and equipment shall be derecognised:

(a) on disposal; or

(b) when no future economic benefits are expected from its use or disposal.

Section 68 reads as follows:

The gain or loss arising from the derecognition of an item of property, plant and equipment shall be included in profit or loss when the item is derecognised (unless AASB 16 Leases requires otherwise on a sale and leaseback). Gains shall not be classified as revenue.

Section 71 reads:

The gain or loss arising from the derecognition of an item of property, plant and equipment shall be determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

I think now, specifically, the member has asked whether a piece of real estate—that is, real property, land—is in or out, and I think from the explanation I have provided that somewhat depends, but in the event, we will get some further clarification on it.

**Ms MICHAELS:** Just to clarify, that did answer my question that I put forward during consultation in terms of the sale of assets gifted to an association, but the receipt of property—car, real estate, whatever it might be—when that definition refers to total amounts of receipts, including money, does that particularly exclude real property, of the chattels?

**The Hon. V.A. CHAPMAN:** As I said at the end of the last explanation, having provided the information you had of the example in relation to a particular item of personal—namely, a motor vehicle—you now ask in relation to real property. Again, I indicate that I will take further advice in relation to that to give you a comprehensive answer.

**Ms MICHAELS:** Just to clarify, I understood your answer to be referring to the last part of that definition, 'the sale of any of the association's assets' in terms of any gains made. Would the receipt of an asset fall within 'total amount of the receipts of the association'?

**The Hon. V.A. CHAPMAN:** For the third time, I indicate that, the member having raised that, I will certainly take further advice and get back to the house on it.

Clause passed.

Clause 5.

**Ms MICHAELS:** In relation to the information the commissioner may make publicly available—'information from a register maintained under subsection (1)'—what would you anticipate would be the content of that information to be made publicly available?

**The Hon. V.A. CHAPMAN:** I have not been given much in specifics on the advice but it is expected to be similar to what is disclosed in relation to corporations law: who is in charge, where they operate from, who is the public officer—things of that nature.

**Ms MICHAELS:** In terms of what would be in the register, I understand that may be the members' register. Is that one of the things? Would we have publicly available a list of members if that is in a members' register or not?

**The Hon. V.A. CHAPMAN:** I cannot recall at all during any of the consultations that it would have sometimes thousands of members, but that is not proposed. As the member would know, at present they are not disclosed, but there has been nothing put to me to that effect that that would be asked for. It does not mean that it cannot be required for the purposes of assessment.

I imagine from time to time, in relation to the compliance of an association under the current act, that may be called upon. It is more likely to be specific with a specific person who might be a member, but that is a matter for enforcement. But nothing has been put to me and I have the adviser here. There has been no intention that it will be a list of all the members of an association for the purposes of public disclosure.

**Ms MICHAELS:** Would you anticipate that committee members would be made publicly available, given at the moment only public officers are made publicly available?

**The Hon. V.A. CHAPMAN:** That has not been determined at this point, but I would imagine that there would be some practical problem in being able to maintain a register with the change of all the committee members, but it may be called upon by the CBS to argue that. Of course, if that is meritorious and it needs to be put in regulations, then there will be a process of review of that.

For the benefit of the committee, we have not reached clause 6 yet but, in relation to the inspection of documents, it sets out a process by which the association retains its register of members and the process by which they can be viewed, so perhaps the member could read clause 6.

Clause passed.

Clause 6.

**Ms MICHAELS:** Can you identify what information would be required in an annual verification statement?

**The Hon. V.A. CHAPMAN:** There is a draft annual verification statement which is being worked out by the department and it is proposed, just looking at this, for the purposes of the completion of this by the association: name, registration number, date incorporated, and the public officer's name, email address and telephone number—as you would expect—the committee members and when they were appointed, and the annual general meeting, seeking when they last held their annual general meeting.

As the member would appreciate, probably more than most in the house, that is one of the difficulties in actual compliance. Then there are also two questions in relation to change to rules: have your members voted or proposed changes to rules since your last AVS, and have you lodged a proposed change of rules with the commission? That is a preliminary draft. Obviously, that has to go out to consultation as well.

I think there are two things I more commonly come across in relation to my own community. The first is the question of who takes precedence in relation to certain communities, because you might have multiple associations for the purposes of one group. If I were to pick a multicultural community, there are something like 72 associations, and that is great, but it does cause some challenges in relation to who trumps whom from time to time. The second thing is the compliance with the orderly management of those associations to comply even with the current schedule of having annual general meetings, obligation to give notices, time frames etc.

Unless any other members have any direct concern in relation to those, I think the member understands what we are talking about.

**Ms MICHAELS:** In terms of the maximum penalty and the expiation fee, is there any ability for the commissioner to waive that if there is a breach of providing the annual verification statement?

**The Hon. V.A. CHAPMAN:** The whole process here is one of enforcement by the commissioner. He has a role in a number of these enforcement processes. There might be breaches of codes of conduct that occur—that is, for trades and things—in relation to associations. He has responsibility for people who breach, who are retailers of petrol, if they fail to disclose a change of price on a display within 30 minutes. A number of these obligations that he has have a fine, allowing a maximum penalty, but he is the determiner as to who is prosecuted and what he is proposing that they be fined.

A subset of that is where there is an expiation fee—a bit like an on-the-spot fine—as a reminder to do the right thing but not wanting to go through the whole process of prosecution. That is something that he asked for, if I recall. On the last occasion, he asked to be able to have a power to deal with minor breaches in this way by having an expiation fee, when we debated the mandatory reporting for retail fuel operators. That is the last time I can recall he asked for that. He has powers in areas that he enforces.

**Ms MICHAELS:** In respect of an incorporated association that fails to give the annual verification statement, subsection (3) refers to the commissioner being able to record the association as being suspected of being defunct. Will there be any guidelines issued around when that can happen? Is it the first time an annual verification statement is not lodged that it is possible, or will there be guidelines about giving some of these very small not-for-profit associations some education?

**The CHAIR:** Attorney, I might have you answer quickly or move that the committee report progress.

**The Hon. V.A. CHAPMAN:** I move that committee report progress. It might assist my being able to give a more fulsome answer.

Progress reported; committee to sit again.

*Sitting suspended from 12:59 to 14:00*

### **SOUTH AUSTRALIAN MULTICULTURAL BILL**

*Assent*

Her Excellency the Governor assented to the bill.

*Petitions*

### **COVID-19 MASK MANDATE**

**Mr MURRAY (Davenport):** Presented a petition signed by 1,109 concerned guardians and residents of South Australia requesting the house to urge the government to take immediate action to remove the requirement of the wearing of masks by students in schools, and to remove the principals interpretation of COVID-19 recommendations and allow parents onto school grounds.

### **BEETALOO RESERVOIR**

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining):** Presented a petition from 489 residents of Crystal Brook and greater South Australia requesting the house to urge the government to take immediate action to provide environmental water flows from the Beetaloo Reservoir to the ecosystem in and adjacent to Bowman Park.

*Parliamentary Procedure*

### **ANSWERS TABLED**

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

### **PAPERS**

The following papers were laid on the table:

By the Speaker—

Auditor-General Reports—

Report 15 of 2021—State finances and related matters [Ordered to be published]

Report 16 of 2021—Cloud computing in SA Government [Ordered to be published]

By the Premier (Hon. S.S. Marshall)—

Government Response to Standing Committees—Economic and Finance Committee:

Inquiry into Essential Production and Supply Chain Security in the Context of  
Emergency Circumstances in South Australia

Public Sector Employment, Office of the Commissioner for—State of the Sector—Annual  
Report 2020-21

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

Regulations made under the following Acts—

COVID-19 Emergency Response—Section 16—Affidavits

Gaming Machines—Fees Notice (No. 7)

Liquor Licensing—

Fees Notice (No. 3)

General—Interstate Direct Sales License

Magistrates Court—Criminal—General

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

Energy Market Commission, Australian—Annual Report 2020-21

Technical Regulator, Office of the South Australian—Annual Report 2020-21

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

Carclew Inc.—Annual Report 2020-21

Education and Care Services National Amendment Regulations 2021

Windmill Theatre Co. (Australian Children's Performing Arts Company)—Annual Report  
2020-21

Regulations made under the following Acts—

Children and Young People (Oversight and Advocacy Bodies)—Oversight and  
Advocacy Bodies—Prescribed Functions and Powers

#### *Parliamentary Committees*

#### **ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

**Mr PEDERICK (Hammond) (14:08):** I bring up the report of the committee, entitled Annual Report 2020-21.

Report received.

**Mr PEDERICK:** I bring up the report of the committee, entitled Inquiry into Aboriginal Governance Interim Report.

Report received.

**Mr PEDERICK:** I bring up the report of the committee, entitled Inquiry into Aboriginal Housing Final Report.

Report received.

#### *Parliamentary Procedure*

#### **PAIRING ARRANGEMENTS**

**The SPEAKER:** Before we turn to questions without notice, I inform the house that, in consequence of the birth of Leonardo Michael Anthony Tarzia, the Minister for Police and Emergency Services is on paternity leave and questions relating to his portfolio may be directed to the Minister for Education; as well, a pair has been granted.

*Question Time***COVID-19 HOSPITAL RESPONSE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10):** My question is to the Premier. Will our hospital system be ready from 23 November to be able to live with COVID?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10):** I thank the Leader of the Opposition for his question. Today, we have announced that from 23 November we will be removing those interstate border restrictions that have been so harsh but necessary to keep our state safe and our economy strong, but South Australia has risen to the challenge.

We have an extraordinarily high vaccination rate in our state and that is reducing the risk of community transmission, and of course we are reducing overall that transmission potential. The answer is: yes, we do need to remove those border restrictions and, yes, we do need to make sure that our hospital system is in place.

I do make the point that we will be keeping the test, trace, isolate and quarantine protocols in place for as long as possible—certainly for the foreseeable future—so that people who do become infected and their close contacts will need to go into a quarantine arrangement, and we will be keeping public health and social measures in place by and large as we lift these border restrictions.

That will give us additional time, before there is significant seeding in South Australia, to further increase that protection by getting that vaccination rate up. We have seen the vaccination rate in New South Wales and the ACT soar extraordinarily high. I have every expectation that South Australia will be able to do exactly the same, but today we have given the people of South Australia certainty, reward, for the great work that they have done over such an extended period of time.

With regard to getting our hospitals ready, you would have noted, Mr Speaker, that in recent weeks we have announced various elements of our COVID-ready package—a \$123 million package—which is providing additional places, spaces, in our hospitals. It is also providing for more doctors, nurses, paramedics and midwives in our system across South Australia.

We are also doing a lot more work with regard to out-of-hospital care, which is good for freeing up space within our hospitals, but of course extraordinarily good for patients who want to be out of hospital. They want to be in their own home, in their own environment. We are told by friends at Wellbeing SA and others that that is a more appropriate place for people for some conditions within our hospitals, and so we are very pleased to be able to accelerate this as part of our COVID-ready package.

Make no doubt, the Delta variant will be coming into South Australia. It has been in South Australia on dozens of occasions over the last couple of months and, because of the great work of South Australians being very vigilant, we have not allowed this to translate into widespread community transmission like we have seen in other states—but it will come in. What we need to do is to make sure that we are as protected as possible.

That is why we are urging all South Australians to get vaccinated. There is now a big incentive on the table. We have made it very clear that once we get to the 90 per cent double-vaccinated for those 12 years and over we will be able to remove the vast majority of restrictions in South Australia, including the restriction for any quarantine for those people double-vaccinated coming in from overseas.

I think that this is an enormous incentive for people to do the right thing. From our state government's perspective, we are making it as easy as possible at the moment to get vaccinated. We are providing people with enormous choice about where they get vaccinated and, quite frankly, South Australia is rising to the challenge. I think that in the last three or four weeks we have had a vaccination dose rate of more than 100,000 administrations. That is fantastic, and I want to take my hat off to all South Australians. I also want to take my hat off to all those people working within SA Health who have done a great job of administering those COVID vaccine doses.

**COVID-19 HOSPITAL RESPONSE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13):** My question is to the Premier. Why will there be a buffer of restrictions maintained post 23 November if our hospital system is equipped to be ready with living with COVID?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14):** I have explained that extensively in the media and already in my previous answer, but the Doherty model provided to the national cabinet, for all of those who were paying attention, made it very clear that those border restrictions could end but we needed to keep what was called TTIQ public health social measures in place as we increase that vaccination rate.

It all comes down to the transmission potential for this disease—left without any vaccination, no TTIQ, no public health social measures, there is a reproduction rate of around eight: so for every person who gets infected, they are going to pass it on to eight people and one of those eight people is going to pass it on to another eight people and so on and so forth. It's exponential and would overwhelm our health system.

That's why in other jurisdictions like New South Wales, the Australian Capital Territory and of course Victoria, they have had no choice but to lock down their entire communities—some jurisdictions for months and months over the past 19 months that the world has been dealing with the coronavirus pandemic.

We have been fortunate in South Australia that this hasn't been the case. We haven't had widespread community transmission and so we haven't had to have the same level of public health social measures in place. When we get to 23 November, we rule out having statewide lockdowns, but more than that we rule out whole-of-state lockouts. But it doesn't mean we just have the freedom day that you see heralded around the world where all restrictions are removed.

The Doherty model is clear that we need to keep test, trace, isolate and quarantine arrangements in place. That means if somebody does become infected, they will need to go into quarantine and their close contacts will need to go into quarantine for the foreseeable future. This will, if you like, delay the spread of the Delta variant in South Australia. Every day that we move forward, we are increasing the vaccination, we are increasing that projection, we are reducing that risk.

The second thing is to have those public health social measures in place. Different jurisdictions will interpret this differently. There is some modelling which will be coming back to the national cabinet, but we have commissioned our own modelling here in South Australia. I think it's fair enough that we do have differential arrangements, jurisdiction by jurisdiction, to take into account density arrangements, the make-up of the community, the way in which a community responds to public health advice.

I have to say, in South Australia, I feel very proud that we are a state that listens to the explanations provided by the experts, by evidence, by science, and then accordingly adjusts the way that they behave. That's one of the reasons why we have been able to keep the Delta variant at bay for such an extended period of time, but it is inevitable that it will come in and that's why we have to do everything we can to improve our preparedness.

What I can say is that other states will choose their own course. We have already heard, for example, that some states will be delaying opening up their borders until they get to 90 per cent or when they get to 12 and over, or when they get to the new year. We have decided to continue to listen to the experts and implement that national agreed framework for dealing with the advent of the Delta variant coming into South Australia.

The next stage, when we get to 90 per cent double-vaccinated for those 12 and over—which I'm hopeful will be by the end of this year—we will be able to remove the vast majority of those restrictions. I think this will be a very happy day for South Australians, but I do take this opportunity once again to place on the record my grateful thanks to all South Australians who have endured some pretty tough times. They have made some big sacrifices: individual sacrifices, business sacrifices. Those collective sacrifices, though, of course, have been the ones that have kept our state safe and our economy strong.

**COVID-19 STATE GOVERNMENT RESPONSE**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is to the Premier. Will the Premier commit to releasing publicly the Doherty modelling that has been so instructive to the government's deliberations thus far?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18):** Just to reiterate the comments that were made on this only a few moments ago in our press conference, the answer to that is yes. It's going to have to be in a consolidated form because we have, of course, received some information from the Doherty Institute which was provided to the national cabinet. We have received some specific to South Australia, and my understanding is it's been a reasonably iterative process where we have gone off and said, 'Well, what about this measure versus that measure?'

A lot of it comes down to what test, trace, isolate and quarantine arrangements we are prepared to keep in South Australia and for what period of time, whether that be partial or optimal, the definitions of how many people would go into quarantine. It's a live model; data is being fed into it on a continuous basis, but Professor Nicola Spurrier said that she hopes in the coming weeks that they will be able to share some of that modelling with the people of South Australia.

It's important that we do so because we are asking the people of South Australia to continue to work with SA Health, with South Australia Police and with the government of South Australia to make sure that we continue the very good circumstance that we have had and that we have enjoyed over a long period of time.

There will be some people who are frustrated or anxious about the decision that we have made to lift those state border restrictions. That needs to be put up against the increased anxiety and frustration that people feel about the border restrictions. There is no doubt that this arrangement, where we have had a high level of restrictions over the last 19 months, has led to very significant impacts in terms of mental health in South Australia.

All these things have had to be taken into account. I feel very sure that we have been in a fortunate situation to navigate this situation in our state in partnership with the people of South Australia and I expect that that will continue into the future. It doesn't mean that it's going to be all smooth sailing. We cannot keep the Delta variant out, but the longer we keep it out and the longer we push off any significant numbers into the future, the more protected South Australians are going to be.

I finish on this: this is still essentially the disease of the unvaccinated. When we look across the border into New South Wales, into the ACT, into Victoria and we look at the numbers of new infections, the rate of hospitalisation, admissions into intensive care and those people who are going onto ventilators, it is still by and large those people who have not been vaccinated. I know there are those who tell me that they don't want to be vaccinated. I plead with them to look very carefully at the data around this because to me it's chalk and cheese. By having that vaccination you will be protecting yourself, your family, your workplace and your community. Ultimately, you would be protecting our entire state and that is something I would be very grateful for.

If we go back several months, there were probably 30 to 35 per cent of people who were telling me that they were not going to be vaccinated. That has changed. That has been a very changed circumstance with the peaks that we have seen in New South Wales, Victoria and the ACT. As I was saying in an earlier answer, we are now seeing a very high level of vaccination rate in New South Wales and the ACT, and Victoria is coming up as well.

The consequence of that is, of course, that the infection rate is massively plummeting in New South Wales. I think today it was only just above 200 new infections in New South Wales. We are about one-fifth or one-quarter of the size of New South Wales and we won't be opening until it's safe to do so. The experts inform us that 23 November is the date. Keep in mind that we will be starting this from a zero perspective. We won't have widespread seeding like has existed in those other jurisdictions. For all those reasons, we have arrived at the date of 23 November.



**EDUCATION SYSTEM**

**Ms LUETHEN (King) (14:22):** My question is to the Minister for Education. Can the minister update the house on how the Marshall Liberal government's investments and reforms in education have improved opportunities and outcomes for young South Australians?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:22):** I am very pleased to answer this question. The member for King is an absolutely—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —ardent advocate for education in her area and around South Australia, as indeed is everyone in the government. When we came to government in March 2018, we had a very clear ambition for schooling and education and preschooling in South Australia: every child, every kindy or classroom, wherever they lived, to be supported to fulfil their potential. Our investment has been significant.

In public schooling, through the Department for Education alone, I can tell the house that in 2017-18 the budget for the Department for Education was \$3.24 billion. The budget for this financial year is in excess of \$4 billion. That is not just growth and enrolments; that is significant extra investment as a result of our national school funding reforms, which we signed in late 2018 against the opposition of those opposite, and extra investment, because of the move of year 7 to high school, which increases the per capita rate for those students—opposed by those opposite.

The number of teachers, just for example, whether an FT or headcount, has increased by over 1,000. With headcount, we have gone from 14,090 teachers to 15,339 in our public system alone. Our investment and support for students with additional needs: in addition to the \$60 million-plus budget for support services, we have also increased support for children with a disability and additional needs in our schools from \$206 million in 2017 to—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —last year, not this year but last year even, \$292 million. We expect growth to continue because the reforms that we have committed to seize that increased funding there for students who indeed need it.

Our strategies to achieve reform have meant that it's not just about investment; it's also about outcomes. Our literacy guarantee has ensured that, front and centre, a foundational building block in the early years, children being taught to read effectively, has dramatically improved. That's why in our phonics checks—the first year in 2018 that it had been rolled out in all government schools—we saw a result of 43 per cent of our year 1 students at the standard. Last year, it was up to 63 per cent. I am looking for more regular and steady growth in the years to come.

Our NAPLAN results show the most rapidly improving NAPLAN results of any state in the nation. Students for disability SACE completion saw record numbers last year, even through a pandemic, with 323 students with intellectual disability. Aboriginal students are supported by our Aboriginal Education Strategy, which has seen not just significant increases in funding in Workabout centres and in SAASTA academies but also the introduction into South Australia for the first time of Clontarf academies, now in seven locations. A couple of weeks ago, there was the launch in Whyalla of the Shooting Stars Academy for young Aboriginal women and, indeed, last year that saw results, too, with record Aboriginal SACE completion of over 400 for the first time.

There's entrepreneurial education, music strategies, language strategies, including five public schools now accredited to deliver the International Baccalaureate diplomas and significant vocational education reforms. The move of year 7s into high school is the most significant structural move within our public education system in generations. Because of that and capacity growth, supported initially by a \$619 million promise from the former government, it has grown to \$1.4 billion worth of investment in improving our public school infrastructure.

*Members interjecting:*

**The SPEAKER:** The member for Wright is warned.

**The Hon. J.A.W. GARDNER:** There is the rollout of the fastest internet system in the country to our public schools outside the ACT. This is a government that has invested in education, delivered reform in education and has delivered for children and young people in South Australia.

*Members interjecting:*

**The SPEAKER:** Before I call the next question, the member for Ramsay is warned and the member for Reynell is warned. The member for Wright is warned for a second time.

#### COVID-19 STATE GOVERNMENT RESPONSE

**Mr PICTON (Kaurana) (14:26):** My question is to the Premier. What does the detailed Doherty modelling say about how many COVID cases South Australia will face at its peak?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:27):** I think I answered that with the previous question, but I am happy to go through it again because it is actually important. The model is dependent on a range of inputs and it really does depend on what our vaccination rate is here in South Australia and at what point in time, what the rate of infection is interstate in those people and the movement across the border. The public health social measures that we have in place here—

*Members interjecting:*

**The SPEAKER:** Order! The Premier has the call. The room has been particularly orderly and calm so far and it will well serve our purposes for it to remain that way.

**The Hon. S.S. MARSHALL:** Thank you very much for your protection, sir. As I was saying, the major input is really for how long we will keep that test, trace, isolate and quarantine in place. The original Doherty model said there were two versions of TTIQ: there was the partial and the optimal. I pointed out that we were beyond both partial and optimal in South Australia. They said, 'Yes, we refer to that as extreme,' but it has been one of the elements that has kept South Australia extraordinarily safe.

We have been very pleased with cooperation that we have had. We have had the famous Spurrier 'ring around the ring'. This is one of the reasons why we have been able to stop dead in South Australia the spread of that community transmission which has plagued places for such a long period of time. People have said to me, 'The reason you don't have community transmission in South Australia is because they are much more densely populated in Sydney and Melbourne. They have far fewer people.' Last time I looked, the ACT doesn't have as many people as South Australia; in fact, many country towns in Victoria and New South Wales have had this community transmission.

The reality is that this is a disease which doesn't look at the postcode that it's operating in, but what it is is a disease which moves with the mobility of people. So we have been very keen, when we know that somebody is at a higher potential for becoming infected, to put them into an isolation environment. We know that this has come with great penalty to people who have been caught up in that, but what we also know is that it has been what has protected South Australia.

What we also know is that we have been keen to put additional resources in place to cope with the likely increased numbers. We have put that in place, with many more beds and resources than we envisage will come to South Australia, but we still need to get that vaccination rate up. Professor Spurrier said today only in the last hour that SA Health will be releasing the modelling, but it needs to be interpreted carefully because there are many inputs into this model.

What we do know is that it was not safe for us to be opening up our borders for people to come in weeks ago. What we do know is that by 23 November we expect that our double-vaccinated rate for those 16 and over will be up at 80 per cent. That gives us an opportunity to bring that disease into South Australia in a controlled and careful way, but it doesn't mean the removal of internal restrictions and it doesn't mean the end of test, trace, isolate and quarantine.

It doesn't mean the end of the QR code reader because we still need to be able to have our contact tracers, the people who work at the Communicable Disease Control Branch, to be able to rapidly identify people who could have come into close contact with somebody who had a highly infectious disease and to identify them and then take appropriate action. That could be quarantine, it could be isolation, it could be the monitoring of symptoms or some tests and isolation before release. All those decisions, we leave up to the health professionals.

It is a complex management of COVID. I think South Australians have great trust in South Australia Police, SA Health and the government to be able to keep them safe and our economy strong, but the most important ingredient is the ongoing cooperation of the people of South Australia.

### COVID-19 VACCINATION

**Mr PICTON (Kaurna) (14:31):** My question is to the Premier. Will there be sufficient resources for South Australian police to check the vaccination status of every entrant to South Australia after 23 November?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:31):** That's not the intention of SA Police, and again this is something they have already made abundantly clear. We will not be having long-term borders in place in South Australia. We will be making sure that we can check people on a random basis to make sure that we have compliance, and there will be penalties put in place if people aren't doing the right thing.

By and large, we move to a different phase of the disease now. With the earlier phases, of course, we didn't want a single case coming into South Australia because that could have sparked widespread community transmission. As I have already pointed out in answer to every single question I have had so far, Delta is coming. We will have cases in South Australia: this is unavoidable. It would have been unavoidable even if we had kept the border arrangements in place.

But what the modellers tell us is that we can move to a new arrangement now in terms of protecting people. The frontline is going to be vaccination, and this is why we say that the most important message we can give to all South Australians now is: please get vaccinated. The vast majority of people who have been along have left extraordinarily happy with the service. It has been efficient, it has been courteous and of course it has provided them with the level of protection that we know it provides.

If we look at why we need people to get vaccinated, it's really to massively reduce the transmission of the disease, and this is, if you like, the number one issue. But the number two issue is that, even if you do contract the disease, what will happen is that the symptoms you experience will be at a much, much lower level, so you are less likely to be admitted into hospital, go into ICU or onto a ventilator.

In fact, many people who contract the disease may even not know they have had it once they have been vaccinated. This is why it is so important to get to 80 per cent, and then to get to 85 per cent and then 90 per cent for those 12 and above, which is the next major threshold for us in South Australia, and then to continue to move forward to get as many people vaccinated in our state as possible. As I have said, there has been a great level of cooperation with the people of South Australia since day one.

If you had asked me three months ago whether we would get to 80 per cent by the middle of November, I wasn't sure, but we have seen it already occur in other places like Victoria, New South Wales and the ACT, who are all well on the way, if they have not already surpassed that threshold, so I have every expectation that South Australia will do exactly the same. We expect to get to 80 per cent double-vaccinated, 16 and over, on 23 November. There is no point in delaying that movement. It's not like that day we are going to have a massive explosion in the number of cases. We will still keep some of those basic controls in place.

One of the things we are doing is to say that borders are only open to those who are double-vaccinated. There will be some arrangements still in place for those people who come from an LGA which has a low vaccination rate and community transmission present at the same time. It might be a situation, for example, for a state like New South Wales perhaps that has community transmission. They may also have some LGAs remaining below 80 per cent.

Those people would still need to be doing quarantine here in South Australia. But we expect all those LGAs to very likely get up to being above 80 per cent and then above 90 per cent. With above 90 per cent, and no community transmission in that jurisdiction, there is no requirement either for testing or for isolation.

### NORTH-SOUTH CORRIDOR

**Mrs POWER (Elder) (14:35):** My question is for the Minister for Infrastructure and Transport. Can the minister please update the house about how the Marshall Liberal government is delivering

the north-south corridor project and creating thousands of jobs right here in our great state of South Australia?

**The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:35):** I thank the member for her very important question and note there is no greater advocate for this project than the member for Elder. She knows that it will help her constituents bypass 21 sets of traffic lights, save 24 minutes in travel time and improve safety on our roads as well. That's what we are about on this side: we want to improve efficiency and improve road safety. On that side, they may not be that keen.

This will help her community. It will take 110,000 vehicles a day off the graded part of South Road and put them underground, into the tunnels, and that's why we went with this project. Again, those vehicles—those trucks and cars—coming off the road and going into the tunnels will be a great win for her community. The government made a very important announcement over the weekend and we said that, as we go along with this, we are releasing different parts of the north-south corridor project as we get the final details around this reference design.

The reference design in total will be released at the end of the year but, as we know for sure and certain, along the way we are letting the people of the community know. As soon as we know, we will let the community know. Of course, we announced the northern entry to the southern tunnel, the exit points at the integration there with Anzac Highway and the direct connection into the city, which is a great win again for the communities in particular in the member for Elder's electorate.

It was very important that we worked through the project not only to focus on busting congestion and improving safety but also to maintain east-west connectivity with this project, and that's what became very clear to us as we went with the hybrid+ solution. Of course, it is the north-south corridor, but we have to think about the east-west connectivity across the way as well. That's why we put tunnels on the table.

We know those opposite put tunnels in the too-hard basket. Their solution was an open motorway that cut a swathe right through the middle of Adelaide, right through the middle of South Australia—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —dissecting these communities and not allowing that east-west connectivity. But, no, we looked a little bit further and we went—

*The Hon. S.C. Mullighan interjecting:*

**The SPEAKER:** The member for Lee is warned.

**The Hon. C.L. WINGARD:** —to tunnels. This is the 10.5 kilometre stretch. We are very proud of this.

*Ms Cook interjecting:*

**The SPEAKER:** The member for Hurtle Vale is warned.

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

**The Hon. C.L. WINGARD:** The tunnels are part of the north-south corridor, and we are delivering it.

**The SPEAKER:** Member for West Torrens on a point of order.

**The Hon. A. KOUTSANTONIS:** Standing order 98, sir:

(a) In answering a question, a Minister or other Member replies to the substance of the question and may not debate the matter...

The minister is making assertions about Labor Party policy, which is debate, and I ask that you bring him back to the answer.

**The SPEAKER:** I think the minister is coming to the substance of the question.

**The Hon. C.L. WINGARD:** I certainly am, Mr Speaker. Talking about the great results that we are delivering, I was doing a compare and contrast of what the people of that community would have been facing had they gone with the open-cut motorway that they don't want to talk about now because we've got a better solution. An open-cut motorway would have taken an extra 480 properties. We didn't go with that. We went with the hybrid+ solution.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** That will make it easier for commuters to get into town and, when they hook over and join into Anzac Highway, it will be very much appreciated.

I would like to take this opportunity to also thank the department and the north-south corridor team, led by Susana Fueyo, and the design work they did to minimise the acquisitions that I talked about and to deliver the solutions that we have. We know there was some conversation about the connection with Anzac Highway taking a number of homes there. The team went away and did some more work and, while some trees will be taken, they have managed to save a number of homes and properties and heritage buildings, which we think is a really great outcome.

As to city shaping, with this project we know there's a great opportunity to increase the tree canopy. I know the Minister for Environment is very keen on that, doing a great job with the Green Adelaide project and making sure we improve that tree canopy so we have the opportunity to increase the tree canopy across this project by some 20 per cent of what is there at the moment. That will be a really great result.

We don't have enough time to talk about all the great features of this project, but we do note that this is integrating with Anzac Highway and the Gallipoli Underpass. Of course, we are working very closely with the RSL and veterans as well to use this project to even further enhance the great respect and memory that we have of the ANZACs and our service people at this intersection, and they will be remembered.

### HOSPITAL BEDS

**Mr PICTON (Kurna) (14:39):** My question is to the Premier. How many hospital beds will be ready for COVID patients when the borders open on 23 November?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:40):** I thank the member for his question. Of course, we are going to create approximately 400 additional places within our hospital system in South Australia. Some of those will be in our own hospitals, and we have already spoken about the number of beds that will be available at Modbury, Hampstead and of course also down at the Repat. We are—

*Members interjecting:*

**The SPEAKER:** Order! The Premier is answering.

**The Hon. S.S. MARSHALL:** Some will be in the private sector and some will be created by taking patients who are in our hospitals who are better serviced by having their services provided at home. Those—

*The Hon. S.C. Mullighan interjecting:*

**The SPEAKER:** The member for Lee is warned.

**The Hon. S.S. MARSHALL:** As I was saying, we know that COVID is coming into South Australia but, because of our low rate of numbers in South Australia already, we know that we are not going to need those additional numbers for many weeks, if not months. In fact, we think that if anything the peak is going to occur early in the new year. All those beds or that additional capacity will be in place as and when it is required. These are decisions and recommendations which have been made to us by SA Health. We would like to have that additional buffer in the system here in South Australia, so that is what is being provided. It's not just about hospital bed availability but it's also very much about having the right resources.

One of the things you would know, sir, is that we announced recently our COVID-ready package to recruit all graduating nurses this year. Usually we recruit about 600; this year, we will recruit around 1,200 in South Australia. This will take the total additional—

*Ms Cook interjecting:*

**The Hon. S.S. MARSHALL:** This will take the additional—

*Ms Cook interjecting:*

**The Hon. S.S. MARSHALL:** Thank you, sir.

**The SPEAKER:** The member for Hurtle Vale is warned. The Premier has the call.

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** Very well.

*Members interjecting:*

**The SPEAKER:** Order, on both sides! Members will not respond to interjections. We were going so well.

### COVID-19 RESTRICTIONS

**Mr PICTON (Kaurna) (14:42):** If the Premier will indulge us, I would like to ask a question of him. Will South Australia have the smallest number of people allowed at a home gathering this Christmas and, if so, is that because our health system is not ready?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42):** We have always listened to the advice of SA Health when it comes to managing this COVID pandemic. When we look at some of the—

*Members interjecting:*

**The SPEAKER:** Order! The Premier has the call.

**The Hon. S.S. MARSHALL:** It's hard to keep a train of thought with all the excited behaviour from those opposite during question time. Actually, I can't even remember what his question was. Can anybody remember what it was?

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Home restrictions, yes. It's hard to keep—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Listen to them. What a rabble—because there's no discipline!

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order, the leader! Premier, please do try not to provoke the opposition.

**The Hon. S.S. MARSHALL:** So when we look at the information that has been provided by the epidemiologists, it's very clear that most of the superspreader events that have occurred around Australia have occurred at events like weddings and funerals and home gatherings, so these have been one—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** These have been events that we have been keen to—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Thank you, sir.

**ST KILDA MANGROVES**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:44):** My question is to the Minister for Environment and Water. Does the minister consider a Master of Applied Science to be a scientific qualification?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:44):** Yes, I absolutely do.

**ST KILDA MANGROVES**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:44):** My question is to the Minister for Environment and Water: then what was the minister implying when he said that Peri Coleman was a self-proclaimed independent scientist? With your leave, and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** On the morning of 19 October, on ABC radio the minister said:

It's in Peri Coleman's interest to be extremely worried because she is the self-proclaimed independent scientist.

When challenged by presenter David Bevan, the minister repeated the claim saying, 'She claims she's an independent scientist.'

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:45):** When it comes to the very unfortunate situation at St Kilda with the die-off of the mangroves, I must, as a minister, rely on the scientific evidence, advice and input from my agencies and the advice that those agencies seek from external sources. That is what I have done and that is what the Minister for Energy and Mining has done throughout the process and, as a consequence, we have been able to map out a much better understanding of the situation unfolding at St Kilda and hopefully get to a situation—that I believe we are at, at the moment—where that environment is thankfully stabilised.

I make no apology for relying on the robust peer-reviewed science that is provided by experts within the Environment Protection Authority, within the Department for Energy and Mining and within the Department for Environment and Water. We have to do that as a government, as a cabinet and as ministers. The reliance on experts and expert science is one of the great reasons why South Australia has performed so robustly during the COVID-19 pandemic. It is absolutely imperative that we continue to rely on robust peer-reviewed science, and that's exactly what I will do, along with my colleagues, as we seek to manage that precious and fragile environment at St Kilda.

**APPRENTICESHIPS AND TRAINEESHIPS**

**Dr HARVEY (Newland) (14:46):** My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is keeping South Australia safe and strong through increased training and jobs?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:46):** I thank the member for Newland for his interest and his passion for apprenticeships and traineeships in his electorate where it's a very important issue.

The Marshall government continues to deliver a strong response to COVID-19, keeping South Australians safe and in jobs. Our state continues to respond to the impacts of the pandemic as well as, if not better than, anywhere in the world. Our economy is performing strongly with business confidence at a record high and full-time employment at record high levels. South Australia is leading the nation in jobs and wages growth. A key component to wages growth has been our success in training reform and support, leading to more people in paid training and skilled careers.

The latest national data from the NCVER last week shows that since coming to office the Marshall government has the highest growth of apprenticeships and traineeships in the nation—nation-leading growth in apprenticeships and traineeships. Data to March 2021 highlights that South Australia has easily outpaced the nation in the number of people taking up an apprenticeship or a traineeship, up 51.5 per cent under the Marshall government in the three years to 31 March 2021, 28 per cent higher than the second ranked state, Tasmania.

This compares to a decline in apprenticeships and traineeships in the last term of the former Labor government of 48.2 per cent, the worst performing state in the nation between 2014 and 2016. The Marshall government has completely turned around the apprenticeship system in South Australia: from the worst in the nation under Labor to the best in the nation under the Marshall Liberal government. We know more skills means more and better jobs here in South Australia. This is what we have been delivering and what we will continue to deliver for South Australians: 12,000 commencements and 22,500 in paid training for the first time in seven years.

No matter your age or background, whether you are upskilling or you are returning to the workforce—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —under the Marshall Liberal government, your training is supported both on and off the job. South Australia leads the nation for the highest growth of mature-age apprenticeship and traineeship commencements for ages 25 to 44, increasing 52.7 per cent—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, the leader!

**The Hon. D.G. PISONI:** —and even greater increases of 83 per cent in the crucial 45 years and over category. Growth of those over the age of 25 doing apprenticeships is the highest growth in the country. South Australia leads the nation with school-based apprenticeships and traineeships, where commencements increased by 28.5 per cent when the rest of the nation went backwards.

Aboriginal apprenticeship and traineeship commencements over the year to March increased by 33 per cent, number one in the nation; just 11.5 per cent nationally. There was a 31.6 per cent increase of Indigenous South Australians in training and just a 15.2 per cent increase nationally—so more than double the national increase. There was an increase of 15.8 per cent in completions, number one in the nation; nationally, a decrease of 13 per cent. These are nation-leading results for Indigenous Australians in commencements, in training and completions.

South Australia also leads the nation in completions. While there is still work to be done, South Australia ranks number one in completions in construction trade apprenticeships, which increased by 8.7 per cent in that sector. It has the best performing TAFE and non-government provider completions in the nation, the best performing completions in regional and remote Australia, the best performing completions in metropolitan areas, the best completions for Indigenous and young people.

Our nation-leading apprenticeships and traineeships growth stops if Labor implements its narrow policy that was introduced yesterday—the end, under Labor.

**The SPEAKER:** Minister, your time has expired.

#### **ST KILDA MANGROVES**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:51):** My question is to the Minister for Environment and Water. Does the minister believe that Peri Coleman is receiving payments to raise concerns about the mangrove deaths? With your leave, and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** For clarity, I reiterate the previous explanation that on the morning of 19 October, on ABC radio the minister said, 'It's in Peri Coleman's interest to be extremely worried.'

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:51):** I have no idea whether she is receiving payment from anyone in the community or the NGO sector or not. She may well be, but I'm not aware of that. Maybe the deputy leader should ask Peri Coleman that question, not me.



**ST KILDA MANGROVES**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:51):** My question is to the Minister for Environment and Water. Has any of the work on the death of the mangroves in St Kilda done by Peri Coleman been used to debrief the minister by his department?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:52):** I'm sure my departments have used various sources in terms of the science they rely on to brief me. I'm not sure whether they have relied on Peri Coleman's scientific analysis or not. I know they have spoken to her throughout the process, but I am not sure whether that has been a significant part of the building of an evidence base or not.

What I do know is that we have a very rigorous suite of scientific expertise feeding into this situation, peer-reviewed science. That is the important thing here: the need for peer-reviewed science, not just opinion but—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —actually taking a situation where the various facts, the measurements, the inputs are from scientists not just in South Australia. The panel of scientists that has been established to assist the EPA, the Department for Energy and Mining and the Department for Environment and Water is actually made up of people from across Australia, including some of the foremost experts on the health of mangroves and the establishment of mangrove fields across this nation.

I am very confident that the departments I have responsibility for, and various stakeholder departments in there working through this issue, have drawn on the pre-eminent science available.

**ST KILDA MANGROVES**

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:53):** My question is to the Minister for Environment and Water. Has any government agency contracted Peri Coleman or her company, EcoProTem, to conduct reports or work on environmental issues since 2018?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:54):** I suspect there probably has been, but I cannot be sure about that.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** Look at the way they laugh at Ms Peri Coleman, look at it.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. D.J. SPEIRS:** The deputy leader uses this woman as a prop, and it is disgraceful. Peri Coleman is someone I've got—

*Mr Szakacs interjecting:*

**The Hon. D.J. SPEIRS:** And look at this bully, this thug, the member for Cheltenham. Mr Angry over here.

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** That bloke needs help.

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** That bloke needs to be taken out of here—

**The SPEAKER:** Minister, there is a point of order.

**The Hon. D.J. SPEIRS:** —and locked up, because the member for Cheltenham has major anger management problems.

**The SPEAKER:** Minister, there is a point of order. The member for West Torrens on a point of order.

**The Hon. A. KOUTSANTONIS:** Thank you, sir. Standing order 98: in answering a question, a minister replies to the substance of the question, not whatever that was.

**The SPEAKER:** I am sure the minister is coming to the substance of the question.

**The Hon. D.J. SPEIRS:** I certainly am, Mr Speaker. It is just very hard with the member for Cheltenham's uncontrollable anger management problems over my right shoulder here. I make no statements out of—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** Mr Speaker—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.J. SPEIRS:** —I make no statements out of care and compassion for the member for Cheltenham. I want him to get help.

**The SPEAKER:** There is a further point of order, minister.

**The Hon. A. KOUTSANTONIS:** Standing order 98, sir.

**The SPEAKER:** The member for West Torrens on standing order 98. I am going to uphold the point of order. Minister, please, can I direct you to the question.

**The Hon. D.J. SPEIRS:** I understand that Peri Coleman was on the Coast Protection Board for many years, almost two decades. She is someone of significant scientific experience, but at the end of the day she is not the person that my agencies have chosen to seek advice and support from. I haven't attacked her or undermined her. They have spoken to her along the way. They recognise her as an expert in coastal saltmarsh and those environments, but we've got to have a whole suite of experts to gain input from. We must peer review our science, and that's the key here.

*Members interjecting:*

**The Hon. D.J. SPEIRS:** The disrespect that the deputy leader shows for the public servants in my departments is actually shameful, because she won't rely on those experts. I will.

**The SPEAKER:** It may be that the minister has concluded his answer. Is that the case?

**The Hon. A. KOUTSANTONIS:** Standing order 127: personal reflections on members, sir. The minister now is making personal reflections on the deputy leader with no substance of fact whatsoever.

**The SPEAKER:** Well, that may be, but the deputy leader has not raised that matter with me. The member for Davenport has the call.

#### VOCATIONAL EDUCATION AND TRAINING

**Mr MURRAY (Davenport) (14:56):** Thank you, Mr Speaker. I have a question directed to the Minister for Education. Could the minister please update the house on how the Marshall Liberal government is delivering vocational education and training pathways across all South Australian schools and, in particular, whether he is aware of any alternative approaches?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:57):** I am very grateful to have this question because for many years the Labor Party didn't talk about alternatives. They were afraid of anyone remembering their record on TAFE, and it has been a long time since they had alternatives in vocational education and training.

I do not want to dwell on that, because the Marshall Liberal government has delivered for the people of South Australia significant reforms to vocational education and training, indeed reforms that have seen already in their early stages a 37.1 per cent increase in school-based apprenticeship and traineeship commencements in 2019 to 2020 alone.

The news is excellent because from next year the reforms of the introduction of our Flexible Industry Pathways really hit the road—26 areas designed in close collaboration and consultation with industry and businesses in South Australia identifying the areas where there are skills and opportunities for fantastic careers using skilled and technical qualifications for our children and young people to find a great future and a great job and a great career right here in South Australia.

More than that, the analysis has gone into great detail identifying not just where there are job pathways but what is it that makes for a quality vocational education and training experience? Where are there industries that will take on a school-based apprenticeship or a traineeship? What are the reforms that need to be made to the timetabling of how a school delivers its program in years 11 and 12 so that a student can leave the school to go to a work site for appropriate times that suit the business while being supported to maintain and achieve their SACE along the way, and what makes up quality vocational education and training for school students?

There are some industries where it is not appropriate for a school student to be doing a particular qualification while at school. There is a long history of experiences that were identified in the ASQA review across the country and particularly here in South Australia in our analysis of vocational education and training. They were also identifying the particular challenges. When the focus is entirely on a school site, as is identified in the Labor policy, delivered only by teachers rather than by qualified vocational education training operators, then there are risks that have to be met.

In 2022, the flexible industry pathways will see 270 programs being offered across our state: from aged care and disability in Coober Pedy to engineering at Murray Bridge and building and construction at Port Lincoln; from automotive building and construction, early childhood and electrotechnology in Port Augusta, with aged care and disability, automotive, health support, hospitality, agriculture, building and construction, early childhood, electrotechnology and plumbing all offered to school students in Mount Gambier.

The member for Davenport asks about his community as well. Aberfoyle Park High School is offering construction and, indeed, early childhood pathways; Banksia Park is doing food processing; Modbury, building and construction, early childhood, hair and beauty; and Golden Grove has a suite from aged care and disability, early childhood, electrotechnology, engineering, hospitality and kitchen operation.

In the city, many of these Flexible Industry Pathways, designed in a school, will also be available to surrounding schools. In the country areas, there is a very broad offering indeed. Right across South Australia we want all our public schools to be offering fantastic pathways that will accelerate the move into skilled and vocational education because—you know what?—not every student needs to go to university to get an outstanding career. This is what we have been saying for years. Yesterday, I heard the Leader of the Opposition talking about it on the radio.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** Welcome to the party. It's what we have been saying for years—

*Mr Boyer interjecting:*

**The SPEAKER:** Order, member for Wright.

**The Hon. J.A.W. GARDNER:** —except our answers are actually working.

#### ST KILDA MANGROVES

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:01):** My question is to the Minister for Environment and Water. Has the minister or anyone in his office instructed his department or other agencies under his control not to give any more contracts to Peri Coleman or EcoProTem? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Dr CLOSE:** On the same radio interview on the morning of 19 October on ABC radio, there was the following exchange:

David Bevan: Peri Coleman is credible though.

Speirs: Well, I'm not going to rely on Peri Coleman's anecdotal evidence. I'm going to—

Bevan: Her scientific analysis.

Speirs: That's your assessment of Peri Coleman.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:01):** No, I certainly haven't instructed any of my agencies not to procure the services of Peri Coleman. I guess if they had a view that she could provide insight and experience into one of the areas of her scientific expertise, they would be certainly able to do so, if they felt it was in a way that was appropriate.

### ST KILDA MANGROVES

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:02):** My question is to the Minister for Environment and Water. Just when will the investigation into the cause of the death of the mangroves and the leak from the salt fields be released publicly?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:02):** I should point out for the house's benefit that the Department for Energy and Mining is actually the lead agency for this project. We are the lead agency—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** —of this project, which we inherited from those opposite. The Department for Energy and Mining—

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. D.C. VAN HOLST PELLEKAAN:** —deals with this because it is actually a closed salt mine. We take this work extremely seriously. We work hand in hand with the Department for Environment and Water, the EPA and other agencies that have expertise, but essentially we are cleaning up a very significant problem that was left to us by the previous government. In fact—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** —on coming to government, and on becoming a minister, it was actually one of the earliest and most extensive briefings that I received from the department, explaining exactly what our government was picking up. Having said that, we are getting on with the job. We are getting on with the job. We are engaging with a very wide range of experts on this issue.

In fact, with the Minister for Environment and Water, I have visited the site. I have also met with representatives of the local—I'm not sure if 'friends group' are exactly the right words, but those opposite will know what I mean, and I have had discussions with a range of people with a range of opinions on this topic. There's no doubt that what has happened at that site over decades and decades and decades has not been beneficial for the entire environment.

We are working very closely with the owner-operator of that site at the moment. We are working very closely with a range of people with a range of views. I have certainly met with Mr Craig Wilkins from the Conservation Council on I think three occasions on this matter and with other people he has chosen to bring along to discuss it. We take their views extremely seriously. We want their input. I spent about an hour on the site, on the boardwalk, through the mangroves with a—

*Dr Close interjecting:*

**The SPEAKER:** Minister, there's a point of order.

**Dr CLOSE:** Point of order: standing order 98. The question was: when will the investigation be made public?

**The SPEAKER:** The point of order is on standing order 98, which of course, as the minister knows, provides:

In answering a question, a Minister or other Member replies to the substance of the question and may not debate the matter to which the question refers.

The minister is well known in the house for providing comprehensive answers. I believe he is seeking to do so. I will listen closely and carefully to his answer.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Thank you, Speaker. In answering the question, I think it's important for people to understand the information that's gone into the investigation, the breadth of care and interest the Department for Energy and Mining has taken with regard to this work. It would be a mistake for anybody to think that there is just one report that might be released, that this business is just done and dusted. That would be completely inappropriate. This is work that was commenced under the previous government that we are going on with.

In fact, on the evening that I met with representatives of the local community to hear their concerns, I took along executive director Ms Alex Blood from the Department for Energy and Mining, who is an extraordinarily capable person and who previously, before coming into the Department for Energy and Mining, spent most of her time, I understand, working as an environmental scientist, so a fantastic person to be leading this work from within the Department for Energy and Mining.

She engages with locals, she engages with the Environment Protection Agency, she engages with the Department for Environment and Water and many, many people and independent experts as well. She has also, I know, engaged with Ms Peri Coleman, and she did so face to face with me at this visit. For the deputy leader, the report and as much information as possible will be released immediately, as soon as I am advised that it is appropriate to do so.

#### PROJECT ENERGYCONNECT

**Mr TEAGUE (Heysen) (15:07):** My question is to the Minister for Energy and Mining. Can the minister please update the house on how interconnection with New South Wales, Project EnergyConnect, is securing jobs in regional South Australia?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:07):** Thank you very much to the member for Heysen for his keen interest in our electricity system, his keen interest on behalf of his electorate, the people of Heysen, and of course everybody else in the state, who are enjoying cheaper electricity since the last election, who are enjoying fewer blackouts—in fact, no blackouts—due to lack of supply or instability of the grid and, of course, as I know is also important to the member for Heysen and his electorate and all South Australians, cleaner, lower remission electricity. We are now—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.C. VAN HOLST PELLEKAAN:** —this calendar year, at just a little bit over 60 per cent renewable energy across South Australia, generated. The interconnector, as those opposite know, plays a very important part of our policies. We have multipronged energy policies which are working. We are looking at small-scale storage, large-scale storage, demand management trials.

When I say 'we', it is very important that I always remind those opposite that 'we' includes industry and it includes consumers. We have a holistic approach to getting the energy system right in South Australia so that it works for South Australian electricity consumers, from the smallest household to the largest employer in the state. This is in stark contrast to what was happening a few years ago, when we saw skyrocketing prices, a statewide blackout and many others.

One of the extremely important prongs of our energy policy is the interconnector with New South Wales, which we are incredibly pleased is proceeding. Those opposite have had a huge range of views. The Leader of the Opposition was guessing on a policy—

**The Hon. A. KOUTSANTONIS:** Point of order: standing order 98. The minister is not responsible for any Labor Party policies or the Leader of the Opposition's public comments. He's responsible only to the house for his government's policies.

**The SPEAKER:** That may be, but I think the minister is providing some context.

**The Hon. D.C. VAN HOLST PELLEKAAN:** This interconnector was a topic of great debate, so it's only fair that we share some of those views. The Leader of the Opposition was guessing the policy, the member who just raised the point of order has always opposed it, the member for Lee said it was a terrible idea—

**The SPEAKER:** Minister, I do bring you to the substance of the question.

**The Hon. D.C. VAN HOLST PELLEKAAN:** —and the member for Port Adelaide said they have never opposed it. What is most important, and I appreciate your indulgence, is that the interconnector is going to go ahead.

We have reached a fantastic milestone with two companies, two important companies, being contracted to undertake this work. Downer Utilities Australia has been awarded the transmission lines contract, which includes about 200 kilometres of new transmission line between the South Australia-New South Wales border and the new Bunday substation, near Robertstown, and around 10 kilometres of new transmission line between Robertstown and the Bunday substation.

A South Australian Adelaide-based company Consolidated Power Projects has been awarded the substation contract. Consolidated Power Projects will build the new Bunday substation as well as undertake augmentation works at the existing Robertstown and Tungkillo substations. This is absolutely fantastic that these companies are winning this work. It's important that the project is taking demonstrable steps forward.

We know that, on top of the \$303 per year average reduction in electricity cost for South Australian households, this interconnector will deliver an additional \$100 per year for South Australian households, an absolutely outstanding result. The jobs that come with this, the 200 jobs primarily in regional South Australia, are another fantastic bonus—in logistics, concrete, reinforcing steel, accommodation, plant equipment, labour hire and security and much more.

#### SUICIDE PREVENTION

**Ms BEDFORD (Florey) (15:11):** My question is to the Premier. When will the Premier announce who will become his next advocate for suicide prevention?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:11):** I thank the member for Florey for her question. In this instance, because we are so close to the election I have decided to assume that role myself with the support of the Minister for Health and Wellbeing, the Hon. Stephen Wade.

#### GAMBLING REGULATION

**Mr DULUK (Waite) (15:11):** My question is to the Attorney in her capacity as the Minister for Consumer and Business Affairs. Can the minister please update the house on the implementation by the Office of Consumer and Business Services of the 2019 gambling regulation act? With your leave, and that of the house, I will further explain.

Leave granted.

**Mr DULUK:** The parliament passed significant gambling reforms in 2019, with many of the changes in the act still not implemented by CBS. This go-slow is causing significant damage to the SA racing industry, and that is, of course, an industry that employs many South Australians.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:12):** In relation to the gambling reform, I know that there is quite a subset of regulatory application and the commencement in relation to a number of the aspects of that gambling reform, which I have only just recently approved. I will get a detailed answer in respect of the progress as to the implementation, the time frame of that, but it is graduated in relation to different aspects of the gambling reform.

As you know, the member will be fully aware that when we debated the gambling reforms in the statute there were prerequisites for the introduction. For example, the accessibility for a provider to have note acceptors in relation to poker machines had to be matched with the identification equipment to be installed. The Casino, for example, already had facial recognition technology; a number of hoteliers didn't. These are the sorts of things that had to be considered in relation to the staggered implementation of those programs.

There was a comment made, I think more than a question, in relation to the racing industry. I do want to remind the house that both the racing industry and, I think, golf are probably the two sports that have fared best during COVID, that is, without interruption.

**The Hon. A. Koutsantonis:** Tell that to the Adelaide 500.

**The SPEAKER:** Order!

**The Hon. V.A. CHAPMAN:** Golf has been something that has been very much supported by Professor Spurrier as an outdoor activity and her continued desire for the people of South Australia to continue to be active, walk in the parks, utilise those recreation areas, play a game of golf, etc.

Most members here would have some access to or have golf courses or clubs in their local area. Without exception, the ones I have had anything to do with in the recent few years have actually had hundreds of new members. That's a great thing for that sport.

Racing in the same way has been able to continue to race. The member for Hammond's area, of course, has a magnificent racing facility at Murray Bridge and there has been significant investment by this government to ensure that they continue to develop that. There has been advancement in relation to the Morphettville Racecourse and other projects that are happening in that regard.

Racing has been able to continue, not always with a big public attendance. Obviously, there has been restriction on that, but almost every other sport or activity has had to weather interruption: they might have had games scheduled that have been cancelled, they haven't been able to participate or they have had to shorten their program for the year. They may have lost revenue from different opportunities from the activities they run.

In relation to the envelope of gambling, obviously racing is a critical industry for the purposes of providing the product for gambling in Australia and South Australia is no exception, so we do understand the significance of the laws that have been changed by this parliament. We have tried to work with industry and CBS have had responsibility for that to ensure that we don't overload in a circumstance where industry is trying to deal with a pandemic and interruptions, and now I talk about other providers of gambling services, such as hotels.

We have had to try to work with those industries to make sure that they are not overloaded and also to make sure that, where we have given them some opportunities, they are able to take those up. In short, I will get back to the house and the member in particular with a schedule of the implementation of those programs.

#### HENSCHKE INDUSTRIES

**The Hon. G.G. BROCK (Frome) (15:16):** My question is to the Minister for Energy and Mining. Can the minister update the house or advise me with a response to my letter regarding Mr Barry Stringer at Naracoorte, which I sent on 5 October—I have had a discussion with the minister about this privately—as the Chair of the select committee into land access? With your leave, sir, I will explain a bit further what was in that letter.

Leave granted.

**The Hon. G.G. BROCK:** In this letter, Mr Stringer asked a few questions about the establishment of a large and unsightly mound that has been erected alongside his property and leading into his property. In the questions, I asked: is this a temporary amenities bund, which was stated by Henschke's quarries, which is alongside? If so, how long will this be in place? Was local council approval required to erect it? If local council approval was required, were all the neighbours advised? In the interim, how will the dust coming from this temporary amenities bund be managed?

I also asked: what communication has taken place between the Department for Energy and Mining and Henschke Industries regarding the erection of this mound? Further to that, according to

Mr Stringer, the noise and the vibrations have been referred to the minister's department on several occasions with no improvement.

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:17):** Yes, certainly, the member will receive a response to that letter. Let me say at the moment, though, that it's my understanding that Henschke's quarries have done everything expected of them by the Department for Energy and Mining in the operation of their quarry. In fact, some of the things that the member refers to are actually things that have been done to support Mr Stringer's concerns.

I'm not suggesting for a second that he is fully satisfied with what has happened. I have been to Mr Stringer's house myself. I visited with him, have been inside his house and walked along the fence line where his property adjoins the quarry and I take his concerns extremely seriously. I will make sure that the member gets a completely appropriate response in as timely a fashion as possible.

### MOUNT GAMBIER HOSPITAL

**Mr BELL (Mount Gambier) (15:18):** My question is to the Premier. Can the Premier assure the people of the Limestone Coast that Mount Gambier hospital is fully prepared and equipped for an increase in positive COVID numbers, given that we are 450 kilometres away from Adelaide and metropolitan hospitals could be at capacity?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:18):** It's a very good question. There are some anxious people because they have been able to see what has happened in other jurisdictions in terms of hospitalisation. That is why we have waited to lift those border restrictions to a point that we have a good vaccination level here in South Australia. The experts determine that that is at 80 per cent double-vaccinated, 16 and over, but we are not satisfied with that. That is just the threshold to allow those border restrictions to be removed.

We also know that the hospitalisation rate is massively diminishing as people become more vaccinated. Also, the drugs and the treatment for those who are hospitalised and are COVID positive mean that there are fewer and fewer people who are ending up in ICU on ventilators and ultimately paying the ultimate price for this terrible disease. The reality is that, as we move closer to the higher vaccination rates, we put ourselves in a much better position. We haven't been prepared to do it up to that point in time, but we are following that health advice.

The other area where we are following the health advice is on the level of resources that we need to cope with the inevitable advent of Delta here in South Australia. By and large, the work that requires to hospitalisation will actually occur in metropolitan Adelaide, so the vast majority will be in the Royal Adelaide Hospital, at the Flinders Medical Centre and the Women's and Children's Hospital for different reasons. The Royal Adelaide Hospital will be the workhorse of the overall hospitalisation requirement. That's because it has extraordinarily good capability in terms of ventilation, so that is deemed the best hospital to do the vast majority of that work.

The Women's and Children's Hospital, of course, will be for young patients who might be COVID positive requiring hospitalisation. Very small numbers are predicted in that area but, nevertheless, that's where the health professionals' advice would be the very best place for that. Flinders Medical Centre will be for women who are pregnant. They have their specialist services there, so that's the arrangement there. We do know, though, that we want to increase the overall capacity of our health system across South Australia, and this is why we have put the COVID-ready package in place, which will create approximately 400 additional places right across the system.

There will be more information which is provided as we get closer to 23 November with regard to the precise model of care for people, but it is very much changing. As you would be more than aware at the moment, Mr Speaker, we have a situation where every person who is COVID positive goes into the Tom's Court Hotel. Ultimately, if people then need treatment, they will go into the Royal Adelaide. It's a very small hospitalisation rate, even at the moment, into the Royal Adelaide Hospital.

Going forward, we will have many more people who are COVID positive, and the vast majority of those will not be in the Tom's Court Hotel: they will be in their own home quarantine arrangement. But there will be some who do not have an appropriate isolation facility at home who



we will need to provide alternative accommodation for, and that's why we are keeping that hotel quarantine capability in place but the overflow—the movement from there—will be into those three major hospitals in the first instance.

### DOLPHIN PROTECTION

**Ms BEDFORD (Florey) (15:22):** My question is to the Minister for Environment and Water. What information can the minister provide into the recent death of Hunter, the six-year-old male bottlenose dolphin, who was euthanised on Friday 22 October? Perhaps more importantly, what investigations and steps are being taken to prevent dolphin deaths and protect the remaining dolphins in the Adelaide Dolphin Sanctuary pod?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:23):** I thank the member for Florey for that question. It is very unfortunate that there have been the deaths of a couple of dolphins in recent months in the Adelaide Dolphin Sanctuary. This is something that I and my department are taking very seriously. We have expanded the resources available to the South Australian Museum to undertake appropriate and elevated investigations, not just the traditional autopsy process but a more detailed investigation to try to get to the bottom of this.

There was also recently a dolphin found dead quite some distance outside of the Adelaide Dolphin Sanctuary but, because it was a younger animal, it was unusual to find that. We are taking the corpses of these dead animals to the SA Museum, which has substantial experience in this, and undertaking the appropriate investigations. I have made it very clear to my department that any resources required to get to the bottom of this to try to get a better understanding of the situation should be used or deployed in order to build that understanding.

We have been able to, in recent months, with the expansion of the National Parks and Wildlife Service in South Australia and a 45 per cent increase in the number of rangers, substantially increase the number of patrols through the Adelaide Dolphin Sanctuary—something that had been pulled back and whittled away under the previous government, also obviously with the abolition of the dolphin advisory committee by the Weatherill government.

I think that has left us in a particularly unfortunate position, but we will continue to build our expertise, deploy the resources needed within the National Parks and Wildlife Service and provide the SA Museum with the appropriate level of resourcing to get to the bottom of this.

**The SPEAKER:** Before members depart, I should observe that not a single member left the chamber under 137A today—the first time in a very, very long time.

### *Grievance Debate*

### ST KILDA MANGROVES

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:25):** Unsurprisingly, I rise to talk about not only what has happened to the mangroves around St Kilda but of course the almost bizarre attack launched by the minister on a local scientist. The one who told us there was a problem is the one who has become the problem in the minister's eyes.

Just to familiarise people with what occurred, the Minister for Energy and Mining, who I otherwise have a huge amount of respect for, did try to suggest that the problem that has occurred was something he was briefed about when he came into government that was a legacy. That is a little difficult when the leak occurred in around February 2020 as a result of actions in late 2019. But he is not the subject of the grievance and I will not be dwelling on that.

In February 2020, there was a leak of highly salty water that started to kill off mangroves. The council told the environment department in July 2020 and, in September 2020, the environment department went and had a look and realised that there was a massive die-off occurring. Why did this happen? We do not have the official investigation and we have no idea when we are going to get the official investigation as a result of the previous answer.

But pending that, what appears to have happened, having FOI'd the documents that have been briefing the government, is that SA Water informed the company that discharges saline water into the Bolivar outflow pipe that is then diluted by the water coming from SA Water, and therefore is able to go out into the gulf legally, it was reducing the amount of fresh water that was going out and therefore the company needed to do something else with the saline water. What they did was they

put it into a pond that had dried up and the surface of it had cracked, which meant that once the saline water went in it leaked and caused the problems.

Interestingly, the Minister for Environment and Water, who is also the minister for SA Water, said this was not his problem and not his fault. When I asked him in February 2020 about this chain of events, he said:

SA Water has not changed its supply of water to the owners of the Dry Creek salt fields...

That was said in this parliament, whereas a briefing to the government says:

In October 2019, it was noted the SA Water Bolivar flow rate was about half of the rate at the same time the previous year. In order to maintain compliance with maximum discharge salinity levels, [the company] reduced the discharge volumes...

As a consequence, in February 2020, that section was refilled with seawater and, as we now know, that is what leaked and that is what caused the death. But the minister knows nothing and sees nothing.

What has occurred all along, though, is that we have been absolutely lucky in South Australia to have a woman called Peri Coleman with a scientific qualification with an enormous amount of expertise in estuarine and coastal environments who was saying, 'There is a problem, there is a problem, there is a problem.' She was being ignored and ignored and ignored. The environment department seems to think that she is worth listening to. Here is a briefing from the environment department:

Council engaged independent consultant Peri Coleman to investigate and provide a report...Ms Coleman is a recognised expert and her report...will inform the response from council and state government.

So she is useful, she is important, she is worth listening to. But of course the minister, as always, wants to minimise, and in this extraordinary interview on 19 October you could hear that David Bevan was surprised and kept trying to give him some opportunity to climb down from his allegations, but he was not having any of it. He did say:

...the die-off isn't as bad as we would...while it might play to particular political interests—

I think he means me—

and that of conservation activists...Listening to it in the media you would think they were all dead, it's 0.2%. It's not ideal, but we're working towards a recovery plan and we're getting on with it.

He does not want to accept that there is a problem, so what does he do about that? He has to make Peri the problem because Peri is the one who has been honest all along. You will have heard the quotes I gave earlier, and I am hesitant, because I will probably put this on Facebook, to repeat the things that the minister said about Peri Coleman and the way in which he said them, but what he was trying to do was say that she does not have the expertise: she is not worth listening to. I want to conclude this by reading the Ministerial Code of Conduct, which states:

In the discharge of his or her public duties, a Minister shall not dishonestly or wantonly or recklessly attack the reputation of any other person.

I submit that is exactly what has happened to Ms Coleman and it has happened because her truth was inconvenient.

#### JUSTHAM, MR L.I.T.

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:31):** I am going to pay tribute—

*An honourable member interjecting:*

**The Hon. D.J. SPEIRS:** —to someone who recently passed away, and I am very disappointed by the comments that the Leader of the Opposition makes as I try to respectfully make this grieve. I am actually going to sit down—and I am going to allow those members to leave so that I can pay respect to someone I know who has passed away and so that this can begin again—

**The SPEAKER:** Members, please leave quietly. The minister has the call.

**The Hon. D.J. SPEIRS:** —and for the next 20 seconds to enable that.

**The SPEAKER:** Members, please leave the chamber, thank you. Minister, you have the call.

**The Hon. D.J. SPEIRS:** Thank you, Mr Speaker, and I thank you for the opportunity to make this contribution today. I want to pay tribute to the life of Leif Indigo Taylor Justham, a young man who lived from 14 August 1999 until 6 April 2021. Leif and I met last year when I was asked to speak, along with Robert Simms (at the time an Adelaide city councillor and now a Greens member in the upper house) at a community forum on environmental issues undertaken and delivered by Power Living, a yoga studio in Adelaide's CBD.

We had the opportunity to present on where we thought the big environmental issues were going in the state, the nation and, in fact, the globe at the moment, and then we spent a lengthy period of time in questions and answers with the audience. A number of the questions asked were particularly probing, many of them to do with climate change and both the state and nation's approach to that. Several of the questions came from a young bloke with shoulder length, dirty blond hair who had a big smile on his face and a real earnestness about him.

At the end, when people left, he hung around with his girlfriend, Gemma, and we had the opportunity to take an extensive period of time just sitting around having a chat. He was really interested in sustainability, the environment, climate change and the politics of our state and nation that are wrapped around those issues.

Leif and I stayed in exceptionally close contact from that night, being regular correspondents via Instagram Messenger—he added me during the evening—and started to ask me questions. If I put up an InstaStory he would be very quick to ask me particular questions: what were we doing in that national park, or what was the insight into a particular initiative we had announced, or what was a place in South Australia I had visited in my role as minister and what was that place like? He was insightful, he was perceptive and he was inquisitive.

A few months later, Leif told me that in order to raise awareness about climate change and the impact of climate change, particularly the role of big polluting industries in superannuation funds, he was going to ride around Australia raising awareness. He set out in March to do that very thing. Unfortunately, a couple of weeks later, while crossing the Nullarbor, he was struck by a truck and killed.

I was deeply affected by his death, not nearly in the same way as his family obviously were. I had been in such regular contact with this guy and had made lots of promises to catch up. He wanted to do a podcast together, but with my diary and all the things I am juggling I just did not have the time to do that. He sent me a couple of messages that I just want to put on the public record, because I was taken by the way he wanted to encourage me. One of his last messages to me was in response to an InstaStory, where he said:

Gotta say, mate, even though we didn't get to do that talk—

being the podcast—

pretty stoked to have you and the Liberal government as every other state seems to be so heartbreaking in their efforts to bring the planet. Thank goodness that SA is decent.

He was not an advocate for the Liberal government by any means, and I am pretty sure we would not necessarily have got his vote, but a couple of days later he sent me a message: 'Keen to have a kayak together when I get back.' I messaged him and said, 'Yep, at Myponga.' He said, 'Why not?' We did not get to do that. That was the end of our conversations.

I want to pay tribute to a young man who showed leadership, creativity, energy and passion for our natural environment and who made his community of Scott Creek, the Adelaide Hills and South Australia a better place.

**The SPEAKER:** Thank you for sharing that solemn tribute.

## RECYCLING

**Ms COOK (Hurtle Vale) (15:36):** I will start today by speaking about recycling. My office helps our community do a whole range of recycling in terms of repurpose and re-use—bottle tops, bread tags, batteries—and a whole range of ways we can stop landfill.

In the debate here in the house in the last few months, we have talked about corflutes. Corflutes clearly pose a challenge from a recycling point of view, so I have come up with quite a number of suggestions of ways people can, in their own work, repurpose or re-use corflutes. I certainly have in my office. There might be some new suggestions here for some of the members.

My local sporting shooters group has used of them for target practice. That might make people feel a bit uncomfortable, but I find it quite funny, to be honest. They promise me they turn them around the other way and put the targets on—which they probably have to, to do all the circles and stuff. I think target practice is a great way for them to use old corflutes.

In the 2016 federal election campaign, one branch developed a self-standing A-frame which used old corflutes in its making, providing a more economical option than building timber frames or buying metal frames. You stitch the top edges of the corflutes together with some short cable ties and you weigh it down with a full milk bottle of water or a brick or something else heavy like that, and voila—a cost-effective and transport-friendly A-frame.

You could contact other local groups and see if they are doing craft or other activities. Many of these groups would benefit from the use of the hard-wearing, flexible corflute material. Schools can obviously use the blank side to create signage for their fetes or other school events. I have a big smile when I get on the train every time I come into the city on the Seaford line. I forget the station, but I think it is somewhere near Colonel Light Gardens or a little bit up from there, Cumberland Park maybe. You see the face of Penny Wong, and as the breeze flaps her face goes from being a flower back to her face because the kids from the local kindy and school have made signs that go on the fences.

**The Hon. D.C. van Holst Pellekaan:** Tree planting is good too.

**Ms COOK:** Indeed. They can be painted with chalkboard paint to become a re-usable blackboard for sporting groups and community groups. Chalk markers can be used to make effective signs for school fetes, supporting sports teams or for Greens' stalls.

They are also an effective reputation protection, ensuring that the original printed sign is no longer visible no matter where it ends up. So you can all be painted black with your chalkboard paint. My signs have also been used for the sets of the Wakakirri for our local schools. Sadly, that did not go ahead this year. Members may know that the Wangaypuwan peoples use the word 'Wakakirri' to talk about dance. It is an incredible storytelling dance festival our local schools participate in, and, yes, my corflutes have featured in that.

There are a couple of interesting things in nature. They can be put on top of the beehives, and the hollow core makes really good thermal insulation. The bees appreciate that in the hot weather. One that really captured my imagination involves our wombats. We know they suffer from sarcoptic mange, an awful disease that affects our wombats. Corflutes have been used as burrow flaps. You attach a milk bottle cap to the corflute and in it goes cydectin, the medication. As the little wombats trundle off to bed at night, or during the day, or whenever they are going into their little house, the flap swings and the cydectin pops out of the milk bottle cap and runs down their little backs and treats their illness. That gets rid of their mites and what have you. That is a terrific use for corflutes.

They are useful in community gardens and for gardening groups, as well as for roof insulation material for your chicken shed. Obviously, the SES and the CFS use them to patch up busted tiles during a storm. Victoria is trialling a re-use to manufacture into other corflute products, and some printers that offer election sign printing services will take existing corflutes and try to print existing art works. There are a few suggestions for the re-use, repurpose and recycle of corflutes.

Time expired.

#### STUART ELECTORATE

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:42):** It is a pleasure for me to rise and to share with the house a fantastic event I attended in the electorate of Stuart at Leigh Creek: on Wednesday last week, I attended the annual Flinders Family Fun Day.

It was a tremendous day organised almost exclusively by local Aboriginal leaders. It is not only for Aboriginal people, but it is something that local Aboriginal leaders take the majority of responsibility for organising. Everybody is welcome, and when I say 'everybody' I am not just talking about Aboriginal or non-Aboriginal; I am talking about everybody from babies all the way through to very senior old men and women who are very respected leaders in the community.

It is fantastic to be at Leigh Creek at any time. In fact, the night before I was talking to my wife, Rebecca, and she asked, 'What are you doing tomorrow?', the normal sort of conversation that many of us have, and I said that I was going to Leigh Creek. She said, 'Oh, well, you'll be happy. You'll have a good day tomorrow. Any time you're heading north in your electorate you're happy,' which is true.

That was borne out by my accessing one of the fantastic services available, and I will go into more detail on others. One of the things offered was free blood pressure checks for people, and my blood pressure was far better than it normally ever is. Interestingly, Rebecca had said that the night before, but Sister June, who did my blood pressure check, actually said unprovoked, 'Well, it's because you're here in Leigh Creek. You're just much happier.' What is far more important than that is the fact that anybody could get a blood pressure check.

There were events for young, middle and older people with regard to health, education, sport and native bush tucker, just an extraordinary range of people. Government and non-government agencies came and provided stalls indoors in the gym and outdoors on the oval. There was a free barbecue for everybody who attended. Schoolchildren from the Leigh Creek Area School came across. We would all know that it does not matter where you go—presumably anywhere in the world—any time you have young people, middle-age people and old people all doing things together happy, smiling and relaxed, that is a fantastic event.

I really do thank the organising committee. I believe that Glenise Coulthard, a person many of us in this chamber would know, is the key leader. I am not sure if she has the title of president or chairperson, but it does seem to me that she is the heart and soul of organising this. Her husband, Kingsley, and daughter, Latoya, certainly chip in enormously and lots of other people do.

Unfortunately, I could not get there in time for the official opening, but I am told that Mr Terry Coulthard did a fantastic Welcome to Country on behalf of the Adnyamathanha people. That is something that every single member of this house understands the importance of but something we may not think of so often because we are non-Aboriginal people—at least the members in this chamber of the house—so we always feel fortunate to be welcomed to country.

One of the special things about the Flinders Family Fun Day is that for local Aboriginal people, Adnyamathanha boys, girls, men and women, to actually be in attendance when one of their revered leaders is offering a Welcome to Country to non-Adnyamathanha people is something that the local Adnyamathanha people really enjoy and love to be part of as well. I am told that he did a truly outstanding job.

Picking up rubbish is something that everybody focuses on. Right from setting up, providing all the different services and cleaning up, the day went extremely well. I know that plans for next year are being contemplated. I stress to the Minister for Education that no decision has been made, but it is certainly contemplated that the Flinders Family Fun Day next year might be a day of extracurricular activities for the school students.

The oval, the gym and the facilities that are used there are right next to the school, so it would be fantastic for the kids to be able to enjoy the entire day there and, of course, fantastic for the organisers to know that all the kids will be there for the whole day, because all their friends, families, parents, aunts, uncles and grandparents are there as well, so it is a safe, fantastic and warm environment. I wholeheartedly thank the organisers for doing a fantastic job yet again with the Flinders Family Fun Day at Leigh Creek.

**THOM, MR B.G.**

**The Hon. A. PICCOLO (Light) (15:47):** Today, I would like to bring to the attention of the house a couple of matters. First, I would like to pay tribute to a person in my community I have known for many years who has recently passed away. I say a tribute, as this is not meant to be a eulogy, because in the time allocated I would not be able to cover his full life and contribution to the community of Gawler. It is a tribute to his work and particularly to the history of the Town of Gawler.

I am actually referring to Brian Thom. Brian was an elected member of council in the Town of Gawler from 2000 to 2014. He actually joined the council the same year I became the mayor. That period included periods as deputy mayor from 2006 to 2011 and 2013 to 2014. He was a member of the Apex Club for 22 years and he was curator of the Gawler Anglican Cemetery for 20 years. In 2015, for his contribution to the community, he was acknowledged as the 2015 Citizen of the Year.

All these things are important but what Gawler knows Brian more widely for is his contribution to the history of the town, particularly the preservation of the history and also the communication of the history to the community. Brian was the founder and chairman of the Gawler History Team. In Brian's own words, he did not see himself as a researcher and historian, but he had a passion for photographic history. The work he did was actually about how you actually bring the history of Gawler to life and, in particular, how you bring the history of Gawler to life for young people.

Some years ago, he went to a communications seminar and he asked the person who was speaking about communication in the community, etc., 'How do you explain to the youth about Gawler's history?' and the answer was that you put it in a medium that they use and understand. For a person of Brian's age it meant going online. Brian would have found that a new thing at the time. Brian then called a group of people together to discuss how it could be done. The majority of people supported his idea of creating a website, and the Gawler History Team was founded. The core team was formed by people with different skills and a passion to develop the website and communicate the history of Gawler.

It was decided to have monthly meetings, with guests speaking on topics relevant to Gawler's history, and their information was also put on the website. About four years later, they decided that guest speakers should be videoed, and their speeches were put on the website. I was fortunate enough to be invited to be a guest speaker a couple of years ago to talk about the labour history of Gawler, both labour in terms of the union and also the Labor Party's history in Gawler.

Brian was an incredibly meticulous person—very well organised. I was asked two years ahead of time to be the guest speaker. I did at the time remind him that I may not be the member because there was an election in between. He said that, irrespective of whether I was the member, I could still speak about the matter.

There has been a diversity of speakers from various professions to social interests and charitable organisations. The most recent talk I attended, which was at the AGM, was about the history of the Salvation Army in Gawler. That was the last meeting that Brian attended. Brian was diagnosed with motor neurone disease only a few months before. At the annual general meeting I was quite shocked at how his condition had deteriorated, but I was so pleased he was able to attend the meeting. The history people thanked him for his contribution and a presentation was made.

Brian's contribution to the history of Gawler cannot be underestimated. He left a huge legacy for others to follow. I pass on my condolences to his wife, Bev, and his sons, Richard and Michael, and their families. May he live in his history world up there.

It would be remiss of me if I did not also mention today that this week is Service Club Week. It is a time when I acknowledge the contribution made by service clubs in my community. I will quickly mention them because we have quite a few. We have the APEX Club of Gawler and the South Australian Country Women's Association Bottlebrush Ladies Group. We also have the South Australian Country Women's Association Gawler (another group), the Gawler Freemasons, Kiwanis Club of Roseworthy-Hewett, Lions Club of Angle Vale, Lions Club of Gawler, Lions Club of Elizabeth Playford, Rotary Club of Gawler Light, Rotary Club of Gawler, Rotary Club of Playford, View Club of Gawler and Zonta Club of Gawler. All these service clubs do a wonderful job in serving the electorate of Light.

#### **TEA TREE GULLY RETURNED AND SERVICES LEAGUE**

**Ms LUETHEN (King) (15:52):** It was a privilege to again attend the annual president's dinner at the Tea Tree Gully RSL sub-branch. Thank you to those members who created such a special setting for us. This year, I was particularly struck by the importance of President Mal Fergusson's speech, and so I will share some of his key points today. Mal discussed a crisis of welfare for veterans. He said that the immediate withdrawal of the troops from war-torn Afghanistan only a couple of months ago has caused unknown angst amongst Australian veterans. He told us:

I have been thinking of the joint effort it will take to ease some of the latent pain that must be with all those who served in that 20 years of combatant duties.

Mal updated the attendees at the dinner about the alarming suicide statistics in reports put out by the Australian Institute of Health and Welfare. Mal said:

The report outlines that 373,500 men and women have served over the last 36 [years], and tragically 1,273 have taken their own lives in the past 20 years.

Alarmingly, ex-service women are twice as likely to take their own lives than other Australians. I asked those at my table why they thought the suicide rates for ex-service women were double. They told me that men and women often do the same job in defence but there are men who still choose to exert control over these serving women. This must stop, this domination of women. He told us that Navy vets have the highest suicide risk of all services. The suicide rate of ex-members reflects the challenges some service people face transitioning from military service back to civilian life and the critical importance of transition planning and support.

Mal called for all groups and major ex-service organisations to work hand in hand doing what is best for these veterans. He asked for support from community members and government to promote the current programs available to veterans. Mal told us that sometimes some of those people may require assistance in areas such as psychological support. He said that currently there are advocates available and assisting in the never-ending number of ex and currently serving members of our armed forces; however, advocates are not psychiatrists or psychologists and it is not within their expertise to give that type of advice.

Mal told us that our advocates give expert advice on compensation and general wellbeing. He also told us that, concerningly, DVA is struggling with the results of disgruntled clients who spread negativity about the efforts of advocates and those negative comments only delay possible candidates approaching DVA for help and that alone is a dangerous situation for these people to be in.

Mal called out for veterans who have experienced the benefits of DVA services and had a positive quality change in their life to speak up and highlight DVA efforts in a positive mode when in discussion with their contemporaries. He said that this will hopefully persuade more ex-service members to seek out the support that they need. Mal spoke about some of the service providers he would like us to promote, including Open Arms, which has a 24-hour service phone line, which is 1800 011 046, and a website, [openarms.gov.au](http://openarms.gov.au).

Another service provider is the SA Health Veteran Wellbeing Centre. Thanks to an additional \$5 million in commonwealth funding, the Repat will be home to the dedicated Veteran Wellbeing Centre. This centre offers a dedicated area to address all aspects of veteran health, delivering health and wellbeing services to assist veterans and their families to transition successfully to civilian life, including advocacy, education, skills and employment, housing and accommodation support. Four well-established veteran organisations have been selected as anchor tenants at the centre: Plympton Veterans Centre, Open Arms, RSL SA and Soldier On.

If you are concerned about the health or wellbeing of yourself or a loved one, seek support and information by accessing help from Open Arms, StandBy—Support After Suicide, Living Beyond Suicide, Lifeline, Beyond Blue, Safe Zone Support, Mental Health Triage and the Suicide Call Back Service. Further information and support services can be found at Veterans SA. At the dinner, after Malcolm's speech, I offered to share this message in the parliament. I also ask for further support in the northern suburbs.

### **NORTH COAST ROAD**

**Mr ELLIS (Narungga) (15:57):** I rise today to talk about North Coast Road, which is a stretch of road that runs from Point Turton to Corny Point, right along the beautiful coastline of Yorke Peninsula. If we imagine Yorke Peninsula as a leg, which it resembles, it is the part of the foot where you might kick a football—that is the part on which North Coast Road travels. It is a council road and also a high-traffic one and increasingly so a tourism route, which as I said draws a large number of vehicles. It is part of the state government-promoted Coastal Way and runs along some of the best coastline in Narungga.

Despite the fact that it is a council road, I have been doing everything in my power to make sure it is sealed. I have written to the minister, both former and current, seeking a funding

contribution. I have also written to the Tourism Commission asking that they help fund the road that they promote so heavily. I have spoken about it in parliament previously and I have lobbied council. I genuinely believe that I have done everything humanly possible to see it funded.

The reason that it needs to be sealed is that it has a tendency to become heavily undulated in rather quick time. Within weeks, if not days, of the council grader coming through, the corrugations have returned and the road is well on its way to becoming undriveable once again. The undulation itself is a serious safety issue for road users, but for residents the dust that is thrown from the traffic is becoming unbearable.

With increasing regional travel, more and more cars are driving past and filling residents' houses, tanks and yards—everything—with layers and layers of dust. It is fair to say that those residents and those shack owners who visit are furious that it remains unsealed and are desperate to see something done. I know that it is beyond the capability of council to achieve the sealing by themselves. This 11-kilometre stretch of road is a significantly difficult part of the electorate to seal. Even if you put aside the many hundreds of kilometres of road the YP Council is responsible for, this particular section is quite tricky. The houses are close to the road at different points, there are a large number of trees quite close to the road at different points, and so on. This section of road needs a funding partner.

For the last three years, council has put in a submission to the Special Local Roads Program, hoping to secure federal government funding in order to assist in its sealing. In what is an extraordinarily bureaucratic process for federal funding, our local government group, Legatus, put forward their preferences. The Local Government Transport Advisory Panel then undertakes an analysis of recommendations using strict criteria and terms of reference to rate the merit of preferences before signing off on them for funding administered by the Minister for Local Government—a truly bureaucratic process.

Extraordinarily, in this case, instead of merely just signing off on the locally recommended projects the Local Government Transport Advisory Panel has forsaken the incredibly important North Coast Road project, in spite of its high ranking after analysis, in favour of one down the list that was found in Light Regional Council. That is the same Light Regional Council that has benefited from approximately 40 per cent of the total funding over the past four years, despite the fact that there are some 15 member councils. A really large percentage of the funding has gone to one council area, when it could have been spread far better over many more.

How or why North Coast Road was removed from the list is not immediately clear to Yorke Peninsula Council. The YP Council has complained to the LGA, but it seems that funding will proceed without North Coast Road regardless. Council, looking to appeal the decision or even lodge a complaint about the decision-making process, has been told on all occasions that there is no opportunity to do so.

That being the case, I am now calling on the state government to fully fund North Coast Road sealing. There is no longer any excuse not to do so. For three years in a row, North Coast Road has missed out on funding after putting forward meritorious applications through the proper channels, the last of which was actively removed despite being recommended for funding. Residents in my electorate and those shack owners who come to visit are rightly sick of being ignored in place of projects that seem to be predominantly in Light Regional Council, which is swallowing up a major share of the funding.

I take this opportunity to inform the residents who live along North Coast Road that I will be writing to the Attorney-General, in her capacity as the Minister for Local Government, seeking a fully funded fix on North Coast Road. As I have previously said, the state government is now out of excuses and it is time to act and seal this road once and for all.

**MCCULLOCH, MS D.E.J.**

**Ms BEDFORD (Florey) (16:02):** Deborah Elizabeth Jane McCulloch AM died on 16 October, just four days before her beloved younger sister, Karla. I would like to quote from the memorial card from her service on Saturday, which reads:



Deborah passed away in her sleep after a long illness in her 83<sup>rd</sup> year. She was loving mother to David and Ella and delighted and doting grandmother to Katelyn, Vincenzo and Emilia.

A high school teacher who joined the women's movement, in 1976 Deborah was appointed inaugural Women's advisor to the South Australian Government. Here she oversaw development of innovative services for women and went on to champion gender equality, an end to systemic racism and recognition of abilities rather than disabilities.

A gardener, traveller and lover of languages, Deborah was endlessly curious about lives different from her own. She brought to all she did, a joyful enthusiasm and a deep sense of justice.

I would like to quote from an obituary, this time from *The Advertiser*. Deborah McCulloch was:

Born in Sydney 25 February 1939...Educator, author, poet, activist. High school teacher and tertiary educator. Prominent leader in the Australian Women's Movement. First Women's advisor to the South Australian Government. Tireless champion for women, First Nations People and people of diverse linguistic and cultural backgrounds. Remembered for her joyful enthusiasm, boundless compassion and sense of justice. Loved by family and many treasured friends.

I know the family want to extend their thanks to Rosemary, Rick, Maria and other carers and staff at the Fullarton Lutheran Homes who cared for Deborah until her last day.

I would like to place on record some of the remarks from the abstract of the 2018 article by Angela Woollacott, written with the support from an Australian Research Council Discovery grant. The article reads:

When Gough Whitlam appointed Elizabeth Reid in 1973, she was the first Women's Adviser to a head of government anywhere. But the idea took off quickly across Australia. Between 1976 and 1986 all seven Australian states and territories appointed women's advisers. In South Australia, in April 1976 the influential, reforming ALP Premier Don Dunstan appointed Deborah McCulloch as his Women's Adviser; the third appointed at the state level following Victoria and Tasmania.

It continues:

...both McCulloch and Dunstan [were responsible for] major achievements... If Dunstan was slow to prioritize women's rights, in some areas, such as the 1975 Sex Discrimination Act, SA led the way and the Commonwealth followed in 1984. Dunstan came to see women's rights as 'the challenge of the social democracy,' whereas McCulloch took great satisfaction in improving women's lives. [Deborah] went beyond her brief to focus on the public service, to provide innovative social services to all women—

and that was actually highlighted at her memorial service—how much she actually did to change the Public Service and drag it into the next century.

Deborah's memorial last Saturday was an uplifting and sadly joyful reflection on this amazing woman's life, and her son, David, gave a wonderful insight on behalf of the family. I only knew Deborah briefly by comparison to her legion of friends and acquaintances, as I was about a decade behind her reforming period. But, as a new MP, I sought her advice and guidance and she was generous on both counts, eventually even becoming a member of the Muriel Matters Society. She supported our concept of making sure fun was incorporated in everything we did in the name of activism.

We all owe Deborah much, and her groundbreaking influence, always coming from her deeply held beliefs in justice and fairness and equity, will be felt forever. Women here in South Australia, in things like the Women's Information Switchboard and the Women's Legal Service, and I know our former parliamentary colleague Steph Key, and others who have gone before us in this place, would want to put on record their thanks and admiration for all Deborah did.

As was said at the memorial service, at the time they could not believe some of the things that still remained and needed to be changed, and it was Deborah's role to make sure women had the opportunities denied them in the Public Service in those days and, sadly, still before us now. After the memorial service, many of her friends went on to reminisce about the good old days, as we often say, and it was great to see so many of Adelaide's reformist women activists together in the one spot.

We made the commitment to make sure we do not wait for the next funeral before we all get back together again, for there is much to be done, much still in the vein of Deborah's work to be carried on. We will remember always her enthusiasm for those reforms. Vale, Deborah McCulloch.

**The SPEAKER:** Thank you, member for Florey, for that moving tribute and for bringing that tribute to the house.

*Auditor-General's Report***AUDITOR-GENERAL'S REPORT**

In committee.

**The CHAIR:** I declare the examination of the Report of the Auditor-General 2020-21 open. I remind members that the committee is in normal session. Any questions have to be asked by members on their feet, and all questions must be directly referenced to the Auditor-General's 2020-21 report and Agency Statements for the year ending 2021, as published on the Auditor-General's website. I welcome the Premier for the first part of the examination and I call for questions from the opposition.

**Mr MALINAUSKAS:** On my feet, sir?

**The CHAIR:** On your feet. They are my instructions, yes.

**Mr MALINAUSKAS:** My first question to the Premier is in relation to Part C: Agency Audits, page 464, starting the quote, 'Key impacts of the cessation of the Superloop Adelaide 500'. Do the key impacts of the cessation of the Adelaide 500 mentioned in the Auditor-General's Report include the sanction fee and compensation paid to Supercars?

**The Hon. S.S. MARSHALL:** The Auditor-General makes that clear that there has been a provision as of 30 June and, yes, I think that would be the total amount that has been provided at that point in time.

**Mr MALINAUSKAS:** Page 465 states that event operations expense included payments to settle contracts that were terminated. What was the total amount paid out to terminate all the contracts associated with the Supercars event, not just the Supercars but the other contractors as well?

**The Hon. S.S. MARSHALL:** I do not have that information and, as I said, the Auditor-General makes the comment with regard to a provision that had been made, and I do not think that that had been fully paid out at that point in time. As I have repeatedly said, both in this chamber and more publicly, any of those negotiations with Supercars for that sanction fee was subject to a commercial-in-confidence negotiation.

**Mr MALINAUSKAS:** What was the total amount paid to Supercars to cancel the 2021 event?

**The Hon. S.S. MARSHALL:** I think I will just refer the Leader of the Opposition to my previous answer.

**Mr MALINAUSKAS:** Why will the Premier not tell the people of South Australia how much it cost to cancel the Supercars event in 2021?

**The Hon. S.S. MARSHALL:** I was not the person who was conducting the negotiation, but my understanding is, and I am advised, that that was the subject of a commercial-in-confidence negotiation. We are bound by that, therefore I am bound by that, and I will not break that confidence here in the parliament.

**Mr MALINAUSKAS:** Is it right to say that it was north of \$2 million?

**The Hon. S.S. MARSHALL:** I refer the Leader of the Opposition to my previous answer, but he can see the provision that was made, current as of 30 June.

**The Hon. S.C. MULLIGHAN:** Just arising from the Premier's previous answer that there are confidentiality provisions that he says prevent him from disclosing this amount, is there a contract or a signed confidentiality agreement to that effect?

**The Hon. S.S. MARSHALL:** That is what I have been advised. There was a negotiation which was commercial-in-confidence. We have, I understand, concluded that negotiation and that figure remains commercial-in-confidence. With regard to the examination, this is for the previous financial year and I think there is a disclosure in total that was the provision that had been made as of 30 June.

**The Hon. S.C. MULLIGHAN:** Just to be clear, the terms of the agreement that has been reached between the government of South Australia and Supercars Australia specifically precludes the government from releasing that dollar figure that the Leader of the Opposition sought.

**The Hon. S.S. MARSHALL:** That is my understanding, but I am happy to check that and, if it is incorrect, I will come back to you.

**The Hon. S.C. MULLIGHAN:** Can I also ask when the Premier checks that detail whether he could come back to the house and advise whether there is an exclusion from that confidentiality agreement which allows that information in fact to be disclosed for parliamentary purposes.

**The Hon. S.S. MARSHALL:** I am happy to make that inquiry.

**Mr MALINAUSKAS:** Notwithstanding the Premier's supposed inability to publicly reveal the amount of compensation paid, does the Premier know what the figure is?

**The Hon. S.S. MARSHALL:** I refer the leader to my previous answers. I just remind this investigation here today, or this committee here today, that we are examining the Auditor-General's Report through to 30 June last year. I think I have made adequate reference to his comments with regard to that provision that he has identified within his report. I have tried to provide this committee with as much information as possible. I have taken a couple of questions from the member for Lee on notice and I am happy to make those investigations and come back to the committee if there is any update.

**Mr MALINAUSKAS:** Did Supercars offer to reduce the sanction fee for the 2021 event?

**The Hon. S.S. MARSHALL:** This is not a matter at all that is canvassed in the Auditor-General's Report and, whilst it might be of interest to the Leader of the Opposition, there are other ways that he can ask those questions. But this is a very important time; it is limited to 30 minutes. It is the examination of the Auditor-General's Report, so I just ask the leader to think about his questions in light of what is actually in the Auditor-General's Report. That would make more sense to me.

**The CHAIR:** I appreciate that, Premier. As far as I can tell, the leader is still referencing pages 464 and 465 at this stage. Yes, you have the call.

**Mr MALINAUSKAS:** I was hoping the Premier might answer the question, given that the Auditor-General's Report specifically pertains to issues regarding the Supercars, the cancellation of the contract and the cost to the South Australian taxpayer regarding that.

**The Hon. S.S. MARSHALL:** That was not a question: that was a statement.

**Mr MALINAUSKAS:** I was referring to my previous question, which you did not answer.

**The CHAIR:** The Premier has answered a number of questions on this line of questioning.

*The Hon. S.S. Marshall interjecting:*

**The CHAIR:** The Premier is called to order.

**Mr MALINAUSKAS:** On page 465 of the Auditor-General's Report, it states that \$690,000 was provided to cover unsettled claims resulting from contracts that were terminated. What were the contracts that had to be terminated?

**The Hon. S.S. MARSHALL:** I am happy to provide information on the general headings with regard to that. Obviously, you have raised one already with regard to the contract that existed with Supercars, but there would have been other contracts we had over an extended period of time that were in place that would need to have also been settled, but they will fall under that broad heading.

**The Hon. S.C. MULLIGHAN:** I am grateful to the Premier for his counsel. We do understand the heading that they fall under. We are specifically asking: what were those contracts?

**The Hon. S.S. MARSHALL:** I am happy to make an inquiry and come back to the committee.

**Mr MALINAUSKAS:** You will come back to the committee in the next 24 minutes, or will you take the question on notice?

**The Hon. S.S. MARSHALL:** I will take the question on notice and come back via the committee. That is the way that it works.

**Mr MALINAUSKAS:** On notice?

**The Hon. S.S. MARSHALL:** Yes.

**Mr MALINAUSKAS:** Still on the same pages, the \$6.7 million write-down of motorsport infrastructure to \$2.5 million, on page 464: is the \$2.5 million the total amount the Premier expects to recoup from the sale of the Adelaide 500 infrastructure?

**The Hon. S.S. MARSHALL:** As you would be aware, Mr Chairman, we need to make sure that we keep our books in order in terms of the current asset value in accordance with the Treasurer's Instructions and also in accordance with the Australian accounting standards, and so from time to time we need to make an adjustment to the valuation on the balance sheet. There has been a write-down.

Of course, we make write-downs for depreciation in normal years, but when there is an extraordinary circumstance which reduces the valuation of those assets because its useful life is diminished, then there needs to be that adjustment. That is the adjustment that has been made and so, as of 30 June, the most up-to-date valuation of those residual assets is \$2.5 million.

**Mr MALINAUSKAS:** Thank you for explaining that to us, Premier. I really appreciate it. If we could just go back to the question, the question was: does the government expect to recoup the full \$2.5 million attributed to the value of the Adelaide 500 infrastructure through its sale?

**The Hon. S.S. MARSHALL:** I think I have just answered that question. You have an asset value that sits on the books; there is an action which diminishes the useful life of it—you write it down to what you think is the useful life—and as at 30 June that was \$2.5 million. Of course, that is our expectation, but we need to test the market with regard to that. I think that all best endeavours were made in accordance with the Treasurer's Instructions and in accordance with the Australian accounting standards to make sure that we have a true reflection of that asset value.

The Auditor-General has taken a look at that process. He has made no findings with regard to this or any recommendations. If the work is being done in accordance with those standards and the Auditor-General has looked at that and made no finding, then I have no reason to suspect that it is not accurate at that point in time.

**Mr MALINAUSKAS:** Can the Premier provide a total figure regarding the total cost to South Australian taxpayers to cancel the 2021 Adelaide 500 event?

**The Hon. S.S. MARSHALL:** No, I do not have that information.

**Mr MALINAUSKAS:** Why not?

**The Hon. S.S. MARSHALL:** We made a decision which was not going to be without financial consequence, and we made that very clear to the people of South Australia. It was on the unanimous recommendation of the SATC board. We canvassed this over an extended period of time. The reality is that this was not the best use of the finite taxpayer dollars in terms of bringing people and visitor nights into South Australia.

There was a better proposal which was put by the SATC board members (the board) to the government and we accepted that we would spread the events out over time throughout the entire year. We recognise that, whilst there was going to be an initial hit, there would be an ultimate benefit to the people of South Australia, and that plan is being implemented as we speak.

**Mr MALINAUSKAS:** I appreciate the Premier acknowledging that there was a deliberate decision made to cancel the Adelaide 500, notwithstanding the fact that there was a cost to the taxpayer in doing that. My question to the Premier is: given the Premier's awareness of the fact that there would be a cost associated with doing that, what is that cost?

**The Hon. S.S. MARSHALL:** As you would be more than aware, sir, there was a net benefit because there was a huge expenditure in the forward estimates for this. The amount for settlement was significantly lower than—

**The Hon. A. Koutsantonis:** What is it?

**The Hon. S.S. MARSHALL:** If the member for West Torrens would like to ask a question, I am sure the leader will allow him to; he seems to defer to him on most things. At this point, I am still answering the leader's question.

As I said, there is not actually a net cost to the people of South Australia: there is a net benefit to the people of South Australia. That money, that net benefit, can be deployed on other activities that will bring people into South Australia. That was the recommendation, that was the advice of the SATC board to the government. Of course, it is a separate statutory authority, but we do provide the funding for it. We were happy to support that because we thought it was in the best interests of the people of South Australia.

They did not take this decision lightly. They recognised how important this race was to the people of South Australia. It was an initiative of the Olsen government, of course, or the Brown government possibly—it was during that period of Brown/Olsen—and it has been very good for South Australia. However, the reality was that a better alternative for that expenditure was presented by the board. It came via the chief executive to me, and we were happy to support the unanimous decision.

**Mr MALINAUSKAS:** I thank the Premier for identifying the fact that he ultimately has to accept responsibility, notwithstanding the unanimous decision of the board. My question to the Premier is: what are these great new events that replace the Adelaide 500? Of course, the Premier—

**The Hon. S.S. Marshall:** What does this have to do with the Auditor-General's Report?

**Mr MALINAUSKAS:** I am referring to your previous answer—

**The Hon. S.S. Marshall:** Have you run out of questions already? You wanted to extend this and you do not even have any questions.

*The Hon. Z.L. Bettison interjecting:*

**The CHAIR:** Order! The leader has the call, and he will be referencing a page at least—

**Mr MALINAUSKAS:** Page 464 again, sir. I am just asking the Premier, as he referred to in his previous answer, to please illuminate the house, and indeed the people of this state, about the plethora of events that were said to replace the Adelaide 500 or that have replaced the Adelaide 500. I invite the Premier to refer to the new events that have been announced since the decision to cancel the Adelaide 500, and obviously I'm not talking about the Royal Show or the pageant or any of those events.

**The CHAIR:** Before I give the Premier the call, it is a fairly tenuous link. I notice you did mention the Adelaide 500, but I will give the Premier the opportunity to answer.

**The Hon. S.S. MARSHALL:** This is extraordinarily tenuous. A few minutes into the examination of the Auditor-General's Report and the opposition has already run out of questions. The reality is all the information—

*Members interjecting:*

**The CHAIR:** Order! The Premier has the call.

*The Hon. S.C. Mullighan interjecting:*

**The CHAIR:** Order, member for Lee! The Premier has the call.

**The Hon. S.S. MARSHALL:** The shrill voices of the opposition continue. The reality is—

**The CHAIR:** We are nearly halfway through.

**The Hon. S.S. MARSHALL:** The reality—

*The Hon. Z.L. Bettison interjecting:*

**The Hon. S.S. MARSHALL:** I beg your pardon. Sorry, I did not hear the words of—

**The Hon. Z.L. BETTISON:** You said there was a shrill—

**The Hon. S.S. MARSHALL:** No; what did you say?

**The Hon. Z.L. BETTISON:** I said it very clearly in the report, in the opening lines of the Auditor-General.

*The Hon. S.S. Marshall interjecting:*

**The Hon. Z.L. BETTISON:** And you said I was shrill.

**The Hon. S.S. MARSHALL:** Sorry, what did you say?

**The Hon. Z.L. BETTISON:** I said that the point you were making—

**The Hon. S.S. MARSHALL:** We will check it; it does not matter if you do not want to say it now, if you are embarrassed.

**The CHAIR:** Member for Ramsay, you do not actually have the call at the moment.

**The Hon. A. Koutsantonis:** Is this how you talk to everyone?

**The CHAIR:** The member for West Torrens is called to order.

*The Hon. S.C. Mullighan interjecting:*

**The CHAIR:** It does not really worry me if members are not going to make good use of this half-hour. Premier.

**The Hon. S.S. MARSHALL:** Thank you very much, sir. As I was saying, there is no reference to this in the Auditor-General's Report. All the information that is requested by the Leader of the Opposition at the moment is in the public domain. I am happy to go through it again because it is their time, but it seems to me quite extraordinary that they want to. I am very happy to provide a detailed answer to this—

**The CHAIR:** Before you do that—leader, do you rise in a point of order?

**Mr MALINAUSKAS:** Yes, sir. It is page 462 of the Auditor-General's Report. We do not want to waste time, but the Premier is refusing to answer the question on the basis that there is no reference to it. It says here quite clearly:

The Superloop Adelaide 500 motor sport race for 2020-21 did not proceed and will no longer be held. SATC advised us that the net funding received from the SA Government for the race will be redirected to support new major events from 2021-22.

*The Hon. S.S. Marshall interjecting:*

**Mr MALINAUSKAS:** The current financial year. The Premier referenced more new events. The Auditor-General's Report references new events. We are simply asking: can the Premier please tell the people of South Australia what those new events are?

**The CHAIR:** And I note that reference, leader.

**The Hon. S.S. MARSHALL:** Notwithstanding the oration that we have just received, I was saying that I am happy to go through it even though all this information is actually available to—

*The Hon. A. Koutsantonis interjecting:*

**The CHAIR:** The member for West Torrens!

**The Hon. S.S. MARSHALL:** —the people—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Well, let's be very clear. The Auditor-General in his report goes through the accounts for the people of South Australia. There is no finding, there is no recommendation with regard to this line of questioning. I find it extraordinary that this is the focus, but nevertheless it is one of their very few policies they have announced and so they probably want to ask some questions about it.

Again, I go back to the fact that all the information with regard to the alternative use for this money has been canvassed in this parliament and in press conferences, and I think very well circulated with the people of South Australia. There are a number of new events that we have had

since we have come to government. For example, the Adelaide International. We have had A Day at the Drive, and we hope to be able to hold another event at the redeveloped Memorial Drive—

**The CHAIR:** Sorry, there is a point the order.

**Mr MALINAUSKAS:** Again, going back to the reference on page 462, the question was about new events announced since the cancellation of the Adelaide 500. We are very conscious that we have spent a bit of time on this and we would like to move on, so I simply just ask the Premier—

*The Hon. S.S. Marshall interjecting:*

**The CHAIR:** Premier!

**Mr MALINAUSKAS:** —to answer the question: what other new events?

**The CHAIR:** The leader has repeated his question. Premier, I am sure you were getting to the nub of the question.

**The Hon. S.S. MARSHALL:** Yes, trying to, sir. For some reason those opposite are not interested in the Adelaide International, which I think is a great event. They are probably not interested in the Illuminate Adelaide, which I must say I was absolutely astounded with the dollars which that generated in its very first iteration.

I suppose in many ways this has given us confidence for what is proposed now, which is a new umbrella for events and which we are calling Bloom. It is a combination of taking some of our existing events and putting more money, more marketing behind it, and new events as well.

All of this information is publicly available. If the Leader of the Opposition is genuinely interested, I am very happy—if he cannot find it on the website or if he cannot find it in the press conferences or in the press releases—for the SATC to provide a detailed briefing for the Leader of the Opposition.

We take the improvements to our visitor economy extraordinarily seriously. I am very, very pleased with the work that the SATC has done through what can only be described as one of the most turbulent periods in our recent history. During that period of time, what we have also seen is a very significant increase in intrastate travel. We are very hopeful now with the border restrictions being removed on 23 November that we are going to significantly increase interstate travel into South Australia, and events are a big part of that.

It is, of course, a disrupted calendar of events during a global pandemic, but when we look at what has happened interstate I am very pleased that we have been able to get the vast majority of all our events away.

**Mr MALINAUSKAS:** In light of the fact that we have only 12 minutes left and we have had lengthy answers from the Premier, we will just simply note the fact that the Premier has not been able to announce or name literally one single new event that has replaced the Adelaide 500. We appreciate that, and I will now defer to the shadow treasurer to move onto a different subject.

**The Hon. S.C. MULLIGHAN:** I draw the Premier's attention to the financial statements for the Department of the Premier and Cabinet, and in particular note 2.3 to the financial statements and commonwealth-sourced grants and funding. There is \$6.5 million, which the Auditor-General records as being paid for the Adelaide City Deal, yet the Premier on 9 April of this year signed a project agreement for the Adelaide City Deal, which outlined that the state should receive \$15.5 million in that financial year. Can you explain why the commonwealth did not provide us the \$15.5 million?

**The CHAIR:** While the Premier is seeking advice on that, member for Lee, do you have a page number for me to reference?

**The Hon. S.C. MULLIGHAN:** Unfortunately, the Auditor-General must be working off Microsoft Works. There are no page numbers on this.

**The CHAIR:** So here am I with a hard copy.

**The Hon. S.C. MULLIGHAN:** Note 2.3 to the financial statements.

**The CHAIR:** We will do our best.

**The Hon. S.S. MARSHALL:** I am advised that the payment that you refer to this year was for funding to support the Adelaide City Deal agreement. It states here, 'funding to support growth in South Australia's innovation and tourism, including Lot Fourteen, the Heysen Gallery at Hahndorf and Carrick Hill Visitors' Centre'. As for a reconciliation against something previously, we are happy to take that question on notice and come back to the committee.

**The Hon. S.C. MULLIGHAN:** Perhaps I can provide some enlightenment for the Premier to jog his memory. The project agreement for the Adelaide City Deal required certain milestones to be met by certain dates in order for payments from the commonwealth to be made to the state. For example, in April of this year, 2021, the state government was required to provide a business case that meets the requirements of clause 17 of the agreement to be submitted and accepted by the Australian government in order to receive, for example, \$4 million towards the Aboriginal Art and Cultures Centre. Was that business case completed and submitted to the commonwealth and deemed acceptable by them?

**The Hon. S.S. MARSHALL:** I am happy to take that question on notice. There has been a huge amount of work done on the Aboriginal Art and Cultures Centre. My understanding is that we have a finalised design and we have a finalised business case. The commonwealth are very happy. Whether it met that April deadline, I am not sure. I am happy to go and check. But the good news is that we should be in a position to announce who the contractor for that work is very soon. I am hoping that ground works will begin in the coming months.

This is a very important project for South Australia. It was always important from our perspective to get it right, not rushed, and so there may have been some slippage in that finalisation of the business case, but it has been completed now. As I said, we are on track to turn soil on that site in the coming months, certainly before early next year. Hopefully, we can announce the contractor in the coming weeks.

**The Hon. S.C. MULLIGHAN:** Again, with regard to note 2.3 of the financial statements, the project agreement that you signed on 9 April 2021 required that in April 2021, that same month you signed the agreement, the state government would have submitted and had accepted by the commonwealth a business case for that project. When you were signing the actual document, was it in your mind whether you were going to be meeting your obligations under the agreement?

**The Hon. S.S. MARSHALL:** The member for Lee puts forward his version as he—

**The Hon. S.C. Mullighan:** It's not my version; it's the commonwealth's. It is right here. Here is the project agreement.

**The CHAIR:** Member for Lee, you asked the question. The Premier had just taken to his feet to answer.

**The Hon. S.C. Mullighan:** Well, he seeks to mislead the house, sir.

**The Hon. S.S. MARSHALL:** The member for Lee just said that I seek to mislead the house. I ask him to withdraw and apologise—

**The CHAIR:** Run me through this. What did—

**The Hon. S.S. MARSHALL:** —or move a substantive motion.

**The CHAIR:** What did the member for Lee say?

**The Hon. S.S. Marshall:** That I sought to mislead the house.

**The CHAIR:** Is that correct?

**The Hon. S.S. Marshall:** Yes.

**The Hon. S.C. MULLIGHAN:** Yes, it is, sir, and with some basis too. I am happy to explain. He said at the beginning of his answer that it was my version of events. As I have pointed out, we have the financial statements from the Auditor-General saying that only \$6½ million was received last financial year. We have a project agreement, which you signed in that financial year in April, saying that we should receive \$15.5 million and, in particular, in the same month that you signed the agreement that you should have—'you' being the minister responsible for this project and for



Lot Fourteen—submitted a business case that was acceptable by the commonwealth. So it is not my version of events: it is the version of events that the documents you signed create and substantiate.

**The Hon. S.S. MARSHALL:** I ask the member to withdraw and apologise.

**The CHAIR:** Member for Lee, the Premier has taken offence to you suggesting that he has misled the house. The best thing to do here would be to withdraw that comment. Are you prepared to do that?

**The Hon. S.C. MULLIGHAN:** I am. I know the delicacy of the Premier's constitution—

**The CHAIR:** No, just withdraw.

**The Hon. S.C. MULLIGHAN:** —and so I withdraw and I apologise fulsomely to him.

**The CHAIR:** Thank you, member for Lee. I am actually pleased you did that because the only option for me, other than that, was to name you, and I did not want to do that of course.

*The Hon. S.C. Mullighan interjecting:*

**The CHAIR:** No, you go. Premier, the member for Lee has withdrawn and apologised.

**The Hon. S.S. MARSHALL:** As I was saying when I was last on my feet, I had previously taken on notice the question asked by the member for Lee. He then stood up to offer his explanation as to what had occurred. I have already committed to looking at that reconciliation, but I cannot take on the word of the member for Lee that that is exactly and precisely what has occurred, but I have provided some explanation to the house already with regard to this important project.

I am happy to take on notice the comments that have been made by the member for Lee, as his explanation as to why there may be an issue with regard to that original reconciliation but, most importantly, I will rely on the advice that I receive from my own department and, ultimately, from Treasury, if needed, with regard to this important project.

The City Deal is an important deal for South Australia. It is one that we are in partnership with the federal government. We have cut out the fake fights that existed under the previous government and we have been able to deliver substantially for South Australia. I know those opposite are a little bit sensitive with regard to Lot Fourteen. They had other plans for that site; in fact, they had sold it to a private developer. They wanted to put 1,300 private apartments on the Parklands, which would have been a terrible use of that seven hectares in the centre of the city.

By contrast, we have created I think one of the most exciting urban renewal precincts in Australia at the moment, as referenced by the huge number of companies that are now signing up to put their headquarters in South Australia. This is creating a huge number of jobs for our state.

**The Hon. S.C. MULLIGHAN:** On the same line of questioning, in the same month that the Premier signed that project agreement with the commonwealth the Premier was also required to provide a business case for the international centre for food, hospitality and tourism studies. That was due to go to the commonwealth for a payment, according to the project agreement, for \$2 million. Did the Premier send a business case to the commonwealth for the international centre for food, hospitality and tourism studies, as was required of him in the project agreement in April 2021?

**The Hon. S.S. MARSHALL:** I thank the member for Lee for his question. He raises an important question regarding this plan that was embodied in the City Deal to establish a centre for culinary excellence in hospitality on Lot Fourteen. As the member may be aware—if not, I am happy to provide him with a briefing—due to the unforeseen circumstances with regard—

**The Hon. S.C. Mullighan:** You signed a deal and then cut it.

**The Hon. S.S. MARSHALL:** The member for Lee is literally an expert on all topics.

**The Hon. S.C. Mullighan:** Well, somebody has to be because you're certainly not.

**The CHAIR:** The member for Lee is called to order. Continue on, Premier, with your answer.

**The Hon. S.S. MARSHALL:** I have nothing further to add, sir.

**The Hon. S.C. MULLIGHAN:** Perhaps while the Premier is checking what he was meant to do, he could also check whether, as per the terms of the agreement that he signed with the

commonwealth, he has presented a signed signature page for the development agreement for the innovation hub, which was due in July of this year, for \$2 million; whether he has submitted a project plan for delivery for the Aboriginal arts and cultures gallery in August of this month, which was necessary in order to receive \$4 million from the commonwealth; and whether he has submitted a project plan for delivery in August 2021 for the international centre for food, hospitality and tourism studies, which was necessary in order to receive \$2 million. I presume not because, of course, the Treasurer advised the estimates committee that the government has cancelled that project. Did the Premier—

*The Hon. V.A. Chapman interjecting:*

**The CHAIR:** Member for Lee, you have the call.

**The Hon. S.C. MULLIGHAN:** I realise that Vickie is feeling left out, sir. Did the Premier sign this agreement knowing that he was about to cancel the international centre for food and tourism?

**The Hon. S.S. MARSHALL:** As I said, I am happy to take that question on notice and come back to the committee.

**The CHAIR:** The time has expired for the examination of the Premier in relation to the Auditor-General's annual report. We come now to the Attorney-General. I remind members that we have an hour dedicated to this examination.

**The Hon. A. Koutsantonis:** Yes, we do. We have all been looking forward to it.

**The CHAIR:** Member for West Torrens, bear with me—you will get your chance. Any questions need to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2021 report. I open the examination of the Attorney-General. The advisers are in place.

**Mr PICTON:** Are we still waiting for Frances Nelson QC to come as well to advise?

**The Hon. V.A. Chapman:** Do you need her advice too?

**Mr PICTON:** I thought she was your adviser.

**The CHAIR:** That is an unnecessary comment.

**The Hon. A. Koutsantonis:** But a funny one, sir.

**The CHAIR:** For what it is worth, I get it, but it is an unnecessary comment.

**The Hon. V.A. CHAPMAN:** I indicate that this is Mr Andrew Swanson to my left, who is the adviser.

**Mr PICTON:** A QC of the future, I am sure. My first question is in relation to Part C, page 23, referring to the administrative expenses of the Attorney-General's Department. What have been the expenses to date to the government in relation to legal advice for the Kangaroo Island Plantation Timbers matter?

**The Hon. V.A. CHAPMAN:** I am sorry, could you repeat the question?

**Mr PICTON:** What have been the government's legal expenses to date in relation to the Kangaroo Island Plantation Timbers planning matter?

**The Hon. V.A. CHAPMAN:** I do not know the answer to that question, but I am happy to take it on notice and, if I am able to provide it, I will.

**Mr PICTON:** On the same line, has the Attorney requested any legal advice in relation to that matter?

**The Hon. V.A. CHAPMAN:** The member would be aware that there has been Crown Solicitor's advice provided to the department and myself in relation to the project, the approval process but, in relation to the select committee that is currently extant, no.

**Mr PICTON:** Has there been legal advice to the Attorney in relation to any other inquiry in relation to this matter?

**The Hon. V.A. CHAPMAN:** I am not sure how to answer that. I have indicated that there is in relation to the process, in relation to the application for approval, and there is the select committee. If there is some other process, I do not know about—

**The CHAIR:** By 'this matter', I take it, member for Kaurna, that you meant the Kangaroo Island—

**Mr PICTON:** Plantation Timbers.

**The CHAIR:** I remind members that there is a select committee in relation to this at the moment.

**The Hon. A. Koutsantonis:** Yes, we know, sir.

**The CHAIR:** I know you know.

**The Hon. A. KOUTSANTONIS:** If I can refer the Attorney-General to page 34, expenses, employee benefits, supplies and services, loss on revaluation of intangibles and other total expenses, for 2021 how many hours in AGD were used compiling documents for ICAC?

**The Hon. V.A. CHAPMAN:** Where are you again?

**The Hon. A. KOUTSANTONIS:** Expenses, interpretation and analysis of the financial report for AGD. In terms of total hours by the department, how many hours were spent accumulating documents requested by ICAC in relation to the KIPT planning decision?

**The Hon. V.A. CHAPMAN:** I am not sure whether I can answer that, in any event, but even if it was able to be discussed there is no reference in here to hours of work done. There are expenses in relation to employees of \$152 million for the 2021 year. There is no breakdown in relation to the expenditure in relation to staff, and I would expect that, if it were to be explored, there may be a summary or a list of the numbers of employees and amounts paid that total the \$152 million—that is the first thing.

The second thing is in relation to alleged work done for the purpose of ICAC. It is just beyond belief that you would even ask that. In any event, that is my answer.

**The CHAIR:** I do not know, member for West Torrens, whether the Attorney would be in a position to know the number of hours spent—

**The Hon. A. KOUTSANTONIS:** She could ask her advisers, sir.

**The CHAIR:** —finding information for a statutory authority.

**The Hon. A. KOUTSANTONIS:** The department have interagency costs that are transferred. If another agency requests information from this agency for the purposes of inquiry, there is an expense assigned to the collation of that information. What I am simply asking, as part of the audit process, is what was the cost to AGD of compiling documents to be sent to ICAC for the purposes of an investigation into KIPT?

**The CHAIR:** Attorney, before I give you the call—

**The Hon. V.A. CHAPMAN:** It is just outrageous that he can even make that sort of assertion.

**The CHAIR:** —member for West Torrens, you are making a huge assumption here, are you not?

**The Hon. A. Koutsantonis:** I do not know if I am sir, no.

**The CHAIR:** Well, I do not know. There is no reference in here to the Independent Commissioner Against Corruption.

**The Hon. A. Koutsantonis:** I am just asking a question, sir.

**The CHAIR:** Attorney.

**The Hon. V.A. CHAPMAN:** All I can advise the committee is that I understand there had been some inquiry made by the select committee as to documentation. There has been correspondence forwarded by the CE indicating that, as was obvious, there cannot be any disclosure

in relation to any such matter without the permission of ICAC. That material has not come forward at this point.

**The Hon. A. KOUTSANTONIS:** I just point out to you, Mr Chairman, this is parliament and parliament can inquire into any matter it chooses. In the Auditor-General's examination, I can ask any question about any inquiry.

**The Hon. V.A. Chapman:** Ask what you like—

**The Hon. A. KOUTSANTONIS:** I will, but there is nothing prohibiting you from answering—nothing.

**The CHAIR:** There is nothing prohibiting the Attorney from answering—

**The Hon. A. KOUTSANTONIS:** No.

**The CHAIR:** —but ministers also, and you would be well aware of this, member for West Torrens, can answer in whichever way they see fit.

**The Hon. A. KOUTSANTONIS:** We will get to the bottom of this in another way, sir.

**Mr PICTON:** Can the Attorney confirm in relation to the KIPT matter that there has been no legal advice provided to her from the Attorney-General's Department or the Crown Solicitor in relation to the select committee that is being formed?

**The Hon. V.A. CHAPMAN:** That is correct, for myself.

**Mr PICTON:** My question is in relation to page 39, under expenses, dot point 3, regarding intragovernment transfers paid to the Outback Communities Authority and the Local Government Grants Commission. As the minister acknowledged earlier this year in budget estimates, the Local Government Infrastructure Partnership Program overwhelmingly funded projects in Liberal-held seats, with 57 projects in council areas that represent a Liberal seat versus 11 projects in councils in Labor-held seats.

Does the Local Government Grants Commission, the Office of Local Government or the minister now have a process to question the breakdown of grants funding allocated to ensure funding is more equitably distributed?

**The Hon. V.A. CHAPMAN:** The best I think I can assist in relation to this matter is that I recall the assertion being made as to some disproportionate distribution of grants for the purpose of Liberal-held seats compared with Labor-held seats. Of course, the regional areas that had put in a number of applications are significantly held by Liberal members.

I just explain to the committee that the Local Government Grants Commission is an independent commission. It has certain models of distribution for the work that it does and in the money it gets from the commonwealth. If there is anything specific you have as to any concern or information you seek as to a particular grant, I am happy to take that on notice.

**Mr PICTON:** I refer to page 41 of Part C, Statement of Administered Cash Flows, dot point 5: 'Commonwealth-sourced grants and funding, \$1.7 million'. Does the minister expect to see similar funding from the commonwealth grants in 2022 and, if not, will the state government commit to increasing its funding to make up the difference to ensure continued investment and stimulus with the impact on local government from COVID-19?

**The Hon. V.A. CHAPMAN:** My adviser has just asked you to repeat that. I think the question was what confidence do I have in what money is going to be received in 2022, this financial year; is that the question?

**Mr PICTON:** Yes, so you are getting this year \$1.7 million. Do you think you are going to continue to get that and, if not, then are you going to top up the difference, essentially, to make sure that local government will have the support, given the impacts of COVID-19?

**The Hon. V.A. CHAPMAN:** I am not certain but my understanding is that there are several pockets of money that come from the commonwealth to the grants commission in relation to distribution of funds to councils. Some of that has been supplementary and some of it has been part

of the main grant that is received. As I said, there are certain models for distribution for what states get and then how that is distributed to respective councils.

So I am not sure yet what has been received. It may have already been received. Mr Swanson does not have it yet. I will take that on notice as to whether that has been received and how much it is, but I am assuming that is yet to be negotiated and yet to be announced by the commonwealth. Certainly in the last couple of years they have maintained contributions and, in fact, have been very generous in the contributions that have gone for the purposes of these fund distributions.

I have also been informed of the information that has been presented. My Chief of Staff has asked for the Crown Solicitor's Office in relation to the select committee material as to what his obligations are because I understand that he has received a letter from the select committee for production of material.

**Mr PICTON:** Supplementary to that question: is your chief of staff receiving ongoing legal assistance in relation to this matter or just that one question that he has asked?

**The Hon. V.A. CHAPMAN:** Not that I am aware, no.

**Mr PICTON:** In relation to page 35 under expenses in the first paragraph, of the increases and expenses noted in the report, will any of the \$15.6 million in grants and subsidies go towards regional councils to address affordable housing shortages within their communities?

**The Hon. V.A. CHAPMAN:** I do not believe that that is what is there specifically for that purpose. Is it the penultimate paragraph that you are referring to? It is referring to 'increases in employee benefits' and 'supplies and services'.

**Mr PICTON:** 'Grants and subsidies of \$15.6 million' is what we are talking about.

**The CHAIR:** It is the second to last paragraph on page 35.

**Mr PICTON:** It is the third line from the bottom.

**The Hon. V.A. CHAPMAN:** The third line from the bottom, where it talks about 'The increase is mainly due to increases in employee benefits expenses'?

**Mr PICTON:** So 'grants and subsidies of \$15.6 million'.

**The Hon. V.A. CHAPMAN:** Yes, and 'depreciation and amortisation expense of \$3.5 million'. That is all grants and subsidies.

**Mr PICTON:** Yes, so the question is: of that \$15.6 million, is there anything going to regional councils to assist them in relation to affordable housing shortages?

**The Hon. V.A. CHAPMAN:** From looking at what was there before and what is now there, there has been an increase in money under the national legal assistance for community legal services. There has been a tiny reduction—it is only \$795,000 down to \$728,000—for policy and research. There has been an increase in money for crime prevention and CCTV, and there has been a reduction in money in 'other', whatever they are, but again, it is hundreds of thousands.

The new items that are there are for national legal assistance, Aboriginal legal services, \$5.192 million; legal assistance funding for COVID-19, \$4.546 million; Office of Local Government, \$2.911 million; and Planning and Land Use Services, \$1.615 million; and legal assistance funding, specifically for bushfire support, \$875,000. So they are the new initiatives and the moneys that are allocated. They are identified on page 35, which relates to the notes of the Attorney-General's Department.

**Mr PICTON:** I refer to page 23, significant events and transactions, and dot point 2, which refers to the transfer of local government to the minister. I understand that during estimates, when you were asked a question regarding the state government's commitment to support the rollout of some 150 amendments during the local government review, you said that there would be at least \$250,000 of support provided to the LGA. Can the minister confirm that this \$250,000 has gone to the LGA, and how much of it is direct state government funding?

**The Hon. V.A. CHAPMAN:** I would have to take on notice as to what provision has been made. I know that there was a million dollars for the establishment of one of the frameworks and

there are various projects and some items of money that were made specifically allocated for work that the LGA would need to take on for the purposes of bringing into effect some of those reforms.

I do not know if the \$250,000 is correct but, if the member is suggesting that it is, I will make inquiries as to whether those moneys that we identified would be paid to them have been paid. I have certainly had no complaint from the LGA that they have not got the money that we have said that they are to have. I have regular meetings with them. In fact, I had one just on Friday—I think was the last time I had a meeting with the LGA; anyway, it was late last week—and I have regular meetings with them to discuss not only the reforms but a number of other matters, including most recently the examination of their community wastewater management systems program by the Auditor-General.

**Mr PICTON:** On page 35 in relation to expenses, the first paragraph, of the increases in expenses will there be any FTE responsible for the rollout of the local government information framework on the site's ongoing maintenance to support local government with the rollout of the new data collection portal?

**The Hon. V.A. CHAPMAN:** I think I have canvassed this in another forum. I think the member is referring to whether separate money is allocated in the establishment of the framework for councils to actually provide the data that is necessary to populate the new portal. From memory, that was at estimates, and I made it clear at that time that the data that was being sought to be provided to populate this electronic medium of access of information to anyone—let us say for the moment, ratepayers—is all information that it provides anyway in its annual reporting. It is not new information. It is a collation of information that councils provide and so there is not any extra cost for them to collate or prepare that data. It is the same data that that they are required to produce anyway. From memory, it is the same member who asked me those questions at estimates.

**Mr PICTON:** Are you confirming that the LGA will have to bear the costs in relation to the maintenance of the website?

**The Hon. V.A. CHAPMAN:** The provision of the data is the issue that was raised. In relation to the maintenance of the website, I can ask who is paying for the electronic costs or whatever in relation to that, but we have put a million dollars on the table, from memory, to set it up, and it will continue to be provided. I am getting some information direct from the CE, and she is the one who authorises everything, that the AGD maintains the website within its existing resources, so the answer to your question is no.

**Ms MICHAELS:** Can I take you to page 23, significant events, the third item. The report notes an asset transfer of \$25.9 million and says it is mainly for the ePlanning system. Can you identify the cost of the ePlanning system up until it went live in full on 19 March 2021?

**The Hon. V.A. CHAPMAN:** I think the member was asking what the planning reform program build total cost was. If that was the question, the answer to that is \$43.5 million and the total budget for the reform program was \$43.6 million. I think that was provided at estimates, was it not? In any event, if it was not, it is there.

**Ms MICHAELS:** Can I ask if any of that \$43.5 million was spent after 19 March 2021 in order to fix any errors or problems with the software or the system?

**The Hon. V.A. CHAPMAN:** We will check on that, but there have been about 180-odd amendments to the planning code for the whole ePlanning platform since 19 March this year when it went live. Those adjustments have been made, usually in response to matters that have been raised either internally by the department or other users of the whole new system.

I just want to place on record how appreciative I am of those who worked extremely hard to make sure that that has not only been effective in this new platform but that they have been very responsive in being able to accommodate any errors or glitches or improvements that needed to be done. Ms Anita Allen, who has been very active in this role, not only has led a team for the implementation of this Australia-first process but has been working very hard.

I meet regularly with all the stakeholders in this area, and from time to time they raise with me areas of importance to them. Universally, this has been a new model of delivery of this service which has been very well received.

**Ms MICHAELS:** On page 35 of the Auditor-General's Report, under the income section there is reference to an increase in income into the AGD from the transfer of planning and also local government. In relation to the Planning and Development Fund, which moved over to AGD, are you able to provide a breakdown of income collected into that fund per local council area in the last financial year?

**The CHAIR:** Member for Enfield, do you have a dot point perhaps on page 35?

**Ms MICHAELS:** The statement that says, 'fees and charges received \$192.7 million'. There is a reference in here to—sorry, the first point.

**The Hon. V.A. CHAPMAN:** First dot point, 'appropriations, up \$93.3 million'.

**Ms MICHAELS:** Including those 'received for the transfer of the planning and local government'.

**The CHAIR:** Yes, got that, thank you.

**The Hon. V.A. CHAPMAN:** The Planning and Development Fund is not in that, just to be clear. That has a different set of accounts. It is not in what you are referring to. I think your question in relation to the Planning and Development Fund was: what were the amounts in and what were the amounts out and what were they for? I do not have that information with me at the moment, I do not think, for that financial year. Bear with me, I will see if it is here, but if it is not I will see whether we can make that inquiry. No, I am advised that it is not in these records.

**Ms MICHAELS:** Can I take you to page 32 in relation to Consumer and Business Services, under the heading, 'No procedure to manage and reduce unclaimed bonds liability'. As at 31 March 2021, unclaimed bonds totalled \$15 million, an increase of 16 per cent from the previous year. I understand there was a further increase of 17 per cent from the year before that. Can you advise what CBS is doing to ensure historical bonds are being returned to South Australian tenants?

**The Hon. V.A. CHAPMAN:** I will ask the commissioner to come forward if I may. In the event that I do not cover this comprehensively, I may need his extra information. This was the subject of an *Advertiser* article post the publication of the report in which there had been identified, by the Auditor-General, the unclaimed moneys—bonds, it seems, principally—from tenants.

As I understand it, the reasons for this are where landlords claim only a portion of the bond and the tenant is uncontactable and the remaining portion of the bond remains unclaimed; or tenants not providing current contact or banking details at the end of the tenancy and, in some cases, not cashing refund checks that have been processed and sent by CBS to the last known address; or neither the landlord nor the tenant claim the bond refund at the end of the tenancy. So, yes, there is an accumulation of funding, and the Auditor-General makes some comment in relation to that.

It is important to note that the Auditor found there was no system control within the bonds management system to prompt an independent review of the accuracy of the bank account details entered and other charges, but CBS is currently exploring options regarding the controls that can be implemented. This is expected to be completed by 31 December 2021.

If we go back to the actual refund arrangement, where the refund payments file had not been restricted the Auditor identified, firstly, that several users, including officers within and outside the bonds team with read and write capability, should not have access to the EFT bond refunds payment file. In relation to that, CBS said it had now implemented restrictions on access. So that has been dealt with.

In relation to the unclaimed bonds, the Auditor raised the need for the unclaimed bonds liability procedure to outline how CBS will manage and reduce that liability, noting the liability had grown from the \$11 million, as has been referred to, to \$15 million as of March 2021. The Auditor acknowledged, however, that CBS has a dedicated project officer engaged and a project underway to identify preventative measures and to determine the best method to address these historical amounts.

Audit recommended that CBS continue to actively reduce the unclaimed bonds liability and update the procedure to outline the steps CBS takes to manage and reduce this liability. So issues were raised specifically in relation to the unclaimed bonds, which you have referred to. The project undertaken by CBS to deal with this issue is as follows.

First, improving tenant identification: identification requirements for tenants will be implemented at the time of the bond lodgement to assist with facilitating refunds at the end of a tenancy. Secondly, reminder prompts will be implemented at key points of a tenancy. For example, tenants will receive an email 14 days after the bond has been lodged to encourage them to register online and help facilitate the refund of the bond at the end of the tenancy.

Additional emails will be sent to all tenants at 12-monthly intervals 30 days prior to the anniversary of the tenancy reminding them of their right to apply for a bond refund should their lease be coming to an end. Tenants will receive a further email should their bond be unclaimed to prompt a refund application. Thirdly, an online search portal will be made available. Fourth, outbound calls to former tenants regarding outstanding bonds will be instigated.

Fifth, refunding existing unclaimed bonds: contact information has been identified for around 10,000 claimants and approximately 25,000 unclaimed bonds currently held. In addition to contacting each of these claimants, it is intended to issue media releases and post articles on the CBS and SA government websites encouraging refund applications for unclaimed bonds. The expected completion of this work is proposed to be finalised by 31 December 2021.

This parliament this morning dealt in rapid time with a bill in relation to the unclaimed moneys act. This is an issue that is not uncommon. People leave money in bank accounts, they leave money in tenancy bonds and superannuation, and we have processes to try to manage that, find them, give it back to them, alert them to the fact that it is there and, if all else fails, processes are in place where it ultimately essentially vests back with the Crown.

What the Auditor identified here is to say that the CBS has a responsibility obviously to properly manage this money. They noticed an accumulation of funds in this tenancy bonds account and they have been asking the CBS to try to make sure that it does everything that it can to get that money back to the people who actually still own it. That is in process. As I understand it, there has been no further request from the Auditor-General. I am getting a shaking of the head from Commissioner Soulio, so I am accepting that process he has outlined is acceptable to the Auditor-General.

**Ms MICHAELS:** In relation to that list you just provided with respect to what CBS is doing to improve the situation, which of those items have actually been implemented as at today's date and which are to be implemented still?

**The Hon. V.A. CHAPMAN:** We are now at 26 October, and those that have actually been implemented already are improving tenant identification at the time of bond lodgement to assist with facilitating refunds at the end of the tenancy. This is a new system and that has been implemented.

Secondly, reminder prompts, it says, will be implemented at key points of the tenancy, and I outlined what they were. It is in place. It is yet to be activated by the person when it comes up to the 30 days before, etc. That is in place. The third thing that is already being implemented is the online register, which is available on the CBS website where tenants can check in if they are owed money from a previous bond and which will be published more prominently. I have not been on the website to check that, but Mr Soulio says that he has done it and I am satisfied with that.

**Ms MICHAELS:** Has the commissioner asked for additional funding to finish the implementation of these programs?

**The Hon. V.A. CHAPMAN:** I am advised that there have not been any requests submitted at this stage. Again, the chief executive is the person who has to find the money for these things, but the commissioner tells me that he expects there will be some costs, and obviously if they are over the threshold that is required to be absorbed in any agency or if they are to be a separate funding arrangement they then become the subject of a budget bid to submit that.

Of course, sometimes there are swings and merry-go-rounds in relation to the administration costs of any particular unit. From experience, I have seen Mr Soulio even save money in some areas, so we will see how he goes by the end of the year as to whether he wants more money, and then, secondly, whether he actually needs it.

**The Hon. A. KOUTSANTONIS:** I refer the Attorney-General to page 62 of Report 12 and Financial statistics. Under expenses, there is \$17.8 million in expenses.



**The Hon. V.A. CHAPMAN:** Page 62, entitled Attorney-General's Department, Financial statistics.

**The Hon. A. KOUTSANTONIS:** Of the \$17.8 million, 22.5 per cent is detailed as other expenses, excluding employee costs. Of that 22.5 per cent, how much of that \$17.8 million was allocated in the audit period for legal indemnities?

**The Hon. V.A. CHAPMAN:** We are not actually referring to the Attorney-General's Department. This is actually the Auditor-General's—

**The Hon. A. KOUTSANTONIS:** My mistake. Yes, my mistake.

**The Hon. V.A. CHAPMAN:** You will have to ask the Treasurer that, I think.

**The Hon. A. KOUTSANTONIS:** I will get back to you.

**The Hon. V.A. CHAPMAN:** I look after a lot of things but not the Auditor-General's Department.

**The Hon. A. KOUTSANTONIS:** Then I refer you to page 34, employee benefits, supplies and services. During the audit period last year, your supplies and services were \$61 million. This year it is \$139 million. Of the total expenses of \$358 million for the audit period, what amount was for legal indemnities?

**The Hon. V.A. CHAPMAN:** I do not have the breakdown for any of that. There is an explanation of the variation of expenses on page 35 as to why there had been increases significantly, of course, because of the transfer of the planning and development and local government function. But in relation to supplies and services, I think the question was: how much was spent on legal indemnity? Are these of employees or other parties?

**The Hon. A. KOUTSANTONIS:** Anyone who sought legal indemnity through the Crown Solicitor's legal bulletin.

**The Hon. V.A. CHAPMAN:** You mean reimbursement of legal expenses?

**The Hon. A. KOUTSANTONIS:** Yes.

**The Hon. V.A. CHAPMAN:** I see. We may have that anyway. I do not think we need to digest it out of page 34. I have been advised:

1. The CSO made inquiries to determine the availability of a suitable qualified investigator with the requisite experience. The investigator was engaged by the CSO on instructions. This resource has not been funded by the CSO;

2. No indemnities have been issued to Liberal MPs or former Liberal MPs for any legal proceedings that are currently underway; and

3. A total of six MPs have received a reimbursement of legal costs since 1 July 2018.

That information has been provided to you.

**The Hon. A. KOUTSANTONIS:** What was the total amount of those reimbursements for the six Liberal MPs?

**The Hon. V.A. CHAPMAN:** I think I just read it, didn't I?

**The Hon. A. KOUTSANTONIS:** No.

**The Hon. V.A. CHAPMAN:** No, we do not have that.

**The Hon. A. KOUTSANTONIS:** Could I ask you to take that on notice.

**The Hon. V.A. CHAPMAN:** From 2018?

**The Hon. A. KOUTSANTONIS:** Yes.

**The Hon. V.A. CHAPMAN:** We will take it on notice and what we can provide we will make available.

**The Hon. A. KOUTSANTONIS:** Thank you.

**The Hon. V.A. CHAPMAN:** Was there anything from your side?

**The Hon. A. KOUTSANTONIS:** I am sure there might have been. I have no problem with MPs claiming a legal indemnity for their role of being ministers of the Crown. That is entirely appropriate.

**The Hon. V.A. CHAPMAN:** Just to be clear on the question, because it is legal indemnities per se, as the member would be well aware, there are provisions made, subject to certain thresholds; that is, the Crown Solicitor has to approve that and, of course, meet the thresholds before it ultimately comes for sanction to pay legal fees, and that applies not just to MPs, ministers and staff but I think to boards of directors under Legal Bulletin 5. There may be another category. It is really MPs, ministers, staff and board directors. I cannot think of any other category. I only read it again recently. In any event, I will make an inquiry. You are wanting the total indemnities—

**The Hon. A. KOUTSANTONIS:** Yes, please.

**The Hon. V.A. CHAPMAN:** And for that financial year?

**The Hon. A. KOUTSANTONIS:** While the Attorney-General is being helpful, could she also please take on notice, unless she has the answer for me, how many applications for indemnities were sought by Liberal MPs but refused by the Crown Solicitor under the audit period and the value of those indemnities that were sought?

**The Hon. V.A. CHAPMAN:** I am not sure that I get that information. I think it comes to me as Attorney-General if something gets to the threshold. I am not sure that I even get access to that information. I will make an inquiry, as I have before in the past and made information available based on the breakdown of MPs, obviously including ministers. We can do it separately for staff and boards of directors.

**The Hon. A. KOUTSANTONIS:** Has the AGD claimed legal professional privilege over any documents sought by ICAC during the audit period?

**The Hon. V.A. CHAPMAN:** I simply cannot answer that. The member knows full well that I cannot answer that. In any event, it has nothing to do with the Auditor-General's Report.

**The Hon. A. KOUTSANTONIS:** I disagree. The reason I disagree is that the financial report also covers the cost of handling documents. Those documents are stored. They are stored either on a paper basis or they are stored in the cloud or electronically and they are assigned a cost. If an external agency is seeking access to those documents, those documents have to be sought. An opinion is then gleaned about whether or not they can be given. I would like the Attorney-General to please answer the question as I have asked it. I reference page 34. Has the department exercised legal professional privilege over documents sought by ICAC? It is a very simple question. It is a yes or no answer.

**The CHAIR:** And, again, member for West Torrens, the Attorney can answer this as she wishes, but my view of your question is that you have made a big assumption. We cannot know what you are suggesting.

**The Hon. V.A. CHAPMAN:** I have nothing further to add.

**The Hon. A. KOUTSANTONIS:** So the Attorney-General is refusing to answer the question about whether the department has exercised legal professional privilege over documents sought by an ICAC investigation. I think that is a matter that should be revealed to this committee, to this examination, because those documents are not the property of the Attorney-General: they are the property of the state, and this is the place where we ask questions about them. I ask her to take that on notice and come back to the house with a considered answer. We are going to find out one way or another.

**The CHAIR:** Well, that is true, member for West Torrens, but I suspect that any minister who is asked about the commission would be circumspect in their answer—surely.

**The Hon. A. KOUTSANTONIS:** They may want to be read the standing orders, sir.

**The CHAIR:** Yes, you are going to refer it?

**The Hon. A. KOUTSANTONIS:** If you look at the standing orders, the privileges of this parliament are set out, and no-one can question our right to free speech in this place at all.

**The CHAIR:** Member for West Torrens, I am not questioning our right to free speech or your right to ask that question. What I am suggesting is that the Attorney, and any minister in fact, understandably would be circumspect in the way they answer.

**The Hon. A. KOUTSANTONIS:** Sure. What has been the total cost—again, page 34 of expenses—of CSO lawyers dealing with ICAC inquiries in relation to KIPT?

**The Hon. V.A. CHAPMAN:** I do not know the answer to that question. If there is something in it that we can provide, I can have a look at that. All of this committee that you are referring to conducting the inquiry has been recently formed. The KIPT case as such—that is, an application or declaration of it being a major development—harks back to 2017 and way before my time in relation to that application.

If it relates to matters that are extant in relation to an inquiry of the select committee, then that is a matter which is of course in this financial year, not in the Auditor-General's Department. If it is available or even if I know about it, in any event, if it is information that can be provided that is appropriate and I am allowed to provide it, we will have a look at it.

**The Hon. A. KOUTSANTONIS:** My question is about the audit period. My question is not about this financial year.

**The CHAIR:** The period 2020-21?

**The Hon. A. KOUTSANTONIS:** That is right. As the Attorney-General says, she is quite right, this process began in 2017, so if there have been CSO lawyers engaged to deal with the inquiries over the entire matter, whether they be ICAC or otherwise, I would like the Attorney-General to go away and get an answer for us about the total cost of CSO's involvement in dealing with the matter of KIPT. It is very simple.

**The Hon. V.A. CHAPMAN:** Can I just advise the committee that from time to time I have asked for an indication of what it costs extra for all the agencies to deal with the COVID matters—preparation of directions, advice to government, all those sorts of things. Estimates have been looked at for a big exercise like that. I do not know whether there is even a recording of advice that is given on individual development applications, including major developments. I will make that inquiry.

If it is not, that may be a major body of work that would need to be done because, as the member would be quite well aware, there are a number of major projects at any time. Obviously, there are a number of other projects in planning that from time to time require advice, by either me or other personnel in the department who have to make the decisions on a number of these matters and give advice on them.

As the member well knows, the Crown Solicitor's Office are really the government's lawyers. They advise all government departments. They have capacity to say, 'We don't have the expertise' or 'We need to have somebody specialist to come in.' There are certain processes to go through where private solicitors are retained for that purpose, but essentially I am not even aware whether that is something that is recorded by CSO or how difficult that might be to retrieve, but in any event we will have a look at it.

**The CHAIR:** Before I call the member for West Torrens, I might ask the member for Newland to step outside. There is a particularly audible conversation going on just behind us. If you could ask them to desist or move on, please.

**Mr Picton:** Send the Serjeant-at-Arms.

**The CHAIR:** It has not come to that yet, member for Kaurna.

**The Hon. A. KOUTSANTONIS:** I would be stunned if the CSO did not keep detailed costs with the work that they do because I would imagine that they charge each department for the work and advice that they provide, so I assume that they do keep detailed records. So, again, for the audit period, could you please give us a breakdown of the total costs of CSO's involvement for all matters involving Kangaroo Island Plantation Timbers? It is a very simple question: can you?

**The Hon. V.A. CHAPMAN:** As I said, I do not know the answer to that. I think I have explained why. Notwithstanding that the member for West Torrens might be stunned at something, that may be his view, but I am indicating what the position is.

**The Hon. A. KOUTSANTONIS:** During the audit period for which we are examining today, has the Attorney-General's Department received any correspondence from ICAC that they are conducting an inquiry into the Kangaroo Island Plantation Timbers planning assessment?

**The Hon. V.A. CHAPMAN:** I simply cannot answer that question. I would need to take advice; probably I would need to get consent from the ICAC commissioner.

**The Hon. A. KOUTSANTONIS:** Speaking in parliament?

**The Hon. V.A. CHAPMAN:** I know the member takes the view that he thinks he can say anything in parliament about anything or anyone. That might be your view. I am a member of parliament as well, but I am also a minister of the Crown and I have certain areas of responsibility and as South Australians we are all subject to provisions of the law, so I am simply not going to be drawn into that sort of allegation—hypothetical at this point—in answering that question.

**The Hon. A. KOUTSANTONIS:** So to be clear, the Attorney-General is telling the house that she has no knowledge of any ICAC inquiry relating to Kangaroo Island Plantation Timbers?

**The CHAIR:** No, she did not say that.

**The Hon. A. KOUTSANTONIS:** It sounded like it, sir.

**The CHAIR:** She did not say that.

**The Hon. A. KOUTSANTONIS:** Maybe she can tell us.

**The CHAIR:** I will take you back to the previous question and that was in relation to correspondence.

**The Hon. A. KOUTSANTONIS:** No, sir, I will leave that.

**The CHAIR:** I beg your pardon?

**The Hon. A. KOUTSANTONIS:** I asked if she received any correspondence and she will not answer.

**The CHAIR:** No, that is right. She is able to answer in whichever way she sees fit.

**Ms MICHAELS:** Can I take the Attorney to page 31—and you touched on this earlier, Attorney—in terms of the bond refunds EFT payments file not being restricted. Is the Attorney concerned that the Auditor-General states in his report that this has been a problem for several years and nothing has been done about it?

**The Hon. V.A. CHAPMAN:** I have been in this parliament nearly 20 years and I have seen lots of things that, over a number of years, the Auditor-General has raised. I have been through the recommendations that have been made by the Auditor-General and his staff with agencies, including CBS, and sought responses, updates, etc. Some of these, of course, are already published in the report.

Remember that a lot of these things are alerting to a practice or procedure or failure to do something that could result in some very significant problems—fraud, stealing of money, etc.—especially where there are funds involved, so of course they are serious and sometimes they are identified as having occurred over a number of years.

I use the example of the inquiry of the LGA's dealing with the Community Wastewater Management Systems program. It has its own report. The LGA have had a management plan in operation since December 2017. It has been reviewed over the last 3½ years by the Auditor-General, and he has made some statements about it. I have spoken to the LGA about it, just as an example, and I am satisfied that they are doing as the Auditor-General says they must do, that is, obviously conduct that review into next year. In fact, just recently I was advised that the terms of reference for their process to attend to that are in place.

So, yes, no matter which agency is the subject of comment, from my point of view I need to come to this committee and be able to answer these questions, but I also need to be satisfied that there has been a follow-up at least consistent with the Auditor-General's recommendations or some explanation if they have not.

I am pleased to see that in relation to this year's report that, while there have been some significant events and transactions recorded, and some audit findings, none of them from my assessment have been reflective of a practice that has not been remedied or is on the way to being remedied consistent with those recommendations. Am I worried about it? No. I deal with Mr Soulio quite often, and I am satisfied that he runs a pretty good ship.

**Ms MICHAELS:** So you are comfortable that the processes and procedures you are talking about will now be implemented even though they were recommended to be implemented by the Auditor-General year after year in the last few years?

**The Hon. V.A. CHAPMAN:** At the bottom of that page, or the last paragraph of the section on residential tenancies funds, it says:

CBS advised us that it will continue to perform the end-of-day banking process and retain evidence of this review. A review of current access to the shared folder where the EFT payments file is saved has been completed and staff access has been limited to read only where appropriate. Procedures have been updated and staff have been educated.

That is in the Auditor-General's Report, so he is obviously satisfied that it has happened.

**Ms MICHAELS:** Another similar issue is raised by the Auditor-General on page 30. I refer to the first dot point in the middle of that page in terms of the Promadis to general ledger reconciliation. It says at the end of that, 'A similar issue has been raised in previous years.' Once again, when issues have been raised year after year and nothing has been done about it does the Attorney-General have any concerns about the procedures and policies in place at Consumer and Business Services?

**The Hon. V.A. CHAPMAN:** The CBS response on the next page says this:

CBS advised us that it:

- has updated its procedure to specify the time frame for completing and reviewing the Promadis to general ledger reconciliation and distributed it to relevant staff. The reconciliation will be performed and reviewed within 15 working days of the end of each month
- will document procedures for the monthly review of the Promadis user access
- has investigated why the online payments system charged a fee for each licence variation and implemented changes to correct the system
- will ensure LOGIC fees are updated and checked using a spreadsheet documenting changes to descriptors.

Again, that is what the Auditor-General has advised. He has not raised any further point to say, 'I have raised this before and they didn't do it,' or, 'I am not satisfied that they are doing it properly,' or whatever. I have sat in the position the member for Enfield sits in and asked questions and been puzzled as to why something might be raised in repeat years of the predecessor standing in this spot, who was the member's predecessor.

Again, what was brought to my attention was that this is an assessment that was being done by the Auditor-General. I assure the committee that, for the areas of responsibility that I am involved in, I maintain an interest in what the Auditor-General says that he has identified as alerts and/or concerns—but most of these are alerts—and that he has indicated what has been offered to be done to remedy any potential problems arising out of a lack of process or application of a process, and he has not then identified that this is something so serious that it would require some other investigation.

So we can only really rely in the parliament here on what the Auditor-General tells us in these reports. He does not come along to these committees to be asked or quizzed about whether he thinks a certain standard has been reached. But he, of course, is the person who can and does report to this parliament. So he can come in here and say, 'This is not good enough,' if he wants to and he has not.

**Ms MICHAELS:** Following from that then, on page 31 there is reference to customer bank account details not being independently reviewed in the Bonds Management System. How would we know if refunds were deposited into incorrect bank accounts and what the extent of that has been over the last financial year?

**The Hon. V.A. CHAPMAN:** I thought I had referred to some of that, but I will repeat it if you wish. I will answer the latter question first: how would they know? That is why they are trying to contact these people, to let them know. But I will just repeat what I said earlier. Under the independent review of customer bank details, audit found there was no system control with the Bonds Management System (BMS) to prompt an independent review of the accuracy of bank account details entered and that changes to bank account details are valid and supported by an approved form. CBS is currently exploring the options regarding controls that can be implemented and that is expected to be completed by 31 December 2021.

**Mr PICTON:** I refer to Part A of the report at page 19, referring projects to the Public Works Committee. This section deals with different interpretations of section 16A of the Parliamentary Committees Act 1991. The Auditor-General reports that there are two interpretations put forward by SA Water in terms of what needs to be referred to the Public Works Committee, firstly:

That the prohibition in section 16A only applies where the acquisition and installation of fixtures, plant or equipment occur together, meaning agencies are free to procure the goods and services necessary for a project without waiting for the Public Works Committee to complete its inquiries.

Secondly:

That Parliament intended for all components that make up a public work to be subject to Public Works Committee scrutiny, meaning that agencies are prohibited from committing any money on a public work until the Committee has completed its inquiries and submitted its final report.

Clearly, there are two different interpretations. The final paragraphs of this section say:

I brought this matter to the attention of the Attorney-General in September 2020. Clarity is important so that agencies can implement appropriate controls to ensure they comply with the law.

In May 2021 the Attorney-General advised me that she had consulted with the Public Works Committee and DIT on this matter, and that she had deferred consideration of amending section 16A of the PC Act until next year.

My question to the Attorney-General: why did she take eight months to reply to the Auditor-General, and why has the Attorney indicated that this issue will not be addressed before the election when this matter was raised 18 months before the election?

**The Hon. V.A. CHAPMAN:** I am happy to have a look at that. This was a reference of a matter—

*An honourable member interjecting:*

**The Hon. V.A. CHAPMAN:** Well, you want to answer your own question. But this is a reference of a matter of an SA Water project. All I can say is that, as would be the usual process, I get advice in relation to whether there needed to be legislative reform or what was the appropriate action to be taken in relation to that advice. That letter has been forwarded then in May 2021 once I had obtained that advice. That sets out what I have advised them, advised them back to the Auditor-General.

Again, he does not pick it up to say, 'I'm not satisfied with that,' or, 'I think that's wrong,' or, 'I think she should do something else,' or, 'I'm going to write to her again.' He notes that in his report, so I do not know that I can add anything further. I will check what happened between September 2020 and May 2021, but I expect it will be that the matter has been forwarded to our department, I have obtained advice that may or may not have required legal advice in the Crown Solicitor's Office, a minute would normally come to me and then I have responded, and that is what the Auditor-General has noted.

**Mr PICTON:** What interpretation is the government using in relation to that section of the act?

**The Hon. V.A. CHAPMAN:** In what way? Do you want my legal advice?

**Mr PICTON:** It sets out very clearly that there are two different interpretations that are being used as to what needs to be referred to public works and which interpretation is the government using on what should be referred and what should not.

**The Hon. V.A. CHAPMAN:** Again, I will have to reread the whole of this section to ascertain how it is being operationally implemented, if there is any diversity between any of the other departments. This particular issue relates to public works for referral of a matter from SA Water, but in any event I think the member is right: it should probably relate to all infrastructure projects over \$4 million. I will just ascertain what public works are doing, and if that can be useful to the committee I will get it back to you.

**The CHAIR:** The time for the examination of the Attorney-General in relation to the Auditor-General's Report has completed. We come now to the examination of the Minister for Energy and Mining. I remind members, including the minister, that this is a normal session of the committee and that any questions need to be asked and answered by members on their feet. Also, questions need to directly reference the Auditor-General's Report.

**The Hon. A. KOUTSANTONIS:** I refer the minister to page 103, Part C. Again, this is something from last year, I understand. It states, 'DEM's processes were not always effective in ensuring the prompt review of key payroll reports.' Can the minister expand on what the Auditor-General was talking about? I understand that this has been a finding by the Auditor-General for two years in a row. I am not implying that there is any wrongdoing, but I assume that there is some problem that the department cannot get on top of.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Consistent with last financial year, the Auditor-General has not issued an agency-specific controls opinion in 2021; instead, departmental controls were tested by the Auditor-General informing an overall controls opinion for government as outlined in Part B of this report. Financial report opinion, controls opinion findings and any other audit findings for the Department for Energy and Mining are outlined in Part C of the report. The report program for the Department for Energy and Mining covered major financial systems in a wide range of specific areas. I am pleased to report there were no significant controls or opinion findings in the 2020-21 report for the department.

The Auditor-General identified that the department's 'processes were not always effective in ensuring the prompt review of key payroll reports'. I am advised that the department has implemented additional measures for monitoring key payroll information which addresses the audit finding. With regard to the Department for Energy and Mining financial report, the Auditor-General has issued an unmodified opinion.

For the member's benefit, I can add that in our recent discussions essentially the summary view from myself and DEM is that there was an issue raised last time around. This time it is recognised that things have improved significantly, but we recognise there is still work to do in this area and the chief executive has actually taken it upon himself to personally steer this area. However, I stress again that there were no adverse findings whatsoever.

**The Hon. A. KOUTSANTONIS:** I did not ask if there were any adverse findings. I just asked if the minister could explain what the reason is for 'not always effective in ensuring the prompt review of key payroll reports'. What is the Auditor-General actually talking about?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am advised that the Auditor-General pointed out the fact that on occasions there were delays in the assessment of bona fides reports associated with payroll. Nothing wrong was actually discovered, but there were some delays with regard to assessing those bona fides reports.

**The Hon. A. KOUTSANTONIS:** Again, I do not want to labour on this because we have only 27 minutes left. I accept that this is probably a minor issue and I don't think there are any systemic problems in the department, but I would just like to know, in terms of the payroll reports, are you talking about annual leave entitlements, are you talking about superannuation? What is the delay in the reporting? What are you delaying reporting on? That is the issue.

**The Hon. D.C. VAN HOLST PELLEKAAN:** DEM paid a total of \$31 million in salaries and wages to around 322 staff in the 2020-21 year. DEM's processes were not always effective in ensuring the prompt review of key payroll reports—I stress again, the review of the reports. DEM's main control to ensure payments to employees are correct is the review of the bona fides certificates.

A report from June 2021 showed there were 48 outstanding bona fides and leave reports with 33 overdue by more than two months. The longest outstanding was overdue by five months.

The ineffective review of key payroll information increases the risk of incorrect payroll payments being processed because errors are not identified or rectified promptly. DEM responded that since May 2020 additional measures for monitoring key payroll information had been implemented. These included a monthly audit of outstanding bona fides certificates, manager education and support, and regular performance reporting, with reviewing key payroll reports as one of the metrics.

DEM also noted it would continue to reinforce the importance of this process. DEM was satisfied that despite the instances of noncompliance, compensating controls currently in place to monitor salary and wages variances against budget mitigate the risk of any material incorrect payroll payments being processed. I am advised that the key area where this came up was leave entitlements.

**The Hon. A. KOUTSANTONIS:** I refer to page 102 of Part C, expenses, employee benefits making up 22 per cent of \$175 million. Of the 22 per cent of that \$175 million, what amount is for retention allowances?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I do not have the information here. I am happy to take that on notice and provide the information to you, but my adviser is fairly confident that we actually provided that information during estimates as well.

**The Hon. A. KOUTSANTONIS:** You did. I would like to reconcile the two amounts and make sure they are identical, so thank you very much for providing those. I like to check them, so this is a different audit.

If I could now take you to page 105 of Part C. At the bottom of the page we are talking about EnergyConnect and you receiving \$52.7 million in reimbursements on Project EnergyConnect. Could you tell me: was that money received by the agency and then sent to consolidated revenue or was it kept as a reconciliation against the grant? How was that money treated when DEM received it?

**The Hon. D.C. VAN HOLST PELLEKAAN:** You will remember, member for West Torrens, many times hearing about the government underwriting early works for the interconnector so that we could keep the project on track timewise. We took a considered risk to provide some taxpayers' money in advance so that the work could be started in advance of the AER actually giving the final approval.

Of course, those agreements with TransGrid and ElectraNet were that once that approval was given, they would repay the money because it would be part of the total package. The \$52.7 million represents money that came from TransGrid and ElectraNet back to DEM. If I just take a step earlier: DTF to DEM to the companies—when all conditions were met, the companies paid DEM and DEM provided the money back to DTF for consolidated revenue.

**The Hon. A. KOUTSANTONIS:** Were any grants written off to TransGrid or ElectraNet?

**The Hon. D.C. VAN HOLST PELLEKAAN:** No. They did not actually get any grants. They got money essentially lent to them so that they could get started on the work, to be repaid when all the conditions of the project going ahead were met. They were all met and so all the money was repaid.

**The Hon. A. KOUTSANTONIS:** The reason why I used the word 'grants' is that that is what the Auditor-General calls them. He says on page 106, 'Grants were paid for Project EnergyConnect.' My guess is that they were treated as grants and when those monies were paid back they were treated as revenue for the government in the operating balance; is that correct?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes. They were treated as recoveries, which I am advised technically fall in the revenues category.

**The Hon. A. KOUTSANTONIS:** With the Home Battery Scheme, on the bottom of page 106 and onto page 107, if my maths is right you have installed, to the end of the audit period, 13,995 batteries. What is the total number of batteries that have been installed in people's homes since the beginning of the project?



**The Hon. D.C. VAN HOLST PELLEKAAN:** As at 20 October 2021, more than 15,300 installations had been completed and a further 1,500 houses are awaiting their installation. These installed batteries are supplying 180 megawatt hours of storage to the grid, with a further 20 megawatt hours awaiting installation. South Australia has now more than 27,000 home batteries installed or committed, with almost 17,000 supported by this scheme, cementing our position as a leader both nationally and internationally for the adoption of residential storage.

I want to add to that for the member that we do have a target, which we will meet, which is 40,000 batteries in total through this scheme. What we have found, though, is that while we estimated upfront that the average size of the batteries that would be rolled out through this scheme would be about seven kilowatts, the actual batteries actually taken up by this scheme have been close to 11½ kilowatts. While we will still deliver on the number, the 40,000, we are rolling out a total aggregated storage capacity of these batteries actually surpassing our expectations and that is what benefits the grid.

**The Hon. A. KOUTSANTONIS:** Of the \$100 million government subsidies on offer, how much is unexpended as at the end of the audit period?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am advised that we do not have that here with us. We will take that on notice and provide it to you.

**The Hon. A. KOUTSANTONIS:** While you are taking questions on notice, can you give me a profile of the forward estimates of what you expect that to be expended on, of the \$100 million that is remaining? I will cross to forward estimates: how much do you estimate you will need to spend each year until you reach your target?

**The Hon. D.C. VAN HOLST PELLEKAAN:** My answer is that I will consider that request.

**The CHAIR:** There you have it, member for West Torrens.

**The Hon. A. KOUTSANTONIS:** There you have it, sir. Beware the wrath of a patient man. Can I ask why? I do not understand what the problem would be about letting us know. You have given me the numbers for periods outside the audit period already. Why would you not give me the breakdown across the forward estimates?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I did not say I would not. You describe yourself as a patient man—

**The Hon. A. KOUTSANTONIS:** No, you.

**The CHAIR:** And I am not.

**The Hon. D.C. VAN HOLST PELLEKAAN:** I describe myself as a cautious man. If it is appropriate to provide that information to you then we certainly will.

**The CHAIR:** And, of course, the question was about the forward estimates rather than the audit period.

**The Hon. A. KOUTSANTONIS:** That is right, sir. What is the time line for the completion of the program?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I am advised that the best estimate is 2023-24, but we will come back with a confirmed answer for that.

**The Hon. A. KOUTSANTONIS:** What was the original proposed timeline for the project to be completed by?

**The Hon. D.C. VAN HOLST PELLEKAAN:** By 2022-23.

**The Hon. A. KOUTSANTONIS:** So it has blown out by a year? There has been a year's delay?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes.

**The Hon. A. KOUTSANTONIS:** Can the minister explain why.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes, happily. What we do with this scheme is, of course, subsidise the uptake of the batteries. You need to do that as Liberal, Labor, state, federal

and territory governments have done for a long time, put taxpayers' money in to subsidise the private sector's purchase of certain pieces of equipment. You do that for quite a few reasons, understanding it is taxpayers' money for private purchases and that only a small section of the taxpaying community actually gets to directly benefit from that subsidy.

You do it when commercial means would not quite make it work. It used to happen with solar. Solar pays for itself now. Batteries do not quite pay for themselves. You do it for quite a few reasons, most obviously to help that household that has the capacity to invest in solar and invest in the battery with a subsidised price—and good luck to those households—and that is a terrific thing. You also do it for other reasons.

You do it because you want to get the batteries moving so that, as is often the case with new technology, the cost of that technology will come down. We very deliberately skewed our subsidies early on in the program to deliberately more than the average subsidy that we would be able to offer throughout the program. We started off with a maximum subsidy of \$6,000 per unit. We knew at the time the budget was not there for \$6,000 per unit, but we did that very deliberately so that we could get the cost of the batteries down.

The maximum subsidy now—or very shortly, if it has not quite ticked over—is \$2,000. The subsidy three years ago was max \$6,000; now, max \$2,000. One of the several things we have tried to achieve through this program is that the cost of batteries has fallen by \$4,700 over that period. The household that purchased the battery with a \$6,000 subsidy versus the household that purchased it with a \$2,000 subsidy is still \$700 better off now with a \$2,000 subsidy than it was with a \$6,000 subsidy.

As I mentioned earlier, the aggregated storage of all these batteries is also very important. While we are pleased for each household to get the benefits, it is the aggregated storage of the batteries that really helps the grid. Coming back to my comments about all other taxpayers being vital, all other taxpayers are putting the money in, all other taxpayers need to get a result back. Right now, there are about 27,000 batteries and not too far down the track there will be 40,000 to 50,000.

When these batteries are aggregated and rooftop solar is going into the batteries in the middle of the day and the afternoon instead of into the grid, we are helping to address the risk of negative demand. When, in the evening, households are taking their electricity out of the batteries instead of out of the grid, then they are helping take the peak—

**The Hon. A. KOUTSANTONIS:** Point of order, sir. I do not mean to interrupt the minister's manifesto, but could you please bring him back to the substance of the question, which was: why has the rollout of the batteries taken a year longer than the government legislated?

**The CHAIR:** As the member from West Torrens well knows, the member is renowned for his fulsome answers, and he said that he will happily answer the question, which he is doing.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Absolutely, and it is directly related to what I am talking about. From an all-of-taxpayer perspective, it is the aggregated total of these batteries that counts. When we found that we were getting 11-kilowatt batteries instead of seven-kilowatt batteries taken up and we were heading very quickly towards our total aggregated capacity of storage of these batteries, it would have been very tempting to say, 'Right, we said we were going to do 40,000 at seven kilowatts. Well, actually, we are doing however many thousand at 11 kilowatts. Instead, we have achieved what we wanted to.' But we decided that we would do both.

We decided that we will still stick with our 40,000 household battery unit target. So, while on one measurement we are overachieving, we thought we would keep overachieving and let's still do 40,000. So, instead of delivering 40,000 batteries at seven kilowatts, we will deliver 40,000 batteries at 11 kilowatts, and that has taken just a little bit longer than 40,000 at seven kilowatts.

**The Hon. A. KOUTSANTONIS:** If I can take the minister to page 109 of Part C of the Agency Audit Reports, emergency generators, the Auditor-General tells us that \$9 million was expended by DEM in the operation or lease of these generators or costs incurred. What were those costs and when were they incurred?

**The Hon. D.C. VAN HOLST PELLEKAAN:** The member will know, as I do, the history of these generators and would be familiar with the operating costs and SAPN's involvement in that. We certainly honoured the commitments that we found ourselves with at that point in time.

The generators were then transferred to a generator leasing corporation company, essentially, which the Treasurer manages. There are costs that go with that. The \$9 million you mentioned was a cost to DEM that has already been repaid to DEM, so from a DEM perspective there is a zero net cost, but there was a time when DEM incurred some of those costs before the transfer into, essentially, that leasing corporation and then leased into private hands.

**The Hon. A. KOUTSANTONIS:** So the cost to the department was a paper cost, not a maintenance, repair or operational cost?

**The Hon. D.C. VAN HOLST PELLEKAAN:** It was a real cost incurred by DEM, but repaid to DEM. It was money that was paid for actual costs associated with the operation of the generators, but nil cost to DEM at the end because it was repaid by DTF.

**The Hon. A. KOUTSANTONIS:** We are getting lost here in translation. For what purpose was the expense incurred?

**The Hon. D.C. VAN HOLST PELLEKAAN:** The South Australian government took ownership of the temporary generators on 21 December 2018, with the transfer of \$226.8 million to APR Energy. The government completed a lease by tender process, with two agreements to lease contracts executed by the Treasurer on 28 August 2019. The leasing arrangements ensure that the generators will remain in South Australia and will be available to provide services in times of energy shortfall. This strategy seeks to drive the maximum benefit for South Australians from the future ownership of the generators.

I am advised that, for administrative purposes, during 2020-21 the department continued to incur costs associated with the operation of the generators totalling \$9 million. These costs are reported in supplies and services (note 4.2 of the audited financial statements) as emergency generator and storage expenditure and offsetting recoverable has been recorded as revenue in note 2.9 of the statements.

I do not have any more information with me about specifically what they were used for, but I am happy to provide that information. Essentially, they were the same costs that you would be familiar with because I believe they are the same costs we were incurring, which the previous government entered into agreements for. If there is any other information that is useful, I am happy to get it for you.

**The Hon. A. KOUTSANTONIS:** I find this perplexing. The government came into office and executed its policy to lease the generators on the basis that they stay in South Australia. The minister told the house in 2019 that they were leased. The audit period is 1 July 2020 to 30 June 2021. In that period, while the generators are in the command and control of someone else, we incurred an expense of \$9 million. Yes, we will be reimbursed for them. All I am asking is: what was the expense? Was it diesel? Was it gas? Were they turned on for a system security event? What was the reason? Can you please just tell us?

**The Hon. D.C. VAN HOLST PELLEKAAN:** The way the member has just described it is not accurate. Certainly, the costs were incurred, but it is not a matter of saying the generators were leased to private companies and the government kept incurring costs. There are timings that are tied up with this. I have already offered to get more detailed information for you with regard to that.

For example, both sets of generators were not leased at exactly the same time. They were not leased with the same sorts of conditions. While the government was responsible for them, they are the same style of operating costs that the previous government entered into. There is nothing saying that after they were leased out and somebody else was in charge of them the government incurred costs. It has nothing to do with that whatsoever, and I am very happy to get more detailed information for the member.

**The Hon. A. KOUTSANTONIS:** Did the generators dispatch into the NEM during the audit period?

**The Hon. D.C. VAN HOLST PELLEKAAN:** I do not believe so. The generators were used once in January for emergency backup, as we always said that we would. It was two or three years ago. Let me just check that for you.

**The Hon. A. Koutsantonis:** I am asking about the audit period.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Yes, I realise. So that key occurrence, which we are all familiar with, was outside the audit period. With regard to did they dispatch into the NEM, well, they do have to run just for maintenance, just for keeping everything fluid, mobile and up to spec. It would not surprise me at all if they actually put some electricity into the grid in a non-emergency period just as part of its regular maintenance and testing. I am happy to get information for the member and bring it back.

**The Hon. A. KOUTSANTONIS:** In the 45 seconds I have left, can the minister please take on notice whether the generators were used to dispatch during the audit period for any emergency response or any ancillary services, or any requests by either AEMO or any other regulatory body, to provide system security to the South Australian grid for this audit period? I cannot seem to understand why no-one can give me an answer about what this \$9 million was.

**The Hon. D.C. VAN HOLST PELLEKAAN:** That question is just a more detailed way of asking the same question you asked before. That is how I took at the first time. My answer is the same as it was the first time.

**The ACTING CHAIR (Mr Cowdrey):** Given that time has expired for the examination of the Auditor-General's Report in regard to the Minister for Energy and Mining, the committee has therefore examined the minister on matters contained in the report and referred to and has made progress therein.

We will now shift to the Minister for Education. I have been asked to remind members that the committee is in a normal session; therefore, any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2020-21 Report and Agency Statements for the year ending 2020-21, as published by the Auditor-General's website.

**Mr BOYER:** Thank you, Acting Chair, and thank you, minister and Mr Bernardi—it is good to see your face again. Minister, if I could start on page 99 regarding education, the Auditor-General raises concerns about capital works programs, specifically in relation to the transition of year 7 into high school. The words he uses here are, 'Any time delays in these works may impact this transition.' Are all capital work projects that will accommodate the year 7s moving into a high school setting next year be ready for day one of term 1 next year?

**The Hon. J.A.W. GARDNER:** My understanding is yes. I should introduce my officers. Thank you for welcoming Mr Bernardi, who is the CFO for the Department for Education. Anthony Creek is the Director of Financial Accountability and Compliance. Again, as we did during estimates, I send the best wishes of the shadow minister, I am sure, and myself to Julieann Riedstra, who I have no doubt is watching online as she was last time.

My understanding is yes. That is, yes, I believe I have interpreted the member's question correctly. It was that the projects that needed to be ready for the year 7s to fit into the accommodation need to be ready. Primary schools' projects where there is work that is unrelated to increasing capacity—for example, there is an ongoing stream of projects. But the ones that we need to build capacity for the year 7s and the aspects of those projects certainly to fit the year 7s in are still at this stage on track and I certainly anticipate to continue. I certainly hope it will continue. We are working very hard to ensure that is the case.

**Mr BOYER:** On the same page, in reference to your answer, my understanding from previous comments the chief executive has made is that, if some of those projects that have been delayed and do not have the bricks and mortar builds to accommodate year 7 students moving onto a high school campus completed in time for the first day of term next year—and in some cases portable or demountable buildings will be used—is there still a plan to have those deployed? If so, is there an indication of how many might be used?

**The Hon. J.A.W. GARDNER:** I will be really clear. The plan is to have the accommodation ready—bricks and mortar or whatever else. As we get closer to the end of this year, we can say that

with greater confidence. Indeed, the risks are reducing with every project that gets completed and with every project still to be completed that has less and less work still to do.

In relation to contingency plans that may be in place for worst possible case scenarios, the chief executive has made comments about that in the past and you would want there to be contingency plans in place. But I reiterate that, of course, our absolute first focus is on getting these projects completed. As I say, the risk is reducing every day that goes past with these bodies of work that continue to be done.

**Mr BOYER:** Thank you, minister, for your answer. If I could take you to page 92, still on education, there is a bar graph at the bottom of that under Employees that shows the number of administration, school service officers (SSOs) and teachers. Admittedly I am working off a pretty poor photocopy here, but my reading of that is that the number of teachers between 2018 and the most recent data there of 2021 shows fewer teachers. Can you tell us why that is the case, if I am correct in my characterisation of that?

**The Hon. J.A.W. GARDNER:** I know the graph the member is talking about. I think there may be an issue with the point of time it was gathered. I think my assessment of that graph was a slight increase from 2018 to 2021.

Notwithstanding that, the number that the department uses far more regularly in estimating its workforce planning and reporting to Treasury and DPC and so forth is the term 1 census. As the member would potentially recall, that is taken at the last payday in March before the school holidays every term 1, and that shows 2018 at that term 1 census there being 12,678 FTE and, in 2021, 13,748 FTE.

In relation to any variation between the term 1 census date figure and the graph in the Auditor-General's Report, which I am assuming is a 30 June figure, I will take on notice why that difference is apparent. Although my reading of the chart is slightly different to the shadow minister's, it certainly does not seem to reflect in my view that increase of over 1,000 FTE that our term 1 census data shows.

**Mr BOYER:** Thank you, minister, for your answer. Yes, you are correct. I see there the difference between the 2018 figure and the 2021 figure. If I could take you back to the capital works to accommodate year 7s transitioning into a high school setting to question a bit more your previous answer, regarding those schools getting works done to accommodate year 7 students who are moving on to their campus, have some schools been told to expect works that will be ongoing in term 1 of next year? Are there many?

**The Hon. J.A.W. GARDNER:** There are a couple in a situation—they are the sorts of works I think we have spoken about before. As an example, I think Playford International College is one. I stand to be corrected if I am making a mistake here; it is not specifically to the Auditor-General's Report but I think the question is a reasonable one. If I recall correctly, the situation at Playford is one where there are some capacity increases. There are a range of works that will be completed by the end of this year, and there is one specific segment of the project, if you like—I think it is possibly the tech studies area or it might be a science area. But, anyway, there is one specific building where it is not actually part of the project to expand the numbers that is required, but it is an upgrade to an existing facility.

So in term 1 the existing facility is capable of being used and I believe that the plan is that in term 2 that new facility will be ready and the existing one can then be decommissioned altogether. That is an example of the sort of work that I am talking about. The expansion is certainly on track, as I understand, but a specific portion of it, an upgrade to a facility if you like, might potentially be—certainly at that school there is an expectation that it will be a little bit later.

I think there are a couple of schools where it has been identified that potentially some of the landscaping might be into term 1 a little bit. This is not an unusual feature in school builds, that some of these processes take a bit longer. I think there is a school where there is a question mark over whether the car parking is due to be finished the week before week zero or week zero or week 1. Obviously it would be better if it was the week before week zero, but if it was week 1 then it is the sort of thing that people manage. Car parks get fixed from time to time and this is a car park at the end of a building project.

But to the member's core question of the works that will be going on to ensure that the facilities are ready for the year 7s, the last advice that I recall receiving is that certainly that was the case—that they will be ready—but, indeed, there are works that will continue. With some projects, particularly at primary schools, there are a number where the upgrades started later and will be completed during next year, as is the time frame that has been well understood for a while.

Certainly there are further projects that we announced this year. We announced a series of projects in this year's budget and they will be rolled out next year, I think some of them into the first half of the following year as part of the ongoing capital works program.

**Mr BOYER:** If I could take you to page 101, under administered items there are some lines here which talk about transfers and grants to private schools. If I could ask about the loans which are administered under the SA Government Financing Authority (SAFA), can you tell us how many loan applications were received in the 2020-21 financial year and how many of those were approved, if Mr Bernardi has that data?

**The Hon. J.A.W. GARDNER:** It is a Treasury program but, that said, rather than asking the member to get the shadow treasurer to ask the Treasurer, maybe it is easier if I just take that on notice. SAFA is obviously part of the Treasury department. The administration is a role where a report comes through Education and I send a memo to the Treasurer, as I understand it, reporting on that progress. Irrespective of which ministry is relevant, I will take that on notice and bring back an answer to the member.

**Mr BOYER:** I appreciate you taking that on notice; thank you, minister. I have a supplementary of sorts. Are you the minister who approves those, or does the Treasurer approve the loans under SAFA?

**The Hon. J.A.W. GARDNER:** Maybe we can incorporate that answer into the previous question in terms of getting the technicality right. Certainly I will make a recommendation to the Treasurer based on information from the panel, which is an independent panel—public servants from Education and Treasury, and there may be somebody else on it. They make a recommendation to me and I pass the memo onto the Treasurer. Who is formally the signatory? Certainly he is. We can clarify the status of my memo on the way, if you like.

**Mr BOYER:** Thank you, minister. That sounds like a plan. I have heard—admittedly anecdotally—that the wait times to have the loans approved have blown out. Is there anything you can tell us about whether or not it is true that over the last few years the amount of time between a non-government school applying for a loan under the SAFA budget line has blown out, so to speak, and that schools are waiting longer to hear if they have been approved?

**The Hon. J.A.W. GARDNER:** I cannot speak for what the original year or two of the loans were. The genesis of the project was, I think, in the last couple of years of the former government. There was a low interest loan facility announced by Treasurer Koutsantonis, as he was then. That was taken up by a number of schools.

When we came in, we continued that program and then, in last year's budget, we adjusted it significantly. We turned it from a low interest loans program to a no interest loans program for the first five years of the loan. We were also able to put some further money into that program to provide more opportunities for schools.

There has certainly been that change in last year's budget, and that generated a significant level of interest, I understand, from the non-government school sector, people who were interested in accessing one of those loans. Of course, we do have a process—which the member will get a bit more detail about in the answer to the previous question I have taken on notice—to ensure that taxpayers' money is wisely spent and that the applications meet the requirements of the program.

In relation to whether there are any differences from the way it was administered previously, I do not have any anecdotal data to compare to the member's anecdotal data. I imagine there was possibly some impact; the change from a low interest loan program to a no interest loan program would have meant there was a gap between the ones under the last program and the ones under the new program. Maybe people who were thinking about putting in a low interest loan application thought,

'We might wait a month or two until the no interest loan is a more attractive proposition.' That may well be part of it, but beyond that I cannot answer.

**Mr BOYER:** On the same topic—and I accept this is probably something you will have to take on notice as well—I wonder if you can tell me what the average turnaround time is from application to approval, the shortest turnaround time and the longest turnaround time from application to approval under that loans line.

**The Hon. J.A.W. GARDNER:** I will take the question on notice, but I cannot commit to the categories the member has identified necessarily matching up neatly with anywhere there is data, and I will give the member of an example of why I say that is the case. You may have an application for a loan that does not meet the criteria or that meets part of the criteria, where the panel may have asked for further information or the school may have redone their application to ask for something slightly different, acknowledging that their criteria was not met. As I understand it, not all these applications are necessarily approved, or they might not necessarily be approved for the sum of money requested in the first place.

I will take the question on notice and endeavour to provide information that will meet the sense of the sorts of things the member is asking about. However, I cannot commit to the exact details that the member is asking for because the answers might not actually match up neatly to the questions being asked.

**Mr BOYER:** Thank you, minister. I am happy to phrase that in a different way. Perhaps if you could take on notice the data for all applications that were approved, regardless of whether they were approved for the initial asking amount or a different amount, and the shortest, longest and average wait times. That would be fantastic.

**The Hon. J.A.W. GARDNER:** Consider it done.

**Mr BOYER:** Page 89 talks about significant events and transactions and it mentions here that 'Education returned \$111 million to the Department of Treasury and Finance.' I wonder if you can tell us what budget lines that was returned from.

**The Hon. J.A.W. GARDNER:** I am advised that the return of \$111.4 million was pursuant to the Department of Treasury and Finance's cash alignment policy. In relation to the more technical detail related to the question, I will take that on notice and bring back an answer.

**Mr BOYER:** On the bottom of page 100 this time, it says that schools receive funding for 'repairs, maintenance and minor works' but not all of that has been spent. I am wondering if you can tell us how much of that money provided for repairs, maintenance and minor works was not spent and why that was the case.

**The Hon. J.A.W. GARDNER:** I thank the member for the question. The substantial answer to this is that the way that it works is the money goes to schools, who then hold it in their SASIF accounts. We were seeking that schools spend that money during the calendar year and, indeed, get those projects underway. We certainly provided a high level of flexibility to the schools to have that money spent for that purpose. They have the money.

We will come back to the house with further detail in relation to where we are up to on how much has now been spent, depending on the records that we have available. There is, obviously, a reconciliation that takes place after the fact, so the work is done, the tradie invoices the school and gets paid, and it has that delay in appearing in the budget statement.

**Mr BOYER:** Still on page 100, the bottom dot point under statement of cash flows talks about SASIF (SA Schools Investment Fund). I note this most recent Auditor-General's Report talks about just shy of half a billion dollars being held collectively in the SASIF accounts and that that amount increased by \$42 million.

The increase of \$42 million I do not suppose is very surprising, given the events of COVID, but has the minister or his department done any work in terms of plans to try to access any of that money or encouraging schools to use some of the \$499 million they have sitting collectively in their SASIF accounts?

**The Hon. J.A.W. GARDNER:** I thank the member for the question. There are, I think, three significant new funding programs that have seen additional money go to schools in the period more

than was previously. One of them we just touched on in relation to those maintenance grants for schools: \$20,000 to \$100,000 for every school and preschool in the public education system, all 900 of them, and the preschools having had that earlier round as well.

That large amount of money, and I think it totals in the order of \$37 million, is in varying stages of having been spent on works completed, spent on works underway, to be spent on works underway, and there are possibly a smaller number of schools that are seeking to consolidate it with further money they are looking to spend on getting their projects.

Indeed, a number of schools or preschools I am aware of, having had the grants of \$20,000, \$30,000, \$70,000, \$100,000—however much—have chosen to supplement that with their own projects. They might have had \$50,000 to combine with \$50,000 new; you can get a significant project underway. So certainly that is a part of it.

The second group is there was \$7 million paid to schools in May to June 2021 to assist with purchasing furniture, fittings, fixtures for the year 7 transition. Obviously, those grants are being spent for a particular purpose, and I would anticipate that schools are going to be spending that by the beginning of next year, if they have not already. Further, there was the agreement in the EB for complexity funding. That money is going directly to schools. I anticipate that a large amount of that has been spent for its purpose but, because of the timing of when we are paying it, there is that as well.

Schools put money into their SASIF accounts for purpose. They have their own ideas about things they would like to spend money on, and indeed we certainly encourage them to do so, and we work with those schools that wish to do so. We will continue to monitor SASIF balances, but also while doing so and encouraging schools, facilitating schools to do so, we do like schools to have a certain amount of flexibility that they can identify projects they wish to pursue and fund them or, indeed, individual capital projects, but they could also be ongoing projects where the school has plans for those moneys as well.

**Mr BOYER:** Thank you for your answer, minister. If I could take you back to page 101, it also mentions the operating grant provided to the SACE Board, which is, I think, \$22 million for an operating grant. No doubt the minister is aware of what has been in the press around what has been characterised as staff turnover. I am wondering if the minister can tell us any work he or his department have done around finding out why that staff turnover is occurring and what is being done to rectify it?

**The Hon. J.A.W. GARDNER:** The SACE Board is obviously a statutory authority with a reasonable level of independence from the day-to-day management of the minister. It has a board. The chair of that board is Jane Danvers. She was appointed under the former government, and she has been reappointed under this government. The Chief Executive of SACE is Professor Martin Westwell. He was appointed under the former government, and he has continued to serve under this government. The point I am making is that there is a level of independence there.

I was interested to see Professor Westwell asked about this very question on the television news on Sunday night. I noted his response—that he thought it was a pretty low thing. I do not want to quote him exactly because I do not recall his exact words, but he certainly described the fearmongering involved in the beat-up in relation to this matter as very disrespectful to our year 12 students who are about to undertake their exam preparations. He reassured the community, as he has reassured me, that the relevant work that needs to be done to ensure that our exams are accurately marked, assessed on time and the results are provided on time is indeed absolutely on track to be the case.

I have spoken to the chair of the SACE Board, Jane Danvers, about this as well. She has reassured me that it is not just her opinion but that of the relevant members of the SACE Board who have the expertise and who have looked at the matter with the chief executive, following the fearmongering being raised in the media. They are very confident that the response provided by the chief executive in relation to this matter was accurate.

As our year 12 students undertake their exams, it is worthwhile—and I thank the member for the opportunity—to reassure them that their exams will be assessed well by SACE and accurately



and on time. That is the assurance I have had from the SACE Board. That is the assurance I have had from experts on the SACE Board.

I understand that there is disagreement with some relevant union representatives, and the union and the SACE Board are having that disagreement. There has been a push to put that into the media, and that is very disappointing. I would encourage all members not to fan that fire, to let the union disagreement with the SACE Board be dealt with by the union and the SACE Board's management, as is appropriate, and indeed to give our students, their families and their teachers the respect that the end of their year 12 deserves.

**Mr BOYER:** I am happy to move to TAFE in the time we have remaining. Thank you, minister. Welcome, Mr Coltman. Page 527 of the Auditor-General's investigation into a report on TAFE shows the total FTEs at the point in time that this was done, I presume it would be, and I note in the most recent budget as well I think it had 140 FTEs to be cut from TAFE. I am wondering whether the minister or Mr Coltman could provide us some advice about whether or not those cuts, or what would be savings measures I presume, have been realised?

**The Hon. J.A.W. GARDNER:** I am sorry, I am not trying to be funny. Can you repeat the question? A 140 FTE cut, I am not quite familiar with that.

**Mr BOYER:** That was the figure in the budget, I believe, and here it has total FTEs under TAFE SA at 1,945. I am wondering whether or not the forecast FTE reduction of 140 foreshadowed in the budget is represented in this figure of 1,945?

**The Hon. J.A.W. GARDNER:** I am not sure that is a fair reflection; that does not marry up. Rather than argue the point, might I take that question on notice and allow the member for Wright to have some more questions.

**Mr BOYER:** Given the Auditor-General's Report into TAFE deals in quite explicit detail with income received by the organisation for the courses it runs, I am wondering whether the minister can tell us whether or not there are any further reductions, which we saw represented in the previous Auditor-General's Report, which we can expect to see represented in this one or forthcoming in the next financial year?

**The Hon. J.A.W. GARDNER:** I will kill two birds with one stone: no planned reductions, and I have some advice in relation to the last one. The 140 figure apparently is not a cut: it is how much TAFE was under their cap, which is something quite different, as I understand it.

**Mr BOYER:** Am I right in saying across the last financial year and the reporting period for the Auditor-General, there has been no reduction in FTEs from TAFE?

**The Hon. J.A.W. GARDNER:** I will take that on notice so that you can have another question.

**Mr BOYER:** I appreciate that, minister. My question is really the same as the former one but in relation to courses. If the minister could advise us about whether there has been a reduction in the total number of different courses offered by TAFE in the last financial year.

**The Hon. J.A.W. GARDNER:** I am advised that there is not a reduction in the total number.

**Mr BOYER:** My final question is: has any further work or investigation been done by the minister or his agency into planned closures of any further TAFE campuses in South Australia?

**The Hon. J.A.W. GARDNER:** Not that I am aware and not that Mr Coltman is aware of.

**The CHAIR:** The examination in regard to the Auditor-General's Report with respect to the Minister for Education has concluded, given that the time has expired.

Progress reported; committee to sit again.

*Bills***STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL***Final Stages*

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

## SCHEDULE OF THE AMENDMENTS MADE BY THE LEGISLATIVE COUNCIL

No. 1 New Part, page 7, after line 20—Insert:

Part 5A—Amendment of *Public Finance and Audit Act 1987*

11A—Insertion of Part 3A

After section 39 insert:

Part 3A—Parliamentary Budget Advisory Service

39A—Establishment of Parliamentary Budget Advisory Service

- (1) The Treasurer must, in each relevant election period, establish and maintain a Parliamentary Budget Advisory Service (PBAS) in accordance with this section.
- (2) The PBAS is to be established under the *Public Sector Act 2009* as an attached office to a government department administered by the Treasurer.
- (3) The function of the PBAS established in a relevant election period is to provide independent and consistent costings of policies developed by registered political parties and other candidates for the relevant general election in a timely manner and in a form which is useful to the candidates for informing the public in advance of the election.
- (4) The Treasurer must ensure that—
  - (a) the level of funding provided for the PBAS is sufficient to enable it to act with all due speed in relation to requests for costings and to deal with multiple such requests at the same time; and
  - (b) the PBAS is managed by an executive employee of a public sector agency (within the meaning of the *Public Sector Act 2009*); and
  - (c) the general staffing and administrative arrangements for the PBAS will allow it to properly carry out its function; and
  - (d) the PBAS remains available to deal with requests for costings throughout the whole of the relevant election period.
- (5) Except as may be necessary for the purpose of providing a costing to a registered political party or candidate, a person carrying out official functions of, or in relation to, the PBAS must not disclose any information obtained in the performance of those functions to any person who isn't carrying out official functions of, or in relation to, the PBAS and, in particular, must not directly or indirectly disclose such information to—
  - (a) any other registered political party or candidate (not being the registered political party or candidate that requested the costing); or
  - (b) any Minister or Ministerial staff.

Maximum penalty: \$2,500 or imprisonment for 6 months.

- (6) The PBAS established in a relevant election period must provide a report on its operations to the Treasurer by 30 April in the year of the relevant general election.
- (7) The Treasurer must, within 12 sitting days after receipt of a report under this section, cause copies of the report to be laid before each House of Parliament.
- (8) The copy of the report to be laid before Parliament must set out in a prominent position the date on which it was presented to the Treasurer and if the report is presented to the Treasurer after the end of the period allowed under this section, the report must be accompanied by a written statement of the reasons for the delay and the statement must be laid before each House of Parliament together with the report.
- (9) In this section—

*relevant election period* means the period commencing on 1 July in the year immediately before a general election of members of the House of Assembly is held in accordance with section 28(1) of the *Constitution Act 1934* and ending on the day of that general election (and includes, if this section comes into operation during a relevant election period, the remainder of that relevant election period).

11B—Transitional provision

For the avoidance of doubt, Part 3A of the *Public Finance and Audit Act 1987* (as inserted by this Act) applies (on and after the commencement of Part 3A) for the remainder of the relevant election period that commenced on 1 July 2021.

No. 2 New Part, page 7, after line 20—Insert:

Part 5A—Amendment of *Public Finance and Audit Act 1987*

11C—Insertion of section 41B

After section 41A insert:

41B—Approval of Auditor-General required for certain government advertising expenditure

- (1) The principal officer of a government agency must ensure that the agency does not expend or incur expenditure of more than \$10,000 on government advertising published or caused to be published by the government agency during a relevant election period, unless the government advertising is approved by the Auditor-General or by resolution passed by both Houses of Parliament.
- (2) The Auditor-General may only grant an approval for the purposes of subsection (1) (a *section 41B approval*) if satisfied that the government advertising is necessary for the proper functions of government.
- (3) For the purposes of subsection (2), government advertising will be taken to be necessary for the proper functions of government if the Auditor-General is satisfied that the primary purpose of the government advertising is to communicate information relating to the following:
  - (a) public health and public safety;
  - (b) road and public transport works or interruptions;
  - (c) emergencies;
  - (d) legal or statutory matters;
  - (e) electoral material published under the authority of the Electoral Commissioner;
  - (f) the engagement or employment of persons in the service of the government;
  - (g) attendance at an event;
  - (h) tourism;
  - (i) auctions and other sales of property, goods and services;
  - (j) courses at tertiary educational institutions.

Note—

Government advertising for the purposes of generally promoting government programs or achievements, government spending or the future delivery of infrastructure projects or initiatives is not to be regarded as necessary for the proper functions of government.

- (4) The Auditor-General must, within 7 days of the end of each month that falls in a relevant election period, publish a report on the details of each section 41B approval granted during the month to which the report relates.
- (5) Notice of a motion for a resolution under subsection (1) must be given at least 3 sitting days before the motion is passed.
- (6) In this section—

*government advertising* means advertising by a government agency (whether comprised of a single advertisement or a series of advertisements) and includes a promotional campaign;

*government agency* means—

- (a) a Minister; or

- (b) an administrative unit of the Public Service; or
- (c) an agency or instrumentality of the Crown; or
- (d) any other person or body declared under the *Public Sector Act 2009* to be a public sector agency;

*principal officer*, in relation to a government agency, means—

- (a) if the agency consists of a single person (including a corporation sole but not any other body corporate)—that person;
- (b) if the agency consists of an unincorporated board or committee—the presiding officer;
- (c) in any other case—the chief executive officer of the agency or a person determined by the Auditor-General to be the principal officer of the agency;

*relevant election period* means the period commencing on 1 July in the year immediately before a general election of members of the House of Assembly is held in accordance with section 28(1) of the *Constitution Act 1934* and ending on the day of that general election (and includes, if this section comes into operation during a relevant election period, the remainder of that relevant election period).

- (7) For the purposes of this section, a reference to advertising published or caused to be published by a government agency includes a reference to advertising that the government agency pays for or arranges the placement of.
- (8) The Auditor-General may exercise the Auditor-General's powers under section 34 of this Act for the purposes of determining whether or not to grant a section 41B approval and section 34 applies as if—
  - (a) a reference to the conduct of an audit or review, or the making of an examination; and
  - (b) a reference to an audit, review or examination,
 were a reference to the determination whether or not to grant a section 41B approval.

#### 11D—Transitional provision

- (1) For the avoidance of doubt, section 41B of the *Public Finance and Audit Act 1987* (as inserted by section 11A of this Act) applies (on and after the commencement of section 11A) for the remainder of the relevant election period that commenced on 1 July 2021 to government advertising published or caused to be published on or after that commencement, including government advertising under a contract or arrangement entered into before the commencement of section 11A.
- (2) If government advertising under a contract or arrangement of a kind referred to in subsection (1) is not approved under section 41B of the *Public Finance and Audit Act 1987*, the government agency remains liable for any amounts payable under the contract (as if the government advertising were published in accordance with the contract).

No. 3 Long title—After '*Payroll Tax Act 2009*' insert:

, the *Public Finance and Audit Act 1987*

#### SCHEDULE OF THE SUGGESTED AMENDMENTS MADE BY THE LEGISLATIVE COUNCIL

No. 1. Clause 4, page 3, lines 15 and 16 [clause 4, inserted section 7A(1)(c)]—Delete 'guidelines approved by the Treasurer for the purposes of this section' and substitute:

the regulations

No. 2. Clause 4, page 3, line 20 [clause 4, inserted section 7A(2)]—Delete 'The guidelines' and substitute:

Regulations made for the purposes of this section

No. 3. Clause 4, page 3, line 37 [clause 4, inserted section 7A(3)]—Delete 'A guideline' and substitute:

Regulations made for the purposes of this section

No. 4. Clause 4, page 4, line 5 [clause 4, inserted section 7A(4)]—Delete 'guidelines' and substitute:

regulations

No. 5. Clause 4, page 4, lines 10 and 11 [clause 4, inserted section 7A(5)]—Delete 'guidelines approved by the Treasurer for the purposes of this section' and substitute:

the regulations

**The ACTING SPEAKER (Mr Cowdrey):** Minister, the amendments to be taken into consideration?

**The Hon. J.A.W. GARDNER:** The next day of sitting.

**The Hon. A. KOUTSANTONIS (West Torrens) (18:45):** I move:

That the amendments of the Legislative Council be taken into consideration forthwith.

The house divided on the motion:

Ayes ..... 21

Noes ..... 23

Majority ..... 2

#### AYES

Bedford, F.E.

Bignell, L.W.K.

Brown, M.E. (teller)

Gee, J.P.

Koutsantonis, A.

Mullighan, S.C.

Stinson, J.M.

Bell, T.S.

Boyer, B.I.

Close, S.E.

Hildyard, K.A.

Malinauskas, P.

Piccolo, A.

Szakacs, J.K.

Bettison, Z.L.

Brock, G.G.

Cook, N.F.

Hughes, E.J.

Michaels, A.

Picton, C.J.

Wortley, D.

#### NOES

Basham, D.K.B.

Duluk, S.

Harvey, R.M.

Marshall, S.S.

Patterson, S.J.R.

Power, C.

Teague, J.B.

Whetstone, T.J.

Chapman, V.A.

Ellis, F.J.

Knoll, S.K.

McBride, N.

Pederick, A.S.

Sanderson, R.

Treloar, P.A.

Wingard, C.L.

Cowdrey, M.J.

Gardner, J.A.W. (teller)

Luethen, P.

Murray, S.

Pisoni, D.G.

Speirs, D.J.

van Holst Pellekaan, D.C.

#### PAIRS

Odenwalder, L.K.

Tarzia, V.A.

Motion thus negatived.

### STATUTES AMENDMENT (CHILD SEX OFFENCES) BILL

#### *Introduction and First Reading*

Received from the Legislative Council and read a first time.

At 18:53 the house adjourned until Wednesday 27 October 2021 at 10:30.

*Answers to Questions***GOVERNMENT CONTRACTORS**

**614 Mr PICTON (Kaurna)** (24 August 2021). What is the variance between the cost of payments made and the original budget for each of MSS, Spotless and ISS, and what subcontracted companies and services have been approved under contractual arrangements with each of MSS, Spotless and ISS?

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

The following table provides a summary of services, spend and subcontractors for MSS, ISS Healthcare Services and Spotless (now Downer).

The spend is across all local health networks (LHNs) and a range of contracts. For some services e.g. food and cleaning consumables, there is a variable component to the spend depending on demand and profile of patients. The budgets are set and managed by individual LHNs.

The list of subcontractors is indicative.

	Spend 2020 -2021	Services	Subcontractors
MSS	\$68,625,972	Security for Medi-hotels, vaccination hubs, testing sites, Hospitals and health sites Patient Minding at Hospitals	KM Corporate Security Lima One Protection Platinum Talent Management
ISS	\$57,296,369	Facility Management Services including: Catering Cleaning Orderly Porter (movement of equipment, waste linen and mail) Grounds and Gardens Patient loan equipment Ward/clinic support	Sky High Access Program Property Services (PPS) Pinnacle DX Toll Flick
Spotless* (Downer)	\$9,740,398	Facility Management Services including: Catering Cleaning Orderly Porter (movement of equipment, waste linen and mail) Grounds and Gardens Pest Control Ward support Car parking Internal stores and logistics Security Maintenance and repair	Fresh and Clean SA Windows Programmed maintenance & Green Life Group Statewide appliances Diversey SA Sweepers and scrubbers International Cleaning Services

\*The cost of Spotless services to the Royal Adelaide Hospital (RAH) is incorporated into the public private partnership quarterly service payment. The table does not include the RAH PPP or Spotless/Ensign Linen.

\*The list of subcontractors does not include the RAH PPP Spotless subcontractors.

**GOLDEN GROVE ROAD UPGRADE**

**812 Ms BEDFORD (Florey)** (13 October 2021). Do the state employment figures for the Golden Grove Road upgrade and the Main North/Kings/McIntyre roads intersection upgrade count individuals who work at both sites as two different jobs?

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

A response to this question taken on notice during question time on 8 September 2021 was tabled on 23 September 2021.

*Estimates Replies***EXECUTIVE APPOINTMENTS**

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (28 July 2021). (Estimates Committee B)

**The Hon. R.I. LUCAS (Treasurer):** I have been advised the following:

Since 11 February 2021, when the 2020 estimates response was tabled, the following new executive appointments were made within the Department of Treasury and Finance and Lifetime Support Authority. Some appointments were made to existing vacated roles.

Agency	Role Title	TRPV
LSA	Director, Services	171,870.10
DTF	Director, Payroll Services	257,804.09
DTF	Director, Financial Accounting	265,264.98
DTF	Director, Commercial Projects	247,114.23
DTF	Director, Finance (SAFA)	254,947.00
DTF	Executive Director, Projects	342,153.62
Super SA	Director, Strategy, People, Products and Transformation	271,790.36

The total annual employment cost for these appointments is \$1,810,944.38.