# HOUSE OF ASSEMBLY

## Wednesday, 16 November 2022

**The SPEAKER (Hon. D.R. Cregan)** took the chair at 10:30.

**The SPEAKER:** Honourable members, we acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia and their connection to land and community. We pay our respects to them and their cultures and to elders both past and present.

**The SPEAKER** read prayers.

*Bills*

### MINING (LAND ACCESS INQUIRY RECOMMENDATIONS) AMENDMENT BILL

*Introduction and First Reading*

**Mr ELLIS (Narungga) (10:31):** Obtained leave and introduced a bill for an act to amend the Mining Act 1971. Read a first time.

*Second Reading*

**Mr ELLIS (Narungga) (10:32):** I move:

That this bill be now read a second time.

It is a pleasure to rise today to introduce this bill in what is the latest iteration in a long-running effort to achieve a better balance between the interests of mining and farming in this great state. The Mining (Land Access Inquiry Recommendations) Amendment Bill is an attempt by me to legislate the recommendations from the select committee formed in the previous parliament that was multipartisan and delivered a helpful report on how we might better improve the system that we have currently in operation.

Mr Speaker, as you would well know, it is no exaggeration to say that, upon my being elected for the first time in 2018, this issue was one of the biggest facing our electorate in Narungga. It came up quite often in my time as a candidate and I recall vividly doing a day's driving around the electorate through the middle of the peninsula calling into farms and knocking on farm doors in order to discuss this very issue—mining on agricultural land.

Of course, this was on the back of attempted reform to the mining bill by the former Labor government, which was reform met with significant backlash in Narungga as not going far enough to protect the interests of landowners. I recall on the back of that attempted reform lobbying the then Liberal opposition at the time, the party I was running as a candidate for, and I recall a promise to conduct more consultation prior to any further action being taken should they be lucky enough to form government.

Then of course, Mr Speaker, as again you would be well aware, I recall a remarkably similar bill being reintroduced with negligible further consultation and action resumed almost immediately. That, I suppose, was a significant moment for me in my term as a parliamentarian and I found myself unable to stomach breaking a promise that I had made in the course of many interactions throughout the campaign with our farming community.

The decision to reintroduce that bill, despite protestations, triggered a significant action in trying to find a compromise position—something that would improve the bill in line with the constituencies that we represent. Alas, none was forthcoming, and ultimately the bill was progressed, which resulted in four Liberal MPs crossing the floor in the lower house in support of greater action on behalf of landowners. Unfortunately, due to the aforementioned uncanny similarity with the Labor bill, we were unable to achieve any results with a convincing majority supporting it.

But more than just the promise that I made on the farm doorstep were the horrifying stories that we had heard about how mineral exploration companies conducted themselves in the course of

their interaction with the farming community. That is not to say, of course, that all exploration companies conduct themselves poorly but that there are enough instances of poor conduct to keep the issue afloat.

There is no better example of this than the ordeal that the Harrop family from Paskeville went through, which was shared with the previous parliament through the select committee hearing at Ardrossan that I mentioned already. After being forced by the court to allow an exploration company onto their land, they pinned their hopes on the terms and conditions imposed upon that company to ensure that they caused the least possible disruption. Unfortunately, that is not how the situation played out. The company in question dug more holes than they were allowed to, dug those holes deeper than they were allowed to, and so on.

What do a family like the Harrops do when they have this situation imposed upon them? They sought mediation in accordance with the current practice. After a number of failed attempts to try to get the exploration company to the table, they finally managed to get both parties there and the exploration company showed up and declared they would not undertake the rehabilitation.

Furthermore, the company then lodged a civil action against the Harrops, an extraordinary step. They alleged that the Harrops had delayed drilling, despite their own logbook showing that the ground was more rocky than anticipated, despite their own logbook showing that their machines kept breaking down and despite their own logbook showing that their own company generators failed on a number of occasions.

It was a clear and obvious step to impose financial pressure on the Harrops to prevent them from contesting the remediation in the court system. That was made even more obvious by the fact that the Harrops' neighbour, who was part of the original exploration proposal but who had taken this company's low-ball offer to cut ties earlier, was not included in the civil suit. The neighbour who was involved in the initial exploration proposal, which presumably had been delayed by both parties, was not included in the civil suit for some strange reason.

What ensued for the Harrops was a hellish trip through the court system, both to defend the civil suit and to try to secure some remediation, for multiple years and at extreme personal expense. Eventually, after quite some time, the Harrops walked away with nothing—no compensation and no remediation—and the civil case was surprisingly dropped. The department had to then come in and do the remediation themselves because the company still refused to conduct it.

Extraordinarily, not long after that the very same company, which presumably had been a real thorn in the side of the department in its role as regulator of mining over a long period and which by now had significant legal black marks next to its name, was awarded a $250,000 grant by the government. The Harrops had been trying to fight them in court, already up against it in terms of being able to afford to run multiple trials against this company, and they found that their opposition in that trial was awarded a significant grant by the government.

Imagine how it feels for a family farming business to see that happen and the government seemingly support someone who has given them so much grief. Imagine how it then felt when, in a further step, that same exploration company applied to extend the tenement over the Harrops' land on which they had breached the conditions imposed upon them by the court multiple times, and the Harrops saw that tenement extended again. It does not make any sense how a company with so many legal black marks could have so much support from the regulator of mining in our state.

That is a horrifying series of events and an example that is nearing the top end of seriousness but is by no means an isolated one. Over the course of my term as a local representative, I have heard a number of different stories about how exploration companies in particular flout the rules with absolutely no fear of retribution from the regulator.

Stories like that are why we continued to pursue action. When the composition of the parliament changed, the then member for Frome established a select committee looking specifically into land access of which I was thrilled to be a part. The evidence collected over the course of that select committee was particularly insightful—I mentioned one part of it above, the hearing at Ardrossan—and it helped to formulate what I believe to be an extremely helpful report.

The bill I am presenting today is an attempt to legislate those sensible recommendations, and I am hopeful that, thanks to the multipartisan nature of the select committee and the fact that the now government basically has a working majority with the now member for Stuart's rise to the front bench, it will achieve support in this parliament and a passage through it. Indeed, the now opposition might consider it necessary to rethink how it approaches this debate after the feedback it received across a number of country seats at the last election.

In summarising the bill, it has a number of parts which I intend to mention individually. Firstly, it proposes to alter the assistance that can be provided to the landowner when they are dragged into a land access dispute against their will. Currently, the law allows for $2,500 to be paid in legal assistance. This bill would increase that to $10,000 of professional assistance. It proposes to expand it from not only legal advice but land valuation services, accounting services and agronomy services, which, especially over the course of the public consultation on this bill, were raised as costs that might be incurred in the course of defending one's family business. The crux of this issue is the extraordinary disparity between the spending power of a family business and, quite often at least, a large mining company conducting exploration.

Secondly, and perhaps most importantly, is the establishment of a mining land commissioner, which would separate the functions of DEM and allow the regulation of land access to be considered by someone independent of the promotion of the same industry. This was a grievance that was heard over and over again throughout the course of the select committee hearings, that when land access agreements were disregarded the farming community felt as though they had no-one to call.

They were told to call the Department for Energy and Mining, the same authority that approved the land access agreement in the first place and the same department that actively encourages mining operations in this state. They had to then hope that that department would enforce the agreement. Well, if the evidence heard by the select committee in this was accurate and representative of the entire industry, they rarely did.

Even if we accept that the department did enter into the role of regulator in good faith and that for some unknown reason all the breaches that were demonstrated to the select committee were not worthy of enforcement, then there is, at the very least, a perception of bias on behalf of the farming sector. At the very least, there is a perception from the farming community that, because of the department's other functions, their complaints are falling on deaf ears.

This is an easy problem to solve, and it is one that has been solved in a number of other industries. We need to establish an independent authority to police land access and to enforce land access agreements. The commissioner would have the power to receive and investigate complaints, to assist landowners in their dealings with explorers, to direct rehabilitation of land and other similar functions. Indeed, the example I have chosen to make the case are the Harrops, who gave evidence to the select committee as follows:

> I must say, in all the dealings we had with everything, the biggest problem we had was that there was no umpire. There was no-one that we could ring. We couldn't ring the police and we couldn't ring DEM—and we had a pretty good rapport with DEM [they acknowledge]—because they were all saying, 'You are under the court order's rules.'
>
> There was no-one we could contact to try to get things done right. There was just no-one. That was a problem we had. Probably a problem I can see with the whole system is we have to have an umpire who is independent, who is reading the rules and just going by the rules.
>
> That's all we wanted.

A third feature of this bill will be a compulsory code of conduct for explorers to abide by. I am particularly hopeful of this part achieving widespread support because I note that the department is currently working on a code of its own. In that, I note SACOME's submission to that process in which they express their opposition to mandating such a code. I have to say at this juncture that SACOME have excellent representation, and I would like to thank Rebecca Knol for entering into the consultation that I have conducted in good faith. Despite the fact that it must have been incredibly frustrating for her, she has been incredibly thoughtful and persuasive in entering into the consultations, so thank you kindly for that.

I have to say, though, I disagree with their submission on this front. A code of conduct that is optional would have everyone who intends to abide by it signing up, and those who choose not to abide by it are the very ones that we are trying to bring into line with this mandating of the code. In my view, there is no point in having a code of conduct where those who do not intend to abide by the code itself do not face any repercussions from breaching it. I hope we can agree that a code of conduct to drag rogue operators into line is necessary and it would be worthless if those rogue operators were not forced to sign up.

Another feature which has made it into the bill, after my round of community consultation, is an aquifer interference policy, Mr Speaker, one I know that you are particularly keen on. After putting this bill out for community consultation, the strong theme that came back from the communities in the Adelaide Hills was that more needed to be done in the approval process to ensure that the safety and sanctity of aquifers were taken into account. As a result of that feedback and your own persuasive lobbying, Mr Speaker, we have included that policy in here, using the New South Wales model as a precedent, and this is our best effort at imitating that law.

It should also be noted that one part of the select committee report has not necessarily made it into the final bill. After many discussions with parliamentary counsel I have decided to move forward without recommendation No. 2, which was to undertake comprehensive mapping of existing land use and attributes with a view to standalone planning legislation. It was my view that that recommendation was indeed for standalone planning legislation and trying to lump it all into just one amendment to the mining bill would not have done it justice, but I continue to have the view that the hurdles over which a prospective mining company should jump ought to be that little bit higher on land that is in genuine use as profitable agricultural land.

As Fiona Simpson, President of the National Farmers' Federation, said to the select committee, there is no policy anywhere in Australia that gives:

> …finite agricultural land any primacy, whether you are talking about urban development or whether you are talking about mining development.

I will continue to push for the government to undertake that work that has been done effectively in New South Wales and Queensland, and I also reserve the right to bring a further private member's bill back to this place with that standalone planning aspect.

A further consideration that did not necessarily make the final copy of the select committee report or my private member's bill, but weighs heavily on my conscience, is in regard to the indefinite time that a mining proposal can hang over the head of a landowner. In practice, there does not seem to be an end date for mining proposals; everything is renewed, ownerships change, proposals are modified, but in practice they never go away.

The evidence received by the select committee was that the impact that this has on the mental health of farmers is immense. Not knowing when your livelihood might be ripped away is extremely difficult to live with. In addition, it has the potential to completely ruin the value of one's property. It is very difficult to get fair market value when you have a mining proposal hanging over your head, no matter how likely it is to go ahead. I think that there should be some actual end dates on these proposals in the interests of the wellbeing of the farmer, but it has not made it into the final copy in this bill and it is another thing that I reserve the right to continue to investigate.

That is the bill. As I have already said, work on this topic has been a long-held passion of mine and it is not something I will let die away. I continue to believe that this would never happen in the city. You would never have a multigenerational cafe get a knock on its door from an alternative private enterprise saying, 'You need to vacate because our returns to the government will be more lucrative,' but it does happen in the country, where farm families get that knock on the door regularly, asking them to vacate because a mine needs to be built so that we can get access to the lucrative royalties that will flow from it.

I have introduced this bill today because I earnestly believe that it will provide improvements to the way in which land access disputes are conducted, thereby providing benefit to both the farming and mining communities. It is an issue I will continue to pursue as long as the people of Narungga bestow the distinct honour of representing them in this place upon me.

Debate adjourned on motion of Mr Odenwalder.

## CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION (TARGETS) AMENDMENT BILL

*Second Reading*

Adjourned debate on second reading.

(Continued from 2 November 2022.)

**Mr ODENWALDER (Elizabeth) (10:47):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....24
Noes.....15
Majority .....9

AYES

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|---|---|---|
| Andrews, S.E. | Bettison, Z.L. | Bignell, L.W.K. |
| Boyer, B.I. | Brown, M.E. | Champion, N.D. |
| Clancy, N.P. | Cook, N.F. | Fulbrook, J.P. |
| Hildyard, K.A. | Hood, L.P. | Hughes, E.J. |
| Koutsantonis, A. | Malinauskas, P.B. | Michaels, A. |
| Mullighan, S.C. | Odenwalder, L.K. (teller) | Pearce, R.K. |
| Piccolo, A. | Picton, C.J. | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Wortley, D.J. |

NOES

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| Basham, D.K.B. | Batty, J.A. | Bell, T.S. |
| Cowdrey, M.J. | Ellis, F.J. | Gardner, J.A.W. |
| Hurn, A.M. | Marshall, S.S. | McBride, P.N. |
| Pederick, A.S. | Pratt, P.K. | Speirs, D.J. (teller) |
| Teague, J.B. | Telfer, S.J. | Whetstone, T.J. |

PAIRS

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| Close, S.E. | Pisoni, D.G. | Thompson, E.L. |
| Patterson, S.J.R. | | |

Motion thus carried; order of the day postponed.

## ELECTORAL (TELEPHONE VOTING) AMENDMENT BILL

*Second Reading*

Adjourned debate on second reading.

(Continued from 2 November 2022.)

**Mr BATTY (Bragg) (10:52):** I rise to add my support to the Electoral (Telephone Voting) Amendment Bill 2022 and to commend the shadow minister, the member for Heysen, for bringing this bill before the house, and for the form in which he has brought the bill before the house as a standalone bill with a very targeted approach to a very specific issue.

While this bill might have a somewhat narrow scope, it has very broad and positive consequences of better allowing anyone in South Australia who is entitled to vote a better opportunity to do so. It does this by allowing for telephone voting in certain circumstances for certain voters, and

the mechanism by which it achieves that is by inserting a new part 9, division 5B into the act, and what this does is allow for telephone voting for designated voters.

We know this is something that has been called for by the Electoral Commissioner. We know this is something that the Electoral Commissioner supports because it is going to assist a whole range of voters who might not otherwise be able to access our democracy to vote. Those voters are defined in this act and they fall into four broad categories.

The first of those is sight-impaired voters in our community. We already have division 5A in the act, which allows for some forms of electronic voting for our vision-impaired community. This bill complements division 5A and adds to it by specifically legislating to provide a more preferable form of electronic voting in the form of telephone voting for our vision-impaired community, which will broaden their access to our democratic system.

It is not just vision-impaired voters who already have the ability to vote in this way. This bill expands it to several other categories, the second of which is electors with disability. We know that there are many in our disabled community who would benefit from being able to vote by telephone. Once again, we see the policy justification here underpinning this idea of broadening our democracy, ensuring that all in our community who are entitled to vote have an opportunity to do so.

The third category of voter that this bill legislates to enable to vote by telephone is a category that I hope we have almost seen the back of and it is the COVID-19 elector. I hope that the days of needing such a category are somewhat behind us. The past few years of this pandemic have brought into focus the need for us to think about how we can better allow people to vote, whether they be the vision-impaired, the disabled or, as in this case, the housebound voters during the pandemic.

I commend the Electoral Commissioner—and the Electoral Commission—for the way he has handled an election year in COVID and the way he has allowed many electors to vote in ways that are suitable during a pandemic. Indeed, in my own by-election the Electoral Commissioner allowed Electoral Commission officials to visit COVID-19-affected voters in their homes. They went there with a ballot paper and waited while they filled it out as a declaration vote. That enabled those people, who might not otherwise be able to vote, to vote. This bill will make that process a lot more efficient and is another tool to allow such voters to vote.

The fourth and final category of voter who can vote by telephone as defined by this act is those who are overseas and specifically those who are out of Australia for the 12 days prior to election day. This is the type of voter who would not be able to avail themselves of a pre-poll opportunity at an early voting centre. These are voters who might not be able to avail themselves of the opportunity to submit or apply for a postal vote, particularly with the slow postal times that we are increasingly seeing. It will enable these people to vote.

In my own by-election, I had a number of voters come to me who were overseas on the date the by-election was called or who were leaving to go overseas on a date prior to postal vote applications opening or on a date that would not allow them to receive their papers in time. Unfortunately, the response to those electors at that time was they simply could not vote. These are people entitled to vote but who missed out on the opportunity to vote. Obviously, that is a situation that is best avoided, and that is exactly the situation this bill is seeking to avoid.

This is the next step in what has been a long range of initiatives in our system to enable people to vote in a broad way and in an accessible way, along with initiatives such as postal voting and an extended period of pre-polling. This is the next logical step to make our processes more open, accessible and inclusive to all voters who are entitled to vote.

It is not a new concept, of course. We have seen this idea work in state jurisdictions across the country. We have seen this idea work at federal elections. Indeed, just last week, we saw this idea work at a local government level right here in South Australia, and that was allowed by certain amendments to the Local Government (Elections) Act so that certain voters could vote by telephone. I am informed by the Electoral Commissioner that over 740 voters took up that opportunity to vote by telephone during the recent local government elections, so that is 740 voters who probably would not otherwise be able to vote—would be disenfranchised—without the ability to vote by telephone.

If it can work in other states, if it can work at a federal level, if it can work right here in South Australia at our local government elections just last week, I say the time is now for it to work at a state government level at elections in South Australia, and I commend this bill to the house.

**Mr ODENWALDER (Elizabeth) (11:00):** I move:

That the debate be adjourned.

The house divided on the motion:

Ayes .....24
Noes.....15
Majority .....9

AYES

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|---|---|---|
| Andrews, S.E. | Bettison, Z.L. | Bignell, L.W.K. |
| Boyer, B.I. | Brown, M.E. | Champion, N.D. |
| Clancy, N.P. | Cook, N.F. | Fulbrook, J.P. |
| Hildyard, K.A. | Hood, L.P. | Hughes, E.J. |
| Koutsantonis, A. | Malinauskas, P.B. | Michaels, A. |
| Mullighan, S.C. | Odenwalder, L.K. (teller) | Pearce, R.K. |
| Piccolo, A. | Picton, C.J. | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Wortley, D.J. |

NOES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Bell, T.S. |
| Cowdrey, M.J. | Ellis, F.J. | Gardner, J.A.W. |
| Hurn, A.M. | Marshall, S.S. | McBride, P.N. |
| Pederick, A.S. | Pratt, P.K. | Speirs, D.J. |
| Teague, J.B. (teller) | Telfer, S.J. | Whetstone, T.J. |

PAIRS

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| Close, S.E. | Pisoni, D.G. | Hutchesson, C.L. |
| Patterson, S.J.R. | | |

Motion thus carried; debate adjourned.

## FREEDOM OF INFORMATION (MINISTERIAL DIARIES) AMENDMENT BILL

*Second Reading*

Adjourned debate on second reading.

(Continued from 2 November 2022.)

**Mr ODENWALDER (Elizabeth) (11:06):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....24
Noes.....15
Majority .....9

AYES

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|---|---|---|
| Andrews, S.E. | Bettison, Z.L. | Bignell, L.W.K. |
| Boyer, B.I. | Brown, M.E. | Champion, N.D. |
| Clancy, N.P. | Cook, N.F. | Fulbrook, J.P. |

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| Hildyard, K.A. | Hood, L.P. | Hughes, E.J. |
| Koutsantonis, A. | Malinauskas, P.B. | Michaels, A. |
| Mullighan, S.C. | Odenwalder, L.K. (teller) | Pearce, R.K. |
| Piccolo, A. | Picton, C.J. | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Wortley, D.J. |

NOES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Bell, T.S. |
| Cowdrey, M.J. | Ellis, F.J. | Gardner, J.A.W. |
| Hurn, A.M. | Marshall, S.S. | McBride, P.N. |
| Pederick, A.S. | Pratt, P.K. | Speirs, D.J. |
| Teague, J.B. (teller) | Telfer, S.J. | Whetstone, T.J. |

PAIRS

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| Thompson, E.L. | Patterson, S.J.R. | Close, S.E. |
| Pisoni, D.G. | | |

Motion thus carried; order of the day postponed.

*Motions*

## FIRST NATIONS VOICE TO PARLIAMENT

**Mr TEAGUE (Heysen) (11:12):** I move:

That this house—

(a) encourages all South Australians to recognise our First Nations people as the oldest continuous culture in the world; and

(b) calls on the Malinauskas Labor government to take positive action to establish an Indigenous Voice to the South Australian parliament by continuing the work of the Marshall Liberal government to achieve this historic outcome.

I am pleased to bring this motion to the house. It is a motion that has been on the *Notice Paper* now throughout almost the entirety of the course of this Fifty-Fifth Parliament, and here it is coming to the house at this time late in 2022 and almost a year into the period of the Malinauskas Labor government and more than a year after the introduction on 13 October last year by the Premier, the member for Dunstan, of the Aboriginal Representative Body Bill.

It is timely that this motion comes to the house at this time because not only does it provide yet another opportunity to urge this Malinauskas government to take steps to adopt the good work that was done by the previous government towards the establishment of the Aboriginal representative body and not only does it provide an opportunity to remind all members of the bill that has now been reintroduced by me—and I had that honour some several months ago and it has been sitting on the *Notice Paper* now for several months, with the government having the opportunity to take up and continue and apply that good work—but, in the particular circumstances that we find ourselves in of the last week, it is informed now by some elucidation of what has been going on in this regard on the government's side over the course of the last year.

I hesitate to couch this in partisan terms. It is not my intent to conduct this debate or this important work in partisan terms, but it is important to highlight that what we have seen is the fully formed proposal for an Aboriginal representative body presented to this house now more than a year ago off the back of what was thoroughgoing, credible, workmanlike and practical consultation undertaken by Dr Roger Thomas in his role, established by the former Premier, the member for Dunstan, for that purpose among many other practical purposes. It led to informing the bill that was put before the house now more than a year ago.

On one of the most proud, if not the most proud, days of my time as Speaker in this house, I recall that very happy and special occasion on 3 December 2020 when Dr Roger Thomas, in his

role as commissioner, came to the floor of this parliament and addressed this house on the outcome of his work. It was the first time that had occurred, and it was, in the words of Dr Roger Thomas if not of anyone else at that time, a very special and significant moment for him. Relevantly for these purposes, at a point in time challenged as it was by the effects of COVID in the course of 2020, it was nevertheless concluded and presented at the end of 2020.

It was then through the course of 2021 that the Aboriginal Representative Body Bill was prepared and then presented to the house, as I have indicated, in October last year—more than a year ago. When the opportunity arose, both formally and informally through the course of this year, the emphasis has been very much on saying to the new minister and the new government, 'You have been handed now a legacy. You have been handed now a gift and a foundation upon which to carry this forward.'

If there is disappointment in my voice today in that regard, it is that reflections and observations, such as they were, on that bill and on Dr Thomas's work in consultation rose no higher at that time than an indication that there was some question about the extent of consultation prior to the bringing of the bill to the house. I have not heard since then a word of criticism of that consultation process. Secondly, there has been a really quite bald observation by the Minister for Aboriginal Affairs, 'No, we won't be picking up on that work because we will chart our own course.'

We have not seen any reasoning for that. We have not seen any departure from what Dr Thomas has done. Until last week, we had not seen really anything at all. Last week, we were notified in the media, via the publication of two documents, of the outcome of some work that has been done so far. Firstly, there is a report on engagement that has been prepared by the commissioner appointed by the new minister, Commissioner Agius, who has done so far a process of consultation.

On the face of it, it resembles very much a process that was undertaken by Dr Roger Thomas going back two and three years ago now. The question will be: why has it taken so long? What has been the benefit of doing that? Otherwise, the reasonable question will be asked: why the delay? Why should this not be characterised as a re-run of work that really has already been concluded? Why is that not treating those who participated in that prior consultation with other than full respect? Why was it necessary, and what has it given rise to? They will be questions rightly to be asked over the weeks ahead.

The second document was a draft bill. I think it has been described as an exposure draft or in that nature. It is for that reason I do not propose to reflect on its contents. It is not even a document that the government, as I understand it, is proposing to adhere to at this point, but we see something has been circulated. It has been a long time coming. We do not know yet whether or not the consultation process has yielded any fresh information, and we certainly do not know too much about a concluded view of the government in relation to the important representative body that ought to be established.

The question remains: why not adopt the bill that was presented last year and that I had the honour to reintroduce this year? There will be more to do, and I am glad at least to see that the government has expressed something in this space. It is just a pity that it has taken quite this long. That is really a focus in the present circumstances on paragraph (b) of the motion. It is important work that has been undertaken by the previous Liberal government. It is important to highlight the work of the former Premier, the member for Dunstan, in particular in that space, and I again pay tribute to Dr Roger Thomas.

In respect of paragraph (a), it might be something that is regarded as uncontroversial but, like so many of these things, it is important to remind ourselves that, so far as the Australian Institute of Aboriginal and Torres Strait Islander Studies as one particular source of reference has observed, the Aboriginal and Torres Strait Islanders of Australia are the oldest continuous culture in the world. This is a history that is stretching back, as the institute indicates to us, 60,000 years. That is a legacy of life and activity and history on this ancient land that is truly profound in the way that it provides a humbling perspective on what we do here and on how we, who are so fortunate to live in this state, ought reflect on the responsibility that we all have to move forward together, reflecting as we do on that extraordinary heritage.

It is with those words that I move this motion. I once again take the opportunity to urge that, as this debate moves forward and as this work is done, we not resort to partisanship but that we look for ways to ever better conciliate and move forward together. I hope that that extends to now some thoroughgoing consideration by the government of the merits of the structure that is the subject of the Aboriginal Representative Body Bill.

I can assure the government and all members of this house that such a thoroughgoing consideration will be given of the government proposed legislation when that comes to be presented—I hope sometime in the near term. I commend the motion to the house.

**S.E. ANDREWS (Gibson) (11:25):** I move the following amendments:

Amend paragraph (a): delete 'and'

Delete (b) and insert new (b):

> Notes that extensive consultation undertaken by the Commissioner for First Nations Voice overwhelmingly supports a fully elected First Nations Voice, that is able to speak directly to the South Australian parliament; and

Insert new (c):

> Congratulates the Malinauskas Labor government for listening to the hopes and aspirations of First Nations South Australians in developing a First Nations Voice to the South Australian parliament.

This motion rightly recognises that this state is home to the oldest continuing culture in the world. For more than 60,000 years, Aboriginal people have called this continent home. We cannot right the wrongs of colonisation, of assimilation or of the stolen generations, but we can commit to reconciliation and take meaningful action to get there. The Malinauskas Labor government is committed to doing just that. It is significant that the very first thing the now Premier did in his victory speech on election night was restate our government's commitment to delivering on the Uluru Statement from the Heart: Voice, Treaty, Truth.

In July this year, our state's inaugural Commissioner for First Nations Voice, Mr Dale Agius, was appointed. A Kaurna, Narungga, Ngadjuri and Ngarrindjeri man, Commissioner Agius immediately embarked on stage 1 of his consultations with Aboriginal communities across the state. This included more than 30 engagement sessions with communities, listening directly to Aboriginal South Australians about what they want the Voice to achieve, how it should work and how it should be built.

Just last week, on 9 November 2022, the government released the report of Commissioner Agius' stage 1 consultation. The report details the commissioner's engagement with over 400 people across the state, across seven metropolitan and 17 regional and remote communities. It was an enormous effort and shows just how dedicated this government is to ensuring the Voice reflects the views and aspirations of Aboriginal communities right across the state.

The report, and the extensive feedback it contains from Aboriginal South Australians, forms the basis of the draft First Nations Voice Bill 2022 released by Minister Kyam Maher last week. The bill proposes a fully elected Voice to Parliament at two levels: a local First Nations Voice bringing together people from a particular region, and a state First Nations Voice bringing together the presiding members of each local Voice. This reflects the feedback we heard from the community.

People want a say on the issues that matter in their local community. There is no homogenous Aboriginal South Australia, and we should not just have one Aboriginal Voice. But, equally, Aboriginal people want a say on the issues affecting them at the state level, and so the state Voice is a critical component and will have a powerful say on issues affecting Aboriginal people. This includes the right to speak on bills in the House of Assembly, the right to present reports and the right to make an annual address to the parliament. Similarly, the state Voice will have an annual ability to hold engagement hearings, to question ministers on issues affecting Aboriginal communities, and it will have a direct ability to communicate with departmental chief executives through chief executives' briefings at least twice a year.

Importantly, though, this is not the final bill. Commissioner Agius is now embarking on a stage 2 consultation with Aboriginal communities. Having heard the views of Aboriginal South Australians and used them to shape the draft legislation, we are now going back to them. We want

to make sure this bill reflects the vision Aboriginal people have for their Voice to Parliament and we want their feedback on the further details needed to make this work. That consultation is now underway, with a view to having a final version of the bill introduced to parliament early next year.

I acknowledge the enormous efforts of the Commissioner for Aboriginal Engagement, Dr Roger Thomas, and all those who worked on the former Liberal government's Aboriginal Representative Body Bill 2021. Unfortunately, the former government did a significant disservice to Dr Thomas and to the Aboriginal community in South Australia by leaving the development of their model so late that there were only 11 days of consultation on their legislation before it was introduced to parliament.

The new Labor government has made some deliberate decisions to differ from the previous government's process, which is why we are seeking to amend this motion today. The previous government's bill proposed a representative body that would communicate with a new committee of the parliament, rather than the parliament itself. The body would have been appointed by government at first and was designed to have some appointed seats throughout. Only five of 13 members would have been directly elected by Aboriginal people, and Aboriginal people were only given 11 days to comment on the draft bill before it was introduced to parliament.

All these were concerns held by Labor in opposition, as we expressed when the former bill was presented to parliament, and are things we wanted to consult on having come to government. The feedback that we have heard from Aboriginal people, as detailed in Commissioner Dale Agius' report, is that they wanted a different approach from the one proposed by the former Liberal government.

The Malinauskas Labor government is committed to delivering on the Uluru Statement from the Heart at the state level—Voice, Treaty, Truth. We are consulting closely with Aboriginal people on what they want the Voice to Parliament to look like, how it should be built and how it should operate, and we look forward to introducing a bill resulting from that consultation to parliament in the new year.

**Mr TEAGUE (Heysen) (11:31):** I thank the member for Gibson for the contribution to the debate. While I disagree with the amendment and commend the motion in its original form to the house, there might be some brief observation perhaps to leave us all with at this point, in that we anticipate at some point that the government will present a bill to the house.

I listened carefully to the member for Gibson and there is some elucidation of what has been described as the consultation process. I have heard that there is consultation to come, and we have heard something of the nature of the body that is to be the subject of a government bill as may be proposed down the track.

The key point I would emphasise in the course of this debate is that it not be characterised by either a signalling of virtue on the one hand or unnecessary partisanship on the other and to emphasise that whatever step we propose in this place ought to be characterised by humility, informed certainly by consultation and that it must provide for a practical means by which we can progress conciliation in this state and nation. I ask all members to reflect upon that.

It is not about the ownership of a process on one side of politics or another, but rather about what ought to be a uniting, ambitious and thoroughgoing process towards implementing a practical structure through which we can all go to somewhere new together. Again, I say that in all humility. I look forward to seeing the further work that might be done as consultation continues. As I indicated, there may be a bill that is presented that is in a form along the lines of what we have seen so far and we will have occasion to look at that closely subsequently. I commend the original motion to the house.

Amendment carried; motion as amended carried.

## PALESTINE

**The Hon. A. PICCOLO (Light) (11:35):** I move:

That this house—

(a) notes—

(i) that the Israel-Palestine conflict continues to be unresolved;

(ii) that Israel's occupation of Palestine has lasted over 50 years;

(iii) that Israel continues to build settlements on occupied territory which undermines a two-state solution;

(iv) the ongoing conflict continues to result in the loss of life and human rights violations and abuses;

(v) the recognition of Palestine by the Vatican and 138 other nation states; and

(vi) that Article 1 of the Charter of the United Nations adopts the principle of equal rights and self-determination of peoples.

(b) supports the right of both Israelis and Palestinians to live in equality, peace and security within internationally recognised borders;

(c) endorses the principles 1 to 8 stated in the Sydney Statement on anti-Palestinianism; and

(d) calls on the Australian government to—

(i) acknowledge the right of Palestinians to self-determination as provided for by international law;

(ii) acknowledge the Palestinians' right to statehood; and

(iii) actively promote measures to end the conflict between Israel and Palestine on the basis of relevant UN resolutions and international law.

The reason I move this motion is to again draw attention to the plight of Palestinian people, not only in Palestine—I should correctly say occupied Palestine—but also across the world.

Yesterday was Palestine Independence Day. This is when, back in 1988, the late leader of the PLO, Yasser Arafat, declared Palestine an independent state. It is celebrated across the world by Palestinians as the day their state was created. Tuesday 29 November this year is the International Day of Solidarity with the Palestinian People. These two events continue to highlight the oppression experienced by Palestinian people in occupied Palestine and also in camps in other countries and the diaspora across the world.

It is important that we continue to highlight this issue of the oppression of Palestinian people. I acknowledge that it is not the only issue of oppression across the world. It is also acknowledged that there are other, if you like, more significant in some ways, conflicts in the world, but this is one which seems to elude a consensus of the international community.

To put it in context, it is 105 years since the Balfour Declaration by Lord Balfour, which gave rise to the movement for the creation of an independent Jewish state in the Middle East in what was then Palestine. Even in that declaration, the writer of that letter made it very clear that any partitioning of Palestine should not have an impact on the civil rights of the native Palestinian people who were there. That has been impinged ever since the partitioning of Palestine in 1948.

It is 75 years since the UN partition plan was first mooted. It is 55 years since the occupation of the state of Palestine. It is 35 years since the beginning of the first intifada. In a much smaller context, it is five years since I first moved a motion in this chamber to draw attention to the plight not only of the Palestinian people in occupied Palestine but also of Palestinians across the world.

I acknowledge that this motion today will not change the axis of the world as we know it, but it is important that we continue to highlight, as we do in this place, a number of other acts of oppression or injustice—not only in this chamber but in the other chamber and also in other parliaments across the world and in international forums—where there is a clear case of oppression of people. In my view, we have both a moral and international obligation to ensure that we help resolve this conflict.

We also highlight the constant breaches of international law with the continuing occupation of Palestine and not only the continual occupation of Palestine but the continuing expansion of settler settlements in Palestine by the Israeli state, because that breaches international law. Under international law, it is very clear that states with a power of occupation or are in occupation must not disturb the native people—in this case, the Palestinian people.

I first got involved in this issue when I was a student at Adelaide University back in 1978 to 1980. I was obviously involved in politics in those days, but until that time I was actually unaware of the plight of the Palestinian people. Through a number of friendships I formed with people active in student politics I became aware that the Palestinian people were, in this case, the people who were oppressed by a stronger and more powerful nation, and not only by a more powerful nation but also with the support of other more powerful nations.

Since those times when I was a student—and that is some years ago—we have resolved the issue of apartheid to some extent in South Africa where the minority apartheid government was changed. We somehow found a way of bringing the warring parties together, to work together and to cohabit in Northern Ireland. We have seen the breakup of the Soviet empire. That was all done with international action which the Australian government and the Australian nation was often a party to. Particularly when it came to South Africa, we took action to highlight the oppression of black African people.

Despite all this, the Palestinian people still remain oppressed in their own country, and it is important to draw attention to that. The Palestinian people are oppressed in their own country. They are not the aggressors who have gone to a third country: they are actually oppressed in their own country, and that continues to be so. Sadly, there are some similarities between what happened in Australia with the colonisation of Australia and in terms of Palestine. There was a presumption that you could just carve up the land because there were no people there, and that was part of the assumption of the UN plan, quite incorrectly.

It is also important we also understand that when the Palestinian people speak out they have the right to be heard. I will go to some parts of my motion which I think speak for themselves but which are very important to draw attention to. I would like to speak briefly on the second and third parts of my motion. The UN Special Coordinator, who reports to the United Nations, has continued to refer to the illegal expansion of settlements and settler-related violence throughout Palestine. He has also drawn attention to the ongoing demolition of Palestinian homes, or homes owned by Palestinian people, to make room for Israeli settlers or people who have come from other countries to be part of Israel.

We see this expansion, not only in the West Bank but also now in East Jerusalem, as a growing concern. To give you an indication of that growth of settler settlements in Palestine by Israel, in 2014 there were about 370,000 settlers throughout occupied Palestine. Today, there are an estimated 700,000 settlers, and that also includes those who have moved into East Jerusalem. These have all had the support of the Israeli state. I speak about the Israeli state because this is not an issue between Muslims and Jewish people; this is a conflict between two states and their governments.

Not only do we have settlers moving in but, when Palestinian people seek approval to build their own homes in their own country (Palestine), and particularly in the areas of West Bank, they actually are refused permission to build homes in their own land, which makes it very clear that the Israeli state has no plans to actually allow a second state to be formed or to bring to a conclusion in a peaceful way the ongoing conflict between Palestine and Israel.

The 700,000 settlers throughout occupied Palestine are now almost 10 per cent of Israel's population. That is quite a huge number of people living outside Israel who now live in occupied Palestine, which would suggest, along with the speed of these new settlements, that the state of Israel has no intention of coming to the table to negotiate a fair and equitable peace between the Palestinian people and the nation of Palestine with Israel.

We also then go to the issue of the loss of life and human rights, under subparagraph (iv). Again, to put it in perspective, according to information provided by the UN Special Coordinator in this century 5,985 Palestinian people have been shot and killed by Israeli forces and 264 Israelis have been killed. This is in no way to diminish the 264 Israelis who have been killed, but to put in perspective who is the aggressor and who is the victim, when you look at those figures, 5,985 Palestinian have died in the same time.

That is putting aside the number of people who are in detention, and particularly children who are in detention in Israeli jails contrary to international law, often not having legal representation.

These are children as young as 10 who actually are jailed without legal representation. Often, the legal representation, when available, is offered by people from overseas to ensure that some semblance of international justice prevails.

Most of the world—in fact, three-quarters of the countries around the world, including the United Nations itself—have actually recognised the state of Palestine. Sadly, Australia is not one of those. With its political and military friend the United States, we are certainly a minority here. Article 1 of the Charter of the United Nations adopts the principle of equal rights and self-determination. When we talk about international law and when we talk about rules-based behaviour, clearly we have to apply that to all nations and not selectively with some nations and not others.

I do, at this point, wish to congratulate and acknowledge the step made by the Albanese federal Labor government and Minister Penny Wong to actually acknowledge that this country no longer recognises Western Jerusalem as the capital of Israel because that is the position actually occupied by international law. Sadly, that was a position changed unilaterally by the previous Liberal government nationally in quite a cynical exercise to win one of the seats in New South Wales. Sadly, he was prepared to sacrifice the wellbeing, if you like, of a whole nation to win one electorate in this country, and that shows you the mark of that person in terms of a national leader.

The internationally recognised borders to this day—and by that I mean by international law—are the 1967 boundaries, yet those boundaries continue to be breached by the state of Israel. We also need to acknowledge there is a power imbalance between the Palestinian people and the state of Israel. In any negotiations that should be acknowledged.

It is important to also note paragraph (c) of the motion, which actually endorses the principles 1 to 8 stated in the Sydney Statement on Anti-Palestinianism. Those principles make it very clear what the rights of Palestinian people and the rights of the Palestine nation are under international law. There is nothing really controversial about it because what it says is that this is the international law, that this is what we should be upholding as a world community—Australia is part of that world community—and that these are the principles we should be upholding, including the right of Palestinian people to actually protest peacefully around the world in support of their plight and their right of statehood.

Sadly, we are in a position where often just criticising Israel makes you antisemitic. I reject that position. It is important that we acknowledge that supporting the right of Palestinian people to statehood does not diminish the right of Jewish people to their own state of Israel.

In the less than a minute I have left, it is important to note that we as an Australian nation—that is why this motion calls on the Australian government—acknowledge the right of Palestinian people to self-determination as provided for by international law, acknowledge the Palestinians' right to statehood and also actively promote measures to end the conflict between Israel and Palestine on the basis of international negotiations.

I would just like to quote quickly from Ben Saul, Professor of Law at the University of Sydney and a commentator. He says:

> Australia should stop being an extreme, pro-Israel outcast, and join the rest of the world in being a responsible, pro-international law adult.

With those words, I ask for the support of the chamber.

**Mr TEAGUE (Heysen) (11:51):** I move to amend the motion by the member for Light as follows so that it would read:

That this house—

1. Supports a two-state solution to the Israel-Palestine conflict, consistent with the federal government's longstanding position on the matter;

2. Supports the Australian government to continue to call for all parties to the conflict to maintain restraint, renounce violence as a means of political change and return to direct peace negotiations; and

3. Commends the diplomatic efforts of all parties who seek a negotiated peace arrangement.

It is the long-held policy of successive Australian governments that Australia remain, as it does, a strong supporter of a two-state solution, one in which Israel and a future Palestinian state coexist in peace and security and within internationally recognised borders. We have always maintained that a two-state solution can only be achieved through a negotiated outcome between the two parties and that unilateral actions by other nations that impose a solution on the parties is not in the best interests of a durable and resilient peace outcome, and that is particularly so of the boundaries of a future Palestinian state, which can only realistically be directly negotiated between those two parties.

We continue to support the Australian government in its endeavours to encourage Israel and Palestinians to return to direct negotiations in good faith. We continue to welcome any initiative that can assist in the resumption of direct peace negotiations to arrive at a durable and resilient peace arrangement. We continue to call for a renunciation of violence as a means to achieve political objectives and for unilateral actions to be avoided by any party that undermine the prospects for a negotiated peace arrangement between Palestinians and Israel.

As the member for Light has observed, Australia does not recognise a state of Palestine, noting that matters relating to territory and borders can only be resolved through direct negotiations between Israel and Palestinians. I emphasise those words in particular.

In commending the motion to the house in its amended form, I wish to take this opportunity to acknowledge the work over a long period of time in our own community in South Australia of the Australian Friends of Palestine Association. I had the opportunity to interact with them, including as a co-convener of the Parliamentary Friends of Palestine, and look forward to continuing so to do. The association's role is to promote a just peace for the Palestinian people based on international law in the United Nation's resolutions. As such, it is appropriate to note their ongoing work towards that end from South Australia.

I also acknowledge the range of organisations in South Australia that reflect our diverse and robust multicultural community here in South Australia. I further reflect on the diversity of communities here and the direct relevance of those events a long way from here for those of us in South Australia. They include the Islamic Society of South Australia, Human Appeal, Adelaide Sisters Association, the Australian Lebanese Association and Islamic schools. They have spoken effectively and will continue to do so in support of the Palestinian cause and they will continue to have a key influence in the South Australian community.

Of course, this is a matter of trauma and anxiety that has impacted the global community now for many decades. As a personal reflection on a level of engagement, I recall that my father was among the first in a parliamentary delegation to meet with Yasser Arafat in 1983. Yasser Arafat gave to my father a carved nativity scene, and we have that still today, as a reflection on what ought be those aspects of culture, history and life that can unite us in peace. It is therefore connected to us in all sorts of practical ways here in Australia and it is an issue and a matter of ongoing work in which we have an interest. It is important that we support those ongoing efforts of the Australian government on behalf of all South Australians to encourage the ongoing negotiation towards a peace arrangement. With those words, I commend the amendment to the house.

**The SPEAKER:** Member for Heysen, turning to your amendment, I understand there are three paragraphs. Are you proposing to delete the original motion and substitute?

**Mr TEAGUE:** Yes. As I think I indicated at the outset, it is not perhaps expressed in so many words on the face of the amendment, but, yes, that is the intent.

**The SPEAKER:** We will distribute copies.

**The Hon. A. PICCOLO (Light) (11:59):** I would like to thank the member for Heysen for his contribution. I would have to say up-front that I do not necessarily disagree with the sentiments behind the amendment, nor do I disagree with the comments he has made. However, I will not be supporting the amendment and I would ask the chamber not to support the amendment for a couple of reasons.

First of all, over recent times consecutive prime ministers and in fact the new Israeli Prime Minister have made it very clear that they do not support a two-state solution. When you have one

party who makes it very clear they are not even prepared to actually contemplate let alone support it, it makes it very difficult.

The two-state solution has certainly been a policy of successive Australian governments, and ultimately that is where our formal position is. I would be less than honest if I did not ask: is that practical in the future given the number of settlements throughout occupied Palestine? That is not to say that Palestinians are not entitled to statehood; it may mean that statehood may have to come in a different form but not necessarily excluding a two-state solution.

It is also very important, I think, to mention that negotiations to some extent and the words used by the member for Heysen in his amendment have been around for some time, and they are certainly worthy and honourable intentions, but they have not actually done anything to resolve the situation in the conflict. The major thing is, if you would like to make a note of what are the indicators of the parties, you just have to look at the Israeli state's continuing and supporting actions on settlements—supporting the settler movement throughout Palestine, which is occupied, as we know, by Israel at this time.

If the Israeli state were interested at all in a two-state solution or bringing peace it would actually say, 'No more settlements.' It would not have to retreat; it would just have to stop moving on an ongoing basis into Palestine. But that has not happened. In fact, it has engaged in a recent move into East Jerusalem, which, under international law, is actually a special category in itself because it is recognised as being an important place not only for Jewish people and Muslims but also for Christians and a whole range of other faiths. Jerusalem was always meant to be—until Israel declared its own state, independence—an internationally recognised city perhaps under UN supervision to acknowledge the importance Jerusalem has in terms of its place for a whole range of peoples.

So, while I am not unsympathetic to the words expressed by the member for Heysen, they do represent, in my opinion, a retreat from the intention of the motion. The intention of the motion is to make quite clear what is happening in Palestine today and I think it is very important that we recognise that. It also recognises the fact that the Palestinian people are, if you like, the weaker party in any negotiations, and the only way we are going to redress that is by supporting statehood for Palestine.

I would correct the member on one thing, where he asserts that unilateral action to acknowledge the state of Palestine would be not helpful: 134 countries, including the United Nations itself, including the Vatican and including a number of other nations and a number of parliaments, have actually passed those resolutions. That would suggest that at an international level people do acknowledge the state of Palestine—that is, that the people of Palestine exist and as a state.

In terms of the internationally recognised boundaries, that is quite clear. Resolutions of the UN Security Council are quite clear on what the internationally recognised boundaries of Israel and Palestine are, but one party continues to move those boundaries in a different direction from what was intended.

While I am sympathetic and certainly not in contradiction to what the member for Heysen has suggested, I do not think his motion goes far enough. All it does is maintain the status quo, and the status quo is that Palestine is disappearing under settlements of the Israeli state, and we must stop that.

The house divided on the amendment:

Ayes .....12
Noes.....25
Majority .....13

AYES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Cowdrey, M.J. |
| Gardner, J.A.W. | Hurn, A.M. | Marshall, S.S. |
| McBride, P.N. | Pederick, A.S. | Speirs, D.J. |

| | | |
|---|---|---|
| Tarzia, V.A. | Teague, J.B. (teller) | Telfer, S.J. |

NOES

| | | |
|---|---|---|
| Andrews, S.E. | Bettison, Z.L. | Bignell, L.W.K. |
| Boyer, B.I. | Brown, M.E. | Champion, N.D. |
| Clancy, N.P. | Cook, N.F. | Fulbrook, J.P. |
| Hildyard, K.A. | Hood, L.P. | Hughes, E.J. |
| Hutchesson, C.L. | Koutsantonis, A. | Michaels, A. |
| Mullighan, S.C. | Odenwalder, L.K. (teller) | Pearce, R.K. |
| Piccolo, A. | Picton, C.J. | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Thompson, E.L. |
| Wortley, D.J. | | |

PAIRS

| | | |
|---|---|---|
| Pisoni, D.G. | Close, S.E. | Patterson, S.J.R. |
| Malinauskas, P.B. | | |

Amendment negatived; motion carried.

## FLINDERS MEDICAL CENTRE

**Ms HUTCHESSON (Waite) (12:09):** I move:

That this house—

(a) notes the vital importance of Flinders Medical Centre;

(b) notes with concern the findings of the Monaghan report, which identified the former Liberal government's proposal to reduce ramping;

(c) commends the Malinauskas Labor government for its significant commitments to expand Flinders Medical Centre's bed capacity, in a genuine effort to fix the ramping crisis;

(d) acknowledges the Malinauskas Labor government's commitments to expand Noarlunga Hospital, reducing pressure from the Flinders Medical Centre to further improve hospital flow; and

(e) further commends Labor's commitments to substantially increasing paramedic coverage in the south, with an additional 32 paramedics across an expanded Marion station and a brand-new Edwardstown station.

In 1983, my brother was born at Flinders Medical Centre and, 20 years later, my son was also born in the same ward. The hospital itself provides care and support for everybody in our community. It is one of the largest hospitals in southern Adelaide and its 5,000 highly skilled staff provide vital medical services for the local community.

The importance of the hospital and the care it provides to those living in the south should not be understated. Its emergency department, one of the busiest in South Australia, is one of the two major trauma centres in the state, providing round-the-clock emergency treatment to thousands of people every year. It is there for our community when they are most in need and is fundamental to providing health care for my electorate of Waite. In 2005, my son, my mother and my grandmother were all taken to the emergency department after a head-on car accident. My uncle and my mother-in-law spent many nights in the care of the team there and, in her final days, my mother-in-law was shown the utmost respect.

The former Liberal government's Southern Health Expansion Plan (SHEP) was an $86 million policy failure. At Flinders, SHEP simply relabelled inpatient beds as ED beds, highlighting a complete misunderstanding of the causes of the ambulance ramping crisis. This was only reinforced when the former Premier, the member for Dunstan, stood out the front of the Flinders ED and claimed that the upgrade would fix ramping almost immediately.

Early upon coming into government in March, an independent report by ED physician, Mark Monaghan, described the strategy as poorly conceived and implemented and was scathing of the unintended consequences. I quote:

This report demonstrated that despite a reduction in average ED presentations of approximately 10% and a reduction in admissions of approximately 20%, there had been a deterioration in:

- ED length of stay (LOS) for both admitted and non admitted patients,
- the average number of patients waiting for a bed at 8am each day,
- the average time between admission request and ED departure,
- inpatient LOS.

It is worth commenting that the suggestion that a larger ED would eliminate ramping demonstrates a lack of appreciation of both the causative factors and the whole of hospital ownership of ramping. Ramping remains a consequence and a marker of access block to inpatient beds.

This independent report confirmed that reallocating beds to the ED was a mistake and that the beds should revert back to inpatient use. We have accepted all of Dr Monaghan's recommendations either fully or in principle. Expanding an emergency department is not the silver bullet to fixing ambulance ramping. All it does is create a bigger funnel for consumers who have no inpatient bed to go to.

Under the former Liberal government's watch, we saw ramping drastically increase at a huge personal cost to those needing urgent care and their loved ones. SA Health data shows that in March 2018, the total number of hours it took for patients to be transferred from an ambulance to an ED was 750 hours, but in March 2022 that number rose to 2,712 hours.

Despite such a damning result, the former Liberal government made very few commitments to bolster our hospital infrastructure, our workforce or our Ambulance Service to a level that would make a difference. Our government has made it clear that our number one priority is addressing the ramping crisis we inherited, and we are delivering a generational investment to rebuild the health system.

Specific to Flinders Medical Centre, our government has taken the opportunity to partner with the federal Albanese government for a $400 million upgrade. This will refurbish some of our state's oldest hospital infrastructure. It will deliver up to 160 more beds across Flinders Medical Centre and the Repat, and it will create inpatient capacity that will allow flow through the emergency department. As the first stage of what is generational investment, this upgrade will deliver:

- more mental health beds through the upgrade and expansion of the Margaret Tobin Centre, including intensive care and general ward beds;
- new, modern operating theatres, increasing the capacity for emergency and elective surgery;
- an expanded ICU, which has been under sustained pressure for some time;
- expanded medical imaging, upgraded existing services and bringing angiography services in-house;
- a brand-new eye surgery clinic, providing much-needed ophthalmology surgery and services such as for cataracts; and
- upgraded aging wards and the creation of more single-bed rooms.

While this project is not expected to be completed until 2028, stage 1 has already begun. The Geriatric Evaluation and Management (GEM) Unit is moving from Flinders to the Repat, creating new fit-for-purpose facilities in line with existing services and marking the first enabling works of what will be historic investment into Flinders Medical Centre.

I also welcome the establishment of 24 mental health beds at Noarlunga Hospital. As our understanding of mental health has grown, it has become clear that we do not have the acute services we need to cope with the growing demand. More beds at Noarlunga, particularly beds targeted at complex conditions, mean fewer hospital transfers. Not only will that release some of the

pressure from SA Ambulance but it also means those in the outer southern suburbs can get specialist care closer to home while taking some of the pressure off Flinders Medical Centre.

I am also very pleased that new ambos will come online at Edwardstown and Marion within this month, adding 32 paramedics who will be based locally and provide much-needed relief for the existing crews. This motion is an important acknowledgement of the ambitious health agenda that the Malinauskas Labor government has for the southern suburbs, and I want to again pass on my thanks to those frontline workers and healthcare professionals who continue to show up every day while we invest in the resources that they need.

**Mrs HURN (Schubert) (12:16):** I give notice to the house that I am moving an amendment to the motion as follows:

Delete sections (b), (c), (d) and (e) so that the motion now reads:

That this house—

(a) notes the vital importance of Flinders Medical Centre.

I do thank the member for Waite for putting forward this motion. It is very clear that this motion was put forward at a time when those opposite on the backbench were full of hope and optimism that they were part of a government that could actually deliver when it came to health in this state, but self-congratulatory palaver is not going to hide the fact that this government has not delivered a single thing when it comes to health in South Australia.

We know that our health system is under unprecedented stress, and in fact the government is failing to turn the dial one iota. I thought it would be interesting, for the benefit of the house, to go through a bit of a track record of the Labor government's time in office to date. Ambulances, our patients and our paramedics have been stuck outside our hospitals on the ramp for a total of—wait for it—24,189 hours, and that is just in the first seven or so months. That is the equivalent of more than two years; in fact, it is nearly three years.

The past seven months of this government have had the highest ramping on record each and every month ever in the history of South Australia. As I mentioned earlier, we know that our health system is under extraordinary pressure; in fact, I have stood in this place saying that, when the former government left office, it was very clear that we had much more work to do—much more—but we were always up-front and honest about the challenges that we faced in the health system.

Flinders, in particular, is under so much strain that there have been multiple safety reports conducted by the SA Salaried Medical Officers Association under the Work Health and Safety Act. There are two that I am going to refer to today, again for the benefit of members and particularly those opposite. On 25 May 2022, there was an inspection at Flinders. I will refer to some comments made in this report by SASMOA:

The EPH [which is the Entry Permit Holder] were advised by the doctor that in the doctor's view it was the worst day they had ever seen.

This is on 25 May. There is this one:

The whole staff were totally stressed and anxious as they were unable to do their job. This stress was made worse by the constant bombardment from the hospital executive to clear the ramp at the expense of the wait room.

That is pretty explosive stuff. I am going to get to the next safety report, which is from 15 June 2022 where it says, 'There were no spaces left to see life-threatening cases.' This is at Flinders Medical Centre, the subject of the motion that we are currently debating. The doctor advised, 'Today is the worst I've ever seen it. I seriously think someone could die today.'

The doctor describes the ED as being in chaos and reports that lack of flow through the ED was leading to patient safety being compromised, and that this has led and would lead to patients dying in the back of an ambulance. Then, of course, there was the dreadful case of a woman who was forced to lie on the floor of an emergency department as she waited for a bed. All of this was happening in the southern suburbs at Flinders Medical Centre—safety report after safety report after safety report.

Despite these shocking reports, the Labor government has made the somewhat interesting move to slash beds at the Flinders Medical Centre emergency department, and that is why one of the things we have been calling for is a hospital-by-hospital breakdown of the ramping data. A breakdown of hours at each hospital right across our health network we believe would justify, presumably, the Malinauskas government's commitment and decision to slash emergency department beds. If it has reduced ramping at Flinders, let's see the data. I think that South Australians deserve transparency when it comes to what is going on in their hospitals.

They wanted to know throughout the election campaign. In fact, it was those opposite who were constantly shining a light on what was happening in our hospitals right across South Australia, but now that the election has happened, now that ramping is the worst it has ever been in South Australia's history, radio silence—do not want to know about it.

Just last week, after questioning from the opposition, we learnt that storage spaces were being converted into beds at Flinders, that broom closets are now being converted into beds at Flinders—and those opposite expect that this side of the house is going to support some sort of self-congratulatory motion saying how fantastic they are on Flinders. It is just outrageous. That is one element when it comes to turning broom cupboards into beds. Let's now turn to the fact that elective surgery has been cancelled at Flinders. Elective surgery has been cancelled at Flinders because of the stress and the pressure that Flinders is under.

I am going to close my remarks fairly soon, but I would like to say that I empathise with those opposite and I do understand that it may be really difficult for those opposite to hear. I think that for the member for Waite in particular it would be really difficult to know that she is part of a government that have turned broom closets into beds. They have slashed emergency department beds at Flinders.

They have delivered and presided over the worst ramping statistics in South Australia's history, and it is hard because what do they say now? What do those opposite say when they go back to their local communities? They were in their communities throughout the election campaign saying, 'We will fix ramping in this state.' They said it at street-corner meetings. They said it when they were at their shopping centres. They said it when they were out doorknocking with the now Premier of South Australia.

They tapped into a central fear of South Australians, and that is that when you call for help no-one is coming for you. They were a part of the worst scare campaign in South Australia's history. Now they are stuck between a rock and a hard place. What do they say? What do those opposite say when their constituents are asking them how they are tracking with their central promise in health to fix ramping in this state? They say, 'Now we've realised it's a national problem,' or they say, 'We know that it's the worst that it's ever been, but we will get around to fixing it. It's just going to take a little bit more time than we thought.'

Those opposite will be held accountable at the next election because, I tell you what, this was one of the biggest fear campaigns. When you are part of one of the biggest fear campaigns in South Australia's history, there is an onus on you to actually deliver. Your track record at the moment is so appalling. They are not even the worst ramping stats in South Australia's history by a little bit—not even a little bit—but by 147 per cent. How can you look your constituents in the face? How can you do it? I just cannot imagine how you can do it. What we have found out—

*Members interjecting:*

**Mrs HURN:** I understand it is difficult for those opposite to hear because—

**The ACTING SPEAKER (Mr Brown):** The member will be heard in silence.

**Mrs HURN:** Thank you very much for your protection, sir. I understand it is difficult. It is really difficult to hear, and ultimately they are going to have to face their constituents when it comes to their promise to deliver on ramping. Their communities know that this is a litmus test for trust, and their communities know that this was a central promise when it comes to health here in South Australia. That is why we do not support these self-congratulatory platitudes on this side the house.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (12:26):** I was driven to the chamber to speak on this motion and to congratulate the member for Waite on moving this motion and thank her for her passion and advocacy on behalf of her constituents and her desire to make sure that we have an expansion to Flinders Medical Centre that offers more beds and more services for people of the south who need it.

**The Hon. B.I. Boyer:** He doesn't want to hear it.

**The Hon. C.J. PICTON:** He does not want to hear it. That is in stark contrast to what the approach was previously. What the approach was previously at Flinders Medical Centre was not to expand beds, was not to put more services in, but was to relabel some beds from inpatient beds to emergency department beds. There was press conference after press conference from the member for Dunstan going out there saying, 'We are expanding the emergency department at Flinders.' What he did not say was, 'We are reducing the number of inpatient beds in the hospital. We are just relabelling these beds from inpatient to emergency department.'

Funnily enough, despite this promise that the member for Dunstan said would fix ramping almost immediately, there was not a fix to ramping after this happened. In fact, ramping got worse afterwards. How do we know that? Because the former government commissioned a report from Dr Mark Monaghan, who is an expert in the area of emergency departments and patient flows through hospitals. It was commissioned by the previous government and said clearly the situation got worse after this project went ahead. Relabelling beds from one to the other did not address the situation.

What has happened since is that we have implemented the recommendations that were made by that report that was commissioned by the previous government. We have the shadow minister saying, 'Oh, this is outrageous that emergency department beds are now inpatient department beds.' Of course she is saying we have somehow closed down beds, which is completely bogus. No beds have been closed down whatsoever. We have implemented the report recommendations that said that we should go back to how it was before, but, more than that, we actually need to increase the capacity of the hospital.

Shuffling the chairs on the *Titanic* is not the answer. We need more beds, we need a bigger hospital and we need to be able to help the flow through the emergency department. That is the critical issue when you have dozens of patients who are stuck, sometimes for days, waiting for beds in the hospital because they cannot get an inpatient bed. That is what leads to ramping happening, and that is what leads to people not being able to get an ambulance when they need one.

One of the first things we have done since being elected was actually work with the now incoming Albanese federal government not only to do what we said we were going to do at the election, which was increase the size of Flinders Medical Centre, but to go dramatically above that. We now have a plan to increase the size of Flinders Medical Centre by 136 beds. This is a massive expansion—a $400 million project between there and the Repat, where there will also be 24 beds that will be constructed to make sure that we have that additional capacity.

As per the motion that has been moved by the member for Waite, we are also increasing the ambulance services because we know that there are times—even when there is not ramping happening in the system—where we are still struggling to respond to emergency cases in the community on time. We saw the dramatic reduction over the past four years in the number of people who are getting an ambulance on time: from about 85 per cent to less than 50 per cent of people getting those priority 2 cases, lights and sirens cases, on time.

We need to turn that around. Not only do we need to address that by what is happening at the hospital and making sure there is capacity and flow at the hospital to prevent ramping but also we need to address that through more ambulance services. What was the previous government's approach to ambulance services? Well, they were just having a war with ambos—a complete war with ambos, a complete gaslighting of all their concerns, nothing to see here. They went four years, think, without a pay increase for our hardworking ambos.

We are increasing by 350 ambos across the system. We have already delivered extra crews in the Norwood area, and this month we will be adding additional crews in the Marion and

Edwardstown areas as well to increase that capacity, which will particularly help people in the south, including around the electorate of the member for Waite. So it is a comprehensive plan to make sure that we can improve the capacity in our hospital system and improve the capacity of our ambulance system. Of course, it takes time to do these things, but we have a plan and we are implementing it to make sure that South Australians get the resources that they need.

We are also starting straightaway in terms of Flinders Medical Centre. We are putting in place an additional CT and an additional MRI machine. That is going to help in terms of the patient flow through the hospital, because people get stuck for a long time waiting for those CT and MRI scans. That both delays them in the emergency department and means that they are delayed in terms of their care in the ward, which leads to more bed blockage across the hospital. That is one of the critical things that we are working on.

One of the early works that will be happening will be in relation to the Margaret Tobin Centre at Flinders Medical Centre, which is the mental health facility there. That needs an expansion of beds available to it as well. That is going to be part of this package of works happening at Flinders Medical Centre.

We know at the moment we are facing another wave of COVID. Flinders is a hospital that does not have the single rooms that our other hospitals do, and so that makes it even more difficult to manage COVID in those situations. The other benefit of this package of works is going to be a significant increase in the number of single-bed rooms available at Flinders, which will help not only with COVID—which I suspect will be with us for some time—but also with future pandemics and other infectious diseases. There will also be improvements made to a whole range of different facilities at the hospital, including operating theatres.

I want to thank our hardworking doctors, nurses, paramedics and allied health professionals in Flinders Medical Centre and also across the health system more broadly, who have been working their guts out the past few years. The situation is still very serious in terms of our hospital system, and that is why these additional resources are so important—additional doctors and nurses, additional beds being constructed, additional ambulances and paramedics on the road. We need these additional resources to make sure that people can get the care that they need.

I want to thank the member for Waite for moving this motion. I look forward to working with her and her colleagues in the south who understand the importance of the Flinders Medical Centre and the resources in that area, and ultimately advocating on behalf of their patients to make sure that we as a government deliver on our promises—which we are doing and exceeding—but also making sure that patients can get the care that they need.

**Mr TEAGUE (Heysen) (12:34):** I rise to support the motion in its amended form. First, may I join with the Minister for Health in commending, thanking and expressing my gratitude to all those health workers who toil every day to apply their world-leading and transformative capacities to the range of diverse and complex health needs of South Australians.

We should be proud in South Australia to advertise the world-leading capacities of our health workers. It is our job in this place not to lead them down the garden path, to let them down or otherwise to leave them with inadequate supports, facilities and other provision to allow them to do the great work they do every single day, so I do share in those thanks.

It is in precisely that vein, and reflecting as I do on my own visits to those in the care of Flinders Medical Centre over recent months, that we are now called to reflect on the vital importance of Flinders Medical Centre and, from the point of view of the public debate, to reflect on the fact that we are living both in real time and we are living at a time in which health services in this state have been politicised perhaps like never before.

Therefore, it is well to reflect on those really startling and damning statistics that the shadow minister for health reflected on just a moment ago because we find those sitting on the government benches in this state parliament will thank—I think they would acknowledge this—as a large contributor to their success at the last election a campaign that focused singularly and squarely on a promise to end ramping in South Australia, a promise that was put in such populist terms that it was accompanied by a widespread chalking, I think it has been described as (the graffiti that was applied

to ambulances), and a blanketing during an election campaign of a promise to end ramping in South Australia.

What we have seen, which continues as we know to tell the story about a failure to deal with the necessary ingredients that contribute to that, is not only the 24,189 hours of ramping over the last seven months, amounting to such a shocking strain on the capacity to serve, evidencing as it does difficulties that are not down to the availability of ambulances only but also all those steps through the system. For the purposes of this motion, key among them is the capacity of Flinders Medical Centre to be able to receive patients and to deal with their needs.

We live in real time and our health needs and therefore the health of Flinders Medical Centre and its capacities must be analysed in real time. Having made such a focus of this blanket promise, that if elected they will fix ramping, the government ought to be saying, 'Righto, as a measure of our commitment to that promise, we will more than ever look for ways to provide the people of South Australia with the means of analysing the facts.' As the shadow minister for health has indicated, that ought to extend to real-time disclosure of ramping, hospital to hospital, including the Flinders Medical Centre, to show what are the fruits of this government's policy approaches to solve this unprecedented, worse than ever ramping situation in the state.

We have heard the Minister for Health—as he said, driven to contribute to the debate—referring to a promised expansion of the Flinders Medical Centre. What we all know is that that promised expansion is years off, at best. If there is something that we have seen from this government, in what has now been several months for the South Australian community to have a close look at them, it is that this is a bit of a recurring theme.

There is a promise to do something and it might be happening, if we are lucky, within the forward estimates. In many cases, it looks like it is being pushed off beyond the end of the forward estimates. All we have, therefore, in many cases is a large-sounding dollar figure and an outcome that is projected many, many years away. It is not just the Flinders Medical Centre that has suffered from this; it is the north-south corridor, it is solutions long promised on the energy side, and the list goes on.

Promises years away to expand capacity at Flinders Medical Centre go nowhere to solving what a practitioner needs to do when they are forced to use a broom closet for a bed in real time. It goes nowhere to answering a medical officer who says, 'It's so bad here right now, this day, that you would be better off in South Africa,' in evidence that we have heard to the Legislative Review Committee.

In commending the amended motion to the house, I really do emphasise that if you are going to tell the people of South Australia that you are going to come to government off the back of your key promise being to end ramping in the state of South Australia, then you ought not to have to be dragged kicking and screaming to tell South Australians what the ramping figures are. Yet, that is what we have seen over now several months.

It also remains to be seen when exactly this government is going to even start taking responsibility for the vital importance of Flinders Medical Centre, let alone the rest of our health system in this state. We on this side of the house can be proud of confronting what are absolutely challenging, complex and difficult issues in the health space. That is undoubted, but we can be proud on this side of having called it as it is and of having taken steps in a measured and evidence-based way to bring about improvement.

The result of that was that we saw ramping at the end of last year and into the beginning of this year on a steep downward trajectory. What we have seen over recent months is ramping at record levels and continuing to grow. Yes, Flinders Medical Centre is vitally important to South Australia and we need a government that can apply policies to ensure that it is not thwarted in its important work. I commend the amended motion to the house.

**Mr TELFER (Flinders) (12:43):** I rise to speak on this motion on the Flinders Medical Centre and do so in the context of having spent a fair bit of time over recent weeks, through my work on the Legislative Review Committee, looking at the challenge of ramping and hearing from not just the CEO of the Department for Health but representatives from local health networks all across the state,

hearing their evidence and hearing some of the stories from clinicians, from presentations from organisations such as SASMOA.

It was interesting last week, through the Legislative Review Committee process, to hear from the CEO of the Department for Health, and knowing that that very morning the data which was provided to the media in a drop that we heard was direct from the minister's office on some of the hospital-specific data when it comes to ramping numbers in South Australia—the evidence we heard was that it was not the Department for Health that was releasing this data, it was actually a media drop from the minister's office, seemingly that the Health Department was not even aware of until it happened.

This hospital-specific data was very interesting reading, and I think very valuable for members of our community to get an insight into some of the specific areas and some of the specific details when it comes to hospitals all across Adelaide. The hospital-specific data has been already well ventilated in the speeches that I have heard from this side, and it really is important to be able to highlight that there are inconsistencies all around Adelaide.

We heard that this hospital-specific data released by the minister is not of much use, according to the CEO of the Health Department. It is something that they believe they are not going to have a need to provide publicly. This data is obviously able to be produced, so we asked, 'Why shouldn't the people of South Australia have this insight?' It continues to be, through the evidence that we heard, the policy of the Department for Health that they will not be releasing that data, that we can know, on a hospital-by-hospital, case-by-case basis what is actually happening when it comes to ramping all across Adelaide.

That was a surprise. Obviously, the question had been asked previously of the CEO in previous committees. I understood that that data was not even able to be produced but, in fact, it has been produced, it has been provided to the minister and the minister decided for this once-off that they would be dropping it to one of their favourite media outlets—but the department decided that it is not going to continue on.

In the Legislative Review Committee we also heard from the Southern Adelaide Local Health Network CEO, specifically talking to her about the challenges that are being faced at the moment under this regime at the Flinders Medical Centre. I have been quite interested in the way that this process has been gone about. The hearings and the process that the Legislative Review Committee were partaking in were obviously started under a previous iterance of the Legislative Review Committee. Members of the committee from the previous parliament heard some evidence at that time that we, on the newly reinstated Legislative Review Committee, thought would be very pertinent for us to hear, and that we, as a new incoming committee, would like to hear evidence from similar witnesses.

For a government that was elected on a platform of ending ramping to be confronted with the highest level of ramping on record must be very confronting—those in government, both the frontbench and the backbench, made promises, and statements were made, not just from the now members of government but from their supporters, from the people who believed the rhetoric that was coming out of the mouths of those who were putting themselves forward for election. We have heard already that these numbers over the last few months have been at record highs. They were not higher than this under the previous government when apparently it was at crisis level, but now it is over and above.

Scarily, we heard from the Southern Adelaide LHN CEO that what they are having to turn to now is the use of what have been described as 'unconventional spaces' within hospitals. Unconventional spaces may include things like storage cupboards and broom cupboards, areas where cleaning products are stored at the other end and they have retrospectively fit in capacity to put beds and maybe put some oxygen in there so that people can actually breathe freely.

These unconventional spaces were worn as a badge of honour by the Southern Adelaide LHN CEO, but for me it was concerning. I can understand that certainly there are times when hospitals have the need for additional surge, when numbers are over and above what their capacity might be, and we know that there are steps that are put in place. We have seen the use of these unconventional spaces—like I said, broom cupboards, storage cupboards, any little room that might

be available to fit a bed, to fit a patient in. These may be used in surge times, but it seems that there is more and more expectation that these unconventional spaces are used as ongoing capacity.

We see the evidence at that committee from the CEO of Southern Adelaide LHN that there has been the permanent conversion of some eight of these rooms, these unconventional spaces, and the outcome for patients is less than ideal. The evidence that was heard from the Legislative Review Committee certainly reiterated that: it is less than ideal for the patients.

Where is the plan? There is a lot of rhetoric that I hear coming from the government, and I worry that there is no real substance to it. We do also know that SALHN, Flinders Medical Centre, have patients who come to their area from outside their catchment and from regional areas, especially to the south, including the Fleurieu and the Limestone Coast. We hear that because of the lack of capacity, whether that is specialist or otherwise, in those areas, the number of patients coming from those parts of the state who are ending up at the Flinders Medical Centre is one which should have extra attention.

It does mean that there needs to be greater investment into some of the services provided in these regions to take the pressure off the likes of Flinders Medical Centre. If they are having patients come to them from a regional address, from regional areas, it just means that there are fewer people from within that catchment area who are going to be able to accommodated.

I would encourage every one of my colleagues in this place to really take into consideration that evidence that has been heard from the Legislative Review Committee, and the words spoken by the CEO of Health and also the CEO of the Southern Adelaide Local Health Network, because it is confronting and it is something that really needs attention—not platitudes but proper investment so we can see better outcomes for patients.

**Mr McBRIDE (MacKillop) (12:53):** It gives me great pleasure to follow on from the member for Flinders and his speech, as he is on the Legislative Review Committee, which I was on last term as well. I had the opportunity to be on the committee, and be part of the South Australia Ambulance Service Resourcing petition hearings that started in December 2021, and to hear from a number of witnesses through December and the following months prior to the election in March.

First of all, I want to pick up on the comments of the member for Heysen and the Minister for Health and acknowledge the extremely dedicated hard work of all our medical practitioners and professionals, the tough time they have had mainly since and through the pandemic and that things have not really recovered since.

It is interesting with this petition that there were 46 written submissions and 11 requests to provide oral evidence. We heard from 28 individual witnesses, and I think representatives from 12 organisations and government agencies were in the summary report so far that has been reported for the Legislative Review Committee, which I was obviously part of in the latter year or term of the 2018-22 electoral cycle.

In that process, one of the things I found very interesting was that it was acknowledged the Marshall government had increased moneys and efforts to address health and the shortages, to try to solve and obviously work through a pandemic. One thing that is obviously noted—and it is probably something I have learned over a number of years of being a farmer and having a wife who was a nurse—is that just because you pour money into the health system does not mean that you will get the answers you are looking for.

Something I want to note about this acknowledgement of the Labor government's bill—and obviously there is an amendment here—is that they want to congratulate themselves on some new beds in Flinders Medical Centre. I can understand that that could assist, but I think what has to be said for both sides of government in South Australia, and probably for other state jurisdictions, is there is a bigger game play or a bigger problem here than just more beds.

I think that community resilience is low and that the health requirements of people have increased. The number of people who are requiring the services of medical practitioners and specialists has increased immensely and there is a backlog that the pandemic created over two years of nearly shutdown time. Ambulance ramping, as noted by the member for Schubert, increased by 147 per cent since the new government has come to power, which highlights that this is an ongoing

problem and is getting worse not better after a previous Liberal government tried to address it by opening the Repat centre, for example, which was closed by a former Labor government. Yet the problem still exists.

The ambulance industry went around the streets with badges and graffiti-type artwork on the side of ambulances, slamming the government of the time for ineffectiveness and problems within their system, but where is it now because the system still has the same problems? Why do they not have the same graffiti on the side of ambulances when the problem has not been addressed? I think that was very opportunistic.

It is very sad that a sector of society is inconsistent in their messaging if that messaging is important to win over and support their ambulance drivers and medicos and the like. Because the EDs are not functioning, then they should be consistent and still be saying today that it has not been addressed. Maybe it was because it was just before an election and perhaps they were hoodwinked into believing that somehow in March everything was going to change if a new government came to power, and there would suddenly be a shining light and the call and demand on our ambulances would just evaporate. Well, that has not happened. All I can highlight here is that this is a large society-type problem. It is a problem that stretches well beyond the boundaries of South Australia, and it will keep on going.

Moving out into my electorate of MacKillop, we do have a shortage of volunteers and ambulances. I heard the other day that, in Mount Gambier, a resident needed to wait six days in a waiting chair because he could not get a bed. This is only recently, and apparently the gentleman who was in the chair was the father of a nurse at the hospital. You would think that there might be some sort of bias or protection or advocating for a relative of a nurse at a hospital; they could not even assist him any better than what anyone else from the public had to endure.

There are some massive issues here. I think it is important that we continue to spend money building beds and making sure the infrastructure can cope and meet the needs of the South Australian population. I hope that the ramping does go away. Another thing to pick up from the inquiry is that there were 20,000 shifts of overtime—that was evidence given to the inquiry back in December by ambulance drivers—where they were having to work beyond their normal shift. Something that was highlighted for me is the fact that money is not the problem because they get time and a half and double time. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Sitting suspended from 13:00 to 14:00.*

*Petitions*

## YELLOWTAIL KINGFISH

**Mr WHETSTONE (Chaffey):** Presented a petition signed by 52 residents of South Australia requesting the house to urge the government to take immediate action to abolish commercial net fishing of yellowtail kingfish and impose a three fish per day commercial trip limit.

*Parliamentary Procedure*

## PAPERS

The following papers were laid on the table:

By the Hon. A. Koutsantonis on behalf of the Deputy Premier (Hon. S.E. Close)—

Annual Reports 2021-22—
- Attorney-General's Department—Additional Reporting Obligations
- Freedom of Information Act 1991, Administration of
- Mining and Quarrying Occupational Health and Safety Committee
- National Agreement on Closing the Gap—South Australia
- Training Centre Review Board

Summary Offences Act 1953—Dangerous Area Declarations return pursuant to section 83B—Report for Period—1 July 2022 to 30 September 2022

By the Minister for Health and Wellbeing (Hon. C.J. Picton)—

Annual Reports 2021-22—
- Adult Safeguarding Unit
- National Health Funding Body
- National Health Funding Pool

Health Advisory Council Annual Reports 2021-22—
- Berri Barmera District
- Coorong Health Service
- Loxton and Districts
- Mallee Health Service
- Mannum District Hospital
- Mid North
- Murray Bridge Soldiers Memorial Hospital
- Renmark Paringa District
- South Australia Medical Education and Training
- South Australian Ambulance Service Volunteer
- Waikerie and Districts
- Whyalla Hospital and Health Services

Local Health Network Annual Reports 2021-22—
- Northern Adelaide
- Yorke and Northern

*Parliamentary Committees*

## LEGISLATIVE REVIEW COMMITTEE

**Mr FULBROOK (Playford) (14:02):** I bring up the 18th report of the committee, entitled Subordinate Legislation.

Report received.

**Mr FULBROOK:** I bring up the 19th report of the committee, entitled Subordinate Legislation.

Report received and read.

*Parliamentary Procedure*

## VISITORS

**The SPEAKER:** Before I call questions without notice, I acknowledge the presence in the gallery of John and Margaret McLachlin, guests of the member for Elder, and I also acknowledge the presence of Charlotte Triglau, who is undertaking work experience with the member for Elder. I also acknowledge the presence in the gallery of the Secretary of the SDA, Mr Josh Peak, and his guest from the Retail, Wholesale and Department Store Union of the United States, Stuart Appelbaum.

*Question Time*

## LIV GOLF

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:12):** My question is to the Premier. Does the Premier have the support of the Labor caucus to bring the LIV Golf tour to South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. D.J. SPEIRS:** It was reported today that Labor members for Elder, Gibson, Newland and Torrens, along with a Labor member of the Legislative Council, criticised the Premier for not consulting them on his decision to bring the LIV Golf tour to our state.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:12):** The answer to the Leader of the Opposition's question is yes, and that's because on this side of the house we value job creation, particularly in those industries that paid the biggest sacrifices throughout the course of the pandemic.

**LIV GOLF**

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:13):** My question is to the Minister for Women. As the Minister for Women, does she condone the Premier's decision to bring LIV Golf to South Australia, and is she aware of Saudi Arabia's human rights record and reported treatment of women? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. D.J. SPEIRS:** On 5 January this year, the UN Committee against Torture listed a range of serious concerns with Saudi Arabia's human rights record, including under article 2, the 'involuntary sterilization of women with psychosocial or intellectual disabilities', the legal status of 'violence against women including rape, marital rape and forced marriage', and whether the 'practice that women, including female migrant workers, who are victims of ill-treatment or trafficking, are able to file complaints without the authorization of a male guardian, or without the fear of being punished for adultery, are not convicted of disobedience when fleeing their homes'.

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (14:14):** I thank the member for his question. Hosting the LIV Golf tournament does not mean we endorse any violence towards women or any derogation of their rights whatsoever. We would never endorse such conduct, and neither I imagine would the thousands of people who will buy tickets, the hotels that will have visitors to our state booking accommodation, or the restaurants that will provide food and beverages to those who attend.

We appreciate that there are many people who will flock to our state to attend this tournament, and we look forward to welcoming them. We also appreciate that there may be people with concerns, and they have a right to express their views in our free and democratic state.

**LIV GOLF**

**Mr TARZIA (Hartley) (14:15):** My question is also to the Minister for Women. Does the minister support the LIV Golf tournament being played in Adelaide?

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (14:15):** I think that I have already addressed that question in my earlier answer. Again, hosting the LIV Golf tournament does not mean in any way that we endorse any violence towards women or derogation of their rights, and it is a nonsense to suggest that is so. We would never endorse such conduct.

*Members interjecting:*

**The SPEAKER:** Order!

**LIV GOLF**

**Mr TARZIA (Hartley) (14:15):** My question again is to the Minister for Women. Is the minister going to attend the LIV Golf tournament when it is being played in Adelaide?

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (14:15):** I think that I have already answered this line of questioning, but I will say it again. Hosting the LIV Golf tournament does not mean—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.A. HILDYARD:** —in any way whatsoever that we endorse any violence towards women or derogation of their rights in any way whatsoever.

*Members interjecting:*

**The SPEAKER:** Order! Minister, there is a—

**The Hon. K.A. HILDYARD:** We would never endorse such conduct and neither I imagine would the—

**The SPEAKER:** Minister, please be seated. There is a point of order from the member for Hartley.

**Mr TARZIA:** Point of order, sir: the minister is debating the substance of the question. The question is very clearly about whether she will be attending the LIV Golf tournament not about the merits of the tournament.

**The SPEAKER:** That may be, but of course the question invites a somewhat speculative answer unless the minister has formed her own view presently in relation to her future commitments. I will listen carefully but, as I say, there is potentially a defect in the question.

**The Hon. K.A. HILDYARD:** Again, we would never endorse any such conduct—any conduct that promotes violence against women or derogation of their rights. As I said before, neither would the thousands of people who will buy tickets, so we will see whether there are any tickets left by the time the tournament is here. But I imagine that neither would those who are flocking to our state to book hotel rooms and to eat in the restaurants when they are here endorse such conduct.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hartley is called to order.

*Mr Brown interjecting:*

**The SPEAKER:** Member for Florey! The minister has the call.

**The Hon. K.A. HILDYARD:** Like many people in our state—

*Members interjecting:*

**The SPEAKER:** Order! Member for Hartley!

**The Hon. K.A. HILDYARD:** Like many people in our state—

*Members interjecting:*

**The SPEAKER:** Order! Member for Hartley, you are warned. The minister has the call.

*The Hon. N.F. Cook interjecting:*

**The SPEAKER:** Member for Hurtle Vale, you are warned.

*The Hon. B.I. Boyer interjecting:*

**The SPEAKER:** The member for Wright is called to order.

*Mr Tarzia interjecting:*

**The SPEAKER:** The member for Hartley is warned for a second time. The minister has the call.

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

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

**The Hon. K.A. HILDYARD:** As I was saying, we will see whether there are any tickets—

*Members interjecting:*

**The SPEAKER:** Order! The exchange between the Treasurer and the member for Hartley will cease, and the minister will resume the call.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.A. HILDYARD:** Again, we will see whether there are any tickets to attend left by the time the tournament comes here. It is really interesting—

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

**The SPEAKER:** The Treasurer is called to order.

*Members interjecting:*

**The SPEAKER:** The member for Hartley is called to order. The member for Morialta knows better.

*Mr Tarzia interjecting:*

**The SPEAKER:** Member for Hartley, you are warned for a third time. Any further transgression of the standing orders will result in your departure.

**The Hon. K.A. HILDYARD:** Mr Speaker, as I continue my answer I must reflect that it is fascinating in a question to the Minister for Women to have a barrage of men yelling at me as I attempt to answer that question—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. K.A. HILDYARD:** —and I will—

**The SPEAKER:** Minister, there is a—

*Members interjecting:*

**The SPEAKER:** Order! There are interjections on both sides.

*Members interjecting:*

**The SPEAKER:** Order! I will hear the member for Morialta on a point of order.

**The Hon. J.A.W. GARDNER:** Sir, standing order 98. This was a straightforward question. The minister is not answering it.

*An honourable member interjecting:*

**The SPEAKER:** Order! It is difficult to hear the minister, and therefore it is difficult to assess her answer because of the interjections that are coming from the left and, indeed, in a great number from my right. Minister, you have the call.

**The Hon. K.A. HILDYARD:** As I was saying, we will see how many tickets are left by the time the event comes around. I certainly appreciate that there are many, many people who will flock to our state to attend this tournament, and we certainly look forward to welcoming them. We also acknowledge that there are people with concerns, and they have every right to express those views.

**Mr Tarzia:** In your party room?

**The SPEAKER:** The member for Hartley is warned for a final time.

## CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

**Mr COWDREY (Colton) (14:20):** My question is to the Premier. Is the Premier aware whether any local construction businesses have experienced intimidation and pressure on their subcontractors from the CFMEU and, if so, can he provide an update to the house on any actions he has taken to deal with this? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr COWDREY:** On 4 August, it was reported that John Setka had completed his takeover of the SA branch of the CFMEU. On 3 November, the Premier was asked whether he was aware that the CFMEU was escalating its campaign against local construction firms who will not sign up to CFMEU demands. He replied, and I quote, 'No, I'm not aware of these details.'

Since then, multiple additional reports have described thuggish and threatening behaviour by the CFMEU against local businesses here in South Australia. In addition, documents provided to

the opposition via FOI confirmed that multiples of people have written directly to the Premier, outlining their disappointment with how the Premier has chosen to act towards the CFMEU.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:21):** I thank the shadow treasurer for his question. It provides an opportunity to again reiterate the government's views and my views with respect to industrial relations more broadly. The member for Colton, being the recent student of economics that he is, would be well aware that across the nation we have a cost-of-living crisis. Prices are going up, which means working people, I think, like any other entity in this state, are turning their minds to the maintenance of their incomes in such a way that it doesn't go backwards in the context of a high inflationary environment. Each and every one of us on this side of the house firmly believes that the Australian trade union movement is the best vehicle that working people have to ensure the maintenance of their real wages.

I think this is well documented, it's fair to say, going back some time—well before my time of being fortunate enough to serve in this place—that I have an established view about the best way industrial relations should be conducted. I think working people are entitled to powerful, professional advocacy that is undertaken in a very civil manner, with productive engagement with employers, acknowledging that employers need a return on their capital but at the same time, simultaneously, that working people are entitled not just to a maintenance of their real wages but to fulfil their aspirations for wage growth and a better standard of living, particularly in a wealthy nation such as our own.

To that end, I say to the member for Colton that for as long as I have the opportunity to advocate for that type of industrial relations I will continue to do so. The member for Colton more specifically raises questions in respect of the CFMEU. I am on the record, repeatedly, making it clear that in some instances we have seen conduct in some elements of the trade union movement that do not accord with those principles that I just outlined. I have named the CFMEU in that context, particularly in the Victorian example.

But do not misinterpret my words and strong condemnation of that sort of behaviour in any way as being seen to take away anything from the rights of working people, in the construction industry or otherwise, to advocate for real wage growth, particularly in the current climate. This is why—and this is something on which the Leader of the Opposition and, in fact, all members of this place have an important voice—currently before the federal parliament there is the Secure Jobs, Better Pay bill that is being actively contemplated.

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Order! The member for Morialta is called to order.

**Mr Cowdrey:** What actions are you taking?

**The SPEAKER:** Member for Colton!

**The Hon. P.B. MALINAUSKAS:** If the member for Morialta listens, they will well understand. That piece of legislation provides a legal framework for mandatory or compulsory arbitration to be allowed for under certain circumstances at the request of both the employees and the employer to use the independent umpire of the Fair Work Commission—an institution that both sides of politics should believe in—to utilise the independent umpire to intervene into bargaining disputes where that balance isn't best being achieved, the balance that I think everybody in this place should sign up to, although I understand that those opposite don't always agree with the role of the union movement.

**Mr Cowdrey:** Everything's fine in the construction industry. There are no issues.

**The SPEAKER:** The member for Colton is called to order.

**The Hon. P.B. MALINAUSKAS:** I would simply say to the member for Colton, along with the Leader of the Opposition, join me in advocating that the Senate pass that bill to have a mechanism for arbitration in this country that may—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** —see to better, more cordial industrial action in the current environment.

*Members interjecting:*

**The SPEAKER:** Order! The member for Colton is warned.

*Members interjecting:*

**The SPEAKER:** Order! The member for Colton will not stand and shout across the chamber. He is warned for a second time.

**Mr Tarzia:** Why?

**The SPEAKER:** Member for Hartley!

## CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

**Mr COWDREY (Colton) (14:25):** My question is again to the Premier. Has the Premier received any meeting requests from the CFMEU and, if so, how has he responded?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:25):** I am not, to the best of my knowledge—and I put that qualification on there only because I receive countless media requests—aware of any request coming directly to me—

*Mrs Hurn interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. P.B. MALINAUSKAS:** —with respect to a meeting with the CFMEU. I think the best evidence of that, to extrapolate the detail for the member for Colton, is that I have not met with Mr Setka or any representative of the CFMEU in recent weeks or months.

**Mr Cowdrey:** Are you happy to take that on notice?

**The SPEAKER:** Order! Member for Colton, I am not certain that you are asking a supplementary question, in which case your contribution is contrary to the standing orders and you are warned for a third time.

## SAVINGS STRATEGIES

**Ms CLANCY (Elder) (14:26):** My question is to the Treasurer. Can the Treasurer please provide the house with an update on the government's savings strategies and advise if there have been alternative strategies imposed in the past?

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:26):** I thought it timely that a question like this have an appropriate response because in the last few days we have had almost the rarest of occurrences here in South Australia: we have had a blood moon, of course, and we have had a question from the deputy leader. The question from the deputy leader was targeted at savings strategies imposed in the arts portfolio. That gave me pause for thought, and clearly also the member for Elder, to wonder what sorts of savings have been imposed in the past.

Of course, in our election commitments, we made it absolutely clear that, in order to defray some of the costs of our agenda, we would be seeking savings from government agencies, but we wouldn't be seeking savings from frontline service delivery agencies. We would make them exempt, and that is what the recent budget did. But that stands in some contrast, of course, to what those opposite handed down in the budgets they brought before this house.

For example, if you were the Minister for Education in the last four years, like the member for Morialta was, there was no exemption for the Department for Education from savings, of course. In fact, the member for Morialta, being a cabinet minister, signed off on three successive budgets that imposed savings of $90 million on the Department for Education. I would have thought that they would have qualified as frontline services and even as I provide this information to the house—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —the member for Morialta seeks to justify the imposition of savings—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —on these frontline services. Of course, when we hear those opposite raise questions about the management of the health portfolio, what they don't mention is that they left $800 million of savings to be imposed across the forward estimates on the health portfolio.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** So, what did we do? What did we do in our first budget? We were—

*Members interjecting:*

**The SPEAKER:** Member for Colton, order!

**The Hon. S.C. MULLIGHAN:** —left $400 million worth of those savings. We had to take off the burden of the savings—

*Mr Whetstone interjecting:*

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

**The Hon. S.C. MULLIGHAN:** —that they imposed. It's interesting to hear the member for Chaffey arc up about this—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —because what was his record in the primary industries department? Tens of millions—

*Members interjecting:*

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

**The Hon. S.C. MULLIGHAN:** —of dollars of savings—

*Members interjecting:*

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

**The Hon. S.C. MULLIGHAN:** —in the primary industries portfolio—

*Members interjecting:*

**The SPEAKER:** The member for Morialta is called to order.

**The Hon. S.C. MULLIGHAN:** —three times the level of savings that were imposed by this government. When regions matter—

*Members interjecting:*

**The SPEAKER:** Order! The member for Chaffey is called to order.

**The Hon. S.C. MULLIGHAN:** —it appears that their budget doesn't matter to the member for Chaffey. What actually happened in the arts portfolio? The former member for Dunstan—

*Mr Whetstone interjecting:*

**The SPEAKER:** The member for Chaffey is warned for a second time.

**The Hon. S.C. MULLIGHAN:** —maybe the current member for Dunstan got out the lightsaber when it came to the arts budget, cutting tens of millions of dollars from the arts budget.

*Mr Whetstone interjecting:*

**The SPEAKER:** Member for Chaffey!

**The Hon. S.C. MULLIGHAN:** Absolutely extraordinary performance—

*Members interjecting:*

**The SPEAKER:** The member for Florey knows better.

**The Hon. S.C. MULLIGHAN:** —from those opposite. So when we are in for a true—

**Mr TARZIA:** Point of order.

*Members interjecting:*

**The SPEAKER:** Order! There is point of order.

*An honourable member interjecting:*

**The SPEAKER:** Order! The member for West Torrens is called to order. I will hear the member for Hartley on a point of order.

**Mr TARZIA:** Point of order: you have given the minister great latitude. He is not responsible to the house for the actions of former governments.

*Members interjecting:*

**The SPEAKER:** Order, member for Florey! The member for Florey is a close study of the standing orders and does know better.

*Mr Whetstone interjecting:*

**The SPEAKER:** Order, member for Chaffey! The Treasurer has the call. I will listen carefully. I draw the Treasurer's attention to the question and his responsibility to answer the substance of the question.

**The Hon. S.C. MULLIGHAN:** In outlining the alternative saving strategies that we have seen in the past, when we enjoy, as a state, one of those true, rare celestial experiences of a blood moon or even a question from the deputy leader in this place, Mr Speaker—

**The SPEAKER:** Digression is not to be indulged in, Treasurer. The Treasurer has the call.

**The Hon. S.C. MULLIGHAN:** —all of us may be well reminded of not only the member for Morialta's performance in imposing swingeing cuts on frontline services—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —frontline services in our schools—

**The Hon. J.A.W. GARDNER:** Point of order, sir.

*Members interjecting:*

**The SPEAKER:** Order! The member for West Torrens is called to order. The member for Morialta on a point of order under 134.

**The Hon. J.A.W. GARDNER:** The Treasurer is well aware that schools in fact received record investment and were exempt from every single cut that has been—

*Members interjecting:*

**The SPEAKER:** Order! In the clamour, it wasn't possible to deduce the point of order that was raised with me; nevertheless, the commencement of the point of order was, I understood, the outline of a degree of opinion. I also note that the time for the question is about to expire, and I will

turn briefly to the Treasurer. If there are more interjections, it may be necessary to grant an additional 15 seconds.

**The Hon. S.C. MULLIGHAN:** In conclusion, $90 million worth of cuts to the education portfolio he was responsible for.

*Members interjecting:*

**The SPEAKER:** That is most certainly debate. Member for Morialta, you will come to order. The member for Colton has the call.

## CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

**Mr COWDREY (Colton) (14:32):** My question is to the Premier. Has the Premier received any meeting requests from local businesses regarding their treatment by the CFMEU and, if so, how has he responded?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:32):** In the same context as the earlier question from the member for Colton, I understand the member for Colton was referring to correspondence received from members of the public but not necessarily any businesses per se. That said, more informally I have had contact with members of the construction industry just by way of text message, phone calls and the like.

The member Colton might be surprised to learn that I have regular contact with representatives of the construction industry. That's something that I value greatly. As I think I have said previously, my government enjoys a really good working relationship with the Master Builders Association, but a number of their members I am in contact with on a more personal level; they have my mobile number. I have been in receipt of text messages more recently, just in the last 24 hours, including one member in particular who I will engage with as soon as the opportunity presents itself.

We understand some of the challenges that exist within the construction industry at the moment, in terms of not just industrial relations but access to skills more broadly. We have a range of policies in place to satisfy—when I say satisfy their needs, to seek to address their legitimate needs. That's one of the reasons why the Minister for Education is actively building five brand-new technical colleges throughout the state of South Australia. It's why we are investing in TAFE. It's why we have pursued a number of policies in conjunction with the Master Builders Association, including programs to attract young people to participate in the building industry more broadly.

It is why we enjoy their counsel in respect of other legislative changes that the government is committed to, including the introduction of industrial manslaughter laws. So we value the relationships we have with both business and the labour movement more broadly to try to strike that balance that I was speaking to earlier.

## RIVERLAND TOURISM

**Mr WHETSTONE (Chaffey) (14:34):** My question is to the Premier. Can the Premier outline any action that has been taken in relation to his public commitment to the Riverland last week? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr WHETSTONE:** Last week, the Premier was photographed in the Riverland promising to provide 'an appropriate package to provide support for small business and tourism operators in the Riverland next week'. What has been done since then?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:35):** Thank you to the member for Chaffey for his question. Let me say from the outset that as far as my government is concerned we are very keen to work with the member for Chaffey as the single representative of the Riverland community and stand more than willing to be in receipt of calls from the member for Chaffey on any issues he might hear on the ground. We want to deal with the circumstances in the Riverland as expeditiously as possible in a way that reflects the best aspirations of team South Australia in a difficult situation.

The member for Chaffey is right regarding the commitment I made last week while on the ground in the Riverland. I am very happy to report to the house that the Treasurer and I, as recently as yesterday evening, started to go through a few of the possibilities in respect of that package. I know that the Treasurer is also working closely with the Minister for Tourism in actively contemplating a suite of options. It has been our hope that we would have the details of that package announced before the end of this week and that's certainly what we have been working towards.

I am happy to convey to the house—and indeed, through you, sir, to the member for Chaffey and the Riverland more broadly—that we want to get this right and there is a bit of work to be done in terms of making sure the package meets the relative needs. So we might not be able to get that announced by the end of the week, in which case we would certainly have it done by this time this week. I invite the member for Chaffey to provide a degree of latitude to the government in this regard because there is active work underway between the Department of Treasury and Finance as to what we do in tourism.

There were also other issues that we are turning our minds to that go beyond just the tourism sector, and they are issues around local infrastructure. I know the Minister for Emergency Services has been working very hard to address some issues we have had around sandbags. There is a national shortage of sandbags at the moment in a way that won't surprise most reasonable people, given the events that have occurred in the Eastern States in recent months. I know that the Minister for Emergency Services has been working assiduously in conjunction with the SES and other key agencies to seek to address that, and that's something that the Treasurer has been actively turning his mind to in regard to additional resources in that way.

I am also happy to say, and I am not sure that this has been made known publicly, but there were issues that were raised with us that I am sure the member for Chaffey has heard as well regarding interaction between houseboat owners and banks, given the peculiar issues that are affecting houseboat owners on the river who are effectively being deprived their busiest time of the year and the way banks are treating various arrangements with the houseboat owners. I have asked the Department of the Premier and Cabinet to convene a meeting with the major banks in Australia, along with the Australian Bankers Association, to see if we can't find a way through those issues.

I am advised that that meeting is indeed happening today, I believe. If it's not today, it's tomorrow, but certainly it's imminent if it hasn't happened already. We are trying to elevate those issues using the authority of the state government to prosecute the concerns that houseboat owners have. Despite them being issues that are beyond the state's control, we can then nonetheless use the power of our advocacy to raise legitimate issues. We are doing what we can where we can, work is in train, and certainly we extend the invitation to the member for Chaffey to raise any other issues that he may have, being the local representative who is on the ground on a frequent basis.

## POWER SUPPLY

**Mr WHETSTONE (Chaffey) (14:39):** My question is to the Minister for Human Services. What emergency measures does the government have in place to support residents living within the river corridor who may have to evacuate their homes due to the rising river conditions and the significant power disconnections?

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:39):** Are you asking in relation to all residents or particularly in relation to public housing residents?

**Mr WHETSTONE:** Minister, I will re-ask the question. What emergency measures does the government have in place to support residents living within the river corridor who may have to evacuate their homes due to the rising river conditions and power disconnections?

**The Hon. N.F. COOK:** Thanks very much for the question. We spoke directly last week, member, and, as stated then, we already have an emergency centre set up in the Riverland. SAHA plays a broader role than just a role with public housing, obviously, in an emergency situation. We have some senior members of our department based up there, and they were very pleased to be visited last week by the Premier and the Deputy Premier, and I believe the police minister was up there as well.

Yesterday, again another senior officer went to visit the team up in the Riverland. They are ensuring that they know where people are currently living in relation to predicted flood plains. They are reaching out to people, providing them with offers to move immediately to somewhere that is safer and also making sure people know contact details, in terms of being able to reach out in the future if they choose to stay where they are at the moment. The department attends the state emergency centre, coordinates, as well, relief as needed and also is part of the Riverland zone emergency support team.

Housing SA have reached out to people, identified places for people to go and left information with people, in terms of where they can reach out to in the future. They also have spoken with local volunteer agencies and groups, such as Lions and Rotary. They have identified hotels and motels that can be used as evacuation points. Of course, everyone is extremely concerned about the imminent floods and have been working as hard as they can to ensure that there are places of safety and that everybody knows where they are, how to contact them and how to seek assistance.

Also, we know there are people sleeping rough in and around the towns in the Riverland. There has been assertive outreach undertaken already. That's been going on for a number of weeks now—I believe you are aware of that—and people understand the risk of remaining where they are, and we are ensuring they have got every opportunity to leave that place and go to a place of safety.

## WAGE PRICE INDEX

**Mrs PEARCE (King) (14:43):** My question is to the Premier. Can the Premier update the house on any recent economic data relevant to South Australian families?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:43):** I thank the member for King for her question. I was really happy to see come through from the commercial and economics branch of the Department of Treasury and Finance recent wage price index data, which is a suite of numbers that I try to keep abreast of on a regular basis because they speak to what is actually happening in South Australian households in respect of income.

The wage price index—which is data that I would actively encourage all people concerned with the cost-of-living crisis, and the capacity of South Australian families to deal with it, to keep abreast of—is actually rather positive for the state of South Australia. I am very pleased to inform that in the most recent statistics in South Australia the wage price index went up by 1.8 per cent versus the national average of 1.4 per cent.

**Mr Tarzia:** Inflation?

**The Hon. P.B. MALINAUSKAS:** Naturally—the member for Hartley interjects, talking about inflation, and he's right to raise it because inflation is the working family's curse. Inflation erodes the standard of living of people. When I say working people, I'm not talking about it in the traditional context of a wage and salary earner. I am also talking about hardworking small business owners, in many instances, who don't necessarily take a wage; they seek to reinvest back in their businesses at any opportunity they can.

The wage price index reflects a family's capacity to withstand the onslaught of ever-increasing cost of living, best represented in the form of CPI or inflation. To see the 3.3 per cent annualised increase that we are experiencing here or, in a South Australian context, to be ahead in a very substantial way—1.8 per cent versus 1.4 per cent for the rest of the country—is a generally speaking wholly positive thing, particularly if it's happening in the context of a labour market that remains tight, which is the case here in South Australia. I don't think it's a stretch to say that if you wake up in South Australia today and you are absolutely determined to get a job, you are in a very good position to be able to get it, and that is a good thing. That is a good thing for all those that place a high value on all the dignity that work can provide.

In respect of South Australia outperforming the rest of the nation when it comes to the wage price index, there has been an economic orthodoxy in years gone by that that wouldn't necessarily be a good thing. There are some people who try to subscribe to the view that if wages are going up then that is a bad thing. We don't share that view on this side of the house. If wages are going up in such a way that it is sustainable and able to be accommodated by employers regardless of their size, then that speaks to an aspirational component of our economy that we are striving to ensure, that

working people regardless of their income are entitled to a better standard of living best represented by real wage growth.

Real wage growth—we've got some way to go because of the current situation with inflation, but the fact that we are outperforming the rest of the country I think speaks to a relatively stronger performance in the South Australian economy but, more than that, not just a stronger performance for performance sake but a stronger performance in a way that is actually material to the lives of working families in this state who clearly have challenges in front of them with the cost-of-living crisis.

## EMERGENCY HOUSING

**Mr WHETSTONE (Chaffey) (14:47):** My question is again to the Minister for Human Services. Minister, what emergency housing will be made available for the 4,000 to 6,000 homes that will be vacated due to high flows and power disconnections?

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:47):** I think we all know that the modelling has changed quite significantly in the past few weeks, with my advice at the latest being very close to the 200 gigalitres a day flow which, as you know, will exponentially increase the areas of flood. Importantly, my advice is that people are being told to have alternate plans ready very quickly.

There are opportunities now for people to be able to leave and stay with family and friends away from the flood area. I understand that's not a practical, immediate thing for everybody. I understand that is the advice as well, apart from neighbouring towns and places in the region having hotels being identified currently for accommodation that is shorter term. As a department we also, as you would know, have capacity to stand up other emergency accommodation, as was done in the KI fires and remained in place for quite some time.

The modelling is changing. We do have people on the ground up there talking with the community and working out what is needed from day to day, but I understand that, honestly, this is a changing prediction at the moment. People are there, and they are working with people in the local area to identify options for accommodation as that sort of area of expectation increases.

## SANDBAGS

**Mr PEDERICK (Hammond) (14:49):** My question is to the Minister for Emergency Services. Has the government ordered sandbags to be supplied to river communities and, if so, where did they order them from? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr PEDERICK:** It has been reported to the opposition that the government has ordered sandbags from India, even though there were sandbags available from within Australia.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:49):** Thank you, member for Hammond, for your question. I also note your interest in this emerging issue as the member for Murray Bridge and the Murraylands region. The information that you attest to regarding the availability of sandbags in Australia is not correct. Sandbags right across Australia are at a very significant shortage, and that is in large part because of the extraordinary floods that we have seen in the Eastern States throughout 2022.

The SES and emergency services right across the country have been working collaboratively. They have been doing that through the existing national frameworks that facilitate some of that cooperation as well, not only through AFAC but also they have been working very closely with the ADF to ensure that every bit of supply and every bit of supply chain security that we can attain here in South Australia is tapped into.

I can advise the member in the house that just over 300,000 sandbags have been deployed to date in the Riverland and across affected communities, and I can also confirm to the member that a further 500,000 sandbags have been secured from a supply chain that I will speak to. This is direct action the government has undertaken with the SES to support this important measure being deployed into our communities when they need it the most.

As for where these bags have come from, I am advised that every secure supply chain within Australia has been tapped out. We have been opening every cupboard, we have been speaking to every supplier and they are simply tapped out. I can advise that with the support of the Malinauskas government and the extraordinary work being undertaken by our emergency services, we have been able to directly tap into the manufacturer of sandbags in India.

The 500,000 bags that we have been able to secure will be procured directly from suppliers in India. They will be in South Australia to support our community. Whilst I would agree with the sentiment of the member for Hammond and I think all of us, particularly on this side of the house, when it comes to supporting local jobs and local procurement in times of emergency and in times of crisis we will do what it takes to secure supply chains, and that is why we will unashamedly tap into overseas markets and overseas manufacturers if we have to.

## SANDBAGS

**Mr PEDERICK (Hammond) (14:52):** I have a supplementary to the Minister for Emergency Services. Noting you have ordered 500,000 sandbags, when will they arrive, and have the previous 300,000 been fully utilised, or are there still sandbags available for river communities?

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:53):** Thank you, member for Hammond. I can advise that there is no tapping out or, as would be foreshadowed, any exhaustion of sandbags. The 300,000 have been deployed and continue to be deployed. I can also give the member and the house an update on the most up-to-date strategy for sandbags as I have received it from the SES.

Starting from Friday 18 November and running through to 21 November, strategic sandbag deployment will be rolled out into affected communities by the SES. The strategy with the rolling out of these sandbags will be twofold. The first will be to work with local residents to educate them and support them on how to adequately and properly utilise sandbags.

It is not that there is a one-size-fits-all approach, so the SES will be deploying staff and volunteers into communities to work with members of the community who attend these sandbag locations to not only educate them on the best way to utilise and deploy sandbags but also on the numbers that would be used to appropriately secure their need.

I can advise the house that, from those dates that I advised, that is, Friday through to Monday, from 9am to 3pm, sandbag deployments will occur at the Blanchetown Sports Club on Onslow Terrace, Blanchetown; at the Mannum Football Club at 45 North Terrace, Mannum; at the Bowhill Community Centre at 88 Weber Street, Bowhill; at the Murray Bridge Showgrounds at 113 Old Princes Highway, Murray Bridge; and at the old Glossop High School at 535 Old Sturt Road, Glossop.

Further to the member's question with respect to the 500,000 sandbags that have been secured within the supply chain, I am advised that they will be progressively rolled out into communities on a needs basis. These sandbags will be deployed by the SES and our emergency services in a strategic way and in a way that they are operationally determined to be in the best place at the best time.

## GAS EXPLORATION

**Mr HUGHES (Giles) (14:55):** My question is to the Minister for Energy and Mining. How is the state government supporting exploration for gas in South Australia?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:55):** The first thing to do is not ban it like members opposite did. Our priorities reflect public and industry concerns about energy prices and the fears of domestic gas shortages and the role of gas and exports in influencing prices in the National Electricity Market.

There is a tension between domestic supply and international prices, and banning local exploration doesn't help that. Local consumers will need to be resolved in the way that benefits all South Australians to make sure they have access. Of course, the Heads of Agreement signed between East Coast LNG Exporters and the Australian government, which commits an extra

157 petajoules of gas to the domestic market next year, will alleviate some of those supply concerns that have driven recent market behaviour, but of course it won't impact price.

However, as a state we also have a role to play to ensure that our local gas supply has every advantage to grow. Our explorers must be given every chance to succeed in their search for new gas reserves. Beyond that, we must also ensure that the right companies are getting access to South Australia's highly prospective spaces.

*Members interjecting:*

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

**The Hon. A. KOUTSANTONIS:** Not spelt that way, no. To this end, last week I released new competitive tender areas for gas exploration. The designation will further boost the focus on creating an environment where available areas arise regularly reducing the occurrence of large areas of land banking by having a strictly enforceable work program of exploration to execute within a set time frame.

Declaring these areas ensures applications for exploration licences in these highly competitive spaces can only be made in response to an invitation to tender. Companies seeking new acreage in these new competitive tender areas will need to show their bona fides—their financial and technical capability to undertake good practice five-year work programs before acreage is awarded.

The Arrowie, Arckaringa and Polda basins are now designated competitive tender areas. These basins were selected not only because they are highly prospective but also in response to a 10-fold increase in applications for petroleum, geothermal and gas exploration licences this year.

In 2022, we received 52 applications for gas exploration compared with an average of three or four under the previous government. What has changed? A government that does not ban exploration of oil and gas. We are seeing industry ramp up its interests in exploring for natural resources in South Australia, and it is clear to us that we need to ensure that the appropriate regulations are in place to give serious companies every chance to succeed, that is, no sovereign risk, no politics playing with gas exploration.

These designations will achieve this by improving competition and reducing land banking, which will free up prospective areas regularly, encourage exploration to bolster our local gas supply and stop the politicisation of exploration of oil and gas, as was done under the previous government, which quite frankly put a brake on our economy.

## RIVERLAND, HOSPITAL EVACUATION PLANS

**Mr WHETSTONE (Chaffey) (14:59):** My question is to the Minister for Health and Wellbeing. Minister, what evacuation plan does the government have in place for the nearly 100 residents and patients that may have to be evacuated from the Renmark hospital and the aged-care facility?

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:59):** I thank the member for Chaffey for this very good question. Obviously, it is an issue that SA Health, and particularly the Riverland Mallee Coorong Local Health Network, have been working significantly on since first news broke of the issue of the incoming water that is going to be coming down the Murray.

Assessment has been done by the local health network in regard to all its sites. The advice that I have received certainly is that, of those sites, it is really the Renmark site which is the one that is at risk. A significant amount of planning and evacuation planning is being done. I understand there were already some plans in place, but obviously, given the much heightened risk that they are going to have to be enacted, a significant amount of planning has been occurring.

As was said, we know that there are 77 aged-care residents, and usually six to eight patients on top of that, who are in the Renmark facility. The advice I have is that all those residents will be able to be transferred, should that be required, to other facilities within the local health network region. It will be done in a number of different stages.

The first stage would involve an orderly relocation of residents with significant mobility or other impairments to alternative facilities within the local health network. That would be done to make sure that those who are harder to move will be done first as a proactive measure. The second stage

would involve the orderly relocation of ambulatory residents to alternative facilities, should the water reach such a point that evacuation of the facility would need to take place.

As the member would be aware, there is obviously a strong network between the various hospitals within the Riverland region. They are working together under the local health network to make sure that this can be managed in an orderly way. I'm advised that the local health network has been in contact with residents, patients and their families to inform them about the steps as they would need to be put in place.

Obviously, separately the government is doing a significant amount of work very, very quickly in regard to the levee around Renmark, but planning is being done on the worst case scenario that the hospital would have to be evacuated and to make sure that the residents can be accommodated appropriately. I want to thank the local health network, particularly Wayne Champion, who is leading these efforts. From the government's perspective, all support that we can offer in terms of making sure that those plans can be enacted certainly has our full support to make sure that can happen.

## SANDBAGS

**Mr PEDERICK (Hammond) (15:02):** My question is to the Minister for Emergency Services. How many automated sandbag filling machines does South Australia have, and is the government sourcing more?

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:02):** Thanks, member for Hammond, for your question. I will take on notice the exact number that we have. I'm not advised, nor have I had a request from the Chief Officer of the SES, to source more automated sandbag machines or technology.

## INTERNATIONAL VISITOR STRATEGY

**Ms THOMPSON (Davenport) (15:03):** My question is for the Minister for Tourism. Can the minister update the house on the international visitor strategy for South Australia?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (15:03):** I thank the member for Davenport for this question. Last week, we got the nation's attention by winning the Magic Round, and this week we got the world's attention by announcing that we will have LIV Golf here in April—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. Z.L. BETTISON:** This is exactly what we want to do.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. Z.L. BETTISON:** We want to build back our international tourism here.

*Members interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. Z.L. BETTISON:** Of course, we have a series of events that international tourists are interested in. The Santos Tour Down Under, back in its traditional format—

*Members interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. Z.L. BETTISON:** —brings people here who love cycling. This time, we are going to have the elite men and the elite women coming here. We have it all over South Australia, with people looking at our beautiful landscapes.

*Mr Whetstone interjecting:*

**The SPEAKER:** Member for Chaffey!

**The Hon. Z.L. BETTISON:** Of course, in July the FIFA Women's World Cup will be here and eyes will be on Australia. But of course we've got a great draw and people will be watching us here. Recently, the ICC T20—some fantastic games, and of course tomorrow night the one-day international, when England plays Australia. This is really important to draw attention to our state and to attract people to our state.

Why is this important? Because prior to COVID, the international tourism economic impact was $1.2 billion. That is an incredibly important part of our visitor economy. We need to build that back with a combo of events and strategies. Important, of course, is getting aviation back on track, and I was able to announce yesterday that we will be back—

*Mr Tarzia interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. Z.L. BETTISON:** —to 90 per cent of flights in January.

*Mr Brown interjecting:*

**The SPEAKER:** Member for Florey!

**The Hon. Z.L. BETTISON:** This is about jobs. This is about small business. This is about the whole of South Australia benefiting from these tourists coming to spend their money, spend their time loving our state and coming back time and time again.

The South Australian Tourism Commission focuses on the key markets of the UK, North America, India, New Zealand, Singapore and Europe. What we do is we focus on these media and trade visitations and these events. These strategies have been quite intense. This is about marketing, but it's also about bringing people here.

We recently hosted the largest famil since the start of the pandemic. The *Travel + Leisure* magazine travel advisory board and senior executives from leading travel agents and journalists in the US were hosted here across the state in various regions. This highly influential group drive more than $US14.5 billion in annual revenue. These are important influencers. They are buyers and they are travel agents. They are the people who put us on the map to get people to come here and book.

Recently, expressions of interest went out to industry inviting our international-ready tourism operators on two separate international roadshows in 2023—North America in March and the UK and Europe in June. The operators will meet with key travel partners to help them sell South Australia and drive international visitor expenditure.

This is on top of our wildly successful working holiday-maker ten-pound Pom opportunity that we went out on, when 16,000 people registered their interest—absolutely amazing. We were trending twice this year because people wanted to know about South Australia and they wanted to come here. That was launched in April, and of course in September we held our global industry forum. I was able to meet with all the SATC representatives across the board. They spent time going out to see what we have to offer and sell South Australia to the world.

## HOSPITAL BEDS

**Mrs HURN (Schubert) (15:07):** My question is to the Minister for Health and Wellbeing.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order!

**Mrs HURN:** Will the minister clarify whether converting storage rooms into hospital beds is part of the government's plan to fix ramping in South Australia. With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** At a parliamentary committee last week, it was uncovered that eight storage spaces had been converted into beds, but there was no clarity as to how many other broom closets were being used across the system.

*Members interjecting:*

**The SPEAKER:** Order! Member for Schubert, that is not necessarily a fact. It is not necessarily a fact and I have drawn—

*Members interjecting:*

**The SPEAKER:** Order! I draw members' attention to those matters that can be introduced by leave.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (15:08):** Thank you for this question from the shadow minister and her articulation of the issue, which allows me to correct the absolutely bogus rubbish that is being put out by those opposite. It is absolute complete rubbish.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hurtle Vale and the member for Schubert will cease their exchange. The member for Chaffey knows better. The minister has the call.

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

**The SPEAKER:** The Treasurer is called to order.

*The Hon. B.I. Boyer interjecting:*

**The SPEAKER:** The member for Wright is called to order and knows better.

**The Hon. C.J. PICTON:** For the shadow minister to come in here and talk about a broom closet is—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** —completely wrong.

*Mrs Hurn interjecting:*

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

*Mrs Hurn interjecting:*

**The SPEAKER:** The member for Schubert is warned for a second time.

**The Hon. C.J. PICTON:** What has been outlined and what has been described by Dr Kerrie Freeman, the Chief Executive of the Southern Adelaide Local Health Network, both at the committee that has been referenced and on radio in the media publicly, is that there has been internal expansion at Flinders Medical Centre where rooms—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** —have been converted.

*An honourable member interjecting:*

**The SPEAKER:** Order! The member for Schubert is warned for a third time. Three minutes remain.

**The Hon. C.J. PICTON:** We are then converting spaces to enable additional patients to be cared for. The problem is that we don't have enough beds, and we have made that very clear—

*Mrs Hurn interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. C.J. PICTON:** We were elected on that basis.

*Mrs Hurn interjecting:*

**The SPEAKER:** Member for Schubert, I do not wish to exercise 137 given the time remaining.

**The Hon. C.J. PICTON:** We have committed $400 million to upgrade and expand Flinders Medical Centre, together with the commonwealth government, because we recognise that there are not enough beds at that facility. This is in—

*Members interjecting:*

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

*Members interjecting:*

**The SPEAKER:** Member for Florey!

**The Hon. C.J. PICTON:** This is again just complete rubbish. This is in extreme contrast—

*Mr Whetstone interjecting:*

**The SPEAKER:** Member for Chaffey!

*Mrs Hurn interjecting:*

**The SPEAKER:** Member for Schubert, you will—

*Members interjecting:*

**The SPEAKER:** Order! You will leave the chamber for two minutes.

*The honourable member for Schubert having withdrawn from the chamber:*

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

**The Hon. C.J. PICTON:** It is rude to respond to interjections but I was challenged to ask whether the shadow minister was wrong, and I can confirm that she is wrong. This government—

*Members interjecting:*

**The SPEAKER:** Order! Member for Chaffey, you can join the member for Schubert—one minute.

*The honourable member for Chaffey having withdrawn from the chamber:*

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

**The Hon. C.J. PICTON:** This government has committed $400 million to expanding Flinders Medical Centre and the Repat, 160 extra beds across both sites, to provide the additional care that people need. That stands in stark contrast to the previous government's approach with their supposed southern health expansion plan, which didn't add any extra beds to Flinders Medical Centre and just rebadged some beds from inpatients and said, 'Well, these are now emergency beds, rather than inpatient beds.' It added no additional capacity to the hospital whatsoever, whereas we have an alternative approach, which is that we need to build more beds at that hospital.

We are doing everything that we can to make sure that we can improve the capacity. What is the alternative? That we would continue to operate without the beds that we need and without the ability for people to get through the emergency department. As Dr Freeman has articulately explained both to the committee and on radio, these are beds with the appropriate services and the appropriate medical gases that will be provided. They are not able to be distinguished from other beds in the hospital, and you can make sure that people can get the care they need and get out of the emergency department when they are stuck there. We will continue to expand every possible ability that we can to make sure that every patient can get the care that they need in our health services.

*Ministerial Statement*

## CLOSING THE GAP ANNUAL REPORT

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and**

**Racing) (15:12):** I table a ministerial statement made in the other place by the Minister for Aboriginal Affairs.

*Grievance Debate*

## AUDITOR-GENERAL'S DEPARTMENT

**Mr COWDREY (Colton) (15:13):** Once again, we are left wondering why this Premier and this government are so intent on curtailing transparency. We have seen some troubling actions taken in the life of this government so far—refusing to answer questions on notice within 30 days in this chamber, as was the convention during the previous parliament; providing little information on how savings measures are going to be achieved; FOI applications being knocked back here, there and everywhere; and legislation being railroaded through this parliament on multiple occasions.

But by far the most troubling is the Premier and this government's seeming attitude of contempt towards the Auditor-General—unprecedented cuts delivered to the Auditor-General's Department and a steadfast refusal to provide him cabinet submission documents that are only being sought by the Auditor-General to undertake his statutory responsibilities to this very parliament.

The Premier and the Labor Party have continued to make statements defending these actions, statements that, without context, are true but that could only be interpreted by any rational and logical person as being just plain shifty. Statement No. 1, and I quote:

> The government operates on exactly the same framework as its predecessor.

Technically true. Premier's circular 47 still exists and provides the Premier the ability to release requested cabinet documents to the Auditor-General. Under the last government, all requested cabinet submissions were approved for release. Under Labor, the Premier has released zero—rejected all requests. So, yes, while the same framework exists, the practical outcome is completely different, and this secrecy is down to one person: the Premier of this state.

If the Premier's intent is to just reject every request, why keep a framework whose purpose is to allow the release of cabinet submission documents? The circular is there so that the Auditor-General can do his job and avoid him having to provide qualified opinions like he was forced to do in relation to the Labor Party's sports and infrastructure election grants scheme.

Statement 2, and I quote:

> The only people in South Australia who are entitled to cabinet documents are members of cabinet themselves.

Again, technically true. Leaving aside the long list of political staffers, departmental staff and others who have access outside of cabinet members themselves, it ignores the convention of providing requested documents to the Auditor-General that existed prior to 2016. It also ignores the fact that the Premier need only introduce a bill to the parliament should he wish to provide that entitlement to the Auditor-General. We know that the Premier has shown a propensity to double down on issues that fly in the face of public opinion—take the CFMEU donation earlier this year—or even in the face of his caucus, as it appears.

Now, the federal Auditor-General can access necessary cabinet submissions. The McGowan Labor government recently introduced a bill to the WA parliament to provide an express legislative right of access to their Auditor-General. The Perrottet Liberal government introduced a bill last week to the New South Wales parliament to provide that same right of access, even though both governments have been providing documents to the respective auditors-general.

The question for the government backbench, particularly the new members to this place in the member for Gibson, the member for Newland, the member for Elder: is this what you expected your government to be? Is this what your constituents expect, a government that hides from transparency? We all know now that you do not agree with everything the government is doing. We return to the question of why. Why will the government not release these documents? What is the Premier trying to hide?

Would the member for Elizabeth be back in cabinet by now, having served four faithful years in opposition, if the Premier released the cabinet submission document? Was the grant scheme

authorised appropriately? Did any minister declare conflicts, and who signed the cabinet submission? Questions the Auditor-General, this parliament and the people of South Australia should have answers to. 'The Auditor-General serves a critical role in public integrity'—not my words—the words of Labor Premier McGowan.

The opposition will be introducing a bill to this parliament to provide an express statutory right of access to cabinet submissions. We are taking the action that this government should be and invite those opposite to support us. It should not matter, whether Liberal, Greens, SA-Best, Independent. This parliament should be taking steps forward, not backwards, to provide the public assurance that the decisions and actions of government are accountable. What is this Premier trying to hide?

## LOCAL GOVERNMENT ELECTIONS

**Ms CLANCY (Elder) (15:18):** On the weekend, we saw the results of local government elections roll in. I want to congratulate everyone who has been elected, but especially those in the cities of Marion, Mitcham and Unley in my electorate.

Not too far from my patch is what used to be known as the City of Brighton. In 1919, Grace Benny was elected to Brighton council, becoming the first woman to be elected as a councillor in South Australia, and there is another trailblazing woman who was elected to the Brighton council some 70 or so years later, who is particularly close to me—my mum.

My mum has been in local government for as long as I can remember. On more than one occasion, when dropping me off to Somerton Park kindy in the early nineties, my dad, Tony, who is here in the gallery today, sidled up to another parent and asked if they felt like doing some letterboxing for his wife who was running for council. This was a bold move that, combined with a lot of letterboxing by him and doorknocking by mum, led to my mum, Rosemary Clancy, being elected as a councillor for the City of Brighton.

Mum served as a councillor and then Mayor of the City of Brighton. It was during her time as mayor that I remember spending a lot of time at the Brighton library and the town hall, attending citizenship ceremonies in the mayor's parlour and waiting, not so patiently, in her office during meetings. It was during those meetings that I was able to see my mum's commitment to helping others and I was able to get my hands on the soft drink and chips that were not available at home—so it was not all that bad.

It is now funny to think that I am giving a similar experience to my little one. Even as a two year old, she has been able to sit quietly in meetings and community forums and now she considers her friendship group to include people like the member for Reynell, the member for Badcoe, the Premier—and the Premier always gets referred to by his full name, for some reason—as well as the Attorney-General, her friend who works in the other place or, as she refers to it, the red room. Being exposed to community work and service early on in my life clearly had an effect on me and I am sure it will have some kind of effect on 'T', though at five years old she has already made it very clear she has no interest in being a politician; she wishes to be a surgery doctor.

Mum was mayor until 1997, when the City of Brighton amalgamated with the City of Glenelg to form what we now know as the City of Holdfast Bay. My mum was very supportive of this amalgamation, suggested by the state government, and she knew it was the right thing to do for the community. Others in a similar position may have pushed back on such a change, trying to hold on to something for their own gain, but that was never an option for Rosemary Clancy; she was always going to put her community first.

For more than 30 years, she has been serving her community as a member of these councils. When I ran for the federal seat of Boothby, I regularly had people telling me, when I knocked on their door, how my mum had helped them in the past. Our home telephone number was available to everyone for my whole life and people were regularly calling to ask for assistance, which was always given except when I was too young to correctly take down details and was a bad phone message taker.

Along with constituent work, my mum has always fought for green spaces. She fought to stop the sale of Bowker Street oval and to maintain open space at Mawson Oval and Seaforth Park.

She also fought for the Brighton pump track, which is enjoyed now by so many members of the community, providing a place for people, particularly young people, to connect and be active.

After a huge storm in 1994, which had waves literally washing across the Esplanade and which took down the Brighton jetty, my mum was mayor as the new jetty was constructed. A friend of ours, Shelley, was once walking past the new jetty where there is a big rock with a plaque on it which says, 'Opened by Rosemary Clancy', and her little girl, Maddie, walked past at the time and said, 'Why didn't you tell me?' Her mum said, 'What?' She said, 'Why didn't you tell me Rosie died?' It is not a gravestone: it is to mark the opening of the new jetty back in 1997.

I am very proud of you, mamma bear, and I know not choosing to run for council this time around would have been tough. Thank you for all you have done for our community. It has been an incredible effort and you deserve to take some time now to relax. Thank you.

## CHILD PROTECTION

**Mr TEAGUE (Heysen) (15:23):** I rise to respond to the report of Kate Alexander published by the government last week, entitled 'Trust in Culture'. It was sought by the government back in May or June this year in response to the findings of the Deputy Coroner in relation to the deaths of Amber Rose Rigney, Korey Lee Mitchell and their mother, Adeline Yvette Rigney.

In these remarks I mean no particular criticism of Kate Alexander; however, I do not share the view of the Premier given in response to my question yesterday that the document responds to its terms of reference or is otherwise in the least bit evidencing any aspect of having been a worthwhile exercise. Indeed, it ought more properly to have been entitled 'wilful blindness' or perhaps, alternatively, 'dereliction of duty'. Those were two of the observations—and damning they were—of the Deputy Coroner in the Deputy Coroner's findings in May in respect of a basic failure by the department to do what it was required to do in accordance with the act.

It was obliged, in the circumstances in which it found these poor children to be living, pursuant to the clear mandates of the then act, to have sought orders in the court to intervene, both in respect of the analysis of available drug treatment and in terms of taking those children to a safe place. The Deputy Coroner described the reluctance of the department to act in its usual course, compounded by the department's unwillingness to act in the face of requests from the court to do so, to amount to a combination of wilful blindness as to its obligations under the then applicable act—the Children's Protection Act 1993—and a dereliction of duty insofar as it purported to be unable to act.

The Deputy Coroner made recommendations in two clear areas. One was to go back and look over all the previous coronial findings going back to 2010. The other was to have a thoroughgoing review into departmental processes, with a view to the department complying with its statutory obligations, and not only the department but also the then minister, the now Deputy Premier. The Deputy Coroner found in clear terms that those statutory obligations were set out on the face of the act and ought to have been complied with. Not only that, but previous coronial inquests, particularly that following the death of poor Chloe Valentine, had found that those things had not occurred back then and that they were basic and straightforward.

The Deputy Coroner in May of this year, in describing those events, said, 'Well, this has happened before.' The chief executive, in response to a coronial finding—and this is at page 65 of the Deputy Coroner's report—in response to the Chloe Valentine coronial inquest, did something quite straightforward, posting a notice on the board for departmental staff to follow. The notice said, 'The Coroner has made a recommendation that Families SA should strictly comply with section 20(2) of the Children's Protection Act 1993 with immediate effect,' and then stated what section 20(2) says.

For the government to have gone ahead and ordered the production of the Alexander report in all the circumstances amounts to nothing more than whitewash. There will be more to say about this in due course. This was a shameful set of circumstances that deserved a practical and immediate response.

## PROSPECT PRIMARY SCHOOL CENTENNIAL

**Ms HOOD (Adelaide) (15:28):** Last year, Prospect Primary School turned 100. Unfortunately, a particular global event postponed that celebration. Instead, last month, on 22 October, our local community celebrated Prospect Primary Centennial +1 Open Day. It was certainly worth the wait. The school and the wider community pulled together to deliver a truly wonderful event. There was a bake stall, a plant stall, nature craft, a yiros stall, popcorn, badge making, games, music, dancing and a barbecue by the local Blair Athol Lions Club.

A history display celebrated Prospect Primary School's stories of staff and students from the last 100 years, while teachers opened up their classrooms to proudly display the work of our little ones. After a challenging couple of years for the school community, in particular for staff and students, it was so incredibly heartwarming to see our school community come together again.

One very special moment on the day was the opening of the Prospect Primary School's time capsule. The time capsule was sealed on 26 October 1986 by then Prospect Primary School students Debbie Zimmerman and George Tyhalas. Fast-forward 36 years, and Debbie and George were there once again—this time as adults—to open the time capsule that they had sealed almost four decades earlier. Included in the time capsule were students' artwork and even a cassette tape-recording of students' voices. We loved hearing the little ones ask us, when they saw the cassette tape, 'What's that?'

An event like this does not happen without the tireless work of so many. I want to acknowledge first the local businesses who supported the event, including Schinellas, Healthy Inspirations, Fiaje jams and preserves, Drakes Collinswood, Officeworks Prospect, Fotobase, Africola, Africola Canteen, OTR Prospect, Costco, Kennards Hire Valley View, PowerHouse gym, Skinnymixers, Bunnings Prospect, Prospect-Blair Athol Lions Club, Prospect Historical Society and Scrunzi.

In particular, there is an incredible group of women I want to acknowledge today who are also in the gallery: firstly, Prospect Primary School principal, Karen Duval, and assistant principal, Anita Hall, who with their staff work so incredibly hard to foster a welcoming, inclusive and creative school community. You will always find them rolling up their sleeves to decorate the school hall for the disco or turning sausages on the election-day barbecues, on top of ensuring the smooth and safe running of our beautiful school.

To our Centennial Committee champions—Mez Nelson, Anna Cope and Alicia Neville—these three mums worked day and night for months and months to make this event happen. They did it without the expectation of acknowledgement or reward but simply because they love their kids and they love their community. Thank you, Karen, Anita, Mez, Anna and Alicia for making this incredible day happen.

To our governing council and the many parents, grandparents, caregivers, teachers, support staff and loved ones of staff who volunteered hours of their time letterboxing pamphlets, packing up, setting down, working on the stalls and making the day run so smoothly—thank you. I actually recorded how long it would take me to read out all the names of everyone who contributed to making this special day happen and it literally would have taken up more than the entirety of my five minutes today.

So, thank you so much to everyone for being part of this magical day: a day of celebration, a day of community and a day that reinforced to all of us what an incredible village we are educating and raising our children in. I cannot wait for Prospect Primary's 200th birthday.

## RIVERLAND COMMUNITIES

**Mr WHETSTONE (Chaffey) (15:32):** I rise today to show a level of concern in regard to question time today about the preparedness of this government for what is deeming to be one of history's high-flow flooding events in South Australia's history.

The first question today to the Premier was about his most recent visit to the Riverland. I acknowledge he did try to ring me at 6.30 or thereabouts on the day he came up, but I then texted him. I then rang him to see if we could meet. No response. I texted the Deputy Premier if we could

have a conversation about coming together so that I could give them a better understanding of what this region was about to go for. No response. I then texted the Minister for Emergency Services to see if we could have a chat. No response. Really, it was about a photo exercise. It was about going up in a helicopter, having a look around—but with nothing. The Premier and his team went up for the day and left us with nothing other than hope.

I am very concerned that today the Premier said that he is prepared to work with me and share knowledge. Well, that day would have been the perfect day to do that. Will the Premier uphold his promise to the people of the Riverland, to those tourism operators, those small business operators that there will be a package there to help them? I hope so. Those tourism operators and small businesses have been belted from pillar to post, not only with COVID but now with the uncertainty and with high flows and water coming into South Australia.

The uncertainty the Riverland is living with is the continual moving of the goalposts. We saw those predictions start at 80, then went to 90 and then went to up over 100. Then it went to 120 and now it is 165. I think it is going to be closer to 200, but what we have to do is wait. I want to give the people of the Riverland, the people of the river communities, the certainty they deserve. Questions were asked of the Minister for Human Services about emergency measures, emergency preparedness for these high-flow events, and she talked about hotel rooms.

We are talking between 4,000 and 6,000 power disconnections due to that high flow. To put that into perspective, how many people in the river corridor will be displaced from their homes and from their businesses? What does that mean for the ability of irrigators to pump water? What that is telling me is that we are going to have an induced drought outside the flood zone, and that does worry me greatly.

We have many, many hundreds of millions of dollars in assets, if not billions of dollars of irrigated assets that SA Power Networks have not addressed properly. They have come to me at the last minute saying, 'We will give you a briefing.' Sir, give me a break! Give me a briefing? We have a lifetime of permanent plantings and businesses that have been built through generations of commitment to producing food, yet we have SA Power Networks not giving us one iota of understanding of what their support will be. I asked the Minister for Energy yesterday what he will do. Again, he pointed to SA Power Networks.

I am urging the government of the day to come out and give the Riverland, give the river communities, a level of certainty. In terms of health, I asked the Minister for Health about evacuation procedures at the Renmark hospital. I acknowledge that he gave me a reasonable answer, but where will those almost 100 residents and patients be relocated?

I can understand that the nine patients will be relocated to hospitals within the vicinity, but 77 aged-care residents will not fit into the current infrastructure we have locally in Chaffey, so those aged people under care will be displaced right around South Australia. Where is the plan? Where is the understanding of just where those people will be moved?

Again, with respect to emergency services, the minister was asked by the member for Hammond about preparing for flood mitigation. Sandbags are an issue, and I have talked to the minister about that. I can assure the minister that sandbags are available in this country. I have constituents who are buying them of their own accord. They are buying 1,000 bag bales as we speak here in Australia. We are not waiting for bags to come from India. It is a slow boat from India, let me tell you. We do not understand just how many bags are coming from India, and we do not know how long it is going to take.

Time is of the essence. The Riverland and its river communities are running out of patience through lack of preparedness by this government.

## NEWLAND ELECTORATE

**Ms SAVVAS (Newland) (15:37):** Today, I would like to acknowledge the mighty Modbury Hawks, one of Australia's oldest football clubs and one of the three best football clubs in the state, of course alongside the Tea Tree Gully Wolves and the Hope Valley Demons.

The Modbury Football Club, alongside the Gully Wolves, is one of the oldest football clubs in the country, first playing a game in 1862. It was played against the Adelaide Football Club, each side playing with 20 players and no umpires. The game ended after Adelaide kicked its second goal and the game was declared in their favour two goals to nil.

The two teams met again the following year on a strip of land near the Modbury pub, still a favourite local pub and sponsor of lots of our local sports groups. That strip of land is now known as Civic Park, which is very much now the heart of our community, home to Sfera's Park Suites, our library, our civic centre, the Pickled Duck restaurant and, of course, the Modbury pub.

To celebrate the 100th anniversary of the club, in 1962 a special game was played between the Modbury Football Club and the South Adelaide Football Club. Again, they also celebrated with the South Adelaide Football Club in their 150th year to commemorate two of the oldest clubs in our state. This year, we celebrate 160 years of the incredible Modbury Football Club and have done that in true Modbury style with two premierships.

I am incredibly proud of the history of this club and would like to acknowledge the few different spots they have played at before making Modbury Oval their official home. They started at the old oval, Civic Park, before moving onto Memorial Oval in the Gully. They then went back to a temporary oval, which has since become Waterworld (our local swimming centre) and now back to Modbury Oval right next door.

It was just a few weeks ago that I was gifted a photograph of the first bounce at Modbury Oval in the 1960s—a photo of the only member for Tea Tree Gully, the first Labor woman in the house, Molly Byrne, bouncing the ball at that game. I am incredibly proud to have that up at my office, and I am also proud to know Molly and to continually hear about her contribution to local clubs, societies and schools, including the Mighty Hawks.

It is only every couple of days that someone comes into the office and asks me whether Molly is still living on North-East Road and having meetings with constituents at her home. Many a time, I have driven past her house and mentioned to residents that, unfortunately, she is not there, and that, in her 90s, she is no longer seeing constituents in her front lounge room.

On 10 September this year, our Modbury Hawks, our C grade, played the Scotch Old Colls in the C3 grand final at Elizabeth, winning that grand final 57-46. I would like to acknowledge a few particular players from the C3s and also would acknowledge that, of course, in any grand final every member of the team plays a significant role. There was Joel Vaneveld, Scott Cleary and Jack Sutton, who ended up our C grade best and fairest.

I would also like to make a particular shout-out to the incredible Tim Davey. Along with the member for Wright and the member for King, I went to the Modbury Football Club presos a few weeks ago and was able to watch Tim get, I believe, his eighth best and fairest in a row. Tim also won the Division 3 Association medal and will once again get to drive a brand-new car for the year.

I will tell you the truth: most people do not quite believe me when I tell them that our local footy club, the Modbury Premiers, actually get to drive a car around for the whole year, but that is the honest truth. Modbury Hawks sponsors Mawson Lakes Volkswagen and Mazda and the incredible support of Peter Lempens, the general manager at that dealership, means that the A grade B and F winner gets a free car for a year. I would like to thank Peter Lempens and the Mawson Lakes dealership for their support.

I would also like to acknowledge Emily Page, the women's B and F, Elliott Murada, Blake McLounan—other best and fairest winners—and the Mighty Hawkettes, having won a grand final of their own last year and having another strong season this year. Our Hawkettes caught some media attention earlier in the year, having not one, not two but four mother-daughter duos playing for the club. Those four duos are still playing together at the club, and that is just who the Hawks are—a family.

I would like to also acknowledge the work of volunteers at the club, particularly John and Jodie, the best club man and woman—two volunteers giving their all for the Hawks. I love the club and could not be prouder to be helping them build their nest with a commitment to them at the election for a new build in the coming year.

*Bills*

## NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (MINISTERIAL RELIABILITY INSTRUMENT) AMENDMENT BILL

*Introduction and First Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:43):** Obtained leave and introduced a bill for an act to amend the National Electricity (South Australia) Act 1996. Read a first time.

*Second Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:43):** I move:

That this bill be now read a second time.

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

Leave granted.

The Government is building upon an important national reform, the Retailer Reliability Obligation, which commenced in July 2019. The Retailer Reliability Obligation aims to give confidence to all stakeholders that sufficient dispatchable power will be available when required as the National Electricity Market transitions from ageing fossil fuel plants to new, clean energy resources.

This mechanism was designed to ensure the electricity system operates to reliably meet electricity demand at the lowest cost by incentivising retailers and other market customers in the National Electricity Market. It does this by encouraging earlier and longer term electricity contracting, thereby underwriting greater investment in dispatchable capacity.

Under the Retailer Reliability Obligation, if a forecast supply shortfall is identified, this triggers an obligation on electricity retailers to demonstrate their contracting can meet their share of peak demand one year in advance.

In 2019, the National Electricity (South Australia) (Retailer Reliability Obligation) Amendment Act 2019 provided for local provisions related to the triggering of the Retailer Reliability Obligation which applied only in South Australia. It provided for the South Australian Minister to make a reliability instrument if it appeared on reasonable grounds, that there would be a real risk that the supply of electricity to all or part of South Australia may be disrupted to a significant degree on one or more occasions during a period.

These South Australian provisions have proven to be valuable for us, with Reliability Instruments being made in early 2021 and early 2022 to reduce the risk of an energy shortfall in South Australia during the 2024 and 2025 summers respectively. The most recent Electricity Statement of Opportunities has indeed identified a reliability gap for the 2024 summer, further justifying the merits of theses supplementary provisions.

The other jurisdictions within the National Electricity Market have recognised the usefulness of these provisions and are now looking to adopt them.

In October 2021, National Cabinet endorsed the Energy Ministers' decision to implement a Ministerial reliability instrument for the Retailer Reliability Obligation for all regions in the NEM, as is currently in place in South Australia.

As such, the *National Electricity (South Australia) (Ministerial Reliability Instrument) Amendment Bill 2022* seeks to expand these provisions that previously were only applied in South Australia to the other NEM jurisdictions.

The Bill gives an option to the Minister of the relevant participating jurisdiction to make a 'T-3' reliability instrument three years out for a specified period on or after 1 December 2025. A T-3 reliability instrument can only be made with 3 years' notice under the RRO framework.

The intention of this Bill is to better manage the risk that a reliability gap could emerge at any time across the 10 year forecast period that may not have been forecast by the Australian Energy Market Operator.

A Minister can only make such an instrument if at appears to the Minister, based on reasonable grounds, that there is a real risk that the supply of electricity will be disrupted to a significant degree on one or more occasions during a period specified in the instrument.

A transitional arrangement has been included in the draft Bill to manage the risk that amendments to the existing framework are not in place in time to provide 3 years' notice for the 2025/2026 period.

The notice period provided for in this draft Bill is no less than 24 months. A cut-off date applies to this transitional arrangement in that, after 1 December 2023, the trigger period reverts to 36 months which is consistent with the existing Retailer Reliability Obligation mechanism.

If an Energy Minister intends to make a reliability instrument, this Bill requires the Minister consult with the Australian Energy Market Operator and the Australian Energy Regulator in relation to the instrument the Minister proposes to make.

Broadening the existing Ministerial reliability instrument from South Australia to all NEM jurisdictions strengthens the ability for National Electricity Market jurisdictions to manage potential risks to system reliability.

The Bill also provides for the South Australian Minister to make the initial rules relating to the Ministerial reliability instrument.

The Ministerial reliability instrument reflected in this Bill is only one component of a broader resource adequacy reform package being developed by market bodies and jurisdictions. Nevertheless, strengthening the regulatory resilience of the National Electricity Market via this Bill is in the best interests of the South Australian community, particularly while there remain reliability concerns in response to risks and uncertainties associated with generation retirement.

I commend this Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

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

4—Repeal of Part 7A

Part 7A provided for the South Australian Minister to make a T-3 reliability instrument. Its repeal is consequential on the amendments to the *National Electricity Law* effected by the measure.

Part 3—Amendment of *National Electricity Law*

5—Amendment of section 14C—Definitions

Certain definitions are inserted or amended for the purposes of the measure.

6—Amendment of section 14G—Meaning of forecast reliability gap, forecast reliability gap period, T-3 cut-off day and T-1 cut-off day

Section 14G of the *National Electricity Law* is an interpretative provision—the amendments are related to proposed section 14JA (which proposes to authorise a Minister of a participating jurisdiction to make a T-3 reliability instrument for a region).

7—Amendment of section 14H—Rules must provide timetable for reliability forecasts, requests and instruments

8—Amendment of section 14I—AEMO must request reliability instrument

These amendments are consequential.

9—Insertion of section 14JA

Section 14JA is proposed to be inserted into the *National Electricity Law*:

14JA—Minister may make T-3 reliability instrument

A Minister of a participating jurisdiction is authorised to make a T-3 reliability instrument for a region in certain circumstances.

The provision provides for the content of a T-3 reliability instrument for a region. Consultation and publication requirements are provided for. Certain limitations relating to making a T-3 reliability instrument are set out in the proposed section.

10—Amendment of section 14K—AER may make reliability instrument for a region

This amendment is consequential.

11—Insertion of section 90EC

Section 90EC is proposed to be inserted into the *National Electricity Law*:

90EC—South Australian Minister to make initial Rules relating to Ministerial reliability instrument

The South Australian Minister is authorised to make the initial Rules relating to the Ministerial reliability instrument amendments.

Schedule 1—Transitional provision

1—Transitional provision

A transitional provision relating to T-3 reliability instruments made by the Minister under section 19B of the *National Electricity (South Australia) Act 1996* is inserted for the purposes of the measure.

Debate adjourned on motion of Hon. J.A.W. Gardner.

## FAIR WORK (FAMILY AND DOMESTIC VIOLENCE LEAVE) AMENDMENT BILL

*Introduction and First Reading*

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (15:44):** Obtained leave and introduced a bill for an act to amend the Fair Work Act 1994. Read a first time.

*Second Reading*

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (15:45):** I move:

That this bill be now read a second time.

I rise to introduce the Fair Work (Family and Domestic Violence Leave) Amendment Bill 2022. I am very proud to do so. This bill fulfills the government's election commitment to create consistency in the state industrial relations system for family and domestic violence leave to ensure more workers can access such leave and to expand the objects of the Fair Work Act to include promoting and facilitating gender equity.

This commitment is part of the comprehensive women's policy we took to the election, a policy focused on advancing gender equality and working through legislation, policy and community effort to prevent and end the horrific scourge of domestic violence. Women who experience domestic violence should never have to choose between securing their safety and accessing the support they need and their financial security. We know that when women experience domestic violence it is utterly critical that if they are working they keep their connection to their workplace and income. Securing financial independence can be a key part of a woman's journey through healing and recovery.

Presently, the entitlements of state system employees to family and domestic violence leave are governed by an inconsistent array of policies, procedures and industrial instruments, which have fallen now behind the standards set by our commonwealth counterparts. Currently, public sector employees are entitled to paid leave through a determination of the Commissioner for Public Sector Employment. Local government employees are entitled to unpaid leave under their awards, which some councils supplement through paid leave negotiated through employer policies or enterprise agreements.

At the most difficult time, those experiencing domestic violence need and deserve surety about their income. I take this opportunity to pay credit to the work of the Australian Services Union and the Australian Workers Union, who for almost 15 years have led the charge in rightly calling for family and domestic violence leave in the local government sector. I thank these union members and indeed the members of other unions and officials who have tirelessly advocated for this change, for this step forward to support and empower women experiencing domestic violence.

We know that job security and economic security are often deciding factors when a woman contemplates leaving a violent relationship. Working women already often have to rely on annual and personal leave to cover time off for things like caring duties. They should not have to factor in

the financial consequences of taking unpaid leave in order to be safe and to take the steps they need to secure a future free from violence.

Employers have an ongoing responsibility to ensure employees' safety in the workplace. Part of this involves establishing fair access to paid domestic and family violence leave when needed and a workplace culture and system that supports using this leave.

We often say that domestic violence is everybody's responsibility—it is. Employers have a crucial role to play in helping to shift understanding about the gender inequality that drives violence, about how we can all understand and support those who experience it and to spread the message that violence is never an option. Enshrining this leave will send a clear message to our community and to workers and their families that their government and the biggest employers in the state, the public sector and local government, do not and will not tolerate domestic violence.

Addressing domestic and family violence is also key for closing the gender pay gap, as women who experience violence are more likely to fall behind in their career into low-paid and casual work, or out of the workforce entirely. In a country where the awful truth is that one woman is murdered by a partner or family member every week, it is indisputable that paid leave could save lives.

I am proud that this bill acts on our commitment and will create consistency in the state system by introducing the entitlement of 15 days' paid family and domestic violence leave for workers in the South Australian industrial relations system. The inconsistency in entitlements across the state industrial relations system and the fact that many local government employees still have no ability to access paid family and domestic violence leave at all is unacceptable and increasingly out of step with the significant work undertaken nationally to support victim survivors of family and domestic violence.

This bill will ensure consistency across the state industrial relations system by inserting a new schedule 3B to the Fair Work Act, providing a minimum standard for paid family and domestic violence leave. The bill defines family and domestic violence by reference to the definition of domestic abuse in the Intervention Orders (Prevention of Abuse) Act 2009. The carefully considered and comprehensive language of that act recognises that family and domestic violence takes many forms, including physical injury, emotional or psychological harm, and coercive control of a person's financial, social or personal autonomy.

The bill provides that all employees—full time, part time and casual—are entitled to up to 15 days of paid leave each year. Importantly, this leave is paid at the employee's full rate of pay, including any overtime, allowances, loadings or separately identifiable amounts. This ensures victim survivors of domestic violence are not disadvantaged by having to choose between their financial security and accessing these leave entitlements. This exceeds the 10 days minimum standard recently inserted into the commonwealth Fair Work Act. The government has deliberately chosen to adopt a higher standard for the state industrial relations system, reflecting the degree of responsibility state and local governments have as democratically elected bodies to combat the scourge of domestic violence.

The bill provides that these leave entitlements may be accessed for any purpose relating to the employee dealing with the impact of family and domestic violence, including but not limited to attending medical appointments, seeking legal advice, attending to legal proceedings and relocating residences. The bill provides that, where requested by an employer, the employee must provide evidence that would satisfy a reasonable person that the leave is being taken for one of these purposes. This is not intended to be a high threshold. The kinds of evidence which may satisfy this requirement include but are not limited to police documents, referrals from health practitioners and support services, court documents, letters from employee assistance programs, as well as personal letters or statutory declarations.

We do not want to see family and domestic violence leave being denied for any arbitrary or capricious reasons, and we trust that employers will approach these entitlements in the spirit that they are intended. The bill also includes robust confidentiality requirements so that employees can have confidence that their personal information will be appropriately treated. Employers cannot copy or retain evidence provided by the employee to support their leave claim. Employers are also

prohibited from requesting information from an employee about the nature or the extent of the domestic violence they are experiencing.

The bill makes it a criminal offence for an employer to disclose information obtained through these processes without the consent of the employee to whom the information relates. The bill also amends the objects of the Fair Work Act to include promoting and facilitating gender equity. This will make gender equity a central consideration of the South Australian Employment Tribunal wherever it is carrying out its functions under the act such as when making industrial awards.

With this bill, this government—and we hope this parliament—is making a clear statement that we will do what we can to support victim survivors of family and domestic violence in leaving these terrible circumstances. Paid family and domestic violence leave is not a silver bullet. It is not the whole solution but it is part of the solution.

I look forward to the progress of this bill and to progressing all of the measures we have committed to as a government to help prevent and end domestic violence. I thank the many victim survivors who, with courage and care for others facing similar predicaments, have spoken with me about their journeys and the difference that these provisions will make.

I commend the bill to the house and seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Fair Work Act 1994*

3—Amendment of section 3—Objects of Act

This clause inserts a new object of promoting and facilitating gender equity into the Act.

4—Insertion of section 70B

This clause inserts a new section into the Act construing a contract of employment under the Act as if it provided for family and domestic violence leave in terms of the minimum standard. The minimum standard will either be the minimum standard as set out in the inserted section (being that outlined in clause 5 of this measure or as substituted by the South Australian Employment Tribunal), or the provisions of the particular contract of employment where such provisions are more favourable to the employee.

This clause also provides that the South Australian Employment Tribunal may, upon the application of a peak body, review the minimum standard for family and domestic violence leave set out in this measure and, if satisfied of the matters specified, substitute a fresh minimum standard.

5—Insertion of Schedule 3B

This clause inserts Schedule 3B into the Act, which sets out the minimum standard for family and domestic violence leave. Clause 1 of inserted Schedule 3B defines family and domestic violence as being domestic abuse within the meaning of the *Intervention Orders (Prevention of Abuse) Act 2009*. Clause 2 of inserted Schedule 3B provides that an employee is entitled to take 15 days of family and domestic violence leave, non-accruing, in each year of their employment.

Clause 3 of inserted Schedule 3B outlines the purposes for which an employee is entitled to take family and domestic violence leave, the manner in which the employee is to give notice of the leave, the fact that the employee must, at the request of the employer, provide evidence that the leave is for 1 of the purposes listed in proposed subclause (1), the information that an employer is not permitted to request from the employee and the manner in which periods of family and domestic violence leave is to be taken.

Clause 4 of inserted Schedule 3B provides that an employee is entitled to their full rate of pay for any period of family and domestic violence leave, including separately identifiable amounts such as overtime and allowances. The full rate of pay for an employee who is not a casual employee is worked out as if the employee had not taken the leave. The full rate of pay for a casual employee is worked out as if the employee had worked the hours for which the employee was rostered. A casual employee is taken to have been rostered to work hours in a period where the employee has accepted an offer to work those hours by the employer.

Clause 5 of inserted Schedule 3B requires that information obtained under the inserted Schedule in relation to an employee's experience of family and domestic violence leave is not to be disclosed, except in limited circumstances. If information is disclosed in those limited circumstances, the information so disclosed is not to be used for any other purpose.

Debate adjourned on motion of Hon. J.A.W. Gardner.

## HEALTH CARE (ACQUISITION OF PROPERTY) AMENDMENT BILL

*Introduction and First Reading*

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (15:56):** Obtained leave and introduced a bill for an act to amend the Health Care Act 2008. Read a first time.

*Standing Orders Suspension*

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (15:57):** I move:

That standing orders be so far suspended as to enable the bill to pass through all remaining stages without delay.

**The SPEAKER:** It has been moved. An absolute majority is required. I have counted the house and a majority not being present, ring the bells.

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

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:58):** Do members have the opportunity to talk on the motion?

**The SPEAKER:** Very well.

**The Hon. J.A.W. GARDNER:** The opposition will not oppose this suspension. I note that the last time we were here was at this time in the last sitting week and the government's motion on that occasion was opposed. We felt at that time that the bill in question was not of that level of urgency, a prediction that has borne true because the government has not seen fit to progress it, indeed, ahead of this one that has come two weeks later.

That one we opposed also because we were convinced that it was not necessary this year or potentially this decade; nevertheless, we have had a briefing from the government that suggests that there is a time constraint on this bill that requires its passage prior to 2030 and the government would like it by the end of this year, so we will take that in good faith.

While we have not had the opportunity to meet as a party room to discuss this bill, we have had a briefing and we will be able to put a position on the bill in the Legislative Council. That process in the Legislative Council can take a little bit longer than in the House of Assembly and for that reason we do not propose to oppose the suspension today.

Motion carried.

*Second Reading*

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:00):** I move:

That this bill be now read a second time.

This legislation is a straightforward updating of the acquisition of property powers available to the government for healthcare purposes. As members will be aware, there are existing acquisition of property powers under the Health Care Act 2008. These powers are specifically for use in regard to incorporated hospitals; therefore, such powers are available for the purposes of acquisition of land for local health networks, however not for SA Ambulance stations or for other health services.

This bill will allow the minister responsible for the Health Care Act to acquire property where reasonably necessary subject to and in accordance with the Land Acquisition Act for the purposes of providing health services more broadly. This is especially important having regard to the current expansion of SA ambulance services and infrastructure currently underway to improve response times in emergencies to the South Australian community.

In developing the works program, the Department for Health and Wellbeing, in collaboration with SA Ambulance Service, have considered functional requirements. These include adequate property size, proximity to arterial roadways, avoiding known roadway bottlenecks and ensuring a spread of stations to enable the best possible ambulance response times in an emergency.

The bill by defining health services, rather than incorporated hospitals, also reflects the importance of community-based non-hospital setting health service delivery, with recent examples being the urgent mental healthcare centre or the proposal for the GP urgent care centres, although no specific proposal in relation to them is being considered at this time in relation to compulsory acquisition.

However, as opposed to other types of land purchases for local health networks, other health services, such as SA Ambulance or other health services, are currently excluded, limiting the government's options in obtaining the best possible sites to enable critical health service provision. Regarding any acquisition, the recent protections within the Land Acquisition Act apply regarding concerns of persons whose interest in property is sought to be acquired. This includes review, objection or appeal options that may be exercised at various stages of the acquisition process.

Of course, it is important to recognise that other planning protections still apply to any development after the acquisition process. The legislation includes a transitional provision to ensure that any acquisition process underway under the previous legislation would be able to be continued. Overall, the bill aligns with the government's approach to deliver effective and responsive public services to better meet the community need. I commend the bill to the house. I seek leave to have the second reading explanation of clauses inserted into *Hansard* without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Amendment of *Health Care Act 2008*

2—Repeal of section 40

Section 40—delete the section

3—Insertion of section 90A

A new section 90A is proposed to be inserted:

90A—Acquisition of property

The Minister is authorised, subject to and in accordance with the *Land Acquisition Act 1969*, to acquire land if the Minister considers that the acquisition of the land is reasonably necessary for the purposes of the provision of health services. The proposed new section also provides that it does not limit or affect the power of the Minister, a HAC, an incorporated hospital or SAAS to acquire land, or an interest in land, by agreement.

Schedule 1—Transitional provision

1—Transitional provision

A transitional provision is included for the purposes of the measure.

Bill read a second time.

*Third Reading*

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:03):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## NEW WOMEN'S AND CHILDREN'S HOSPITAL BILL

*Committee Stage*

In committee.

(Continued from 15 November 2022.)

Clause 6.

**Mr TEAGUE:** I do not have the *Hansard* in front of me, but I think the minister was on his way to taking the question on notice about whether or not we are going to have a two-stage process in terms of the vesting of the project site in the minister. The minister I think said, 'Hang on. Wait, wait, wait, I think I might have an answer,' and then came back and started to address that point before, sadly, we were cut short. I am happy to repeat the question. That is my recollection.

**The ACTING CHAIR (Mr Brown):** Perhaps for the Chair's benefit, you might repeat the question.

**Mr TEAGUE:** We have this reference in 6(1) to 'the whole', and the words I was directing it to are 'or any part of the project site'. That is in the context of the definition of the project site being either, in paragraph (a), the whole of the land area described in the mud map—and I do not mean that in a critical way—or (b) if the minister has determined in (a) that if not all of the mud map land is required, then it is whatever smaller area the minister determines. That is the project site, then. The question is: what work does 'or any part' have to do in 6(1)? As I say, I think the minister might have been on his way to answering that. In case there is anything further that the minister could provide to the committee, then I am sure we will all be interested.

**The Hon. C.J. PICTON:** My recollection is failing me, but I think I had just enough time before we broke to answer. Effectively, the project site is defined in clause 5 of the bill, but in clause 6 there could be a staging in relation to the ownership:

> (1) The Minister may, by notice in the Gazette, vest the whole or any part of the project site in the Minister in an estate in fee simple.

The rationale, why that was determined as opposed to just the whole thing happening immediately, was that it could happen in stages. One consideration is obviously in terms of the transition of SAPOL. Obviously, there are some elements of the project site that are not currently in the possession of SAPOL, and there are no issues in that regard. There are others where SAPOL is in active operational concerns, and then there could be a staging of their exit from the site that could enable that to happen in a number of stages, not necessarily all at the same time.

**Mrs HURN:** In relation to the footprint size, given we are talking about 'any part of the project', I am interested in clarification. I recall that when we were last discussing this clause the entire site was 56,000 square metres. I am hoping for clarification from the minister as to what percentage of that 56,000 square metres is actually the footprint of the actual building. Could you outline that?

**The Hon. C.J. PICTON:** I think we did answer this in a previous clause. As was said, there is a broader site. The footprint of the hospital at this point in time is expected to be in the order of some 20,000 square metres, but there is still obviously more design work that needs to happen in that regard. There is also other work that needs to happen on the site, clearly, in terms of the car park, which will be significant—to fit over 1,300 car parks in it—plant and equipment, which may well be established separately, perhaps adjacent to the car park. There are obviously roadways, and Gaol Road will be realigned as part of the project. There will also be roadways into the emergency department.

There will also be significant open space that will be developed as part of the development at the front of the hospital, towards Port Road. That is necessary to enable traffic access in and out; if the hospital were too close to Port Road, then that would cause traffic complications. Also, there would be open space to the back of the hospital, opening up to the Parklands. That is where we seek to have additional sites available in relation to the playground, which will be an important element as well. It does give us a lot of flexibility. There will be a bigger floor plate for the hospital, but also car park and other amenities will all be able to be located on that much bigger site.

**Mrs HURN:** Minister, we are having a bit of a conference on this side of the chamber in relation to a couple of the figures and the sizes that have been thrown around. When we are talking about the entire project size being 56,000 square metres, can you advise what the square metreage is for the actual building size from a percentage perspective of the entire project site that is listed as

per schedule 1 in the bill? What is the actual breakdown in the percentage of the bricks-and-mortar building for the new women's and kids?

**The Hon. C.J. PICTON:** I think I did just answer that exact same question. There is the hospital, there is the car park, there is potentially plant and equipment, there are roadways, there is open space that will all be developed within that project site. While obviously planning work is still underway in relation to the hospital, as we have said I think yesterday, that is likely to be in the order of a footprint of some 20,000 square metres.

Obviously, there is the car park, which is a significantly sized car park; there is obviously plant and equipment; and then there are various roadways and other interactions, as well as the open space playground elements that will be part of the development.

As I mentioned in the parliament yesterday, we have in fact in our previous briefings to the opposition provided what is the current planning in terms of the master plan for the site to be able to put that bigger hospital on this location and the likely orientation of the hospital on that site which does have to be set back somewhat from Port Road to allow the traffic configurations in and out of the hospital.

Clause passed.

Clause 7.

**Mr TELFER:** This clause covers the support zones. I have similar questions to those I asked around the project site. Obviously the level of detail, which is referred to in schedule 1, which we will come to later in this debate, does not really give me an insight as a practical man on the actual square metreage of what the support zones would encompass. They are obviously the support zones that traverse either side of Port Road, and that I would envision, minister, would be the areas you have spoken about where there might be the need for additional lanes put into the Port Road area.

The support zones appearing on schedule 1 skirt around the edge of the project site on the north and the east, and there is also seemingly a support zone that meanders its way along. I am guessing that area altogether is all support zone. Do you know what the square metreage of that support zone might be? Could you try to give me an insight into what is envisioned these support zone areas will be used for, or is it purely around potential for any additional space that may be needed outside the prescribed project site?

**The Hon. C.J. PICTON:** In relation to the exact square metreage, I will certainly take that on notice. If I can provide that before the end of the debate, whenever that shall conclude, I will certainly provide it; if not, I will provide it outside the debate field.

In relation to the use of the support zone, as is very clearly articulated in the proposed legislation, subclause (2) outlines the things they could be used for, but very specifically subclause (4) states that it is not to be used for buildings that would remain after the completion of the construction of the hospital.

We have been very clear that this support zone is not for the Women's and Children's Hospital building, but that this is enabling the construction and other associated amenities, such as roads, paths, stormwater works, bridges, playgrounds, parks, utilities, services, etc., to be constructed.

**Mrs HURN:** Obviously there has been some public discussion about an air bridge that was going to connect the two hospitals. I am providing some context before I get to my question, Chair. It was then ultimately determined—after everyone got their magnifying glass out—that it would be an open-air bridge along Port Road that allowed patients and all the hardworking clinicians to walk across the railway track. Could the minister confirm whether this bridge is actually part of the support zone? That would be helpful.

**The Hon. C.J. PICTON:** There certainly was not any confusion on my part in relation to that. We were always clear. Before the announcement of the new site, certainly we did look at and asked whether there could be, as the member says, some sort of air bridge constructed. However, it is a very difficult process, as I have outlined previously, to construct an air bridge of that length and across the topography, so that was ruled out as an available option. Obviously work was done subsequently

in relation to establishing the women's four-bed ICU unit that will be part of the hospital development as well.

It was very clear from my perspective that there was always that bridge that would be part of the construction works. I will seek some advice from my learned colleague, but that bridge could be part of the support zone. You can see in relation to the schedule 1 map that there is a wider area around Port Road crossing the rail lines which is part of the support zone and which could occur there. That would be one of the early works that would be constructed.

In relation to the somewhat jokey comments from the member for Schubert about magnifying glasses, etc., I think it is only in the context of what a big hospital the bridge is in, but it is actually quite a significant bridge in itself. The bridge itself will be five metres wide and, I believe, 60 metres long, to cross that railway crossing. It is quite a decent construction task in itself to build that bridge across the railway crossing, and that is certainly factored into the support zone.

**Mrs HURN:** In relation to the bridge that is in the support zone, thank you very much for confirming that. It was a serious question because there was a lot of confusion publicly about what this bridge was and what its purpose was. Of course, we have clarified that it is going to be a walkway, presumably, for patients and/or clinicians to be able to get from one hospital to the other. Can the minister advise whether this will be accessible to the public of South Australia once it is completed or, when it is eventually complete, whether it will be available for the single use of patients and clinicians?

**The Hon. C.J. PICTON:** I think this is a repeat of a question I have already answered in question time. Certainly, it will be available publicly.

**Mrs HURN:** Speaking about flippant comments and flippant answers—

**The Hon. C.J. PICTON:** I did not say flippant, I said jokey.

**Mrs HURN:** Jokey. It is jokey. There are lots of technicalities in the health portfolio. This jokey reference, you had a jokey answer to the question in question time, in particular to my jibe across the chamber as to whether it would be dual lane or not. If it is five metres wide, in all seriousness is the option for golf buggies a viable one, and will the bridge be wide enough to be able to plan ahead for that eventuality?

**The Hon. C.J. PICTON:** As was mentioned, it is certainly a very wide bridge that will enable a significant amount of traffic in relation to pedestrians, cyclists, etc. crossing that bridge. I note that there has been some discussion about the potential to use buggies. That has not been confirmed at this point, and I am sure we will consider that between now and the hospital opening. It is certainly a bridge that is wide enough for a significant number of uses—but not for standard passenger vehicles, obviously, which would still use Port Road. We are confident that it would be a bridge wide enough for future possible uses on that site.

**Mr TELFER:** Just following on from that, minister, and looking at the support zones in particular, the facility you are speaking of to connect the two, is this going to be the only method for transportation between the two sites? Are there going to be other alternatives, or is that going to be the main foot traffic route between the two?

**The Hon. C.J. PICTON:** Yes, as you said, this will be the main foot traffic route between the various sites and the rest of the biomedical precinct.

**Mr TEAGUE:** I am just finding the bill again. Here it is. I had needed to get out my magnifying glass, and then I found it. We are dealing here with the definition of 'support zones' and we have yet again another couple of references to the mysterious as yet unidentified minister who is going to have these powers with respect to the area so defined. Like so many of these definitions in the bill, we are referred to schedule 1, which is what I have been describing as the mud map.

In passing, the minister made reference along the way to two previous acts, the 1913 act, that might be cited as the Adelaide Park Lands Alteration Act 1913, and the subsequent act in 1917, whose short title is the Adelaide Park Lands Alteration Act 1917, which is really an extension of the 1913 act, so they hold together.

It really is quite extraordinary that, in response to a charge that this is an unprecedented handing over of power and an unprecedented destruction of heritage, the minister might cite the very legislation that provided for the creation of the heritage buildings themselves more than 100 years ago and that these acts might be expected to be reprinted and displayed as part of that heritage in any museum that might be erected in honour of the destroyed buildings.

The point about bringing those to the fore at the moment is that in the 1913 act we see a rather elegantly drawn diagram that sets out the names of various roads and places. It depicts the area relative to Adelaide. More particularly, it sets out approximate land areas and also a reference to one or two places, including the Gaol. We do not see that on the mud map, so we had to backfill that through the course of the committee and we managed to identify some of those more particular land areas as a result.

One thing to be clear about is that, as we look at the project site that abuts the support zone, the project site is defined within a line in bold. It is the highest degree of bolding on the mud map and that is delineating the maximum area of the project site. It is important to observe, perhaps by reference to the recent Riverbank Precinct Code Amendment that I made in December last year, that that code amendment identified certain subzones that were set aside for the purposes of health.

This bill would now include in the project site Kate Cocks Park, which adjoins the health zone and is part of the Parklands, so if the minister were to determine that the whole of the project site was required for the purposes of this bill, so just an ordinary clause 5(a) determination followed by an ordinary whole vesting in 6(1), then we would see the elimination of Kate Cocks Park and the removal therefore of that relatively substantial part of the Parklands in addition to the rest of the use of the land with the heritage buildings on it.

So that we are clear, we have that part of the project site on which the heritage buildings are located, and then we have the part of the site that is Kate Cocks Park and part of the Parklands. But that is all before we get to the support zones. It might be noted that, insofar as there is a proviso in clause 7(3) in relation to the exercise of powers, the minister is there required to have regard to the statutory principles set out in the Adelaide Park Lands Act, but only for the purposes of this section.

So that we are clear about that, the principles are briefly stated and easily set out in section 4(1) of the Adelaide Park Lands Act. They are in seven paragraphs but, unsurprisingly, they require accordance with the principles that the use of the land that comprises the Adelaide Parklands so far as reasonably appropriate correspond to the general intentions of Colonel William Light in establishing the first plan of Adelaide in 1837. It provides:

> (b) the Adelaide Park Lands should be held for the public benefit of the people of South Australia, and should be generally available to them for their use and enjoyment (recognising that certain uses of the Park Lands may restrict or prevent access to particular parts of the Park Lands);
>
> (c) the Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced;
>
> (d) the Adelaide Park Lands provide a defining feature to the City of Adelaide and contribute to the economic and social well-being of the City in a manner that should be recognised and enhanced;
>
> (e) the contribution that the Adelaide Park Lands make to the natural heritage of the Adelaide Plains should be recognised and consideration given to the extent to which initiatives involving the Park Lands can improve the biodiversity and sustainability of the Adelaide Plains;
>
> (f) the State Government, State agencies and authorities, and the Adelaide City Council should actively seek to cooperate and collaborate with each other in order to protect—

and that gets back to that point about collaboration raised earlier, in light of the results of the Adelaide City Council elections on the weekend—

> and enhance the Adelaide Park Lands;

The final expressed stated principle is:

> (g) the interests of the South Australian community in ensuring the preservation of the Adelaide Park Lands are to be recognised, and activities that may affect the Park Lands should be consistent with maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the State.

Subsection (2) provides:

(2) A person or body—

(a) involved in the administration of this Act; or

(b) performing a function under this Act; or

(c) responsible for the care, control or management of any part of the Adelaide Park Lands—

must have regard to those principles. We see that there stated, and it appears that it is necessary to include this particular provision requiring the minister to have regard to those principles for the purposes of this clause because the rest of the bill rides roughshod over all of them, as far as I can see, and specifically provides in clause 4 for the minister to act contrary to those principles.

Getting back to our reckoner that is set out in the schedule, the part of Kate Cocks Park that is contained within the project site is not within a support zone. To the extent that Parkland area is contained within a support zone, why is it necessary to limit the provision that the minister have regard to those principles only in respect of the support zones, and what kind of interpretation are we to have about the application of those principles to the project site?

**The Hon. C.J. PICTON:** Thank you for the member's statement and question. As the member points out, in clause 7 we do have reference to how the minister must have regard to the principle specified in section 4 of the Park Lands Act.

The reason why we wanted to put that in there—and I guess we did not need to put that in there—was to make sure that when it comes to the support zones, which are obviously a broader area of land around the hospital, there be consideration of those principles in regard to the Parklands. It is also covered in relation to the make-good provisions elsewhere in the section that we have to make sure that after works in those areas have been done the public amenity of the support zones is restored—for example, landscaping, revegetating areas or constructing parks, playgrounds or recreational areas.

I think the two go hand in hand in relation to the support zone, and it is about making clear the government's intention in relation to those zones, which is to make good and to make sure that the outcome overall for the Parklands in terms of accessibility at the end of this process is much better than what is there at the moment.

In relation to the project zone, we have been very clear that we need to build a hospital on that zone and obviously there is a different set of considerations that go in relation to that. The vast majority of that project site is currently being used as a police barracks, following the 1913 and 1917 legislation, and is no longer parks and gardens but concrete and car parking and other associated police facilities. We are making clear our intention is to transform that into the new Women's and Children's Hospital.

**Mr TEAGUE:** Perhaps without being too blunt about the point, that seemed to me to be a concession that insofar as the project site is concerned you can forget about the principles of Parkland—and I think I am paraphrasing the minister accurately—because we have to build a hospital on that, and that is the project site.

I think I understood the response insofar as the minister talked about the support zones. Whether or not we can find it in the bill, the minister raised the bar to say, so far as support zones are traversing Parkland, they will be accorded the consideration of the principles insofar as they will be restored to what they were before, and the minister has indicated that they will be much better than they were before. If so, that is all very interesting.

I think I am understanding the minister's answer correctly to say that, as far as Kate Cocks Park is within the project site as defined, you can forget about Kate Cocks Park, that is just gone, and without any reference to the principles. That appears to be what is on the face of the bill and from the answers the minister has already given—and I give the minister any further opportunity that he might wish to disabuse me of that interpretation if that is wrong in any way—otherwise, those who might have thought that retention of Kate Cocks Park was a good idea or that reductions in the Parklands area beyond the health subzone was not a desirable idea, well, they can think again because that looks like it has gone.

The point that the minister observed just now in relation to the project site was that that is going to depart from what one might recognise as Parklands because we are going to build a hospital on it, which comes back to the question that I think continues to vex the committee. We were having a conference about it here before, and we have various information that is not in the bill that has been released by the government in recent weeks that talks about the project site, the land area, and then we have the comparative building area to make it clear.

The question remains, I think, for the committee: what part of the project site is going to be constituted by the footprint of the building and what land area would the footprint of the building occupy? Then again that is an understanding that the proposed building has a marginal floor space, about the same as the floor space of the building that was going to be built by the previous government, slightly more floor space, but the footprint of the building surely is a different thing from the land area that is specified as the project site.

In terms of clause 7(3), why not apply those principles I have just recited, to which the minister is required to have regard, to the balance of the project site, for example, as well as to the support zones?

**The Hon. C.J. PICTON:** There are a few issues there. I will try to deal with them in turn. There was some commentary in relation to Kate Cocks Park. I can clarify in relation to Kate Cocks Park which, as I understand it, is in two parts: there is a part to the east of Gaol Road and there is the part to the north of the proposed hospital site. The part east of Gaol Road is the site that the previous government and this government jointly are going to build the hospital car park on. I think we can address the concern around that in that way, and that was whether we kept it on the RAH west site, did not bring in this legislation, etc., and that was proceeding along that area of land.

In relation to the other element of Kate Cocks Park, we have been very clear in terms of our desire for the new hospital to open up into Kate Cocks Park to the north of the hospital and to make sure there is increased accessibility to the Parklands. At the moment, that area is used as a recreation area, I guess for lack of a better term, for the police horses and is not accessible for the public to—

**Mr Telfer:** Grazing.

**The Hon. C.J. PICTON:** Grazing. I do not know if there is a lot of grass there to graze. 'Agistment' is the official term. That will be opened up into the Parklands. I think we have been clear that we want to build a significant playground to the north of the hospital on the project site that will help open up into the Parklands to the north.

In relation to the second part of the question, which was why we would not apply the section to clauses 5 or 6 in relation to the project site, I think we were seeking to be abundantly clear in relation to all this land, as I said previously in my answer, which are the support zones. Obviously, the member is open to move any amendments he may wish, but the decision we have made is that this is an appropriate additional safeguard we are adding in as well as subclause (4) in relation to the make-good provisions we made on those support zones around the hospital site, which are, as has previously been discussed, not for construction of hospital buildings but for all those enabling factors outlined in subclause (2) and only for those purposes.

**The ACTING CHAIR (Mr Brown):** Member for Heysen, you have one minute to ask a question.

**Mr TEAGUE:** I am not sure about that.

**The ACTING CHAIR (Mr Brown):** You have had 14 minutes on this.

**Mr TEAGUE:** No, that is not the way it works.

**The ACTING CHAIR (Mr Brown):** Go ahead anyway.

**Mr TEAGUE:** Let's have a look at standing order 364. From memory, standing order 364—

**The ACTING CHAIR (Mr Brown):** Go ahead and ask your question, member for Heysen.

**Mr TEAGUE:** I am not debating it. I do not propose to occupy the full 15 minutes on this particular occasion. I am conscious of the constraints on which the committee is operating in line with standing order 364, the result of the government adopting the path that it has in this regard. While this committee process has afforded the opportunity to elucidate in a number of different ways a better understanding of the operation of the bill, it remains the view of this side of the house more broadly and certainly as part of the process of the committee's work that this really ought to have been and could have been done, and with the benefit of the input of others, in an efficient committee process by a committee set up for the purpose—but here we are.

The minister provides an assurance—and that is good enough in a way—on the record about the improvement of those parts of the Parklands that are within the support zones following whatever interference there is temporarily to those areas as a result. The Parklands might be refreshed and enhanced as part of the make-good work subsequent to the support zones, is how I understand that response. The minister then indicated that, without saying where the footprint of the building is going to be within what is described as the project site in schedule 1, to the extent—

*The Hon. C.J. Picton interjecting:*

**Mr TEAGUE:** I certainly would be grateful for that answer; I am sure we all would. In addressing that, identifying the footprint, the minister has then said—and, with respect, helpfully—that the objective is to provide the people of South Australia with a greater level of enhanced access, as it were, between the new building and Kate Cocks Park and the rest of the Parklands for that matter, and has invited amendment to the bill in order to more particularly ensure that occurs in respect of the project site.

I note that, for example, the support services and facilities that are defined in clause 7(2) contemplate a range of different works that include perhaps the sorts of things that might be fully rehabilitated, like utilities and services required for connection, electricity, communications, and so on, and then it goes on to talk about 'roads, paths, bridges, tramways'—in other words, works that are more of a permanent disruptive sort of nature that you would not think would be consistent with Parklands as such.

Most particularly, clause 7(2)(f) talks about the construction of parks and playgrounds. The minister will correct me if I have incorrectly recalled the debate, including the previous debate. My understanding was that, in terms of that enhanced access between the hospital and the Parklands, the playgrounds and so on might be associated with that interaction between the hospital and the Parklands, as has been foreshadowed.

I am interested to know whether it is the case that, quite apart from the footprint of the building itself, it might be anticipated that parts of the open space, including Kate Cocks Park, might have rather permanent structures applied to them. Is that intended, therefore, to be consistent with the principles or, as it were, a permanent departure from the principles in those particular places where those permanent structures might be built?

**The Hon. C.J. PICTON:** In relation to one of the earlier comments that the member made in relation to the hospital footprint, I can again reiterate that planning work is still being done in relation to that. For the benefit of the opposition, we provided a few different documents in a couple of different briefings. The shadow minister for health was at one of those briefings where we provided a detailed map that overlaid these zones with a satellite view of the area as well, which helped in understanding the interactions between particular areas.

We have previously provided the current master plan in relation to the project site as well. I do not think it is appropriate to put those documents in the legislation. This is the advice we have received in terms of what should be in the legislation, but that has obviously been transparently made available to make clear the government's intention in that regard.

Secondly, if I am articulating the question correctly, in relation to whether having regard to the principles is consistent with all those elements in relation to subclause (2), and particularly singled out was paragraph (f) underneath that, my advice is that it would be consistent with the Parklands principles under the act in relation to what we are seeking to accomplish as part of those support zones.

**Mr TELFER:** To provide greater clarity, you envision that within the support zones any permanent construction is going to be ancillary in nature, I guess you would describe it, rather than being a significant, permanent construction. Obviously, there is commentary within this clause around some of the construction which may need to be in place temporarily, but you would envision that within the support zones themselves—and obviously this includes the area traversing the project site as well as the more significant area of support zone on the south-eastern corner of the project site—there will not be any significant, permanent construction?

**The Hon. C.J. PICTON:** I think it falls on the language and the word 'construction'. Clearly there will be permanent roads, bridges, tramways and the like, but we are being clear that there will not be permanent buildings, that is, places with doors, windows and the like—

*Mr Telfer interjecting:*

**The Hon. C.J. PICTON:** —that's right, except for a playground version of a building. We will get to that clause later; I am sure you will have some questions there.

We have been very clear in relation to what we are seeking to do, and obviously it is limiting us in relation to those six clauses of the types of things that can happen in those zones. Then some of those, that is, the bridges, tramways, road, etc., would be permanent structures, but there will be other temporary amenities, such as workers' accommodation or other construction activity which would need to occur in relation to the building of the hospital and which would not be able to be permanently located after the completion of the project.

**The ACTING CHAIR (Mr Brown):** Are there any other questions or statements? Is there a question, member for Heysen?

**Mr TEAGUE:** Well, sure.

**The ACTING CHAIR (Mr Brown):** You have had your three.

**Mr TEAGUE:** That is why I am checking.

**The ACTING CHAIR (Mr Brown):** If it is the opposition's last question and you are going to be quick, then, sure, one more question on clause 7.

**Mr TEAGUE:** Thank you, I appreciate it. Just for the sake of the record, and again I apologise if I was not picking up on it because we have had reference to a bunch of different documents. I agree with the minister that it is not appropriate to spell out every last detail in the bill. But just so we understand it really clearly, has the building footprint been defined—even in broad terms—beyond just the project site, which we know is going to be larger than the actual building, and perhaps whereabouts within the project site we are going to find the footprint of the building? Maybe just for the committee's—

*Mrs Hurn interjecting:*

**Mr TEAGUE:** Yes, a percentage of that 56,000, or so, square metre area. Again, to be really straightforward, the 119,000 square metres that we hear talked about is my understanding of a floor space figure that is multilevel and therefore many dimensions of building.

**The ACTING CHAIR (Mr Brown):** Let's skip to the question, shall we?

**Mr TEAGUE:** There is the question. It has been asked and I think the minister has given an indication that he was willing to answer it, but we do not find it on the face of the bill for good reason. I wonder whether that might be stated for the benefit of the committee.

**The Hon. C.J. PICTON:** I think I have been asked this three or four times now. I am happy again to outline that the hospital building site in terms of its floor plate will be of the order of, we estimate at the moment, approximately 20,000 square metres. There is still more planning work to happen in that regard.

In addition to that, there will be substantial car parking that will be built as part of the hospital. In addition to that, there is likely to be additional plant and equipment that will be constructed. In addition to that, there will be a whole range of treatments and roadways, etc., built as entrances and

exits from the site in terms of traffic movements. In addition to that, there will be public space and amenity on the project site.

We have provided the draft of the master plan that is being considered as to how the project is likely to look at this stage, but, again, it is not finalised at this stage and there is more planning work being done.

Clause passed.

Clause 8.

**The ACTING CHAIR (Mr Brown):** There is an amendment on file in the name of the member for Flinders. Do you wish to speak to your amendment or do you have a question to ask?

**Mr TELFER:** I will speak to my amendment. I will put it first before we progress to questions because it may well change, if this amendment was to pass, what questions I might ask. I move:

Amendment No 2 [Telfer–1]—

Page 6, line 11 [clause 8(2)]—Delete 'All' and substitute:

> If, following a public consultation process conducted in a manner determined by the State Planning Commission, the State Planning Commission determines that the project is consistent with the relevant principles of good planning set out in section 14 of the Planning, Development and Infrastructure Act 2016, all…

This amendment is one to provide a bit more certainty. It provides a precondition prior to approval from the State Planning Commission which is, I believe, more consistent with the principles of good planning, enabling greater transparency, but obviously in no way does it prevent the project.

We have discussed within this place the interesting dynamic of this being labelled as a hospital bill but very much looking like a planning bill in its substance and entirety. Looking at the amendment I have moved to clause 8(2), it provides some more description, and I will read it out for the sake of all of those in the house who may not have had the opportunity. It will delete 'All', which is the first word there in clause 8(2), and instead substitute:

> If, following a public consultation process conducted in a manner determined by the State Planning Commission, the State Planning Commission determines that the project is consistent with the relevant principles of good planning set out in section 14 of the Planning, Development and Infrastructure Act 2016, all…

and then follow on with what is in place.

As I said, there has been discussion and I respect the hard work that the minister has been doing as Minister for Health on this planning document and the capable way in which he has been answering a lot of the development and planning-type questions that obviously have been asked on this bill, which is, as I said, predominantly a planning bill.

We on this side believe that there really should be a mind to being consistent with the principles of good planning process, and transparency and certainty are real key components of that. This amendment really does put that sentiment from this side into the legislation. I repeat: obviously, it does not prevent the project in any way; it provides a greater opportunity for transparency and consistency.

**Mr TEAGUE:** I just want to speak in support of the amendment. The amendment moved by the member for Flinders, representing the shadow minister for planning in this place—and again, highlighting the kind of constraints that the government has decided to keep this process to at the moment. We are here, struggling on. We can only do so much in a committee in this house in this process, as the government is well aware. We have the able contribution, of course, of the member for Flinders and the shadow minister for health, but that is quite coincidental compared with the more thoroughgoing process that could have occurred in a committee process determined for the purpose.

Moreover, in the most perfectly ordinary way the amendment proposed by the member for Flinders simply inserts a modicum of due process in relation to the consideration of the development itself. This is one of those clauses in this bill where you are again left wondering where the Minister for Planning is at in relation to the matter.

**The Hon. C.J. PICTON:** Point of order.

**Mr TEAGUE:** It is not about presence in the chamber.

**The ACTING CHAIR (Mr Brown):** The minister.

**The Hon. C.J. PICTON:** The member for Heysen has gone on and on about how you cannot reference members in the chamber and then he does exactly that. I ask you to pull him into line.

**The ACTING CHAIR (Mr Brown):** Minister, I think the member was actually referring to this particular issue, not the minister's presence in or absence from the chamber, so I will allow the member to continue.

**Mr TEAGUE:** Thank you, Acting Chair. It was certainly my intent and, as can be the case in the course of the debate, I am the first to apologise if I am clumsy in my description. It was certainly clearly my intent to indicate the participation and the relevant or lack of.

The capacity of the Minister for Planning is not in issue for these purposes. It is the relevant portfolio responsibility within the executive arm of the government if members of the South Australian community are looking at a process of quite significant planning. I know firsthand what the community expected of the Minister for Planning from really quite recent experience directly. I could not possibly imagine that as Minister for Planning I might have somehow absented myself from the consideration of the most ordinary aspects of executive oversight of the planning process.

It is on the record. I have said it at an earlier stage of this debate. The fact that the Minister for Planning on 28 September decided—and I say that advisedly because it was in response to a government question—to reflect at length in the course of question time, mischaracterising the planning decision that had been made in December in so doing, highlights the subsequent absence from the debate of the Minister for Planning.

So far, the contribution from the Minister for Planning has been to misrepresent the facts, and quite fundamentally, about a very recent planning decision that affected this very area. We have then not heard a single word from the Minister for Planning in circumstances where we do not know whether or not it is a mystery minister or ministers. The Minister for Health told us that we are likely to be seeing a single minister being tagged for all these ministerial responsibilities for the purpose of the bill, but it has not been ruled out. It certainly has not been identified.

Given that there remains a possibility that it is the Minister for Planning who might be the one who needs to be responsible for carrying out the project pursuant to clause 8 for related decisions, it would seem to me to be appropriate that this motion to amend clause 8(2) ought to be expected, notwithstanding cabinet solidarity and all the rest of it, to come from the Minister for Planning, knowing what the Minister for Planning ought to know about the important role of the commission. But, no, we do not hear it from the Minister for Planning speaking up for a process; we hear it from this side of the chamber and in this very meritorious proposal by the member for Flinders, representing, as he does, the shadow minister for planning in this place.

It is a modest proposal that augers towards a greater level of confidence, and the people of South Australia are in this project as it is embarked upon. It ought to be embraced by the government. It ought to be embraced more particularly by the Minister for Planning. In that respect, it is doing work that, as I have indicated already, the Minister for Planning ought be defending himself. I certainly commend this amendment to the committee.

**The Hon. C.J. PICTON:** I indicate that the government will not be supporting this amendment and is concerned that this would negate the purpose of the legislation in ensuring the speedy fast-tracking of this new hospital for women and children in South Australia.

The committee divided on the amendment:

Ayes .....12
Noes.....23
Majority .....11

AYES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Cowdrey, M.J. |

| | | |
|---|---|---|
| Gardner, J.A.W. | Hurn, A.M. (teller) | McBride, P.N. |
| Pratt, P.K. | Speirs, D.J. | Tarzia, V.A. |
| Teague, J.B. | Telfer, S.J. | Whetstone, T.J. |

NOES

| | | |
|---|---|---|
| Andrews, S.E. | Bettison, Z.L. | Bignell, L.W.K. |
| Boyer, B.I. | Brown, M.E. | Champion, N.D. |
| Cook, N.F. | Fulbrook, J.P. | Hildyard, K.A. |
| Hood, L.P. | Hughes, E.J. | Hutchesson, C.L. |
| Koutsantonis, A. | Michaels, A. | Mullighan, S.C. |
| Odenwalder, L.K. | Pearce, R.K. | Picton, C.J. (teller) |
| Savvas, O.M. | Stinson, J.M. | Szakacs, J.K. |
| Thompson, E.L. | Wortley, D.J. | |

PAIRS

| | | |
|---|---|---|
| Pisoni, D.G. | Close, S.E. | Pederick, A.S. |
| Brock, G.G. | Marshall, S.S. | Clancy, N.P. |
| Patterson, S.J.R. | Malinauskas, P.B. | |

Amendment thus negatived.

**Mr TELFER:** Looking at clause 8, obviously there is a fair bit for us to take into consideration when it comes to the 'Development assessment, etc.' as the heading articulates. I have already spoken on my perspective on the importance of transparency when it comes to the development assessment process and the interactions with the Planning and Design Code for the purposes of the Planning, Development and Infrastructure Act.

In the development assessment process, minister, is there an aspect where the approvals are going to be needed to be gained under any aspect of the federal aviation policy? I have had it articulated to me that there are concerns amongst some regarding the impact some of the federal legislation might have around thoroughfares of aviation and the footprint needed, especially with what I am calculating to be probably a six-storey building in that passageway. Can the minister advise me of any discussions or interactions that there may have been within the department around that aspect in particular?

**The Hon. C.J. PICTON:** There will be work done to ensure adherence with federal aviation guidelines as part of the construction. Obviously this project has been considered nine years previously on the rail west site and there was a lot of work done in terms of consideration of the flight path guidelines, etc. With the likely proposed height on the likely location that is being considered, the advice I have is that there are not anticipated to be any issues in terms of adhering to those aviation guidelines.

**Mrs HURN:** In relation to subclause (4)(b), given the new Women's and Children's Hospital is not going to be built this decade—in fact, we know that the earliest this hospital will be delivered is 2032—can you please walk us through why it is the government felt it necessary that as a part of this bill it specifically says that no consultation, notification or other procedural step was required.

Certainly on this side of the chamber we would have thought that, as part of regular due process of being a good government, you would want to engage with the community and have them involved in the consultation and in this entire process of a new Women's and Children's Hospital, particularly in the seat of Adelaide where we know that Parklands, heritage and all those matters are particularly important.

Could the minister outline why it is the government felt so particularly passionate about not having consultation, about not having the need for any notification and about not having need for any other procedural step.

**The Hon. C.J. PICTON:** Thank you to the shadow minister for the question. As she knows, the clause is about what is required as law and hence it is not to say that it is a requirement that there would not be consultation. In fact, there is going to be absolutely significant consultation done in terms of planning the hospital, particularly in terms of clinicians who work at the Women's and Children's Hospital and also broadly with consumer groups, etc., as part of the planning.

Of course, those elements in terms of those consultation processes are not legally required—that is not a legal requirement. This is in relation to legal requirements for consultation that may well fit under various pieces of legislation. As has been discussed, this is a piece of legislation where we are seeking to make sure that the hospital goes through approval processes for construction as speedily as possible and hence that provision has been included in the legislation.

I do have to correct what the shadow minister said in terms of the likely construction time. She mentioned 2032. I think we said, and I will correct myself if I am wrong, that 2030 or 2031 were the years in relation to the construction time, and obviously we are seeking to have that brought forward as much as possible. The advice we had was that if we went through other pathways for the construction of this hospital, other than bringing legislation to the parliament, then it could be significantly later than that.

**Mrs HURN:** In relation to the minister's answer, where we are talking about legally there being no need for consultation, I am trying to wrap my head around why the government are so eager to outline that they are consulting with clinicians, that there will be consultation with community, and that over the next decade we will be eagerly awaiting delivery of this hospital. On what basis is that advice, and is there a comparison with another bill that specifically has a similar clause that no consultation, no notification and no other procedural step are required under law?

It seems to me to be a very ham-fisted way to go about what the government claims as being this generational facility for the future. We are not satisfied with the answer to the previous question. Could you flesh out what other advice you have from a legal perspective, from Crown law, about why this specific clause was required, which, frankly, very deliberately blocks out the people of South Australia from being involved in this process.

If you are wanting to consult, then why have the legal clause in here? It defies logic that on one hand you are waxing lyrical about this involvement with the community, involvement with clinicians, but not legally: 'We don't want there to be any ramifications about the legalities around consultation.' If you could outline what advice you have had from a Crown law perspective and maybe even compare and contrast it with other bills that may or may not have previously come through the state parliament and what this actually means for consultation more broadly.

**The Hon. C.J. PICTON:** Of course, it pains me that my previous answer was not satisfactory for the member for Schubert—

*Mrs Hurn interjecting:*

**The Hon. C.J. PICTON:** —that was, yes—but I reiterate my previous answer. Imagine how jokey it will be if we are still here at midnight or something. I reiterate my previous answer to the question in relation to the rationale and also the commitments around consultation. I think the member knows full well that we would not be in a position to release publicly any advice we received from Crown law, etc. in relation to any element of the drafting of legislation or any other element of Crown law advice. In relation to whether there is a precedent for this particular wording in this subclause, that is something on which I will have to seek advice. I will come back to the member as soon as we are able to find some information one way or the other.

**Mrs HURN:** Thank you to the minister for taking that on notice and coming back to us with a compare and contrast. Given he has so many other facts and figures at his disposal and this is such a critical element that is outward facing for the community, I am surprised he does not know what other bills have been put forward that deliberately block out community consultation. You may be able to enlighten me as to whether this also extends to the lack of consultation and notification around the relocation of the horses onto the Parklands and why it is that there was this seemingly strong desire to have this clause in.

Specifically, we know that the relocation of the horses is essential as part of the government's plan to be able to start this project sometime next year, for delivery, as the minister said, around 2031. Is it that, in terms of the relocation of the horses, there will not be any community consultation and, if not, why not?

This is not an indication that I endorse the inclusion of this clause—in fact, I do not, but I think it is blatantly disregarding the public's views, frankly—but, in relation to the construction of a new Women's and Children's Hospital, I understand that you are wanting to steamroll ahead so that you can get shovels in the ground by the end of next year for the delivery in 2031. Why is it that you need to steamroll ahead or remove any form of public consultation when it comes to the relocation of the horses on the Parklands? The cynical part of me thinks that you do not really want to know what the community thinks about the relocation of the horses onto the Parklands. Of course, we heard that the playground will be built for the use—

**Mr Telfer:** Time will tell.

**Mrs HURN:** Time will tell who uses the playgrounds. If the minister could confirm that clause 8(4)(b) also extends the relocation of the horses, that would be most helpful.

**The Hon. C.J. PICTON:** Subclause (4) does apply to the act as a whole but, as I have said previously, it does not mean that we would not undertake consultation. Obviously, I do not want to pre-empt our discussion when it comes to clause 10, but—

**Mrs Hurn:** Don't get ahead of yourself.

**The Hon. C.J. PICTON:** I will not get ahead of myself. Certainly, if there was to be and there is not necessarily going to be a relocation of the horses onto other parts of the Parklands, then I think that is certainly something the government would consider a consultation period about, but there would not be a legal requirement in relation to subclause (4) in the way it is drafted.

**Mr TEAGUE:** This clause really is the kicker, is it not? Excuse the pun—it was really unintended—and we will get to clause 10 at some stage.

*Mrs Hurn interjecting:*

**Mr TEAGUE:** We do, but for the moment we are in clause 8 and this really is where the rubber hits the road, to depart from the equine analogies for a minute. I want to understand the extent to which this clause really lays bare the railroading that is going on and what seems to me to be extraordinary, unnecessary behaviour on the part of the government.

I hear the minister say that the bill just provides for the legal obligations, in this case, of the developer that is going to take this really transformative step of destroying all the heritage buildings in a particular protected part of the city, that is going to have regard to the principles of Parklands retention only in the most minimal of regards insofar as the laying of underground cables through the Parklands or that sort of make-good rectification type aspect, and then is otherwise going to go ahead and build what by then will be an extraordinary long-awaited new hospital sometime in the next decade in that context.

It is an extraordinary departure from more than a century of preservation, heritage, maintenance, enhancement and appreciation of Parklands that are protected in all sorts of ways by multiple pieces of legislation of longstanding. Not only that, but it is in circumstances where that very area, or a decent chunk of it at least, has been the subject itself of a code amendment that followed through the steps of consultation, received widespread public engagement—and was improved, I might say, as the result of that process—and again, if I might say so myself, led to a better outcome that was ultimately embraced by local government, by community and by those who have a particular keen interest in all heritage, the Parklands and the health and wellbeing of the city and the Riverbank Precinct in particular.

They were all the subject of a relatively recently completed round of very substantial reform in this space, and I cannot think of a better example of circumstances in which a new government that says that it has taken new advice and wants to impart a new approach to the building of a new Women's and Children's Hospital within approximately the same part of town but radically departing from the values and principles associated with that very recently adopted code amendment.

Railroad it through this place perhaps. Allow the media to be given a message that is repeated that somehow it has already passed the parliament and it has only been rubberstamped through the House of Assembly now that the grand negotiations have occurred in another place. Do all of that, but why would the government want to further what I think would be reasonable criticism by the community more broadly about the absence of the legislated maintenance of ordinary consultation?

A passing reference to the consultation process that occurred in recent months highlights the benefit of what can result from it. In that case, the number of participants ran to the many hundreds. There were sincere and thoroughly expressed views that were made clear in all sorts of ways over the course of that process, and it led to a better result. It led to the result that we saw in December.

We have made it clear at every turn through the course of this process that those of us on this side of the house want to see nothing more than the efficient completion of the new Women's and Children's Hospital and that we want the government to get there. We want the government to succeed in this endeavour. It is a very important project for South Australia, and we are concerned about how long that is now going to take.

We are very concerned about how much that is now going to cost, and there are reasonable concerns that are expressed in the course of this committee process. Some of them, like the Heritage Council, for example, in its 13 October letter to the Minister for Environment, have been set out and articulated in a particularised way because there are bodies that have that capacity outside the formal consultation process. But this is important.

For the minister to indicate that, 'Well, we don't rule out consultation,' does not sit very well in the minister's mouth in the circumstances of the bill he is proposing here in clause 8(4), which is going out of its way expressly to exclude such steps; moreover, it is provides in a completely blanket format in subclause (2):

> (2) All development proposed to be undertaken under this Act on the project site or the support zones will be taken to be classified by the Planning and Design Code as deemed to satisfy development for the purposes of—

the act. Far from this being a way which is absolutely necessary, the government will be permitted to depart from normal consultation processes. It is expressly there to do exactly that—to exclude them. To illustrate those normal steps, you would ordinarily expect to draw upon the advice of the State Planning Commission. The State Planning Commission here is taken to be the relevant authority, but it is otherwise sidelined along with the consultation. I do not know about advice being sought from the State Planning Commission.

Secondly, we would normally expect the issues to be investigated and the necessary proposal being prepared. We would then normally expect to see a thoroughgoing engagement in accordance with the Community Engagement Charter, an opportunity for the submissions in response to be considered and for amendments to be made accordingly, for a report to be published, for the minister to then make a decision and for the outcome to be published.

In the context of what has been described, to some degree we are required to take on trust that this is the most meritorious of proposals according to advice the government has obtained. In those circumstances, it appears wholly and thoroughly reasonable that the clause 8 process is that moment for the government to demonstrate its good faith and solidarity with the people of South Australia.

Put it this way: there is no way in which the government can say somehow that it has a mandate for this particular railroading. We went along to an election campaign process, we saw plenty of corflutes saying, 'We will fix the ramping crisis,' and we have heard lots of references to the government having made lots of election commitments that run into the billions and that they are going to meet all of them—

*Mrs Hurn interjecting:*

**Mr TEAGUE:** Well, at sometime maybe. We certainly did not see any depiction of schedule 1. We certainly did not see any depiction of that. This is not something the minister does

not already know. I am not saying anything controversial. We did not see that depiction because that work had not been done by the new government prior to the election for the obvious reasons. The previous government was committed to developing a Women's and Children's Hospital on a site and in accord with a process that it had developed, having taken the proposal to the previous election.

The bottom line is: why not in an orderly way? Why not draft clause 8 in such a way that makes up for the undue haste and, I will maintain, the unprecedented nature of the granting to the minister of powers pursuant to this bill for the purposes of having the new Women's and Children's Hospital built.

Is it not enough to say to the people of South Australia, and the government has depicted it this way, 'We want to define this in a binary term. We want to talk about health versus heritage. We're going to side with health and that's how we're going to go.' But having made that proposition, surely it is the opportunity for the government to then say, 'Well, now you know where we're planning to head, now you know the machinery to achieve that, we're now going to go ahead and provide in clause 8 of this bill for a process that includes at least a thoroughgoing process of consultation.' I am not reflecting on a previous vote of the house in that regard because the opportunity is there in the whole of the clause.

If there is a little ray of sunshine that perhaps is retained in clause 8, we see it perhaps in subclause (4), so I ask the minister to give an indication as to why and in what way the government might deploy that capacity in subclause (4) to prescribe regulations in this regard. There is certainly some hope in what is otherwise a negative provision.

**The CHAIR:** Sorry, member for Heysen, your 15-minute contribution is now complete. What was the question you were asking? If you ask a question, this will be your third contribution.

**Mr TEAGUE:** Sorry?

**The CHAIR:** If you speak now, it will be your third contribution because you have used up your—

**Mr TEAGUE:** I think it is the first.

**The CHAIR:** No, you have spoken on this matter already.

**Mr TEAGUE:** I spoke in support of the amendment. I do not know if that counts.

**The CHAIR:** No, that does not count. You are quite right, that does not count. It must be your first then.

**Mr TEAGUE:** I think it is my first. The question is: what regulations are anticipated, the subject of clause 8(4), and might they include provision for a more orderly process of consideration of the development assessment?

**The Hon. C.J. PICTON:** Thank you for the brief remarks from the member for Heysen. This is something that will be considered by the government, subject to the passage of the legislation. One area of note that we are considering—and we have been very clear that this bill does not negate the legislative provisions—is in relation to Aboriginal heritage, so there may well be a regulation in that regard, and there may well be other considerations made. In other respects of the member for Heysen's remarks, I refer to my previous comments.

**Mr TELFER:** As I have already said, I certainly respect that the health minister is not the planning minister and does not necessarily have detailed working knowledge of this, but I am happy to help wander through where my thinking is at with it. These different subclauses of this clause highlight the process that is envisioned to be followed. I have already spoken on the challenges that I have with the undermining of what a planning process would ordinarily look like.

I do note in subclause (3) that the State Planning Commission will be taken to be the relevant authority for all purposes under the PDI Act 2016 in relation to development proposed to be undertaken under this act on the project site or support zones. This planning process is one I am very familiar with and have had insight into, especially around the recent changes in recent years to try to better reflect what the expectation of our community as a whole in South Australia is when it comes to proper process in relation to the planning and development aspect in particular.

I worry that the two different aspects that are in here are actually diametrically opposed because I know that the State Planning Commission processes and purposes under the PDI Act are quite prescriptive. The State Planning Commission, as the relevant authority, and the PDI Act are prescriptive and descriptive of the consultation process that is needed for projects envisioned to be furthered through the processes. Highlighted in subclause (3) is the State Planning Commission being the relevant authority for all purposes, but immediately following that there is the exception under paragraph (b) that no consultation, notification or other procedural step is required.

Does the minister have any insight into whether the planning process as a whole—and it already has been highlighted to the opposition that there is still a planning process to be followed—the planning process that is to be followed, could potentially be undermined by the fact that there is not the consultation step that is prescribed ordinarily? Is the minister concerned that the planning process as a whole could be undermined by the fact that there is not an actual obligation or requirement, despite the assurances on the floor from the minister that there will be a consultation process? There is not an obligation or requirement for the government, and thus the prescription that comes with a consultation process under the PDI Act would not have to be followed in the same way as it would ordinarily, without subclause (4)(b), the removal of that step?

**The Hon. C.J. PICTON:** I think we have been clear, and the bill is clear in terms of this being the deemed-to-satisfy development for the purpose of the Planning, Development and Infrastructure Act. Am I satisfied with those arrangements and the ability for that to be considered under that deemed-to-satisfy process? Yes, I am.

**Mr TEAGUE:** I have to add my voice to the observations of the member for Flinders. This really is a particularly disappointing aspect of the structure of this bill. I am really at a loss as to why the government would not be embarking on a process of consultation that is really unusually well defined, as opposed to the process here which is going out of its way to exclude all or nearly all obligations for consideration and assessment that would normally apply.

I say that loud and clear. It might be an opportunity for the government to reflect on this approach. I cannot speak for the legislators in 1913 or, indeed, in 1917 when the works associated with the vesting of that portion of the Parklands in the SA Railways Commissioner occurred. We were not then living in an age with the kind of access to information, the sharing of views and the consultation of the community that we certainly are now.

We all know that in order to obtain the social licence for major project work, in order to build community confidence in major project work and, indeed, in developments far less significant than this one, it has come to be just one of those essential ingredients that one expects.

Short of a really well-defined electoral mandate, to take one example that has been recently leant on by the government—and if there had been such a thing that might be one relevant retort in the circumstances—where it is a proposal of government that is based on advice that is provided to government, not all of which is available for the public to consider, then that is what these processes are there for.

There is the ray of light in subclause (4) in that there is the possibility to prescribe by regulation a process of consultation in particular. I would certainly urge the adoption of such regulations as might occur to the government, perhaps in response to this debate, even if this debate has not given the government pause to consider the structure of the whole of the clause.

What we do see in clause 8(1) is that we at least expect that there be planning consent and building consent required in respect of the development and a requirement for the final development approval to be granted in respect of the development. So are we there to understand, minister, that so far at least as the building is concerned, clause 8 is not carving that out and perhaps it is not carving out aspects of infrastructure that might be completed in the support zones that will be required in association with the building?

Given that this bill is otherwise wholly concerned with the planning process, the delineation of the land and the vesting of the land in the minister and the machinery associated with that, can the minister please give the committee any assurance that he is able as to the work to be done by subclause (1)(a) and (b)?

**The Hon. C.J. PICTON:** The advice that I have is that the building consent would still be required, and this is really focused on the planning process, and it would be deemed to satisfy development for the purposes of that, as has been previously discussed.

**The CHAIR:** The member for Schubert.

**Mrs HURN:** Thank you very much, Mr Chair.

**The CHAIR:** I have just been advised that you have actually made three contributions.

**Mrs HURN:** Have I? Sorry, I misunderstood when you gave me the call.

**The CHAIR:** Yes, I know. I was trying to be—

**Mrs HURN:** We will find time at another clause to ask this very basic question. Up to you. I am happy to do it. It is a very simple one.

**The CHAIR:** It is a supplementary, in effect.

**Mrs HURN:** It is actually a supplementary.

**The CHAIR:** Okay, there you go.

**Mrs HURN:** It is a direct supplementary to the minister where he said that, whilst the hospital does not bypass the planning process, it is still required to have building consent. So I am interested to note that you have this whole build that is at pains to fast-track the construction of the new Women's and Children's Hospital to bypass consultation, to bypass planning, and yet I am just interested to hear from the minister that the provision for a new Women's and Children's Hospital has not yet even got building consent, just on the basis of what he had just indicated.

Will that be a stumbling block for the construction of a new Women's and Children's Hospital? It would seem odd that we are going to spend hours upon hours upon hours going through very intricately—and rightly so—this unprecedented bill. It would seem odd that, despite all of that, there is no building consent. If the minister could just potentially walk us through that and provide us with a very simple answer on what is bang on 6 o'clock.

**The Hon. C.J. PICTON:** I have been asked: is this a stumbling block? The answer is no.

*Sitting suspended from 18:00 to 19:30.*

**The CHAIR:** The member for Flinders has an opportunity to ask a question, if he would like one. He does not have to take up the offer, of course.

**Mr TELFER:** I am just trying to narrow down in my mind which of the many questions I have on this clause that I should take the opportunity to ask.

**The CHAIR:** Decisions, decisions.

**Mr TELFER:** Once again, I respect that, not having the portfolio of planning, the minister has done his best here to understand the process when it comes to the Planning, Development and Infrastructure Act.

**The Hon. C.J. Picton:** Faint praise.

**The CHAIR:** I am not sure it is even faint praise, but anyway—

**Mr TELFER:** You are doing your best, whatever level that is at, especially in the context, as has already been articulated here around exactly what these steps are going to be when it comes to what decisions the State Planning Commission is going to be making because, from my perspective, clause 8 and the bill as a whole really does supersede any process.

I would be interested in the minister's perspective when, as the relevant authority, the State Planning Commission undertakes any assessments of this process. Is it going to be a rubber stamp, or is there going to be some more comprehensive process than I am seeing here? At the moment, firstly, it is saying this bill in its entirety, considering that the project site or the support zones really do set out these parameters—would the minister explain to me exactly what he envisions the State Planning Commission steps are going to be when any proposal for this project is put forward to them?

**The Hon. C.J. PICTON:** I understand in relation to the process as has been outlined previously in relation to the bill that this has been put forward as a deemed-to satisfy development. That will still allow the appropriate assessment under the Planning, Development and Infrastructure Act as a deemed-to-satisfy development. As part of the process, the government will put forward the entirety of its planning work and, in addition to that, the results of various consultations that will take place prior to that. The commission will have the ability to consider that as part of the deemed-to-satisfy process and will be able to make recommendations or conditions under that process.

**Mr TEAGUE:** It is just so startingly fresh, what we have just heard from the minister.

**The CHAIR:** Is that a question?

**Mr TEAGUE:** It is really brief.

**The CHAIR:** Hold on. You have spoken three times.

**Mr TEAGUE:** Have I?

**The CHAIR:** You have, yes, and the clerks have confirmed that with me. In fact, the member for Schubert had a supplementary as well. You want one too now; is that what you are saying?

**Mr TEAGUE:** Just a quick one, a supplementary.

**The CHAIR:** I think I have been more than fair. In fact, if I remember correctly, you used your 15 minutes up in another question too, so you have not been short-changed.

Clause passed.

Clause 9.

**Mrs HURN:** Throughout the process of the bill, we have been shown some interest in what this bill actually means for the closure and opening of some of our main arterial roads. What is going to happen with Port Road has been spoken about, but I think it is worthwhile fleshing it out some more. In particular, when it comes to clause 9(1)(a), where it says that, by notice in the *Gazette*, there is the power to temporarily close any road in connection with the development on the project site. I am interested in noting which roads may be temporarily closed. Is it just for the purposes of Port Road and Gaol Road? If the minister could outline those, we would be most grateful.

Also, when it comes to needing to lodge a plan with the Registrar-General to open or close any road, if he could talk through the process of what that may look like it would be particularly helpful. Again, whilst we acknowledge that this is a planning bill to deal with the ultimate, at some point in the next decade we will see a construction of the Women's and Children's Hospital. Who knows whether it will be a Liberal government, a Labor government or otherwise? We are particularly interested in knowing what this is going to mean for road users.

It is going to be an enormous development. We know that it is well over $3 billion worth of construction. Naturally, you can imagine that that type of infrastructure being built in the heart of the city is going to have some widespread ramifications for traffic when it is coming up Port Road. We on this side of the house are concerned about not only what it means for the residents of the state seat of Adelaide but also what it is going to mean for all those commuters coming through the city.

If the minister could confirm that it is just Port Road and Gaol Road that are going to be temporarily closed at some point in time, that would be helpful. If for the benefit of the committee, and indeed the entire parliament, he could walk us through what that looks like and what the process is that would also be helpful.

**The Hon. C.J. PICTON:** I reiterate what we have already discussed at some previous time in this now increasingly lengthy committee stage, that it is Gaol Road that will need to be closed for the construction works of the project. There will need to be lane restrictions on Port Road at various points in time to enable the widening works to occur and also the intersection works to occur on Port Road.

**Mrs HURN:** I note that the minister has indicated that this has been canvassed before, but the reality is that we have not yet been through this clause, which is to talk about the specifics of what opportunities there are for gazettal. I think it is an entirely reasonable question to ask: as part

of the gazettal process, is it just the roads that are associated with the project site, and indeed the support zone that will be identified as being able to be gazetted, or is it any road in South Australia that is able to be gazetted as part of the construction of the Women's and Children's Hospital?

I am not an engineer and I do not have a broad scope understanding of some of the enormous pieces of equipment and infrastructure that will need to roll through the city to be able to construct this new Women's and Children's Hospital. I know that we have canvassed at some length what the implications, and indeed the ramifications, are going to be when it comes to the closure of Port Road or how many lanes will be closed.

We have heard the minister saying, 'No, we're closing elements of the road so that we can widen the road,' which is an interesting way of looking at things logically. This is really about, in terms of this exact clause, clause 9, whether it is just Gaol Road and Port Road that are able to be closed as a result of the gazettal, or is it all roads in South Australia?

**The Hon. C.J. PICTON:** I think the words of the clause speak for themselves in relation to it is a broad power, but the specific road that will need to be closed is Gaol Road, and there will need to be lane restrictions on Port Road. I think we have gone through some of the detail in that previously.

**Mr TELFER:** In clause 9, obviously there is no specificity about exactly what roads they pertain to. I certainly appreciate the explanation that the minister is working his way through at the moment. I am interested, with the schedule 1 project site and support zones that are in place, there is the definition of Port Road and Gaol Road within the plan itself.

Minister, can you tell me if, within the plan for the new Women's and Children's Hospital, there is going to be any formalised public road under the definition of the Local Government Act as specified there, section 4? Is the access road to the Women's and Children's facility itself going to be a public road, and thus the Road Rules apply to it, or is it going to be separate within the footprint of the Women's and Children's Hospital itself? Is there going to be a different road constructed, opened and used, or is it going to be still under the auspices of Gaol Road and Port Road? Will additional public roads be constructed?

**The Hon. C.J. PICTON:** People would be familiar that with hospitals there is generally an entrance to the emergency department for emergencies, ambulances and the like, and other access to the hospital for visitors and staff, etc. The planning is for the latter to be via Gaol Road, and that will be reopened in a slightly revised form as Gaol Road. However, there will be another entrance for emergencies off Port Road for ambulances and other emergencies that need to come into the hospital. Whether that will be a 'lower case' road, or it will be a road that cars drive on, and whether that meets the classification as part of the technical road network or some other classification, will be worked through over coming years.

**Mr TEAGUE:** It is probably here that I come to an observation about the really wide scope of the bill in the way it has been drafted. We have had the minister's assurance now on several occasions that when this bill talks about 'road' it means Gaol Road, and we have at least that indicated in broad terms on the face of the mud map at schedule 1.

I think that the committee appreciates the explanation from the minister just now about the role Gaol Road will play in the course of the development. It rather tends to indicate that there is a fairly well-formed kind of place and alignment in relation to the hospital that has already been prepared. If so, it begs the question: why have we not seen that more elucidated in this urgent bill?

It has to be said in the context of a legislative committee, as we analyse this clause by clause, that, on the face of the bill—again, it is the mystery minister and if the minister is able to indicate who that might be then well and good, but again one could think of any number of several ministers in whom this power might be vested—it is a very loose provision indeed, in that what South Australians might find in the event that maybe there is further advice, maybe the site alignment might vary. We do not have any indication of how that might stand at the moment.

There is a really very vague and general notion of what roads might be the subject of temporary closure, simply by reference to connection with the development on the project site, so not even something that is more closely defined by geographical area. As the member for Schubert

as the shadow minister has indicated, for all we know that could be Highway 1 to permit the transport of particular equipment. It may be that that is intended, but, on the face of it, it could be any road in the state.

As the minister is indicating, if really the purpose of the clause is to provide for the temporary closure of roads that have already been identified, the question is: why can they not be identified? In terms of the provision for a plan being lodged under subclause (1)(b), we see that that plan might specify any road, in which case it will be taken to be established and be a public road. On the face of it, the minister might get a rush of blood to the head or might find that the advice is saying that we are better off entering this hospital from the north, or something like that, and all of a sudden there is this road that we find has been opened in an area and it might be outside.

We have very limited reference in this act, and we traversed it at clause 7. We have very limited reference. In fact, the minister's attention is drawn to the principles specified in the Adelaide Park Lands Act only for the purposes of the support zones and those are specified and they are relatively tiny. So is it not just a question of having some degree of specificity about the scope of the roads that are contemplated to be the subject of temporary closure and, particularly in what is a planning bill, in respect of those roads that might be opened?

It is all very well for us to labour on here in the committee process and maybe draw out from the minister some indication about where those roads might be or what form they might take, but it is really a 'trust me for the next decade' kind of approach to simply have clause 9 with its three subclauses providing a test that rises no higher than anything in connection with the development on this site. It is up to the minister to determine, carte blanche, including the deeming of any area that might be depicted on a plan that will be taken to have established a road.

The minister has afforded the committee some degree of narrative about where this is all heading. The minister seems reasonably assured in terms of what he has in mind, but spare a thought for the people of South Australia: we are all here being asked to be witness to this short bill being railroaded through the parliament that is going to provide for this designated minister—whoever they might be, and we all look forward to watching the news to find out—to have very few, if any, controls on the scope not only of temporary closure but of opening of roads.

So here is your moment, minister. We certainly invite you to give a thorough and comprehensive explanation to this committee about what exactly this clause is required for and what particulars can be placed on the record in these short moments afforded to us to consider the bill prior to its imminent passage.

**The Hon. C.J. PICTON:** Thank you very much. I reiterate my previous comments in relation to the government's intention. I note that the clause itself refers to any road in connection with the development, so I think the straw man argument that a future minister would have a rush of blood to their head—I think was the phrase used—and decide to go closing roads willy-nilly is preposterous. We have indicated what is likely to happen in relation to the site.

I do have one bit of further information in relation to Gaol Road, which I will add to my previous answer. Gaol Road, once relocated at the end of the project, there is a chance—I think unlikely but to put it on the record—it may need to become a private road due to the fact that building structures will fall under the road and i.e. may form part of the structure of the road.

In that event, should that happen, an easement will be granted to ensure continuity of public access for the hospital and also to Adelaide Gaol for all members of the public. I think that is unlikely, I think the likelihood, as I am advised, is that it will become a public road, but I just want to put that on the record.

**Mrs HURN:** Thank you to the minister for putting that on the record. I think it is very generous of him to do so. This question may come across as somewhat facetious, and I certainly do not intend it to be, but in clause 7 we were making reference to and having a discussion about whether this bridge that was connecting the two hospitals, between the proposed new Women's and Children's Hospital and the current Royal Adelaide Hospital site, was included in the support zone.

I thank the minister for providing some further clarification there. During the course of that conversation we did have clarity that this bridge would be 60 metres long and about five metres wide.

It was not ruled out that it would be made available, not for ordinary vehicles or for motorists but potentially, as has been put on the record publicly by Professor Warren Jones, for golf buggies.

I do wonder for the purpose of this bill under clause 9 whether this bridge is classified as a road and, therefore, it can be closed by virtue of *Gazette*, or is this just a public piece of infrastructure that we know is open to the public? Apparently it is going to be the only connection, as has been drawn out by the member for Flinders, between the proposed new Women's and Children's Hospital site and the Royal Adelaide Hospital site. This is the only, the single only, connection between the two, other than of course if there are patients needing to go via ambulance. Of course we have concerns about that that we do not need to flesh out for the purposes of this bill.

But in terms of whether or not this bridge will be classified as a road, I think that not only would we on this side of the house be interested in that but, for the purposes of the people of South Australia who have been very attuned to this argument, I think certainly on the ABC there were a high number of callers who were interested in this *Where's Wally?* of the bridge, as it were. So, if the minister could clarify that he does not have discretion under this bill to close what is the only connection between the proposed new Women's and Children's Hospital and the Royal Adelaide Hospital, that would be most appreciated.

**The Hon. C.J. PICTON:** The member starts her comments by suggesting that they could be interpreted as facetious. I would never accuse the member for Schubert of being that, but I think that it is clear that the pedestrian and shared-use bridge that she is referring to would not become a road and hence would not be under this section of the act.

**Mr TELFER:** It is an interesting discussion and dialogue. The question of when is a road a road is an interesting one. Someone such as myself who has come from local government and knows the process for opening and closing and the definitions surrounding a public road would know that but, for the average citizen of South Australia, a lot of the time there is probably a bit of uncertainty. As you have well highlighted there, there are occasions where there are private access roads that may have easement arrangements in place.

In looking at the schedule, which we will get to later on tonight maybe, it is interesting to see the support zone we discussed earlier. I will draw the minister's attention to the northern aspect of it; that is what some members of the public may consider to be already a road and I would suggest it probably is not a formalised road. That is the track that traverses along what this support zone area is to the north of Bonython Park and around the back of the proposed site around Kate Cocks Park.

Thus, the fact that there is not a clear definition—and we are starting to get some explanation from the minister through this process as to what roads in particular will be considered. Are there any plans or thoughts or considerations being put into the area within the support zone being developed in a way or constructed in a way that it may fall under clause 9—Roads, and be formalised into a public road and an access from the other side? If so, would the minister provide a bit of explanation and commentary and, if not, can he rule it out?

**The Hon. C.J. PICTON:** I thank the member for his question. Certainly, there is consideration in relation to a 'lower case' road north of the project site. Certainly one of the key factors that is being considered in relation to that is access to the Gaol site during construction of the hospital to maintain the ability for access to be maintained when Gaol Road is closed. It has not been formally considered to the point of decision-making as to whether that would go down the path of being officially declared an 'upper case' road, for lack of a better term. That is something that is being considered. Certainly, it is the government's intention to maintain access to the Gaol, and that avenue to do so seems to be the best opportunity to do so.

**Mr TEAGUE:** The minister has just referred to the Gaol. There is no suggestion that the Gaol is going to be demolished in the course of the wideranging demolition works to heritage buildings that have been broadly described as the barracks. By the sounds of it, Gaol Road might be facilitating the development as the subject of temporary closure and then, if I understand the minister correctly, it is likely to be used in its present location as part of facilitating the operations of the hospital.

At this point, it is perhaps germane to take ourselves back to 1913 and the minister's resort to precedent. This remains the best that the government can do—I do not know whether to laugh or cry—in response to the charge of the unprecedented nature of this short bill: to have presented to the committee the 1913 act and a second act as well that serve as a precedent. The two are closely connected. Really, the 1917 act is an expansion of sorts of the substantive provisions of the 1913 act to set aside those lands for the construction of what would become the heritage-listed barracks structures over the course of the last century.

In that regard, it might be observed that at no point in either of these acts so far as I can see did the drafters deem it necessary to include an equivalent of clause 9 in what we have here—not clause 8 either, but certainly not clause 9, in that those bills, analogous as they are, and I concede that—

**The Hon. C.J. Picton:** There were probably fewer cars in those days.

**Mr TEAGUE:** I think that is probably right. I think that is probably apposite. The minister observes that there might have been fewer cars at that point.

**Mr Telfer:** It is still transportation.

**Mr TEAGUE:** That's right. There is no attempt—there is no deemed necessity, certainly, in those acts—to provide a wideranging executive power attendant upon the setting aside of land for a particular purpose. We have endeavoured to step through it in a measured way insofar as the powers that are vested in a minister and, in turn, the land in fee simple to be vested in a minister for the purposes of the carrying out of the project, the eventual construction of the hospital.

But it really is extending the scope of this short standalone bill in really extraordinary, powerful ways indeed—and one might repeat that notion of unprecedented ways—to be handing to the minister this almost unrestrained power to commandeer the roads of South Australia for the purpose, provided it passed the test.

I suppose the retort might come that the provision, such as it might have been deemed necessary, might have otherwise provided for roads to be specified by regulation, and the charge might have come, 'We are going to pass a bill without any knowledge of what roads or locations or what might be affected from time to time.' But at least in that case there would be an obligation of accountability in some way in advance because the responsible minister would have to put up their hand and say, 'Rightio, I have now received advice at this time that this is going to be required. I am satisfied that it is in connection with the development and that's going to follow, and I am going to regulate accordingly.'

That would not seem to hold up the minister's executive power terribly much. Again, from the point of view of South Australians who want to see that their trust is well placed in government and responsibly deployed, they would see in a closer to temporal fashion that this is what is going to come about. By doing it this way, the government is saying to the people of South Australia, 'Whoever it might be that the government determines these powers might be vested in, just trust us. It will be in connection with development and it will be okay. We will see what transpires.'

All you need to do is change the mud map and you could have a change altogether. We remember that this is all in the context of some working up that has apparently happened post this new government coming to office in this state after the last election. It is a relatively new process. It has been presented to the people of South Australia as this bold and bright new idea about the way to go about things off the back of a very thoroughgoing planning process and a series of commitments and preparations in the previous term, let alone before against that background, we see this kind of provision that really just gives carte blanche.

The question has now been asked in a number of ways. Again, I put on the record my appreciation of the minister's attempts in this committee to provide some kind of indication of what the purpose of the clause might be and also some attempt to give some particulars. I think it is a reasonable observation that it is a reach to legislate in this way in all the circumstances. It is the sort of thing you would expect to see in a practical manual once you know everything about what sits behind it.

If we had even rough specifications for a construction project, if we had indications of the size and shape, let alone the time lines, the detailed particulars, any indication of when this might be occurring and in what shape and size and so on, then you might see that document attached to the back of this short bill and in connection might therefore take on some sort of meaning.

What we have is the mud map—and no disrespect to anybody involved because it has all come out of the blue in recent weeks. That is all we have. I go back to the 1913 act: it is not even as detailed as the 1913 act.

**Mr Telfer:** Look at the shading on that.

**Mr TEAGUE:** Look at the shading, modern printing and all the rest of it. Every sympathy to those who have been asked to draw up schedule 1. Imagine if you are a developer in the real world who comes along to any form of authority and says, 'That's what I am planning to do, that's my project site, there's my support zone and, by the way, I'm going to have power to just do anything I want that's in connection with it, including closing any road that's in connection with the project.' To the extent that we are going to get involved in legislative interpretation, it has been described in terms that place it as among the state's most significant projects in its history no less, so I would not be surprised to hear that there are a whole lot of roads that are in connection with this development.

I say again that the minister has given an indication of what is intended. The minister's indication shows us that what is intended is within a very narrow scope indeed. I think the minister rebukes any notion that this might involve road closures beyond about Port Road, North Terrace, Gaol Road, aspects of them. I am not wanting to verbal the minister in that respect, but he has certainly rebuked the notion that it might be Highway 1 or some sort of far-flung thing that is going to apply over some significant period of time.

No-one who reads this in 2022, let alone in 2021-22, when it is cited as being an example of why the act that might come along in a little over 100 years' time from now would not be unprecedented because guess what the Malinauskas Labor government did in 2022? They did this. They provided in such an audacious way for a single minister all of a sudden to have the opportunity to deal with roads in this state in these very broad terms and without limitation.

There is no provision for regulation, and the minister has adverted to some notion of consultation he anticipates might happen as part of a plan. This is anti-consultation so far as clause 8 is concerned. Can the minister give any indication at all here and now, in these brief moments, of any anticipated elucidation on what we might confine the scope of this clause to over the course of the next decade?

**The Hon. C.J. PICTON:** Chair, I refer the member to my previous answers.

**Mr TELFER:** When is a road a road? We have already discussed that. The nuances of this arrangement—and also the nuances that come with roads around our state—are whose role and responsibility is it for the maintenance and upkeep and who is the actual asset owner of the road.

Although I am not the Minister for Infrastructure and Transport—and I respect that the Minister for Health also does not have responsibility for infrastructure and transport, so this road discussion is a bit past his purview—I imagine that Port Road is owned and managed by the state government, and I would suggest we would continue to do so.

I am not as au fait with the arrangements regarding Gaol Road, and I am curious as to whether at the moment it is a state government owned and managed road or whether it is a road under the jurisdiction of the Adelaide City Council. Firstly, is that aspect of what it is currently, and also I am curious as to what the arrangements might be upon an upgrade or a change of Gaol Road or what a future Gaol Road arrangement might look like.

**The Hon. C.J. PICTON:** We will take that on notice. I am sure there will be time to reiterate the answer during the debate in relation to whether Gaol Road is a council road or a state road.

**Mr TELFER:** And what the arrangements might be in the future?

**The Hon. C.J. PICTON:** Yes.

**Mr TEAGUE:** I might have been remiss in not drawing attention to this aspect more particularly in relation to clause 8 as well, but part 4 of the bill—and clause 9 in particular, but also clause 8—really puts the spotlight on the local area. I think I have described clause 8 as being an anti-consultation clause, and clause 9 I would describe as being a carte blanche kind of clause in terms of power to the minister to take steps.

It has not been indicated in the course of the debate whether or not the government has consulted with the member for Adelaide in relation to these aspects in particular. We are left to speculate at this point, and I invite the minister to inform the committee in due course. Apart from being the member responsible for the area that is the Adelaide Parklands—the subject of the Adelaide Park Lands Act, to which apply the principles that we have adverted to before—the member for Adelaide is also uniquely familiar with and accountable for those aspects of development that are occurring in that part of the city.

I would concede, as I have in the course of other debates in the house—including quite recently in relation to the merits of the ongoing operation of traffic lights that are installed in association with the Buckland Park development—that is a relatively specific matter. It is a subject of interest to the local member, and particularly to members representing areas in which electors and industry and all the rest use that road, that they are particularly informed.

I would have thought it would have been abundantly clear to all members that the member for Adelaide would have particular interest in part 4 of the bill, that part of the bill containing those provisions disassociating the government from most of the normal development assessment processes on the one hand and on the other making it clear that it is going to be a matter of executive fiat to determine what happens on the road.

I wonder whether or not the member for Adelaide has been consulted about any of this. Perhaps the minister might indicate to the house whether or not any other members have been consulted, but I have particular interest in the views of the member for Adelaide on the operation of this clause and, if I am permitted to rewind a touch, the balance of part 4.

**The Hon. C.J. PICTON:** It is very unusual, if not inappropriate, for the member to seek to inquire about particular members in relation to particular clauses, but I certainly can confirm in relation to this bill and any other bill that I bring before the house that I consult and seek the approval of members of government caucus before doing so.

**Mr TEAGUE:** I would seek your guidance, Chair.

**The CHAIR:** You can seek my guidance. You may not like it, but you can seek it.

**Mr TEAGUE:** I reflect on what view I might form of it. I think it is necessary for me to seek your guidance if I am seeking the call.

**The CHAIR:** Sorry, you are not going to get my call because you have actually had your three goes.

**Mr TEAGUE:** I was not presupposing. I was saying that here I am seeking the call and seeking your guidance in that respect.

**The CHAIR:** Sorry, in that case, my guidance in your case is that you have to sit down. We are going to put this clause to a vote. I do not think I can be any clearer than that.

Clause passed.

Clause 10.

**The CHAIR:** We have two amendments in clause 10. I understand that one is consequential upon the other, so you can move both together.

**Mr TELFER:** I move:

Amendment No 3 [Telfer–1]—

Page 7, line 3 [clause 10(1)]—Delete 'The' and substitute 'Subject to subsection (1a), the'

Amendment No 4 [Telfer–1]—

Page, 7, after line 4—Insert:

(1a) Land does not vest in the relevant Minister by notice under subsection (1) unless—

(a) the Minister has previously published a notice in the Gazette, and on a website determined by the Minister, specifying the land that is to vest under subsection (1); and

(b) the Minister has conducted public consultation in relation to the proposed use of the specified land by SA Police for the purposes of its Mounted Operations Unit; and

(c) the Minister has caused a report on the outcomes of the public consultation to be tabled in each House of Parliament.

I move amendments Nos 3 and 4 to clause 10 under my name, and in doing so I really rearticulate the discussion that I led at clause 8, which was that there really is an important aspect of good planning and good process and that is that there is transparency, certainty and a proper process that is followed and in no way is this going to open the opportunity to prevent the project. I think this is just a way to provide greater transparency, especially regarding the mounted police operations.

The bill currently allows vesting in the police minister. This clause provides that vesting takes place only after the police minister has consulted, so of the amendments in my name, amendment No. 1 is simply to delete the word 'the' and substitute the words 'subject to subsection (1a), the' and then amendment No. 4 in my name for clause 10, page 7, after line 4, is to insert the following:

(1a) Land does not vest in the relevant Minister by notice under subsection (1) unless—

(a) the Minister has previously published a notice in the Gazette, and on a website determined by the Minister, specifying the land that is to vest under subsection (1); and

(b) the Minister has conducted public consultation in relation to the proposed use of the specified land by SA Police for the purposes of its Mounted Operations Unit; and

(c) the Minister has caused a report on the outcomes of the public consultation to be tabled in each House of Parliament.

These amendments, as I said, aim to provide more transparency, more clarity and more certainty when it comes to this process, but the bill we are debating at the moment in this place really does not, from my perspective, adequately do so. That is why the opposition is trying to be constructive with its amendments and trying to put forward opportunities for greater consultation and transparency without trying to undermine this process. In fact, I believe that it is actually strengthening the process. It is a way for this bill to have greater credibility with its key stakeholders, and greater credibility with the community as a whole.

As an opposition that is keen and passionate to get a long-term solution and a long-term arrangement in place for the health of women and children in South Australia for the long term, it really is proper process for us to have it built on a strong foundation of process in the first place. I really do commend these amendments to clause 10 to the house. I honestly hope that the government does consider this in the light of the words that I have spoken, and it being a constructive process that the opposition has put forward, not looking to thwart any aspects of the bill but, in fact, to try to enhance it.

**Mr TEAGUE:** I do not want to just barge in once again in offering my fulsome support for the amendments of the member for Flinders, but I do want to take the opportunity to indicate that I endorse fully the member for Flinders' observations about the process of engagement in this debate.

Such as the government has deigned it appropriate to afford us the opportunity to analyse what is a relatively short bill presented to this house under cover of a suspension of standing orders with a view to its more or less immediate passage, and against the background of the government having refused to accommodate the interests of the parliament as a whole—a minority of those of us who find ourselves in a minority in the parliament as a whole—to conduct a committee of inquiry process that could involve more than just these constrained circumstances but would efficiently get

to grips with some of the scope of the territory that the bill is covering, what we are left with is this short bill, and we are here doing our best to improve on it.

I will have more to say, of course, in relation to the balance of clause 10 in due course, but I want to put on the record my wholehearted endorsement of the sentiments of the member for Flinders in moving the amendment.

**Mrs HURN:** I, too, rise in support of these two amendments that have been put forward by the member for Flinders and echo his views that I think this is a really logical amendment that has been made to enhance the bill, particularly when it comes to the insertion of a clause in relation to public consultation.

Of course, the nature of this clause and how it sits at the moment is that the minister basically has enormous power. This clause provides that the vesting takes place only after the police minister has been consulted, which I think is entirely reasonable.

In fact, I am sure the house is picking up on the fact that we are concerned about the significant lack of consultation and that, in fact, this is a deliberate exclusion of the people of South Australia from being involved in what I think is something they want to be a part of. On the one hand, we have a government that has, what I would say, overemphasised their desire to have a consultation process, that they want to consult with the people of South Australia and want to consult with the clinicians, yet none of this is in any way, shape or form actually reflected in the bill that they have put forward.

That is why I, too, implore the minister and the government to take note of these amendments and to put the people of South Australia first when it comes to the consultation. People want to be involved in this process, and I think that is a worthwhile thing to put on the record because, at every single step along the way of this process, we have maintained that those of us on this side of the house support the construction of a new Women's and Children's Hospital. We have been so clear about that.

The minister shakes his head. He shakes his head because apparently we have not been clear, except in every public statement we have made, so he must not have cleaned his ears out at that stage. At every single point along the way, we have been very clear that we support the construction of a new Women's and Children's Hospital. There is no doubt about that. This bill has nothing to do with the new Women's and Children's Hospital and, no doubt, the fantastic care that it is going to provide to the people of South Australia and to the women's and kids who are coming towards it.

What we do lament is that this is a complete bulldozing in more ways than one not only of buildings and history but also of proper process, so this is a practical amendment that we are putting forward to bring the people of South Australia into this process, by not only having them involved in the project overall but by saying, 'We want you to work with us to determine where the horses are going to be established.' We support these amendments and we ask the government to strongly consider it as well.

**The CHAIR:** There being no further debate on the amendments, the question is that the amendments [Telfer-1] 3 and 4 be agreed to.

The committee divided on the amendments:

Ayes .....11
Noes.....22
Majority .....11

AYES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Cowdrey, M.J. |
| Gardner, J.A.W. | Hurn, A.M. (teller) | McBride, P.N. |
| Pederick, A.S. | Pratt, P.K. | Tarzia, V.A. |
| Teague, J.B. | Telfer, S.J. | |

NOES

| | | |
|---|---|---|
| Andrews, S.E. | Bignell, L.W.K. | Boyer, B.I. |
| Brown, M.E. | Champion, N.D. | Cook, N.F. |
| Fulbrook, J.P. | Hildyard, K.A. | Hood, L.P. |
| Hughes, E.J. | Hutchesson, C.L. | Koutsantonis, A. |
| Michaels, A. | Mullighan, S.C. | Odenwalder, L.K. |
| Pearce, R.K. | Picton, C.J. (teller) | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Thompson, E.L. |
| Wortley, D.J. | | |

PAIRS

| | | |
|---|---|---|
| Speirs, D.J. | Bettison, Z.L. | Pisoni, D.G. |
| Close, S.E. | Whetstone, T.J. | Brock, G.G. |
| Marshall, S.S. | Clancy, N.P. | Patterson, S.J.R. |
| Malinauskas, P.B. | | |

Amendments thus negatived.

**The CHAIR:** Are there any further questions, or do we put clause 10?

**Mrs HURN:** We have not had any.

**The CHAIR:** We have had the amendments. Sorry, you are quite right. Any questions on clause 10?

**Mrs HURN:** Yes, lots and lots. I am just going to decide which one of my many questions, noting that I only have three. I am particularly interested in a number of matters when it comes to clause 10, which is the relocation of certain SA Police facilities, and we know of course that means the horses. One of the things I am concerned about is that this section does give the Minister for Police, who is not in the chamber to be able to really outline an answer to this—

**The Hon. C.J. PICTON:** Point of order.

**Mrs HURN:** I retract referencing his attendance or otherwise in the chamber. It is specifically in relation to—

**The CHAIR:** I am glad you all solved it before I had to get involved.

**Mrs HURN:** It is solved, very much. I quickly noted that comment. Again, this is in relation to the significant lack of consultation we are seeing by this government when it comes to this bill. If they are so confident that this is the plan that is for the future of the Women's and Children's Hospital and that this is the right thing to do for the people of South Australia, then let's park that. But if they are so confident, then why not have a consultation process to really involve the people of South Australia in this process?

We have seen it in separate sections where we have not seen consultation on a number of matters for the project more broadly. That is particularly surprising to us because, publicly, this is a government that have been wanting to overemphasise how they are working with the people of South Australia and bringing the people of South Australia along on this journey, as they reference it. This is a hospital that is for the future, according to those opposite.

If they are so confident and they have done the work, and they have done extensive work with Jim Hallion, as we have heard over and over again, then why not open it up for consultation? Why not say to the people in the state seat of Adelaide, or the people of South Australia more broadly, 'Where would you like to see these horses relocated? Where would you like to see a relocation of certain elements of SA Police facilities?' as it says in clause 10. Why not? That is our question: why not? If they are so confident and certain about their plan, then it should be incumbent upon them to bring the people of South Australia with them.

At the moment, every single step along the way has been a bulldozing of process, a literal bulldozing in some circumstances, and a bulldozing of consultation for a hospital that is not going to be built until the next decade. We have seen a bulldozing of parliamentary process to see this rushed through. Whilst we acknowledge that the minister and his support staff have been really quite fantastic with the time they have given us to ask these questions, it is important because there are serious questions and consequences for passing this bill. It is not just in relation to the delivery of a new hospital; in fact, that is quite separate from what this bill is even about.

When you drill down into the nitty-gritty of what we are even talking about, we are talking about police ministers, we are talking about planning bills, we are talking about the relocation of horses, we are talking about the closure of roads, we are talking about completely getting into the bill, a bulldozing of all consultation processes. That is something that we have concern for on this side of the house.

I think it is important because I am not sure that the minister has full clarity of our position on this side of the house; that is, when it comes to the Women's and Children's Hospital, we support the construction. The former government was forging ahead with its own plan. That is not what this committee stage is about—to compare and contrast those. As has been acknowledged over the past decade, all sides of the political equation have been trying to forge ahead with building a brand-new Women's and Children's Hospital. If this is a government that can get it done, then power to them.

At this stage, we know that it is $3.2 billion, it is not going to be completed this decade, bulldozing parliamentary process, bulldozing buildings, bulldozing all public consultation in relation to the hospital and bulldozing consultation in relation to where these horses are going to go. Minister, why is it that you do not care about where these horses will go?

**The Hon. C.J. PICTON:** Thank you for the very open and thoughtful question from the shadow minister. I want to place something on the record that we have heard now from the member for Schubert and also from the member for Heysen in relation to somehow steamrolling this through the parliament, etc., in that we are conducting what at this stage I would describe as a lengthy process through the committee. There has been no move by the government at this stage to consider guillotine motions, etc. There is no abnormal process that has been considered, so I reject the idea that this is being steamrolled through the parliament.

In relation to the Mounted Operations Unit of SA Police, clearly that is a key enabler to enabling the hospital project to be complete. This is an operation that has been on that site for some time. This is the site where we need to build the hospital, so we need to find a solution to where the Mounted Operations Unit will go. A number of sites are being considered, and that could be utilising clause 10 to enable that to be on the Parklands; it may not be. It may be temporarily using this clause before a more long-term solution is adopted. This is important in terms of the issues that the opposition have raised about concern about the time line of when the hospital works will be complete. A key factor in terms of that is making sure we have access to the site.

It is the government's view that we are putting forward to the parliament to consider to allow these powers, to allow an option for use of the Parklands should that be required, to enable the Mounted Operations Unit either temporarily or permanently to have a location there. It may well be that that is not required but, given what a critical juncture that move is in terms of the construction of the hospital, this is fitting with our desire of having this legislation to make sure that the project, which as the shadow minister acknowledges has been talked about and planned for the past nine years without work starting, happens as soon as possible.

**Mrs HURN:** Just to clarify, it was not part of my comment that I said that no work had started, but I understand that that is the point the minister is putting on the record as his own observation. In terms of the mounted police facilities, I suppose another part of what we are trying to fruitfully understand on this side of the chamber is in terms of the time line for making the decision where this mounted police operation will actually go. We know there is a $2 million business case that is being undertaken, and there has been speculation via the media as to where these facilities may or may not go.

We are going to be sitting until this bill is done tonight, and who knows how long that could be—I know the member for Heysen has a number of questions that he would like to ask. In all

seriousness, why is it that we are legislating for a potential option? We are changing the law, or establishing a law I should say, in South Australia, and part of that bill is a clause for 'maybe we may want to for a period of time utilise the Parklands'. Why not bring another bill to parliament if that is what you end up doing? It just seems at odds to usual process.

I have only been in this parliament for a short time, but it does seem odd that we would legislate and pass a law in the South Australian parliament for something that might not even come to fruition with a very specific and narrow bill for the purpose of building a Women's and Children's Hospital. It is particularly interesting. Minister, when will the government make a decision on the mounted police relocation? I am really interested in knowing whether there was any consideration of excluding this clause from the bill, and why is it that again the minister does not want to consult?

**The Hon. C.J. PICTON:** I again reiterate my previous comments in relation to what an important factor having the Mounted Operations Unit move off the barracks site is. It is enabling the works to complete. That is why this is being considered as part of this legislation. In terms of the timing of that work, it is happening very expeditiously. It is being overseen by senior public servants across government departments to make sure that this can happen as soon as possible.

In relation to whether there was consideration of not having this clause in here, the consideration was that we needed to have this clause in here to make sure that at this critical juncture we had as many options available to ensure that this could happen, that it would prevent any delays in terms of the hospital starting. In relation to the question around consultation, there may well be consultation. Obviously, there will be consultation with the police as part of this process, and future consultation will be considered. We certainly did not support the amendment that was moved by the member for Flinders that would legally bind specific arrangements in that regard.

**Mr TELFER:** Can I start my question and comments by stating that I have an incredible amount of respect and admiration for the Mounted Operations Unit. The work they do within our city and across the state is incredible. I am obviously a man from a regional area. I have an affinity with animals great and small, and I am the owner, along with my family, of a number of my equine friends. To see the way the Mounted Operations Unit so professionally train and operate, and also help enforce the law in a really tangible and visible way in our city, is a real testament to that unit in particular.

I am aware of the current arrangements, as the Acting Deputy Chair was presiding earlier in this debate, to provide agistment for the horses that are involved in the Mounted Operations Unit, and also the considerable amount of space that is needed for stables and accompanying infrastructure.

Does the minister have any concept or design as to what acreage or amount of hectares or amount of square metreage—depending on your generation or your perspective—would be necessary for a facility to be appropriately developed and to have enough operational space for the Mounted Operations Unit to continue the good work that I have spoken about within our city? How proactive is the minister in ensuring that there is enough space in the number of different locations that he speaks about there being consideration for?

**The Hon. C.J. PICTON:** Certainly, this is something that the government is considering as part of the work that is underway in terms of what the specific space functional requirements are for the Mounted Operations Unit.

I share the member for Flinders' support for the Mounted Operations Unit, a very visible sign of the great South Australian police force. It was only on the weekend at the Christmas Pageant I saw them in full force. It was great to see the worst volunteering jobs in the pageant were the people who were following behind the Mounted Operations Unit and scooping up the remnants that were left by the Mounted Operations Unit through the course of the pageant—which obviously would have been a good outcome for the next float coming down the line.

In relation to the particular requirements, they are still being worked through. Obviously, we know what space there is currently on the SA Police site and also the relevant other land that the police horses utilise in the Parklands, but there is further work being done to consider whether that

exact similar amount of land is needed, whether there will be some changes to the specific requirements that are required.

There are also considerations in terms of whether some of the other police land, such as Echunga, could be utilised, even some of the time by some of the horses. All of these things are currently being considered. There is not a specific list of requirements at this stage in terms of the specific space requirements, but obviously the current infrastructure on the barracks site is some guide in terms of the infrastructure that will be needed.

**Mr TEAGUE:** Perhaps in a preliminary contribution in relation to this clause, it might be appropriate that I put a number of things on the record. This is the first clause of the bill that really might be described as being the subject of precedent, insofar as the 1913 act at section 3 provided for pretty much the same vesting and provision for the allocation of part of the Parklands for purposes.

I indicate that the terms of section 3 of that act provided for the Commissioner of Public Works in that case to take possession and retain all of that piece of land, being another portion. There was a main portion that was to be taken for the South Australian Railways Commissioners Act 1887 at that point. There is another portion of Adelaide Parklands, delineated in the plan and the schedule to this act, that is the schedule we have observed in favourable terms, in comparison with the schedule 1 mud map to the bill, but hatched in black and marked B. The said commissioner made the owner:

> …erect such buildings, and make such other improvements, as he deems suitable for the purposes of barracks for the accommodation of members of the Police Force, and may make such other use thereof for the purposes of the Police Force as he deems proper.

There we have in antiquity the precedent. It is the first clause for which I will readily concede there is direct precedent.

What is important to put on the record here is that here we are, 100 and more years down the track, and the people of South Australia need to understand loud and clear that this part 5, headed Miscellaneous, I might say, at the back of this act and ahead of the mud map that describes the project site, now departs entirely from the project site. This has nothing whatever to do with the building of a hospital, the planning arrangements associated with setting aside land for the purposes of building a hospital or the ancillary support areas that are associated with building and operating a hospital. It has nothing whatever to do with the hospital.

As the member for Schubert appropriately observed, there is absolutely no difficulty whatsoever in legislating for these arrangements by way of a standalone piece of legislation. That is what people would ordinarily expect. So, while this affords the occasion to compare what is happening with the provision in Parklands at the turn of the last century for the establishment of the barracks that are now going to be demolished, the subject of this bill, there is no proper place for this clause in this bill.

Let's unpack it for a moment. This is the mystery minister, the minister we are told is going to be the recipient of these various powers. In a unified way, that minister is going to decide on the vesting of a prescribed area within the Adelaide Parklands—any area and entirely within the minister's discretion. For those following along tonight, let alone all South Australians who will follow the record over the years and decades to come, remember this, folks. This is the Malinauskas Labor government deliberately charting a course that says, 'We know all about what's going to happen. It's none of your business and you will hear about it when you read about it in the paper. You will see it in a glossy journal. You might see a nice thing on social media or something like that—

**Mr Telfer:** An ad on TV.

**Mr TEAGUE:** —or an ad on TV or something when our lucky minister decides that it is time to vest in one of our other lucky ministers a great big chunk of the Parklands.' It is outrageous. There is no other way to describe it.

But let me put it in some more context because this has all arisen in a matter of weeks. So rapid has been the germination of the seed of this idea over those recent weeks that we have a bereft and forlorn Heritage Council that writes to the Minister for the Environment on 13 October and says, 'You're going to do what? You're going to demolish all these heritage buildings. Right, first we heard

of it. We will send you a pretty thoroughgoing letter about the principles you might apply when you are going to demolish all these heritage buildings, but we don't know anything much. We might only get one bite of the cherry. The government has told us that it is all going to happen in a matter of seconds, so we will just give it our best stab in a letter.'

But, more so, the Commissioner of Police had to tell the public of South Australia, 'Well, we've been told that the government has decided that it is going to build a hospital where our current police horses and barracks are located, so we're going to need to search for somewhere else. The government tells us that we are in receipt of $2 million for that purpose, so we'll conduct a search.' I recall the Commissioner of Police saying, 'Alright, what we've done is a geocircle around the CBD because we recognise the important work of the mounted police in the CBD and we all know of their extraordinary work. We all love the mounted police and the work they do in the city.'

They need to be near the city—he said that—and it is complicated, so we are going to have to search for a site that could be somewhere within, I think, a five-kilometre radius. That is a relatively costly endeavour, and it has nothing to do with the building of these new facilities, the acquisition of the site or anything like that. The $2 million has been allocated by the government because they know that there is going to need to be a thoroughgoing search. I want to underscore that even further and go back to those objectionable remarks of the Minister for Planning on 28 September.

He said that I somehow zoned this land in such a way that it was primed for heritage destruction. On the contrary: the land on which the barracks were located was zoned in such a way as to facilitate the sensitive re-use of those barracks buildings. And why? Because we all know that for some time the police have known about a medium-term need, a medium-term plan to exit those buildings and to move to more modern premises. The sensitive re-use of the heritage buildings that constitute the barracks buildings—those 10 buildings on that site—has long been contemplated.

That is all understood, but it was by no means imminent as we approached the last election. It was certainly not in the frame at the time the planning decision was made at the end of last year. That is underscored by the fact that in the course of the last government, and in the context of the planning decision that was made last December, there was no allocation of funding to police for a search to make a move. There was a contemplation of a possible future user of that land, as I recall. There was the generally well-known notion that the police might one day move. Importantly—and one can see it there on the record—the government was not providing for any imminent departure of police from that site.

Now what we see is a change of tack, a new government post election, advice that, 'We are going to move the site. Now it is going to be right smack bang on top of those barracks buildings. They are going to need to be got rid of. Quick, scramble around everybody and work out whether you can rebuild them, move them, work around them.' Ideas are put up and so on but, no, suddenly it is demolition. So the urgent departure of police is precipitated as the result of the anticipated destruction of the buildings. The government says, 'Alright, have $2 million,' and the commissioner says, 'Alright, with the benefit of that $2 million, we are going to go ahead and do the search that we need to do.'

Then we see clause 10 of this bill. South Australians are going to be asking themselves, 'Hang on, why were we told this story by the government about facilitating a broad search by police because it could be anywhere and you never know where it might be?' What was the order in which these things were laid out? Was this just a thought bubble that occurred down the track? My goodness, if this portrays some kind of process by which people are to keep it on the down low but we are going to provide for Parklands for you down the track, that would be outrageous and extraordinarily embarrassing for the commissioner who has talked about a process of general search, and then this pops up in the bill.

I will speak in terms of my own personal reflection for a moment. When I first saw this provision in the bill, I had to read it several times because I thought I must be missing something: why would this possibly be contained within this bill? But here it is. One is left to wonder: what is to be done with the $2 million that has been allocated to police for the general search, given that they have this truly extraordinary acquisition of Adelaide Parklands provided for in clause 10 that just

says, 'Well, the minister can carve off an area of the Parklands and hand it over to the relevant minister, who we presume is going to be the police minister, in an estate in fee simple.'

Perhaps I might start by asking, because we do not see it on the face of it: is there any indication the minister can give about the genesis of this idea and when this was first conceived in the context of the $2 million that has been provided to police for the search for new premises?

**The Hon. C.J. PICTON:** As I have said previously, this was considered in the drafting of the legislation to enable the broadest possible options that could be considered. This may not be necessarily what happens, but it certainly gives an option in terms of the Mounted Operations Unit and their future premises.

**Mr TELFER:** Minister, we have discussed the area that is going to be needed for the Mounted Operations Unit, and obviously it is not just area. We are talking about the need for there to be construction infrastructure that is similar to what is already in place.

I am interested in looking at subclause (4) of this clause, particularly because it refers back to clause 8, a clause we have already discussed, on which I have already articulated my concerns with that process in particular. Subclause (4) provides:

> If a prescribed area vests in the relevant Minister under this section, section 8 applies in relation to any development proposed to be undertaken on the prescribed area as if it were development proposed to be undertaken on the project site.

In this clause 10, we are talking about carving off an area of the Adelaide Parklands to be used for the Mounted Operations Unit, not just for agistment or grazing, as has been talked about before, but also for infrastructure that accompanies what is necessary for the Mounted Operations Unit.

Here in subclause (4) where it refers back to clause 8, we can cast our mind back a few minutes to what clause 8 was actually referring to and, in particular, the need that, except as is specified in this section or as may be prescribed by the regulations, no consultation, notification or other procedural step is required under a law of the state in connection with any action taken under this act or the performance of functions under this act.

Putting two and two together, minister, can you confirm that there can be a scenario where the minister who can vest the prescribed area within the Adelaide Parklands—and this is any area within the Adelaide Parklands—to the relevant minister, the relevant minister here being the minister responsible for the administration of the Police Act, any aspect of the Adelaide Parklands to that minister for the purposes of the Mounted Operations Unit; thus, the area of the Adelaide Parklands that has been vested, that has been carved off, could have any accompanying infrastructure that is necessary for it without the need for any consultation, notification or any other procedural step?

That being the case, if there are people with an interest in specific areas of the Parklands—perhaps they live in close proximity, or perhaps they frequent them regularly—we could have a scenario where the government is making a decision carte blanche about infrastructure to be constructed on a piece of the Adelaide Parklands, an existing area the minister may decide to use, and there is no actual process as far as the planning process, consultation, notification or other procedural step when it comes to the construction of that infrastructure.

**The Hon. C.J. PICTON:** I think the provisions of the proposed legislation speak for themselves. As was mentioned, clause 8(4) would apply in relation to that in terms of the planning process, as we have previously discussed. The member has moved an amendment in relation to it that was unsuccessful. The government is not supporting having a legislated consultation mechanism as part of this.

If this were to be an option down the track, then obviously what level of consultation would be considered; however, it is not the government's desire for the parliament to legislate a particular consultation. Therefore, we are submitting to the parliament that the same provisions under clause 8 would apply in terms of this, the reason being that this is such a critical element in terms of allowing access to the site for the future new Women's and Children's Hospital to be built. Ultimately, there is a direct path there to providing those improved services and amenities for women and children who need health care in South Australia.

**Mr TELFER:** Supplementary to that, can the minister confirm that under this legislation the minister can carve off any area within the Adelaide Parklands to be the prescribed area, and then, under clause 8, construct any infrastructure they like for the Mounted Operations Unit without going through the previously prescribed development process?

**The Hon. C.J. PICTON:** I do not necessarily support the phrasing the member for Flinders used, such as 'whatever they like' and those sorts of things. I think the clause is clear in terms of what the government is suggesting and asking for parliament's support on in allowing those powers for the police Mounted Operations Unit to be moved, potentially, to a Parklands site.

**Mrs HURN:** I am interested in particular in the relocation of the Mounted Operations Unit for the South Australia Police. They do a fantastic job, as has been very well spoken about in the chamber this evening. The minister made reference earlier to the time line in which they are hopeful for a new site for the police Mounted Operations Unit, and the response is, of course, 'ASAP.' So when I saw a story go up online in *The Advertiser* on Sunday evening, I think it was, that was headlined something like 'Former West End Brewery site an early favourite for the Thebarton barracks operations', I was genuinely quite surprised.

I was thinking in my mind that I knew we needed to debate this in the committee stage and that there is a very detailed clause that specifically makes reference to the fact that we are legislating for the potential that this is something that could go on the Adelaide Parklands. Why is it that stories are being dropped out to the daily paper in Adelaide that the former West End Brewery site is actually the early frontrunner for the site? I made note that I was going to raise this and there was reference to a project team that was taking the reins, if I dare use that double entendre, regarding the relocation of the mounted police barracks.

Minister, in terms of the project team, who is taking the reins? There was a reference to SA Health being involved in this. Could you advise who that person is from SA Health who is involved in the project team for the relocation. I actually do question why it is that someone from SA Health, in the midst of a ramping crisis that the government is trying to fix and trying to deliver on their promise to fix, is concerning themselves with a project team to relocate the horses?

Is it just me, or does that seem slightly peculiar? There are enough peculiarities around this entire bill in that we have the Minister for Health handling a planning bill and that is interesting in itself. My question is: in terms of the project team, who is it from SA Health that is on it and why are they on a team focused on relocating the horses potentially to the Parklands or otherwise? Why is the government allowing stories to be farmed out to the media about preferred sites not being anything to do with the Adelaide Parklands? In fact, it is in relation to the former West End Brewery site. Who is taking the reins on the establishment and the ultimate determination of the site?

**The Hon. C.J. PICTON:** I am very happy, and hopefully this will address the concerns of the member for Schubert, to advise that the work in relation to the police Mounted Operations Unit and other operations of SA Police is being managed by SA Police and the Department for Infrastructure and Transport and not by SA Health.

**The ACTING CHAIR (Mr Brown):** I have three questions marked down here, member for Schubert.

**Mrs HURN:** I am happy to put it as a supplementary or alternatively—

**The ACTING CHAIR (Mr Brown):** As long as you are quick.

**Mrs HURN:** Alternatively, I can certainly pass around the note.

**The ACTING CHAIR (Mr Brown):** Let's do it at a fair clip, shall we?

**Mrs HURN:** Thank you very much. In terms of the time frame for deciding the site, is the project team that is made reference to in *The Advertiser* related to determining the site of the relocation of the Mounted Operations Unit? I can imagine that maybe something is lost in translation but, just to be doubly sure, there is no-one from SA Health involved in any way, shape or form in the relocation of the Mounted Operations Unit to another location?

**The Hon. C.J. PICTON:** The member says in no shape or form. Obviously there are discussions between the SA Health New Women's and Children's Hospital team and the SAPOL and DIT teams. So obviously there is some level of discussion that is occurring, but the work in the vast majority and the project team is being led by SAPOL and the Department for Infrastructure and Transport.

**Mr TEAGUE:** With a focus on the $2 million that I mentioned earlier—and I stand to be corrected; that is my recollection—that is being provided by government to SA Police to conduct a search for the suitable alternative site—not the site itself, not the construction, not even the design or the works associated with setting up the appropriate facilities—but just the search.

**The Hon. C.J. Picton:** It is much broader than just the search.

**Mr TEAGUE:** Yes, just the search.

**The Hon. C.J. Picton:** No, it is broader than just the search.

**Mr TEAGUE:** The minister might take the opportunity to explain just how much broader the provision of that money was. But let's put this proposition: now that somebody has had this thought bubble presumably sometime between that announcement when the commissioner expressed a view in the public about the nature of the five-kilometre radius from the CBD and so on, and as I recall that all happened within a pretty short compass, now that somebody has had this idea, this sounds like a pretty good deal from the point of view of the government, and more particularly SA Police, if—and let's be clear about it—what is on offer is a prescribed area. Really, the sky is the limit.

The Parklands are pretty big, so any amount of acreage in the Parklands vests in the relevant minister. We know that is the police minister because that is the one minister in this bill who is defined, unless you gazette a new minister responsible under the Police Act. So that is clear. The police minister is going to have the possibility of having this area of Parklands vested in the minister by the minister who is empowered to administer this act. An observation has been made about the apparent lack of any connection between Health and the business of SA Police, let alone their responsible minister. That is what is put here. As far as an offer goes, it is a pretty short one as well. Subclause (3) provides:

> (3) The relevant Minister must ensure that the land that vests under the section is used by SA Police for the purposes—

there you go, that is a stricture—

> of its Mounted Operations Unit.

One might argue that puts some sort of scope around the upper limit, the upper size land area that might be set aside. Subclause (4) provides:

> (4) If a prescribed area vests in the relevant Minister under this section, section 8 applies in relation to any development proposed to be undertaken on the prescribed area as if it were development proposed to be undertaken on the project site.

That means it is rolled gold, carte blanche, do as you will. Moreover, if we were not already clear enough, subclause (5) provides:

> (5) No compensation is payable by the Minister—

that is, the one who is handing it over—

> the relevant Minister—

that is, the police minister—

> or the Crown in connection with the operation of this section.

So that really covers the field. No compensation is payable to anybody. So it is free land, it is free Parklands land, and the only proviso is that the police minister has to ensure that it is used by SAPOL for the purposes of the Mounted Operations Unit.

If I am the Commissioner of Police and I am handed a draft of this bill and I think, 'Hang on, if this goes through this will be pretty good,' that meets the five-kilometre radius test. I can see pretty

readily how it is highly likely, in consultation with the minister, that an area of Parklands might be able to be selected, and it all begs the question of what becomes of the $2 million, because that went from being something that the minister is about to describe as being a bit broader than just a search for a location to something that, 'Hey, it's straightforward.'

If I am offered a chunk of the Parklands to conduct my residential operations, I do not need $2 million to scope that out. I would say, 'Yes, thank you very much,' and get on with it. In all seriousness, the public of South Australia have been presented with a proposition that says, 'Poor old police have to be moving out earlier than they might have thought, so given the urgency of that we're going to supplement their resources to the tune of $2 million so that they can do that.' Then along comes this, and this looks like a pretty good deal.

Maybe the only thing that I could see standing in the way of this is if there was somehow some popular movement that rose up against this in such a way that it was deemed to just not have a social licence—undesirable, the minister decides, 'No, we won't do it so you are going to need to get on with your $2 million search.' Can the minister indicate, or provide an assurance to this house, that as a consequence of this clause passing there will be some accountability for the $2 million, if not the return of the whole sum?

**The Hon. C.J. PICTON:** I think that perhaps there has been some misunderstanding on behalf of the member for Heysen in relation to the government's allocation of $2 million. It is not $2 million dollars for just a search; it is $2 million in terms of planning, and it is not just in relation to the Mounted Operations Unit; it is in relation to all the units and elements of SA Police that are currently on the barracks site that will need to move off of that site. There is obviously a significant amount of planning work that is being undertaken, and that is what that $2 million is being used for.

**Mr TEAGUE:** There will be an occasion—and estimates perhaps might be one—when it would certainly be helpful to have some insight into the extent to which the operation of this clause is a game changer for the search. In some ways, it would be a refreshing, welcome scenario to have it presented sequentially, as though actually it has just occurred to somebody that this is the way to go and it would be a really good use of the Parklands to do this and we will go about the necessary persuasion exercise in due course. But that is going to the cut to the chase, it is going to get the mounted police a new home and it is something that we can all embrace. We can say, 'Well, we did it once in 1913 and we can do it again in 2022.'

If there is that sort of imagining about a sequential process of thinking things through, then well and good. I do not hear that in so many words from the minister, and I have not heard any outright rejection of the notion that this was a bright idea that occurred to someone just at the end of the drafting process, to think, 'Let's put that in as well because the police might think that that's a good way forward.'

The minister has given the answers that the minister has given about that, and we see how that pans out, but it would be edifying to at least have the people of South Australia brought along to the extent that we were brought into the thought process that has occurred to government along the way. If the preparation of this bill has been iterative to that extent, then we would have that greater level of understanding. It is not the way that the bill has been presented to us, but the chronology of events through the month of October and into this month so far would tend to indicate that it is something that has evolved in the course of those weeks.

The minister has given an answer that tends to indicate that there will not be any clawing back of the $2 million. Obviously, there will be interest in due course about accountability in that regard, but can the minister give the committee any indication about the time line according to which this possibility has emerged, and was it something that was on the cards at the outset, at the time that the new site was zeroed in on?

**The Hon. C.J. PICTON:** I refer the member to my previous answer to the very similar question.

Clause passed.

Clause 11.

**Mr TELFER:** I am interested in this clause in particular. It probably reflects the way that the rest of this clause goes about opening up the power of the minister—and it may well be the health minister or some other minister that the Premier gives that power to—and the description that is used, with the wording 'as the Minister thinks fit'. I have not seen that in any piece of legislation previously, but I am sure there would be precedents the minister might be able to find, knowing his fastidious nature and looking back over 100 years potentially for other preceding legislation.

**The Hon. C.J. Picton:** It's 109.

**Mr TELFER:** Indeed, I can do maths: it is 109. Subclause (1) provides:

> The Minister may, in connection with the operation of this Act, by instrument deposited in the GRO, make provision relating to the status, vesting or management of land or structures or the delineation of land as the Minister thinks fit…

Does the minister believe that this is basically a coverall for whatever other decision the minister sees fit to make when it comes to the development of the new Women's and Children's Hospital? We saw the specifications earlier on, and we talked about clause 10, clause 9 and clause 8. We have been through those where there has been seemingly a short circuiting of other due process. Is this basically a coverall for any other decisions the minister makes as the minister thinks fit when it comes to the land or structures or the delineation of land in particular?

**The Hon. C.J. PICTON:** In relation to this clause, this is essentially the end of the project. Dare I say it, it may not be me who is the Minister for Health at that time.

**Mr Teague:** The member for Schubert.

**The Hon. C.J. PICTON:** Well, it may not be her either. We will be at the point where there will be a decision on which pieces of land would be, for example, retained in the Minister for Health's ownership technically. There may well be some other parcels of land we want to return to the City of Adelaide as part of that work, i.e. where the playgrounds or the interface with the Parklands would go, etc. This allows for that finalisation of the ownership and the segments of the land at the completion of the project.

**Mr TELFER:** Obviously, we have been provided with schedule 1, which I am sure we will have plenty of pertinent questions about if we get to that later on tonight. Does this also include any land as part of the project? We know that under clause 10 the facility for the Mounted Operations Unit is included in this. It is prescribed there that it be included as a development proposed to be undertaken on the project site, so as if it is land that is included in the project site. Does this clause in particular, clause 11, also pertain to land within the area which may or may not—as has been articulated by the minister—be annexed as a prescribed area within the Adelaide Parklands under the process of clause 10?

**The Hon. C.J. PICTON:** The advice I have is that it certainly could. However, the land, as we previously discussed, is being vested in the police minister, so there is unlikely to be any sort of further change in that arrangement following that. Certainly not only would this cover the project site land but it could also cover any land that could be considered in relation to clause 10.

**Mr TEAGUE:** We are pretty courteous and very much in unison on this side. Thank you for the call, Chair. Once again, I have to make an observation about the approach to drafting at this point. The government has directed that there be a clause 11 in the bill that provides, really in the broadest terms, for the minister to make provision in relation to almost any land or structures as the minister thinks fit.

The only limitation placed on the minister's discretion, the subject of this clause, is again this device of the connection with the operation of this act. We have already seen that this act covers all kinds of territory. Ironically, it is called the New Women's and Children's Hospital Bill, and that is probably one of the few areas that it does not seem to cover, notwithstanding the name of the bill.

If the minister wanted to rely on the statutory interpretation side in order to do something that was affecting the hospital on the grounds that it was in connection with the operation of the act, he might rely on the title. I think he has otherwise agreed with the proposition that, despite the fact that the project is defined in clause 3 of this bill as meaning the new Women's and Children's Hospital to

be developed in accordance with the act, there is precious little detail about that; rather, as we have said now once or twice in the course of the committee stage, it is about this planning disposition, the allocation of land.

We have all made observations about the extent to which the schedule 1 mud map specifies with particularity or not the land area, and that is all very well; it can be reasonably well defined. But clause 11 is significantly broader than that. If it were the intent of the government to more particularly prescribe the scope of the minister's power pursuant to clause 11, it would be really easy to do so because we have a schedule 1 mud map, we have a project site defined, we have a project defined, we have various considerations that need to be made in relation to different parts of that area and we could see prescribed there a future-oriented provision that empowers the minister ahead of the event to deal with such structures as may be erected in an area that is defined.

Surely the minister will concede that the stipulation here in clause 11 is so vague as to be difficult to be limited by reference to schedule 1 or any of the definitions, but it really leaves open a high degree of uncertainty about where any limit on the minister's power is pursuant to clause 11. Can the minister in that regard give an indication as to whether any consideration has been given more particularly to confining the minister's power for the purposes of the operation of the clause?

**The Hon. C.J. PICTON:** There is not much more that I can add, other than there was a consideration in relation to this clause and this is the form of words that we are presenting to the parliament for its consideration.

**Mrs HURN:** A question in relation to the provision in relation to the land or structures where it says:

> The Minister may, in connection with the operation of this Act, by instrument deposited in the GRO, make provision relating to the status, vesting or management of land or structures or the delineation of land as the Minister thinks fit…

I am very interested to know why it is in this clause in particular that it is such a wide opening. It basically gives the understanding that the minister can act on any single piece of land right across South Australia, where we have seen in other clauses it has been particularly narrowed in scope.

I am interested if the minister can outline an example of that, and I can see he is getting advice, so I am sure that will be helpful for me to understand this clause in particular. If he could provide an example outside of the project scope, or indeed the project site or the support zone, or indeed schedule 1, that would be fantastic.

**The Hon. C.J. PICTON:** I think the key words that might help address the concerns of the member for Schubert are the words 'in connection with the operation of this act', which do not allow the broad sweep of concern that I think the member for Schubert has. That is the advice that I have received.

**Mr TEAGUE:** Let's just put the proposition. Just remember we are here legislating, so it is all very well to have some mirth. The government has decided to suspend standing orders to bring this through—

**The Hon. C.J. Picton:** No, we haven't. Standing orders are not suspended.

**Mr TEAGUE:** —with dramatic haste. They were.

**The Hon. C.J. Picton:** Not now.

**Mr TEAGUE:** Well, we are being kept here. We have been kept here—

**The Hon. C.J. Picton:** No standing orders have been suspended.

**Mr TEAGUE:** We are being kept here to this hour.

**The Hon. C.J. PICTON:** Point of order.

**The CHAIR:** Member for Heysen, please, there is a point of order.

**The Hon. C.J. PICTON:** I think it is worth, for the benefit of members, that there be a correction in terms of the statement that the member for Heysen made that standing orders are suspended. My understanding, Chair, is that standing orders are not suspended.

**The CHAIR:** Can I suggest we just move on, given the hour of the night.

**The Hon. P.B. Malinauskas:** If you want us to suspend standing orders, we can arrange it.

**The CHAIR:** Premier, that is not assisting, thank you. Member for Heysen, can you just get back to it.

**Mr TEAGUE:** It is not called for. The Premier is lurking around in the corner of the chamber. He is not in his seat.

**The CHAIR:** Member for Heysen!

**Mr TEAGUE:** He is threatening to suspend standing orders. He says that can be arranged.

**An honourable member:** I thought you were inviting it.

**Mr TEAGUE:** Certainly not. What I am making an observation about, for those who are following the debate, what I am simply observing, is that here we are doing our best in a thoroughgoing way to legislate. If we are going to embark upon that process, we need to be reasonably serious about the operation of the individual provisions of the act.

What clause 11 is doing, without more, is placing no more than an 'in connection with the act' test on the exercise by the minister of control over land that might be—and the member for Schubert has entirely reasonably put the proposition, as I think has the member for Flinders—throughout the area of the state. I can think of examples immediately because we are talking about what has been billed as among the more significant projects that the state has embarked upon in its history. That is all readily understood. It is a significant project.

If we are talking about the schedule 1 area, if we are talking about the project site and the surrounding zone, if we are limiting ourselves to that, then we know what we are talking about. Again, full kudos to the Minister for Health. He has traversed an area that might normally be expected to be dealt with by the Minister for Planning, let alone the minister for heritage, let alone the Minister for Infrastructure. The Minister for Police gets a look-in, as we heard about, in clause 10. The Minister for Health has been going about things in a workmanlike way, but the Minister for Health is presented with this clause 11, which is saying, 'It needs to be in connection with the act. If it is, carte blanche.'

One can imagine, in the circumstances of the building of the new Women's and Children's Hospital, that there will be any number of possibilities in terms of land or structures that may be sufficiently connected, for the purposes of the interpretation of this provision, as to grant the minister the relevant power. That is something we all ought to be interested in. The Minister for Health has already observed, he has already conceded, that it is unlikely to be him. It is unlikely to be this minister who is exercising the powers pursuant to clause 11.

There has been speculation as to who it might be, but that only goes so far as to underscore the importance of understanding that, whoever it might be, they are going to need to determine what the scope of power is and, for this purpose, what the scope of necessary power is pursuant to clause 11. Let's remember this is in the context of a 10-page bill that traverses the allocation in broad terms of a site area, the destruction of the heritage buildings, the acquisition of Parklands area for the Women's and Children's Hospital and, let's not forget, the acquisition of land for the use of SA Police.

Now we come to this clause that says, 'As well as that, let's just make sure the minister has power to do more or less anything with land, provided that there is a connection with this act.' Again, I seek from the minister an indication of the necessity for such a broad provision at this time and some elucidation of the government's consideration of the scope of necessary power for the purposes of clause 11 and, absent sufficient justification, reasons why the clause ought to be included in the bill at this time.

**The Hon. C.J. PICTON:** This was certainly on the advice that we received from parliamentary counsel. We certainly do not accept the premise that has been put forward that this is

as broad as what is being alleged. Again, I refer to the words in clause 11(1) that this is only in connection with the operation of this act.

**Mr TELFER:** I cast your attention to clause 11(2), which provides:

If the Minister deposits an instrument in the GRO—

that is, the General Registry Office—

under this section, the Minister must give public notice of that fact within 2 months after the instrument is deposited.

Can the minister give me an insight into whether this two months retrospectively is something that is consistent with other comparable processes and also some insight into what the level of public notice might be. Is this a simple item in a corner of the local state newspaper or what are the actual parameters of public notice, as he understands it? Those two aspects I think are particularly important: the two months after the instrument, so it is that period of time, as well as the retrospective nature of it.

**The Hon. C.J. PICTON:** We understand there was a precedent when this clause was originally drafted and if we are able to get that information before the close of the committee stage, we will certainly provide it. The idea behind subclause (2) was to give public transparency in relation to decisions that had been made. Public notice could be a number of things or may be a combination of different elements, whether it be electronic notice or whether it be published in a newspaper or published in a gazette. Obviously, there are a variety of different ways a public notice can be given, but we think it is important that there be public notice of such a change and that is why that provision has been included.

**Mr TEAGUE:** It might be an appropriate opportunity while the minister is at it to draw a bright line between the operation of clause 10 and the operation of clause 11. I think I heard the minister just now indicate that clause 10 operates quite distinctly and it is the as yet undisclosed but singular lucky minister who is administering the whole act who is vesting that portion of the Parklands in the police minister for the purposes of the Mounted Operations Unit. That all speaks for itself.

Clause 11 sits within part 5 and follows directly on. Apart from sitting together with clause 10 in part 5, there is no doubt that clearly clause 10, although it is covering completely isolated territory that is defined unto itself, is not excluded from the operation of clause 11. So if the minister is able to give a clear indication about the interaction, if any, between clause 10 and clause 11 that would add to what is on the face of the bill. Is it correct to say that the government rules out, at least as a matter of interpretation—because you can think of a whole lot of examples associated with the building of the hospital itself—that there would be no use of clause 11 permissible in order to achieve the purposes otherwise set out in clause 10?

It just may be a way of providing an example of the unintended consequences that might flow from such a broad-ranging provision but it is perhaps one that emerges because those two clauses are there one after the other within part 5.

**The Hon. C.J. PICTON:** Clause 11 covers the same terrain as clause 10 and also the project site in that there could be an application through the GRO in connection with the operation of the act, and that would cover both areas. Obviously, the work is being done by clause 10 in relation to SA Police and it would only be if there was a particular change in relation to those matters. We would not anticipate that because they would stay in relation to the Minister for Police.

I do have an answer as well in relation to clause 11(2) in relation to the precedent of that. That comes from section 16(5) of the Adelaide Park Lands Act almost word for word, I believe, in relation to how public notice within two months is given in relation to that. With that, I move that we report progress.

Progress reported; committee to sit again.

*Parliamentary Procedure*

## STANDING ORDERS SUSPENSION

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (21:56):** I move, without notice:

That standing orders be so far suspended as to enable the house to sit beyond midnight.

**The DEPUTY SPEAKER:** Ring the bells, an absolute majority not being present.

*A quorum having been formed:*

**The SPEAKER:** An absolute majority present, I accept the motion. Is it seconded?

**An honourable member:** Yes, sir.

Motion carried.

*Bills*

## NEW WOMEN'S AND CHILDREN'S HOSPITAL BILL

*Committee Stage*

In committee (resumed on motion).

**The CHAIR:** Member for Heysen, you do not have the call. I am just letting you know that you have actually used up your three.

**Mr TEAGUE:** It is highly supplementary.

**The CHAIR:** No, you need to resume your seat, member.

Clause passed.

Clause 12.

**Mr TELFER:** My legislation is well dog-eared by this stage indeed. I have some good notes in this copy. The duties of the Registrar-General, I would not suspect I would have comprehensive questions on this, and I will not be continuing to ask too many questions on this.

I am interested in subclause (2)(a), where there is a requirement for the minister to furnish the Registrar-General with any map or plan required by the Registrar-General to give effect to the determination or action. Does the minister envision that there will be a more detailed map or plan required by the Registrar-General to give effect to the determination or action than the one that has been provided to us in schedule 1?

**The Hon. C.J. PICTON:** I think the short answer is yes. Obviously, as I think we have previously discussed, we have provided the opposition with some more detailed maps and information already. The advice we have had is that the map that has been provided and included in the legislation is the appropriate form for legislation but, as far as the Registrar-General is concerned, there would be a detailed surveying map, which will be consistent with the legislation and which would be provided.

**Mrs HURN:** I have a question in relation to clause 12(2)(b), which reads:

> (b) furnish the Registrar-General with any document required by the Registrar-General in relation to the determination or action.

I am interested to know what that actually means in practical terms. Where it says 'any document required', what are some of the documents that are required by the Registrar-General? If the minister could elaborate on that, it would be enormously beneficial because that is one of the questions I have wanted to ask. I have been waiting to get to clause 12 for that specific question.

What documents would be required by the Registrar-General in relation to the determination or action in the context, of course, of this Women's and Children's Hospital bill? Subclause (1) provides:

> (1) The Registrar-General will, at the direction of the minister, take such action as may be required by the minister for or in connection with—
>
> (a) the issue, alteration, correction or cancellation of certificates or other documents of title…

What types of certificates would be cancelled in relation to this bill? It also states that the Registrar-General will, at the direction of the minister, take such action as may be required by the minister for or in connection with:

(b) the making, recording, alteration, correction or cancellation of entries…

What entries would need to be cancelled in relation to this subclause, and what certificates would need to be cancelled in relation to this subclause? That would be particularly helpful.

**The Hon. C.J. PICTON:** There were about four questions there; hopefully, I have them all. Essentially, this is about making sure that the register reflects what has happened following the passage of this legislation. The advice I have is that this is generally consistent with other pieces of legislation where there is management of land, that you will find provisions, if not identical then somewhat similar to this, in other pieces of legislation.

In relation to the documents that are required, it could well be something like the minister's determination. There are various points within this act at which a minister makes a determination, so it may well be the document that the minister makes that determination on. In relation to the cancellation of entries, etc., this is really just to make sure that the register reflects the implementation of this act. This has been consulted on with the Registrar-General, and this has been requested to make sure that those administrative functions can be reflected.

**Mr TELFER:** Whose name, or names if it is multiple titles, is on the current title for this piece of land?

**The Hon. C.J. PICTON:** We will double-check, but we believe it is in relation to the South Australian police. We will check whether that is in relation to the Minister for Police or in the name of the South Australian police.

*There being a disturbance in the Strangers Gallery:*

**The CHAIR:** Excuse me, in the gallery, you can listen, but you cannot interrupt the chamber or else you will be asked to leave.

**The Hon. C.J. PICTON:** We understand it is in relation to the Adelaide City Council as well.

**Mr TEAGUE:** It is well to maintain an even keel in the course of navigating this bill, but it is also well to remind ourselves as we traverse through it just how extraordinary it really is. In respect of individual powers that are being devolved to the minister in different ways for the purposes of the construction, I think it is already on the record that there is certainly another way of going about this, vis-a-vis consultation with the community in a number of ways. There certainly is scope for separately providing by other legislation for activities that are really ancillary, at best, to the business of the building of the hospital and that includes the subject matter of clause 10.

The best I can say about clause 12 is that, yes, it is unremarkable insofar as, when you are in the context of this bill, you say, 'Yes, you better have a Registrar-General clause so the minister can go ahead and make those directions.' So, within the context of this bill, the clause is unremarkable, but it is a bit like someone who has had the good fortune to go ahead and specify all the individual fit-out for some sort of bespoke luxury construction: by the time you have got nine-tenths of the way down the track, of course you are going to chuck in the final bling at the end.

It is unsurprising that clause 12 is here. The minister is going to need the machinery of the Registrar-General in terms of these functions but, again in the context of a parliamentary committee process, I ask the minister to provide some indication of the scope—it is a planning bill, after all—of anticipated 'issue, alteration, correction or cancellation of certificates or other documents of title' that will occur or are anticipated to occur in the course of the operation of the bill. Can the minister give the house even the slightest particular indication of what that might constitute?

**The Hon. C.J. PICTON:** I thank the member for Heysen for his question. I again reiterate what I said previously: the advice is that this is largely administrative. Some examples that have been suggested to me are that ultimately at the conclusion of this project, where you end up with the new hospital constructed across what could be currently multiple titles, they could be merged to form a new title. Where the road is widened, it may alter the title in relation to where the road starts and finishes, making sure, through the process of the construction of this, that ultimately, at the end of the process, the titles reflect where the new boundaries essentially are formed.

In relation to the previous question in relation to the ownership, we are double-checking this, and if we do not have it for the committee stage then we can follow it up later. There may also be land that is owned by the Crown as well that is part of the project site, but we are just double-checking in relation to those exact ownerships—but certainly between the government, whether it is the Crown or SA Police, but potentially also Adelaide City Council.

**Mr TEAGUE:** Might clause 12 also have work to do in connection with the necessary vesting of land pursuant to the operation of clause 10? Is that an example of where, if you end up slicing out a prescribed area of the Parklands, you are going to need to create a new certificate of title, and the minister—that is, our heroic singular minister as opposed to the relevant minister for the purposes of clause 10—is going to have to go about saying, 'I'm handing over to you, police minister, this area of the Parklands and, as a result, I'm going to first direct the Registrar-General to issue a certificate of title in relation to that land as it may be described for that purpose'?

**The Hon. C.J. PICTON:** Potentially, yes.

Clause passed.

Clause 13.

**Mr TELFER:** I would like to move amendments Nos 5 and 6 under my name together.

**The CHAIR:** Because No. 6 is consequential on No. 5; is that correct?

**Mr TELFER:** Nos 5 and 6 are absolutely consequential on each other. I move:

Amendment No 5 [Telfer–1]—

Page 8, after line 18—Insert:

(1a) The State Heritage Council must—

(a) prepare a report making recommendations as to actions that should be taken to ameliorate the effect of the project on any State Heritage Place or State Heritage Area within the project site; and

(b) provide a copy of the report to the Minister.

(1b) The Minister may cause copies of the report prepared under subsection (1a) to be tabled in each House of Parliament.

Amendment No 6 [Telfer–1]—

Page 8, line 19 [clause 13(2)]—Delete 'On the commencement of this subsection' and substitute:

On the expiration of the period commencing on the day on which the report is tabled in the House of Assembly under subsection (1b) and ending on the 6th sitting day of the House of Assembly after that tabling of the report

In doing so, I think we have taken a little bit of time to get our way to clause 13. I think clause 13 is probably where there is the most contention, angst, uncertainty and community interest of all the clauses we have been discussing, debating and questioning throughout this process.

My amendments, particularly amendments Nos 5 and 6 to clause 13, provide a mechanism to provide transparency relating to the state heritage listing. It refers the matter to the state Heritage Council so that they are formally asked to prepare a report on how to ameliorate the loss of the state heritage items on the site. Only once the report has been prepared and tabled in parliament can the items be removed from the state Heritage Register. The clauses are that after line 18, we insert:

(1a) The State Heritage Council must—

(a) prepare a report making recommendations as to actions that should be taken to ameliorate the effect of the project on any State Heritage Place or State Heritage Area within the project site; and

(b) provide a copy of the report to the Minister.

(1b) The Minister may cause copies of the report prepared under subsection (1a) to be tabled in each House of Parliament.

Then amendment No. 6:

Amendment No 6 [Telfer–1]—

Page 8, line 19 [clause 13(2)]—Delete 'On the commencement of this subsection' and substitute:

On the expiration of the period commencing on the day on which the report is tabled in the House of Assembly under subsection (1b) and ending on the 6th sitting day of the House of Assembly after that tabling of the report

As I said, this clause, and this piece of legislation, is the one I believe has the largest ramifications for what may happen next. To have the existing proposal at subclause (2), as follows, sets a dangerous precedent:

(a) any State Heritage Place within the project site is taken to cease being a State Heritage Place; and

(b) any State Heritage Area within the project site is taken to cease being a State Heritage Area

I note the words from the minister earlier on in this debate were that 'health trumps heritage'. Heritage laws are in place for a reason because without heritage laws in place there is a risk that we, as a society, will have a lesser outcome for future generations without the insight into sustaining and prolonging the heritage we have.

The minister says that health trumps heritage, but the worry for me is: what else will then trump heritage? If we set a precedent that health can trump heritage, what is going to be next? Is it going to be the next whim of the Premier or the Minister for Health or indeed the Minister for Infrastructure and Transport or any other minister who sits on the front bench. Maybe their whim or their piece of infrastructure that they think is important might then trump heritage.

There is a dangerous precedent that can be set by this clause in particular and the amendments Nos 5 and 6 that I am putting at the moment and that I commend to the house are a mechanism to provide transparency and a bit of certainty that the Heritage Act in particular is not going to be undermined on the whim of a minister or a premier and try to ensure that there is a proper process that is followed.

To ensure that the state Heritage Council in particular has an insight and is able to provide a report so that the decision-makers who make decisions that impact our heritage in South Australia actually know what the real impact of their decisions is going to be on heritage, I really do commend these amendments to the house. I encourage the government to think strongly about not just the fact that you can spout off a sentence that health trumps heritage but that we need to make sure we are getting the balance right when it comes to heritage in our state.

**Mr TEAGUE:** I rise to endorse the amendments moved by the member for Flinders. I observe in the context of this particular part of the bill and, as we have come to clause 13, the observations of the Heritage Council, adverted to by the member for Flinders just now, and to draw attention at this part of the record to the South Australian Heritage Council's letter to the Minister for Climate, Environment and Water, dated 13 October 2022 and signed by Keith Conlon, Chair of the South Australian Heritage Council, because it is quite profound in its terms as it relates particularly to clause 13, and I quote:

The Council expresses serious concern about the demolition of the State Heritage listed precinct which includes ten significant heritage buildings and its original parade ground.

Demolition of State Heritage Places has been extremely rare. No Government, as far as we are aware, has demolished a confirmed State Heritage Place in its entirety before, let alone a whole precinct. Heritage protection law has been upheld for more than four decades in this State.

Council is extremely concerned about the precedent this Government's decision sets for the future.

**Mrs HURN:** I rise to offer support and a bit of commentary around these amendments and use it as an opportunity again to get on the record that this is not a debate of health or heritage or this confected idea that there is a choice; in fact, far from it. We support heritage, we support health, but this is typical of a government that just wants to have these fake fights. I think that is really disappointing, which is exactly why we have put forward yet again another commonsense measure. This is a commonsense measure so we can improve transparency when it comes to the heritage in South Australia. I think that is only a good thing for this parliament to at least consider in a cursory manner.

I will say it again that we unequivocally support a Women's and Children's Hospital, but that is not at all what this bill is about. This bill is not about a Women's and Children's Hospital, nor is it about the services that this is going to provide to women and children in South Australia: this is a planning bill, it is a heritage bill, it is a police minister's bill. That is why we are putting forward yet again a commonsense amendment that we believe would strengthen this bill. We urge the government to consider it in the short time they have.

The committee divided on the amendments:

Ayes .....11
Noes.....22
Majority .....11

AYES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Cowdrey, M.J. |
| Gardner, J.A.W. | Hurn, A.M. (teller) | McBride, P.N. |
| Pederick, A.S. | Pratt, P.K. | Tarzia, V.A. |
| Teague, J.B. | Telfer, S.J. | |

NOES

| | | |
|---|---|---|
| Andrews, S.E. | Bignell, L.W.K. | Boyer, B.I. |
| Brown, M.E. | Champion, N.D. | Cook, N.F. |
| Fulbrook, J.P. | Hildyard, K.A. | Hood, L.P. |
| Hughes, E.J. | Hutchesson, C.L. | Koutsantonis, A. |
| Michaels, A. | Mullighan, S.C. | Odenwalder, L.K. |
| Pearce, R.K. | Picton, C.J. (teller) | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Thompson, E.L. |
| Wortley, D.J. | | |

PAIRS

| | | |
|---|---|---|
| Speirs, D.J. | Bettison, Z.L. | Pisoni, D.G. |
| Close, S.E. | Whetstone, T.J. | Brock, G.G. |
| Marshall, S.S. | Clancy, N.P. | Patterson, S.J.R. |
| Malinauskas, P.B. | | |

Amendments thus negatived.

**The CHAIR:** Member for Flinders, you have a further amendment?

**Mr TELFER:** I move:

Amendment No 7 [Telfer–1]—

Page 8, after line 25—Insert:

(2a) The Minister must ensure that any buildings comprised in the former mounted police barracks complex (being buildings that are removed from the South Australian Heritage Register under subsection (2)) that are dismantled are reconstructed at another suitable location.

I am a new member to this place, and I am aware of the process that was followed previously. The words 'at another suitable location' really do follow the precedence of the process that was followed previously under the previous government, especially in the context of the Waite Gatehouse.

As I said when I was presenting my first set of amendments, this should not be a debate around health versus heritage: this should be a debate around what is the true value of heritage in our state. There is a reason that there is a state Heritage Council in place and there is a reason that we have heritage legislation. If there was not, then it would not be necessary to have this sort of arrangement in place.

There is a South Australian Heritage Register for a reason. There are heritage areas and heritage places for a reason. This is not a debate about a hospital versus a heritage spot. This amendment really does recognise there are different opportunities to manage what changes might need to be made to an area of heritage. I am disappointed that we are at this point where we are having to put forward this amendment, but this is one that I believe should be supported by the house.

**Mr TEAGUE:** In speaking in support of the amendment, I indicate that there is a well-understood series of stages of heritage maintenance and preservation. The Burra Charter informs that, and we are no strangers to the preservation of heritage by a variety of means in this state. It is well that we take a moment to reflect on that important consideration of heritage structure because certainly we should not be undertaking this debate in some sort of binary way or, as has been reflected upon, some kind of fake fights, one or the other way.

If we are to maturely navigate this territory, it is important to observe that there is a grading of preservation that is well recognised, including by the Heritage Council. First on the list is the one that has occurred plenty of times over the course of recent decades in this state and in other areas, where a recognised heritage place is re-used and sensitively so, Lot Fourteen style. There are many examples in which, over the passing of time, the original use of the building is moved along to suit the needs from time to time that change over the years.

Heritage well recognises that sensitive re-use is preserving heritage status. That was very much the outcome of the planning decision I signed at the end of last year, for example, in relation to these very buildings. It contemplated the sensitive re-use of the buildings in accord with their heritage values. That is one scenario.

If, as we are to deal with the reality of this bill, we are to contemplate circumstances in which the site location renders consequent not the re-use of the buildings following their vacating by police but their necessary demolition, then we will hear the Heritage Council saying loud and clear that recognised next best preservation of heritage in those circumstances involves the reconstruction of the buildings in a suitable location to preserve their structure.

The point might be made that again this is a matter of practicality and gradation. If you are going to see something as dramatic as the demolition of a building, let alone a whole precinct, you go about it in a very careful and sensitive way and you preserve heritage in that next best way by that reconstruction in an appropriate place. That stepwise approach to heritage preservation has the recognition of the charter, the council and so on, and should not be regarded as, 'Baby's out with the bathwater once and for all. Don't enter into any further correspondence.'

Of course, we have the very thoughtful and thoroughgoing contribution of the Heritage Council in its letter to the minister dated 13 October. Insofar as it is not addressing that particular outcome, it is nonetheless setting out the landscape of activity that ought to properly flow when dealing with the demolition of heritage structures.

In briefly endorsing the amendment proposed by the member for Flinders, I will save for perhaps a bit later on the opportunity to flesh out what those particular steps are that are recommended by the council, but it is well just to underscore the appropriate adherence to heritage values associated with the proposal that is the subject of the member for Flinders' amendment.

**The CHAIR:** I will take that as a contribution.

The house divided on the amendment:

Ayes .....10
Noes.....22
Majority .....12

AYES

| | | |
|---|---|---|
| Basham, D.K.B. | Batty, J.A. | Cowdrey, M.J. |
| Gardner, J.A.W. | Hurn, A.M. (teller) | Pederick, A.S. |
| Pratt, P.K. | Tarzia, V.A. | Teague, J.B. |
| Telfer, S.J. | | |

NOES

| | | |
|---|---|---|
| Andrews, S.E. | Bignell, L.W.K. | Boyer, B.I. |
| Brown, M.E. | Champion, N.D. | Cook, N.F. |
| Fulbrook, J.P. | Hildyard, K.A. | Hood, L.P. |
| Hughes, E.J. | Hutchesson, C.L. | Koutsantonis, A. |
| Michaels, A. | Mullighan, S.C. | Odenwalder, L.K. |
| Pearce, R.K. | Picton, C.J. (teller) | Savvas, O.M. |
| Stinson, J.M. | Szakacs, J.K. | Thompson, E.L. |
| Wortley, D.J. | | |

PAIRS

| | | |
|---|---|---|
| Patterson, S.J.R. | Malinauskas, P.B. | Pisoni, D.G. |
| Bettison, Z.L. | Marshall, S.S. | Close, S.E. |
| Whetstone, T.J. | Brock, G.G. | Speirs, D.J. |
| Clancy, N.P. | | |

Amendment thus negatived.

**Mr TELFER:** As I spoke about earlier, I think this is one of the most important clauses of this piece of legislation. It might be a joke to those in government, who are hamming it up throughout this process, but I am frankly disappointed.

**The CHAIR:** We have been doing pretty well now. Let's try to keep it parliamentary.

**Mr TELFER:** I am pretty disappointed at the carry-on when considering amendments that are pretty important when it comes to the future of heritage in our state. The process that has been followed here—clause 13 in particular, talking about any State Heritage Place within the project site being taken to cease and any state heritage area within the project area being taken to cease—is a discouraging and amazing process to me to be going through.

What other development might we consider that will start to follow this same process? If there is a State Heritage Place that is in the road of a development, is that going to cease being a State Heritage Place? Likewise, is any State Heritage Area going to cease being a State Heritage Area and all those other places and areas within the project site that are taken to have been removed from the South Australian Heritage Register? It is a confronting and disappointing precedent when we are looking at this process.

My question to the minister is a pretty simple one: numerically, how many different state heritage places and State Heritage Areas are going to cease being state heritage places and areas throughout this process and thus will be lost to our state as areas of state heritage?

**The Hon. C.J. PICTON:** As has been publicly articulated during both this debate and elsewhere, this is very specific legislation in relation to this specific site, so this is very specific in terms of the project site itself. There is no overall change to the heritage legislation. This is clearly a difficult decision that has had to be made in relation to the heritage on that site, but we have taken the view that it is a decision that has been made for the best interests of the state overall—the best long-term interests—and that is why we are seeking the permission and the support for this from the parliament.

**Mr TEAGUE:** I want to make some observations about the new reality we now will confront in terms of characterising state heritage here in South Australia. Let's be very clear about what is going on. This is a matter for everyone to contemplate because we need to continue to chart a course over the years and decades to come.

The concept of a State Heritage Place is not something that came with the dawn of time or anything; it was a status, an appreciation, a designation that came along at a time when it was regarded as important that we set in a really very uniquely permanent place rules for the preservation

and maintenance of those structures that are important to signify evidence and provide a living example for those who are here now and into the future of our state's heritage, particularly of those structures that have been established over the course of the state's history.

It is not something that just exists on its own. It is not something that will just be preserved with a minor exception that comes along and is somehow, by definition, the one and only departure from the rule. This is really one of those situations where it is appropriate to reflect on what these values mean for us and what the purpose of a State Heritage Place really is. I am sure that in the context of the passage of this bill, should it pass the parliament in the form that it is presently drafted, then those members of the South Australian Heritage Council I am sure will be reflecting—and, in light of what the state Heritage Council has already advised the minister a month ago anticipating this outcome—on an event that is unprecedented in this state.

It is rare enough that there be a carving out of as yet undisclosed portions of the Parklands—east, west, north, south, who knows—but we learnt from the state Heritage Council that so far as it is aware it is an unprecedented event to demolish a confirmed State Heritage Place in its entirety, let alone a whole precinct. I think there is no doubting, when you contemplate the demolition of 10 buildings, all of which enjoy state heritage status and all of which have a common character, then you are contemplating the destruction of a precinct.

These are barracks that were constructed in 1917 pursuant to the second of those acts that the minister has adverted to in the course of the debate and pursuant to the 1913 and 1917 acts to accommodate the South Australian mounted police. As the state Heritage Council observed, they moved there from their premises located behind the South Australian Museum.

The South Australian mounted police cadre, established in 1838, the council observes is the oldest of its type in Australia and, with the possible exception of the Royal Irish Constabulary created by Robert Peel, is the oldest in the world. So it is not just the bricks and mortar that will be lost should there be a demolition without any further action taken, but it will be that very real human connection to that proud heritage of service by the South Australian mounted police.

We know that they were at some stage on their way to moving and certainly we look forward to the continuation of their story wherever they may next travel. But it is so important to the understanding of what is captured by that State Heritage Place to contemplate the human story associated with its history.

It is important in that context—again, I am sure that the Minister for Climate, Environment and Water is the recipient of the Heritage Council's correspondence because that minister has responsibility for heritage in this state—for the minister for heritage to adhere to those entreaties of the council in relation to what steps ought to be taken that relate to capturing the heritage in the course of the process of demolition should that occur and it extends to the archaeological investigations that properly, in accord with heritage process, can and ought to be applied to the site.

The South Australian Heritage Council has more and practical detail working through of those steps that ought to be taken to record all the buildings and to capture the contents and then to take full advantage of the archaeological discovery that may be afforded by the process of demolition.

So there should be no sense in which the government, in going about this process, simply looks at it in binary terms or simply says, 'We have this open slather to go ahead and demolish the buildings, so that is the end of the story.' There is important practical work to be done and the more faithful that engagement is with the South Australian Heritage Council and others who are concerned with that preservation, may I say the less damage associated with the operation of this clause.

Clause passed.

Clause 14.

**Mr TELFER:** Obviously this is not in number of words a very complex clause. I am curious, minister; it states:

No fees or charges are payable to The Corporation of the City of Adelaide in respect of the exercise of functions under this Act.

If this clause were not to pass, what fees or charges would be payable to the Corporation of the City of Adelaide in respect of the exercise of functions under this act?

**The Hon. C.J. PICTON:** I am advised that the Adelaide City Council has a number of fees in relation to construction zones that would apply to part of the project site, being fees of 35¢ per square metre per day. Obviously, with the significant site and significant time of construction, the advice we have is that could add up very considerably in terms of fees that would have to be payable. We believe that money would be better spent in terms of both the project and other purposes for the state.

**Mr TELFER:** So this amount, the construction fees of 35¢ per square metre per day, is the amount that any other construction within the City of Adelaide boundaries would be paying ordinarily?

**The Hon. C.J. PICTON:** Yes, that is the advice I have.

**Mrs HURN:** In relation to this clause, 'No fees or charges are payable to The Corporation of the City of Adelaide in respect of the exercise of functions under this Act,' if the minister could further elaborate on what some of the current fees and charges would be if this clause were not included, that would be particularly helpful. I know that there has been some cursory touching on it in the answer to the former member. I do seem to recall the reference to 35¢ per square metre per day was a reference made in the briefing and certainly throughout the course of this debate. What was the advice given to the minister as to why this clause even needed to be considered as part of this act? That would be helpful.

**The Hon. C.J. PICTON:** I reiterate my answer to the member for Flinders. It is a very good memory from the member for Schubert. In terms of our previous briefing, I did reiterate to the member for Flinders that 35¢ per square metre per day is the relevant fee that is applied, as we understand, in relation to construction zones. It would apply to part of the project site, which would add up considerably.

**Mr TELFER:** In consideration of this clause in particular and the fact that the government has decided that a recompense to the City of Adelaide of 35¢ per square metre per day is not something that the state government is wishing to be paying, is there any other recompense, or arrangements that are going to be put in place, to recognise that there is going to be a disadvantage to the City of Adelaide throughout the process? Is there any other recompense that the state government is looking at instigating for the City of Adelaide?

**The Hon. C.J. PICTON:** No, I do not believe so.

**Mr TEAGUE:** Perhaps for the record, the minister might catalogue examples—there may be others in the near precinct—of developments that have had the same treatment applied to them.

**The CHAIR:** Can I clarify that when you say developments in the near precinct, is that government developments or non-government developments?

**Mr TEAGUE:** It needs to be, necessarily; I think so. It is a good point, Chair. I will perhaps broaden it out.

**The CHAIR:** No, if you broaden it out, it is beyond the scope of the bill.

**Mr TEAGUE:** No, it is not.

**The CHAIR:** Hold on.

**Mr TEAGUE:** I am with you.

**The CHAIR:** Sorry, I make that ruling: you do not, until you are sitting in this chair. What the minister is answerable for is this bill, and it is reasonable for you to ask questions about what the cost is to the government on this project. Beyond that, it is beyond the bill.

**Mr TEAGUE:** Okay.

**The CHAIR:** I am just clarifying that for you.

**Mr TEAGUE:** The reason it is not is that your proposition is well made and I adopt it. I ask then a question that is more fully reflected in all the words of clause 14 no more and no less. In what

catalogue of circumstances, and the minister might include government or otherwise, although I cannot imagine an otherwise example, is there such an arrangement in place? I just anticipate that there might be examples in the local area nearby.

**The Hon. C.J. PICTON:** We do not readily have available information on a range of other projects. I reiterate the advice that has been provided, that there are currently fees in relation to the use of Adelaide City Council space in respect of construction zones. That is 35¢ per day, I am advised, and hence the clause in relation to this bill, which is that no fees or charges be payable in relation to that.

For the benefit of members, I think a question was raised in one of our briefings about council rates as well. The advice we have received is that the current Women's and Children's Hospital site does not pay council rates. We would not expect that would apply to the new site once it is established, whether or not this clause is in there. This clause is much more about the temporary fees that would be in place, both the current ones and, I guess, any future ones that may be devised by the Adelaide City Council and put in their by-laws.

I take the opportunity to add to one of my answers on previous clauses. There was a question in relation to the exact ownership titles for the project site. As I undertook to do, we did some checking and essentially the two elements are the barracks themselves, which are under Crown ownership, under the Adelaide Parklands and with the care, control and management of SAPOL. In relation to the Kate Cocks Park to the north of the barracks, that is also Crown and it is Adelaide Parklands under the care, control and management of the City of Adelaide, dedicated for Parklands purposes.

**Mr TEAGUE:** Would the minister take on notice that question. The minister has adverted to the Royal Adelaide Hospital site. I had that in mind; I just did not want to prompt it. There may be others—the Convention Centre and so on—to which this exemption from fees and charges has been applied. It might be helpful for the record in due course to have an indication of the catalogue of those.

**The Hon. C.J. PICTON:** I will see what information we have available. I will double-check this, as I am speaking off the top of my head, but the new Royal Adelaide Hospital site was not owned by or in the care and control of the Adelaide City Council, in the same way that some of the land that would be utilised either permanently—particularly I think temporarily in relation to some of those support zones—or would be temporarily used. I am not sure that the same applied to the Royal Adelaide Hospital because that was land that was originally the rail yards, as people will remember, so there was a transition from ownership, as I understand it, internally in government. That may not have been such a significant issue as it would be potentially in this case. We will take that away and see what information we can provide on notice.

Clause passed.

Clause 15.

**Mr TELFER:** I note we have eventually got to clause 15, Regulations. I refer in particular to subclause (2)(e), which states:

> (e) provide that a matter or thing in respect of which regulations may be made is to be determined according to the discretion of the Minister—

and then it says—

or any other specified person or body.

Firstly, who would make the specification of who that person or body is? Secondly, can the minister give an example of who that specified person or body may be?

**The Hon. C.J. PICTON:** The advice I have from parliamentary counsel is that this is a clause that features in a number of different bills in relation to allowing regulations for powers to be subdelegated. That would be specified in the regulation, should regulation need to be made, but there was not a particular drafting instruction, etc. from the government in relation to this clause. I think it is a standard ability that therefore allows further subdelegation should that be necessary in the future. Obviously, any regulation would be subject to potential disallowance from parliament.

**Mr TELFER:** Thank you for the clarification. The specification of the person or body would happen through the regulation, and that regulation obviously is guided by the minister. In this case, we have discussed who that minister might be, but at the moment the assumption is that it would be the health minister?

**The Hon. C.J. PICTON:** Yes, that is correct.

**Mrs HURN:** In relation to the regulations, I have particular interest in relation to clause 15(2), where it states:

> (2) The regulations may—
>
> (a) modify or exclude the application of any Act (or a provision of an Act) or law in connection with the project or any other functions exercised under this Act; and
>
> (b) be of general or limited application;

I am interested to know whether the minister can catalogue a list of those potential acts for the benefit of the chamber and if there are any that have been forgotten, any that have been listed out of the course of this bill?

**The Hon. C.J. PICTON:** There is certainly no list because if there were something that we were aware of we would have included it in the bill. This allows that if there is something that has been identified later, then that could be included as a regulation. That would obviously be subject to the provisions of this parliament in relation to review by the Legislative Review Committee—which I am sure, sir, in your role on that committee you would give it good scrutiny when it came to you—and also the potential disallowance motion in either house of parliament.

**Mr TEAGUE:** I take on board the point that there is provision in the bill commonly to provide for the making of regulations. I make the observation that it is somewhat a belt and braces measure in circumstances where we have clause 4 already excluding the operation of any other act or law of the state and then more particularly operating, notwithstanding the Real Property Act, and excluding the operation of the Land Acquisition Act 1969. To then include a power for regulations to be made pursuant to this act to exclude the application of any act or law in connection with the project or any other functions draws a fairly heavy bold underline to clause 4.

I hear the minister indicating that, if the government could have thought of anything else to exclude, it would have spelled it out in clause 4. Is it the correct understanding to interpret that in terms of, 'We gave it our best shot in clause 4 to exclude everything more particularly, as set out there, but just in case we forgot any then our intent is to exclude that as well to ensure that there's complete carte blanche for the purposes of implementing the operation of the bill'?

**The Hon. C.J. PICTON:** We obviously are dealing somewhat with hypotheticals, given we are not sure what the circumstances could be, but it may well be a situation where there is not a direct conflict with another piece of legislation that is identified but a lack of clarity, for instance, and where further clarity could be drawn by having a regulation that is put in place in the future.

As I said before, this is being put in place to make sure that, if there were those circumstances in the future, there was an ability to have a regulation that could provide that clarity. That would obviously be subject to the oversight of the parliament through the standard regulation process.

Clause passed.

Schedule 1.

**Mr TELFER:** This is the moment I have been waiting for—to get to schedule 1. Once again, the anticipation has been the most enjoyable part, and that is why we have taken such a prolonged period of time. Obviously, there is not a lot of detail within this schedule 1, and I look forward to a more detailed map of the project site and support zones, etc. as time goes along.

We look at the support zone that enters in off Port Road on the northern side of Bonython Park and wanders its way around through the site as a whole. I cannot quite tell with the 50-metre scale measurement, but do you know, minister, exactly what the width of that support zone is as it wanders around the edge of Bonython Park and through?

**The Hon. C.J. PICTON:** When the member says, 'I look forward to a more exact map,' I reiterate again that we have provided to the Leader of the Opposition—

*Mrs Hurn interjecting:*

**The Hon. C.J. PICTON:** —I will get to that—the member for Schubert and also the Hon. Michelle Lensink another map that does provide some level of greater detail, but perhaps not to the level of specificity, the level of detail, the member for Flinders requires in relation to the exact width of those distances. We will have to take that on notice. It may well be too late for the committee stage of this parliament, but we can provide some detail on that at a later date.

It is worth just pointing out that that is obviously part of the support zone. We have talked a bit about that 'lower case' road before in terms of the idea being that we need to provide access to the Gaol. There may well need to be some works as part of that road to make sure that that is an appropriate avenue for vehicles to traverse.

**Mr TEAGUE:** For the purpose of the committee, can I ask at the outset a rather straightforward question. I do not mean to refer to this diagram in a pejorative way at all, but rather just in the context of this planning act, which at some point fairly soon is going to need to be pretty precise in terms of the land area and the different zones and all the rest of it that it is affecting.

We are presented with what we have been describing throughout the debate as a mud map of the site and it is useful for that purpose, notwithstanding those perhaps somewhat more elegant artistic impressions that were the subject of the 1913 act and the 1917 act for example. Clearly it is not meant to serve as more than a ready reckoner, a visual comparator, for the purpose of somebody looking to interpret a clause in the bill.

Can the minister assure the committee that schedule 1 has no other purpose and, in the same breath, give an indication of the best present publicly available source of a proper map? If there is not one presently in circulation that satisfies the minister as to its necessary specificity, when will such a map be published?

**The Hon. C.J. PICTON:** Thank you very much for the question. Obviously, this schedule forms part of the bill, which we hope becomes an act and hence will have legal status. However, as we have already discussed, there will be more detailed maps and survey work that will be done of the exact measurements, etc., that will be finished for the various processes under the previous clauses of the bill. In terms of additional information at this stage, as I said previously, we have provided a larger map as well, overlaid against the satellite view of this section, that provides clarity in terms of those particular areas.

**Mr TELFER:** Following on from the answer the minister gave to my previous question, I am looking at the support zone that traverses around Bonython Park. The minister spoke about the potential for that being an access road during the construction. From my layman's glance at this, I would hazard that it probably will not be wide enough to appropriately have a two-way road in it. Does the minister have an insight into how many trees will need to be removed along this support zone thoroughfare if there is going to be access that is used for the processes that he articulated in his last answer?

**The Hon. C.J. PICTON:** Work is being done in that regard. We do not have the exact number, etc. at this stage, but I think clearly work has been done in terms of how we can maintain access to Gaol Road. There may be some turns in that road to the north of the project site, where it may be necessary to remove some trees. Obviously part of the bill is a make good provision in relation to vegetation, etc., so there would have to be replacement or betterment in terms of that vegetation as part of that process.

I will just briefly add one final comment. It has been a very respectful debate with the engagement of members opposite. I think we have now had a debate for 10 hours and 10 minutes through the course of this bill through this parliament, so I thank members for their contributions and I thank all parliamentary staff as well who have had to stay back late for this.

**The CHAIR:** The Clerk just said the pleasure has all been his.

Schedule passed.

Long title.

**The CHAIR:** The question before the Chair is that the long title be agreed to. Do you have a question or comment?

**Mr TEAGUE:** Thank you, Chair, for the call. At this point, perhaps it is appropriate to make an observation that harks back to the commencement of that period of time that has been afforded to us to consider the contents of the bill and really back to the beginning.

I will not reflect on votes of the house, but it is well to observe—and I anticipate that members on this side will probably become accustomed to describing this bill in terms of its long title rather than its short title—that the long title really reflects what this is about: it is an act to facilitate the development of a building and for other purposes. That is actually a more accurate description of what this bill is doing. I guess in the light of and informed by the committee process, it is somewhat disappointing to see that the long title does not include any direct reference to those horses.

Long title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (23:23):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 23:24 the house adjourned until Thursday 17 November 2022 at 11:00.