

LEGISLATIVE COUNCIL**Tuesday, 16 October 2018**

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 14:15 and read prayers.

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

*Bills***LIMITATION OF ACTIONS (CHILD ABUSE) AMENDMENT BILL***Assent*

His Excellency the Governor assented to the bill.

**NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE
(COMMONWEALTH POWERS) BILL***Assent*

His Excellency the Governor assented to the bill.

INFRASTRUCTURE SA BILL*Assent*

His Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the President—

Reports of the Auditor-General—

Annual Report for the year ended 30 June 2018

Digital Licensing

Annual Report of the Independent Commissioner Against Corruption and the Office of Public Integrity, 2017-18

Annual Report of the Judicial Conduct Commissioner year ended 30 June 2018

Park Lands Lease Agreement between the Corporation of the City of Adelaide and Adelaide Comets Football Club Inc

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—

Administration of the State Records Act 1997

Attorney-General's Department

Criminal Investigation (Covert Operations) Act 2009 by the Australian Criminal Intelligence Commission

Criminal Investigation (Covert Operations) Act 2009 by the Commissioner of Police

Criminal Investigation (Covert Operations) Act 2009 by the Independent Commissioner Against Corruption

Education and Early Childhood Services Registration and Standards Board of
 South Australia
 Listening and Surveillance Devices Act 1972
 Listening and Surveillance Devices Act 1972, Annual Report of the Independent
 Commissioner Against Corruption
 Police Superannuation Scheme Actuarial Report as at 30 June 2017
 Serious and Organised Crime (Unexplained Wealth) Act 2009
 South Australian Classification Council
 South Australian Government Boards and Committees Information
 Surveillance Devices Act 2016
 Surveillance Devices Act 2016, Annual Report of the Independent Commissioner
 Against Corruption
 Teachers Registration Board of South Australia
 Report into the Procurement of Diesel Generators dated 30 August 2018
 Rules of Court—
 Magistrates Court—Magistrates Court Act 1991—
 Civil—Amendment No. 22
 Criminal—Amendment No. 68
 Supreme Court—Supreme Court Act 1935—
 Probate—Amendment No. 1
 Youth Court—Youth Court Act 1993—
 Care and Protection—General
 General—Amendments
 Young Offenders—Amendments

By the Minister for Trade, Tourism and Investment (Hon. D. W. Ridgway)—

Reports, 2017-18—
 Adelaide Cemeteries Authority
 Adelaide Venue Management Corporation
 Architectural Practice Board of South Australia
 Community Road Safety Fund
 HomeStart Finance
 National Heavy Vehicle Regulator
 Office of the National Rail Safety Regulator
 Outback Communities Authority
 Riverbank Authority
 StudyAdelaide
 Urban Renewal Authority (trading as Renewal SA)
 West Beach Trust
 Regulations under the following Acts—
 Development Act 1993—Murals in City of Adelaide
 Heavy Vehicle National Law (South Australia) Act 2013—
 Amendment of Law No. 6
 Expiation Fees No. 2
 Expiation Fees No 3
 Real Property Act 1886—Registration Fee

By the Minister for Human Services (Hon. J.M.A. Lensink)—

Regulations under the following Acts—
 Children and Young People (Safety) Act 2017—Miscellaneous
 Children's Protection Act 1993—Miscellaneous
 Family and Community Services Act 1972—Miscellaneous

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Reports, 2017-18—

Department of State Development
JamFactory Contemporary Craft and Design Inc
Office of the Industry Advocate
South Australian Film Corporation
South Australia Police
Regulations under the following Acts—
Tobacco Products Regulation Act 1997—Smoking Bans—The Parade Norwood

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:19): I bring up the report of the committee, entitled Annual Report 2017.

Report received and ordered to be published.

Ministerial Statement

OPEN AND ACCOUNTABLE GOVERNMENT

The Hon. R.I. LUCAS (Treasurer) (14:24): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.I. LUCAS: The Marshall Liberal government was elected on a platform of lower costs, better services and more jobs. We also promised South Australians greater transparency and openness in government, and that as part of that commitment we would make public information about the use of consultants and contractors by government departments.

Prior to the election, we promised that a Marshall Liberal government would require all departments and agencies to include in their annual reports details such as the names of contractors and consultants engaged by each agency, the work undertaken by them and the actual payments made for their work. The annual reporting period is upon us and agency annual reports will soon be tabled. In some cases agencies will have provided additional information in their annual reports relating to contractor and consultancy expenditure.

The 2018 annual reports reflect that this is a transition year between the requirements of the former Labor administration and those of the new Marshall government. I commend those agencies that have been able to include increased information in this area in a short space of time. Given confidentiality obligations in relation to certain contracts, full details of contractor payments were not able to be produced in all annual reports for this reporting period. As a result, there may be some inconsistencies in the scope and extent of information provided this year.

Agencies continue to be required to publish details of certain contracts in accordance with the requirements of Premier and Cabinet Circular 27 on the South Australian government tenders and contracts website. While there are always going to be a limited number of contracts where full disclosure will not be possible due to confidentiality requirements, I expect that in the 2019 annual reports disclosures and transparency relating to government expenditure on contractors and consultants will further increase.

COREY, MR W.T.

The Hon. R.I. LUCAS (Treasurer) (14:26): I table a copy of a ministerial statement relating to Mr William (Bill) Corey OAM made today in another place by the Premier of South Australia.

LIVESEY REPORT INTO GENERATOR ACQUISITION

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:26): I table a copy of a ministerial statement relating to the Livesey report into generator acquisition made today in another place by my colleague the Hon. Dan van Holst Pellekaan, Minister for Energy and Mining.

TEMPORARY GENERATORS

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:26): I table a copy of a ministerial statement relating to the future of temporary generators made today in another place by my colleague the Hon. Dan van Holst Pellekaan, Minister for Energy and Mining.

Personal Explanation

REGISTER OF MEMBERS' INTERESTS

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:36): Late yesterday, an article appeared on Adelaidenow reporting that I had not declared my place of residence for the annual Register of Members' Interests. Late last week, through a text from a reporter at *The Advertiser*, I was alerted to the fact that my house at Mitcham had not been declared as part of the annual disclosure. Once made aware, I immediately contacted the Clerk of the Legislative Council so that arrangements could be made to provide a revised and accurate declaration.

Through this inquiry it became apparent that my Mitcham property had, despite being purchased in 2001 and declared in subsequent years, unintentionally not been declared for several years. It appears that, despite my prudence in submitting an accurate declaration each year, an omission occurred which led to my Mitcham property dropping off the register. I can confirm, though, all of my interests, including my place of residence in Mitcham, appear on the cabinet register I completed upon being sworn in as a minister.

As an elected member of parliament I take very seriously my responsibility to be accountable and transparent to the South Australian public. I am confident that the value I place on that responsibility is reflected in all of my official interactions, many of which have taken place at my home in Mitcham. I have had journalists visit me there; I have participated in press conferences on my front lawn; I have welcome members from all sides of politics through my front door. I have even gifted a patch of turf to a member in this very chamber.

As a member of this government, which takes transparency and accountability very seriously, I will continue to conduct myself as a minister in a manner conducive to public trust, including making any and all declarations with honesty and integrity.

Question Time

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (14:38): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding elective surgery.

Leave granted.

The Hon. K.J. MAHER: The minister is reported in *The Advertiser* this morning as insisting that surgeries will not be cancelled, stating:

I can assure patients if they are ready for elective surgery on Thursday or beyond the doctors, nurses and hospitals will be ready to provide their care...

The minister, in *The Advertiser*, has guaranteed that elective surgeries will not be cancelled. My question to the minister is: will the minister in this chamber repeat that guarantee—that elective surgeries will not be cancelled?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39): I thank the honourable member for his question. In answering the question, I refer the honourable member to a statement issued earlier today by the Chief Nurse and Midwifery Officer of SA Health, and every executive director of nursing in the local health networks in South Australia, and it reads:

There has been a large amount of media coverage in the past week regarding potential—

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

The Hon. S.G. WADE: It reads:

There has been a large amount of media coverage in the past week regarding potential elective surgery cancellations due to proposed industrial relations actions by the Australian Nursing and Midwifery Federation SA branch. We, the Executive Directors of Nursing/Midwifery for each of the South Australian hospitals and local health networks, would like to reassure all of our patients that no elective surgery will be cancelled as a result of this action.

At the South Australian Employment Tribunal on the weekend it was agreed that the actions planned by the ANMF posed a risk to patients. SA Health, in the best interests of patient safety, agreed to the ANMF advising their members to follow the SA Health 'Elective Surgery Policy' and the associated [LHN] documents.

Patients should continue to prepare for their elective procedures as normal, unless specifically contacted by the hospital.

As the nursing and midwifery leaders across the public health system we would also like to reiterate that our patients' wellbeing is our priority and we will continue to provide safe and appropriate care to the South Australian community.

On the basis of that statement and other advice I have had from the department, I assure the people of South Australia that, in accordance with the industrial tribunal, they can expect to get their elective surgery on Thursday and beyond.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (14:41): Supplementary question: rather than giving us what expectations are, like the minister did in the media this morning, will the minister guarantee that elective surgeries will not be cancelled?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): I refer the member to my previous answer.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (14:41): Supplementary question: why does the minister say one thing to the paper and won't back it up in this chamber? Does he take us for mugs or is he not telling the truth to *The Advertiser*—

The PRESIDENT: That's gone beyond—

The Hon. K.J. MAHER: —and to the public of South Australia—

The PRESIDENT: Leader of the Opposition—

The Hon. K.J. MAHER: —because he's not game to put it on the record in here?

The PRESIDENT: Leader of the Opposition, you are out of order. The first part of the question was appropriate. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): Elective surgery will be delivered on Thursday—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, I cannot hear—

The Hon. S.G. WADE: —in accordance with the industrial tribunal.

The PRESIDENT: Leader of the Opposition, I couldn't hear what the minister was saying.

The Hon. R.P. Wortley: As long as Hansard has got it, that's all that matters.

The PRESIDENT: I am not sure Hansard could. Please stop interjecting, the Hon. Mr Wortley.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): Supplementary question: are patients still being advised that there may be cancellations?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): I am not aware of any such advice. The ruling is clear: the nursing leadership across the networks have issued a statement. Employees should be in no doubt how the ruling is being interpreted by the employer.

COUNTRY HOSPITALS

The Hon. C.M. SCRIVEN (14:42): My question is to the Minister for Health and Wellbeing. Can the minister advise whether he has opened up any extra beds at country hospitals, and if so, which country hospitals have had extra beds and how many beds at each hospital, or has the minister simply transferred patients from metropolitan hospitals to beds that were already open?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): The government, in response to pressure in the system, has opened 30 country hospital beds, 20 private hospital beds and has identified 11 vacant community mental health beds. The beds in the country hospitals are obviously beds that were there in the sense that the country hospitals are well established, but the country hospitals have been resourced to accommodate the 30 additional country hospital beds and 60 patients have been transferred.

In terms of the hospitals, more than half of those 60 are in four hospitals: Mount Barker, Gawler, Strathalbyn and Murray Bridge, and we are continuing to place patients in those country hospitals to ease pressure on the metropolitan hospitals.

COUNTRY HOSPITALS

The Hon. C.M. SCRIVEN (14:43): Supplementary: from what date were these operational and for how long will they be open?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): The figure in relation to the 60 patients is from 29 September until today. In terms of the beds, both in relation to country hospital beds and private hospital beds, we will continue to assess the pressure within the system—demand and supply—and continue to use beds as long as we need them.

COUNTRY HOSPITALS

The Hon. C.M. SCRIVEN (14:44): Supplementary: does the minister accept that transferring metropolitan patients to country hospitals risks displacing country patients into metropolitan hospitals, at times?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): I should make clear that the 60 patients are a mix of both country patients and metropolitan patients. I think it would be somewhat disingenuous for Labor to suggest that this is a risk to patient care, considering that this was a key plank of the NRAH move strategy used by the previous government last year.

FLINDERS MEDICAL CENTRE

The Hon. E.S. BOURKE (14:45): My question is to the Minister for Health and Wellbeing. Will the minister explain why, under his watch, a directive was sent out at the Flinders Medical Centre to move potentially contagious norovirus patients into an open ward against infection control guidelines?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45): Norovirus is a common pathogen within the South Australian community, and isolated cases can occur. Year to date, we have had 17 isolated cases. However, none has resulted in an outbreak. The last outbreak was at the Flinders Medical Centre about 18 months ago.

Symptoms were first identified in four patients on Ward 4D on Thursday 27 September 2018; that is, prior to the long weekend. Over the long weekend, advice was sought from the infectious diseases consultant regarding appropriate management of the symptomatic patients. All patients with symptoms of gastroenteritis have had full infection control precautions implemented within the ward environment.

The FMC infection control service was notified on Tuesday 2 October 2018 of a number of patients in Ward 4D demonstrating symptoms of diarrhoea and vomiting. An initial investigation identified nine patients with systems and one positive norovirus result. As a result, an outbreak was determined and SA Health infection control standard guidelines and processes continued. FMC

infection control services have been working with the affected wards and staff on a twice-daily basis, reviewing the patient environment and patient care areas.

The situation is resolving, with five patients with norovirus remaining on the ward, noting that none of them have been symptomatic in the last four days. An internal memo reported in the media on Friday 12 October was sent to a small group of nurse managers to explore flow of patients from the ED, with a particular focus on strategies to ensure patients do not remain in the ED for greater than 24 hours.

One of the suggestions outlined in the email for further discussion was following risk assessment with the FMC infection control service and executive to cohort low-risk infectious patients with the same infectious status. The email was not referring to the management of patients with gastroenteritis symptoms. SA Health infection control standard guidelines and processes and SALHN gastroenteritis outbreaks management processes are in place within FMC.

INTERNATIONAL STUDENTS

The Hon. T.J. STEPHENS (14:48): My question is to the Minister for Trade, Tourism and Investment. Can the minister inform the council about his plans for consulting with industry and education groups to grow South Australia's vital international education sector?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:48): I thank the honourable member for his question and his ongoing interest in this very important sector of our economy. In fact, international students are indeed a very important sector of the economy. For every four international students who come to live and learn in Adelaide, one extra full-time job is created.

South Australia is a fantastic destination for students wanting to study abroad, with high-quality education institutes and, of course, an enviable lifestyle in our great City of Adelaide. Despite year-on-year growth, our national market share of international student numbers presently sits at 4.5 per cent and will likely drop further unless we make changes. There is a need to work together on a South Australia-first approach between government, local institutions and industry.

We are committed to growing our international education sector, which is South Australia's largest service export, injecting over \$1.5 billion into the state's economy every year. It is because of the government's view to grow student numbers that we decided to increase funding as an election commitment to StudyAdelaide, and in this budget money was made available to a total of \$2.5 million in annual support for the next four years.

StudyAdelaide is vitally important and we recognise the important function of the board, made up of major educational institutions and government, as well as an independent chair and members from the industry. While the previous government considered stopping funding to StudyAdelaide altogether, this government believes we should do more to market Adelaide as a centre of education excellence and to entice more international students to live and study in South Australia.

One of the most recent initiatives working with industry to give them superior employability outcomes to international students is the Adelaide Engage program. I was honoured to launch the program earlier this year. The Engage program has already seen over 300 international students from four universities working as business consultants under the mentorship of industry professionals, delivering real world business projects.

Some of the businesses involved in the program include BankSA, BUPA, Angelakis Brothers, Royal Park Dental, Barossa Fine Foods, Chooks SA, Penley Estate, Insider Guides and more. The feedback has been overwhelmingly positive from the students, business clients and industry mentors, but that is not all. I have recently established a new Ministerial Advisory Council for International Education (MACIE) to provide strategic advice on growing the industry.

The advisory committee has already met since the establishment and is made up of representatives from the three public universities, Torrens University, TAFE SA, SACE, StudyAdelaide, the public and private schools sector and other industry experts. I was very pleased to chair the very first meeting of MACIE on 31 July and there was a lot of enthusiasm amongst all those present with the new government's approach to growing this important sector.

The next meeting of MACIE will be held next week, on 23 October, and I look forward to furthering these initial discussions with the industry and education groups. The more international students we can attract to this state the greater the benefits for our local economy. All these students will spend on accommodation, goods and local services while they are living here, creating more jobs for South Australians.

As you can see, there is a lot we have already done in the short time since forming government, and while the former Labor government was intent on cutting funding to this vital economic sector we are delivering on our election commitments to create more jobs by actively developing this important sector, hand in hand with local education institutions and industry to grow the international student numbers to this great state of South Australia.

CRUISE SHIP STRATEGY

The Hon. J.A. DARLEY (14:52): My question is to the Minister for Trade, Tourism and Investment. Can the minister advise what consideration, if any, the South Australian Tourism Commission has given to the suggestion to allow cruise ships to visit and anchor off Victor Harbor?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:52): I thank the honourable member for his interest in the tourism sector, particularly the cruise ship sector. The cruising industry has injected some \$118 million into the South Australian economy in the 2017-18 season, with 65 visiting cruise ships to Adelaide, Kangaroo Island and Port Lincoln. The 2018-19 cruise ship season commenced on 6 October 2018, with 84 scheduled cruise ships to visit South Australian ports, consisting of 43 ships to Adelaide, including four overnights, four ship visits to Kangaroo Island (Penneshaw), and 13 ship visits to Port Lincoln. This is comprised of 21 different cruise ships scheduled, with a total capacity of 176,195 passengers.

The South Australian Tourism Commission promotes Victor Harbor as a destination for shore excursion tours and also as a cruise line anchorage destination for visiting ships. There were several shore excursion tours offered by cruise lines that berth at the Port Adelaide passenger terminal to the Fleurieu Peninsula, including McLaren Vale and Victor Harbor. There are currently no cruise ships scheduled to anchor at Victor Harbor.

The cruise ships that come to visit South Australia range from the expedition vessels (10 to 50 passengers), boutique ships (50 to 600 passengers), cruise ships (from 600 to 2,700 passengers) and, of course, the large mega liners (from 2,700 to 6,300 passengers). In 2010, the *Orion* expedition vessel visited Victor Harbor as part of a seven-day itinerary from Melbourne. Victor Harbor was a popular option, with the Zodiacs (small tender vessels) bringing passengers ashore to the Causeway, which connects Granite Island to the mainland.

The SATC has been, and continues to be, in discussion with several domestic and international cruise lines to attract cruise ships to visit Victor Harbor. The SATC and the Department of Planning, Transport and Infrastructure are working with the City of Victor Harbor to develop a business case and a feasibility study for the future infrastructure required and the most suitable location for cruise ships in Victor Harbor. The SATC has been in consultation with key domestic cruise line partners Carnival Australia and Cruise and Maritime Voyages on the most suitable location for new infrastructure development, and agreed the best location is on the mainland near Policeman Point, not on Granite Island.

The SATC will continue to work with the City of Victor Harbor, DPTI and Fleurieu Peninsula Tourism to ensure that the required infrastructure is ready, and that logistical requirements such as transport and passenger welcome programs are delivered. It is imperative that the new infrastructure design and location meet the needs of the cruise lines to ensure long-term success and future scheduled visits to Victor Harbor.

FLINDERS MEDICAL CENTRE

The Hon. R.P. WORTLEY (14:55): My questions are to the Minister for Health and Wellbeing:

1. Has the minister undertaken any independent investigation, or sought any legal advice, regarding the norovirus outbreak at the Flinders Medical Centre and the breach of infection control guidelines?

2. What legal or financial risk has the government been exposed to by not following correct infection control protocols at the Flinders Medical Centre?

3. Have nurses at the Flinders Medical Centre been instructed not to speak publicly about the risk of the norovirus outbreak?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I am not aware of any legal risk. I will seek advice in relation to the last question. This government does not believe in silencing health workers, and certainly not in the context of infection issues.

The PRESIDENT: A supplementary, the Hon. Mr Wortley?

FLINDERS MEDICAL CENTRE

The Hon. R.P. WORTLEY (14:56): Well, not a supplementary: the first question—

The PRESIDENT: Well, it has to be. If it's not a supplementary, Hon. Mr Wortley, you are asking a further question—

The Hon. R.P. WORTLEY: Supplementary: has the minister undertaken any independent investigation—that was the first question—or sought any independent investigation regarding the norovirus at the Flinders Medical Centre?

The PRESIDENT: I am going to characterise that as a supplementary because I am being exceedingly generous on the first day back. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): It sounded to me like a repeat, and the answer is no in both cases.

TRADE MISSIONS

The Hon. D.G.E. HOOD (14:56): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council about his recent trips to China and Hong Kong, and how the South Australian government is furthering its trade and tourism sectors abroad?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:57): I thank the honourable member for his ongoing interest in growing our trade. As members would be aware, I travelled to China and Hong Kong from 15 to 22 September. Interestingly, while in Hong Kong, I discovered that no minister had travelled there for at least two years, and they were delighted to have me there.

More importantly, I was in Guangzhou and I participated in a bid to secure the Nu Skin incentive program for Adelaide in 2020. If the bid is successful, the event will see an additional 6,000 Chinese visitors come to Adelaide as part of a group incentive package. I understand the conversations with Nu Skin have been progressing positively since then. I also had the opportunity to meet again with Infinitus Group, having participated in a pitch for this incentive group's business whilst in Guangzhou in April, earlier this year.

Discussions with Infinitus are progressing well, and we are confident that Adelaide is being carefully considered as a possible destination also for their 2020 incentive visit. If successful, this would involve over 8,000 delegates visiting Adelaide and the regions in June 2020. More importantly, separate from the incentive bid, Infinitus has committed to purchasing a significant quantity of bottled wine from South Australian wineries, which is a fantastic achievement so early in this relationship. In fact, it has been described to me by some wine experts as the single biggest order ever to be placed in South Australia to one customer.

As part of the Guangzhou business program, I met with the Consul-General and Senior Trade Commissioner. They facilitated a meeting with local top enterprises and I highlighted key developments in the South Australian health sector, including the Adelaide biomedical health precinct, retirement living and related infrastructure, and discussed potential investments in health, aged care and medical tourism. As part of this discussion, invitations were extended for this group to visit South Australia in the near future to explore potential investment opportunities.

One of the main reasons for visiting Guangzhou was to participate in the official handover from Guangzhou to Adelaide of the World Routes aviation conference. World Routes is the largest

aviation business-to-business event in the world and brings together tourism organisations, airline executives, route planners and airports. Adelaide has won the right to host this event in September 2019, which will see over 3,000 delegates attend the event at the Adelaide Showground over a three-day period.

The South Australian Tourism Commission will host a number of famils to allow delegates to take in the very best of what South Australia has to offer. At the World Routes conference, I met with senior executives from UBM, the owners of World Routes. They are extremely excited about coming to Adelaide next year, and the response from delegates has been overwhelming.

I then moved on to the Hong Kong leg of the visit, which was also busy and included round tables with outbound tourism operators and agribusiness trade buyers and investors. I used these as a platform to promote the benefits of South Australia from a tourism perspective and also seek feedback on how we can improve our offering. I shared the latest developments and capabilities in premium food and wine production in South Australia. Increased opportunities were identified and discussed for trade buyers to invest upstream along the supply chain to secure future benefits for South Australia.

I also had the opportunity to meet with companies such as Lan Kwai Fong Group, Young Brothers Aviation and Shangri-La hotels group to discuss further investment opportunities in South Australia. I would like to thank the Department for Trade, Tourism and Investment, the South Australian Tourism Commission and the Adelaide Convention Bureau for doing a great job in putting this program together, which was held in some very treacherous weather. Of course, members would be aware the typhoon went through Hong Kong and Guangzhou while we were there.

One of the buildings I was in on the Friday in Hong Kong, on the Tuesday during the typhoon was swaying 1.2 metres side to side, so I am glad I wasn't in that building. In the hotel I was staying at in Guangzhou, Mr President—

The Hon. K.J. MAHER: Point of order.

The Hon. D.W. RIDGWAY: —the typhoon was strong enough that the water feature on the 70th floor—

The PRESIDENT: Relevance, the Hon. Mr Ridgway. Relevance.

The Hon. D.W. RIDGWAY: Relevance. I am almost done; I have one line left to go. The water feature was—

The Hon. K.J. MAHER: Point of order.

The Hon. D.W. RIDGWAY: —slopping from side to side.

The Hon. K.J. MAHER: How far and which way the honourable minister swings I don't think is relevant to this question in particular.

The PRESIDENT: I did raise it with the minister. He has about 15 seconds left, according to my clock.

The Hon. D.W. RIDGWAY: In particular, I would like to thank our representative in Hong Kong, Alice Jim, and Mr Ben Tuffnell from the SATC for their great executive support during this visit.

BUILDING STANDARDS

The Hon. F. PANGALLO (15:01): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment, representing the Minister for Local Government, about a fire that destroyed a new multistorey building at Munno Para at the weekend.

Leave granted.

The Hon. F. PANGALLO: Thank you, Mr President. I do seek your indulgence here because this is quite a serious matter I am about to raise. Like many viewers watching TV news at the weekend, I saw the fire which engulfed the mixed use building on the corner of Peachey and Curtis roads. The building has commercial businesses on the ground floor and two levels of apartments. According to eyewitnesses, one man had to jump from a top storey window onto an awning to save

himself while two others found themselves trapped as flames swirled and acrid smoke billowed, and were rescued by the MFS. Nobody was killed or seriously injured by this alleged criminal act and I praise the gallant efforts of the MFS in evacuating and containing the blaze.

What particularly caught my attention was the fiercely burning exterior aluminium cladding. As many in this council are aware, a Senate inquiry found that substandard imported cladding used widely in Australian construction projects poses a serious fire hazard. Tragically, we saw that happen with London's catastrophic Grenfell Tower, which claimed the lives of 72 people. Fortunately, the Munno Para fire wasn't a towering inferno. However, I have since received reports about the builder's alleged failure to achieve many required safety standards in the building, including concerns about egress for wheelchairs and disabled persons, fire security and, of course, questions about the cladding.

Further, I am informed that officers from the City of Playford had attended the building in December 2016, around the time construction was completed, and issued the owner with a section 69 under the Development Act. This is the most serious breach notice possible under the act, requiring evacuation of any tenants and residents and immediate rectification work. My advice is there was no follow-up by the council to ensure the problems had been remedied as required by the notice. My questions to the Minister for Local Government are:

1. Will he demand to see all building approvals, documents and certifications from Playford council relating to this building as a matter of urgency?
2. If a section 69 or rectification order was issued by the council, if and how was this enforced? If not, what were the reasons?
3. What action has Playford council undertaken to ensure the building's safety code is compliant?
4. Were inspections or tests carried out on the aluminium cladding?
5. Is it time for the government to now issue an order that all councils carry out inspections of buildings that have used aluminium cladding constructed since 2010?
6. Is it time for the government to review the role of private certifiers acting for builders and/or owners in obtaining the necessary approvals?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:05): I thank the honourable member for his very important question. I will take that on notice and refer it to my colleague the Hon. Stephan Knoll in another place and bring back an answer.

The PRESIDENT: Mr Pangallo, I appreciate that this is a serious issue, but that was not a brief explanation and it also included some rhetorical flourishes. I would appreciate restraint on future occasions.

The Hon. F. PANGALLO: I apologise, Mr President.

The PRESIDENT: The Hon. Mr Ngo.

HOSPITALS, WINTER DEMAND

The Hon. T.T. NGO (15:05): My question is to the Minister for Health and Wellbeing. Will the minister explain why the minister sat on the Winter Demand Strategy and did not act on it for 10 weeks, particularly given SA Health provided the minister with the Winter Demand Strategy back on 17 April this year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): The honourable member revisits an issue that has been raised in this house by the opposition before. What I advised the council in the past is that this government started the Winter Demand Strategy very early in its time. One of the key achievements that I am very proud of is that we introduced free influenza vaccines for children under the age of two.

In terms of public statements being issued, a statement was issued by the Central Adelaide Local Health Network, I think in early June 2018. In terms of the system-wide overview, that wasn't issued until June, but let's remember that SA Health, under the former Labor government, did not

formally launch a winter demand plan in 2015 or 2017. I assure you that SA Health doesn't need a glossy brochure to implement a whole range of strategies, and that's why people can be assured that we will continue to manage winter until it is done.

HOSPITALS, WINTER DEMAND

The Hon. K.J. MAHER (Leader of the Opposition) (15:07): Supplementary question arising from the original answer: why did the minister sit on this strategy if it was ready so early, and why did the minister tell the chamber there was nothing in writing if there clearly was?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): What I have repeatedly told the chamber is that there is a whole range of elements of the Winter Demand Strategy, some of which were released—

Members interjecting:

The PRESIDENT: Order! Order! Minister.

The Hon. K.J. MAHER: Get ready for a personal explanation, Wade. You told two different things, then and now.

The PRESIDENT: The Hon. Mr Maher, can we just calm down for a little bit and allow the minister to answer so I can listen to him. And you can refer to him as 'the honourable'.

The Hon. S.G. WADE: My point to the council is that the government was engaged with a whole range of winter strategies before the system overview was released and a whole range of strategies have been implemented since the system overview was released.

ELECTIVE SURGERY

The Hon. J.S.L. DAWKINS (15:08): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on the status of patients waiting for elective surgery?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I thank the honourable member for his question and his continued interest in South Australia's public health. We have seen some very disappointing behaviour from the nurses' union this past week. After standing in silence while the former Labor government closed the Repat and cut 100 beds out of South Australia's—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: I would remind the house that the former Labor government closed the Repat and cut 100 beds out of the South Australian public health system—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —and the nurses' union—

Members interjecting:

The PRESIDENT: Order! Minister, go on.

The Hon. S.G. WADE: And the nurses' union stood in silence while that happened. The government is taking action to ease pressure on the system—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —and one of those key initiatives is to reopen the Repat as a health precinct.

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

The Hon. S.G. WADE: First, we have undertaken community consultation to reactivate the Repat—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —as a genuine—

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

Members interjecting:

The PRESIDENT: Stay there. Are we finished? I would like to hear the minister's answer. Minister.

The Hon. S.G. WADE: In relation to reactivating the Repat we have undertaken community consultation with the goal of delivering a genuine health precinct. This opportunity would not have been possible if members opposite were still in government. They broke their promise; they closed the Repat and they signed a contract for its sale, and the ANMF had nothing to say. Now the ANMF is threatening to cancel elective surgery on Thursday. This is incredibly disappointing. Some of these patients have been waiting for years while the elective surgery waiting lists ballooned out under Labor, increasing tenfold last year. Their wellbeing should not be used—

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Their wellbeing should not be used by the ANMF as a political football. This has caused anxiety and uncertainty for patients and nurses. On the weekend, the South Australian Employment Tribunal agreed that the actions planned by the ANMF posed a risk to patients. SA Health, in the interests of patient safety, agreed to the ANMF advising their members to follow the SA Health elective surgery policy. This document does not allow elective surgery to be cancelled for industrial action.

Today, the executive directors of nursing and midwifery for each of the South Australian hospital networks joined to reassure patients that no elective surgery will be cancelled. Patients should continue to prepare for their elective surgeries as normal unless specifically contacted by the hospital. SA Health's Chief Nurse and Midwifery Officer, Jenny Hurley, has made it clear that patients' wellbeing is the priority, not the agenda of the ANMF.

The Marshall Liberal government was elected to clean up Labor's mess. A part of that mess was Transforming Health which left the state's public health system broken. The government put forward a clear plan to deliver better health services, the people of South Australia voted for that plan and we will deliver on our commitments to them. We will not have our plan dictated by the ANMF.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (15:12): Supplementary arising from the answer: can the minister confirm that he said during his answer that some patients may be contacted to have their surgeries cancelled?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): What I advise the house is that patients should continue to prepare for their elective surgeries as normal unless specifically contacted by the hospital.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (15:13): Further supplementary arising from the answer: is it that some may be cancelled? Is it that others have guaranteed it? Or is it that,

as you told through the media this morning, nothing will be cancelled? You have had three different positions through the course of today.

The PRESIDENT: Leader of the Opposition—

The Hon. K.J. MAHER: Which is it? What are you going to tell the house?

The PRESIDENT: Leader of the Opposition, sit down. Minister, the first part of the question is in order.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13): The fact of the matter is that the elective surgery policy—

Members interjecting:

The PRESIDENT: Order! You have asked your question. Let him answer your question.

The Hon. S.G. WADE: The fact of the matter is that the SA Health elective surgery policy allows surgery to be postponed and cancelled, not on the basis of industrial action but on relevant factors such as—goodness knows what the week may bring. We may well have staff—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Let's say an operating theatre breaks down or an anaesthetist is not available—there are other issues at the hospital but I can assure the people of South Australia that the SA Health policy does not allow for the cancellation of surgery on the basis of industrial action. The industrial tribunal has issued an order that the elective surgery policy shall be followed.

SEXUALLY TRANSMITTED INFECTIONS AND BLOODBORNE VIRUSES

The Hon. T.A. FRANKS (15:14): I seek leave to make a brief—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order, Leader of the Opposition! I cannot hear the Hon. Ms Franks.

The Hon. T.A. FRANKS: Thank you, Mr President. I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the topic of STIs and bloodborne viruses.

Leave granted.

The Hon. T.A. FRANKS: As the council is no doubt aware, syphilis is a serious infection that can spread easily. Syphilis is most infectious within the first two years, during the primary and secondary stages, so early testing and treatment is vital to stop its spread. If passed from a pregnant woman to her baby, syphilis can cause the baby to be stillborn or have severe abnormalities affecting its eyes, ears and bones. Contracting syphilis can also increase the risk of acquiring other sexually transmitted infections, including, of course, HIV.

The minister would be aware that there was an outbreak of infectious syphilis in May 2017 in our state. That outbreak has been linked to the earlier outbreak in northern central Australia that began in 2011 and has since affected more than 1,000 people in Queensland, the Northern Territory and Western Australia, including deaths from congenital syphilis. Recently, there have been six deaths in Australia, three confirmed and three probable, due to congenital syphilis. In South Australia in recent months, we now have a recorded case of congenital syphilis in Port Augusta. My questions to the minister are:

1. Can he update the council on what impact the actions of the Young, Deadly, Syphilis Free campaign and other work here in South Australia, including that done by SAHMRI, is having to increase the STI and bloodborne virus testing rates to stop new infections and ensure early diagnosis and treatment?

2. How many people in South Australia have now been tested as part of those programs, and what have been the levels of infection?

3. Is the government confident that, given the cuts to funding in this area, we will not see either an increased rate of HIV infection or, indeed, any deaths or further instances of congenital syphilis in our state?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16): In relation to the first part of the honourable member's question, I will take that on notice and bring back an answer to the honourable member. Can I assure the house that the SA government will always stay alert to developing threats, in terms of syphilis and other sexually transmitted diseases. In terms of the budget, there will be adjustments over time as we see the disease patterns change over the financial year. We will continue to work not only with Aboriginal community-controlled health organisations and the Aboriginal Health Council but also with the commonwealth, which is an active partner in this area.

REPATRIATION GENERAL HOSPITAL

The Hon. I. PNEVMATIKOS (15:17): My question is to the Minister for Health and Wellbeing. It is seven months after you won office and you promised to reopen the Repat. When will you actually treat one single patient there, and why did you tell ABC radio three months ago that 'we're ready with Repat beds', yet still no-one has been treated in the Repat hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): I thank the honourable member for her question through you, Mr President. It is only possible for the honourable member to ask me this question because the party that she is part of was defeated at the last election. It was this party that fought against the closure of the Repat.

Members interjecting:

The PRESIDENT: Order! Let the minister answer.

The Hon. S.G. WADE: It was this government that fought against the closure of the Repat. It was this government that stopped the sale of the Repat. It is this government that has spent hundreds of thousands of dollars remediating the facilities. It is this government that has consulted widely about the plan going forward, and we are currently negotiating to reopen beds ahead of the finalisation of the master plan. We need to coordinate the opening of beds with the implementation of the master plan, and we will continue to deliver on our commitments.

REPATRIATION GENERAL HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (15:19): Supplementary question from the original answer: why did the minister say in July, 'there's been painting done, IT's been connected, phones have been connected...so we're ready', in relation to reopening beds at the Repat if in fact he had no intention to reopen them back in July? Why would he say that?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19): The government made a commitment, coming into the election, that we would reopen beds at the Repat and that is exactly what we will do. We have reaffirmed our commitment to open care transition beds because all three concepts for the site include care transition. The dilemma in terms of articulating the master plan with—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: As we are so close to the implementation of the master plan, the government is keen to coordinate both the reopening of beds on the property with the delivery of the master plan.

DOMESTIC AND FAMILY VIOLENCE

The Hon. J.S. LEE (15:20): My question is directed to the Minister for Human Services and is about domestic violence initiatives. Can the minister please advise this council about the government's election commitment to hold a domestic violence round table?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:20): I thank the honourable member for her question. The government has continued our regional round table visits, and I am

pleased to advise that on Friday of last week we held one in the City of Whyalla—no, sorry, the week before last was the City of Whyalla and last week was in Port Lincoln. I would like to thank both the honourable local members, the member for Giles and the member for Flinders, respectively, for attending.

Once again, the event was attended by a range of service providers and government agencies, including South Australia Police, the Department for Correctional Services, the Department for Child Protection, as well as a range of non-government organisations that are active in this space. It was also attended by my colleague the Assistant Minister for Domestic and Family Violence Prevention, Carolyn Power.

As has been the format with the other round tables, we have consulted on a suite of policies, which I am very pleased were delivered in full from the recent budget. The feedback that we have received from regions is that not only do they appreciate the attendance of ministers for a full day but also the opportunity to have input into this important process.

Some of the feedback we had is relatively common to the other round tables we have had, and some of it is also unique to the particular regions. What we find in regional areas is that, while resources on the ground can sometimes be not as prevalent—not as many programs—as in metropolitan Adelaide, service providers work extremely effectively together to manage issues locally for the best outcomes.

Some of the emerging themes from our regional round tables is that we need to have a greater focus on perpetrators, particularly in relation to potential crisis accommodation. That is an area that has been neglected. As people who are familiar with issues in this space for many decades would know, domestic and family violence prevention has been led by women, often for women, and we now need to appreciate the role of men in this space and how we need to focus potential interventions on the perpetrators.

In addition, some of the initiatives of the government more recently have been highly welcomed. The Attorney-General has released the policy for consultation in relation to repeated breaches of intervention orders. We did have feedback that a number of workers in this space and some victims have felt that intervention orders are inadequate, because unless the breaches have some impact then it just adds to their problems.

The disclosure scheme, which commenced on 2 October, has also been welcomed as an additional tool in the range of areas that we can help to address this issue. What we suspect is going to take place is that a lot of people who have not yet had contact with the domestic violence system will come forward to make those applications to see whether a relationship, or indeed the relationship of someone who they are concerned about, is potentially dangerous.

We also discussed the issues of confidentiality both as an issue in regions, because obviously everybody knows each other in regions, but we also have some pretty mature information-sharing guidelines, which should address some of the matters so that agencies can share information between them. The matter of keeping victims informed by bail and release was also discussed, as well as the particular safety hub models that might apply to various regions. I thank everybody for their involvement and their attendance and look forward to further policy development in this space.

The PRESIDENT: The Hon. Mr Pangallo, an opportunity to redeem yourself.

LOXTON RESEARCH CENTRE

The Hon. F. PANGALLO (15:25): Thank you, Mr President.

The Hon. R.I. Lucas: No rhetorical flourishes.

The Hon. F. PANGALLO: No; in fact, I have just been editing that, Mr Treasurer. I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment, representing the Minister for Primary Industries and Regional Development.

Leave granted.

The Hon. F. PANGALLO: While visiting Loxton in August, members of the community raised concerns about the availability of the recently upgraded Loxton Research Centre: \$7.5 million

was spent on the facility, which was officially opened last year. Prior to the new facility being unveiled, stakeholders were consulted and advised that the centre would be a resource for many different Riverland-based industry groups, research bodies and training organisations involved with primary production to be accommodated there, but many local organisations have been unable to enjoy the benefits of the new facility.

The District Council of Loxton Waikerie wants to hold council meetings at the facility, but are unable as current rules state that a PIRSA representative needs to be in attendance. Despite its cost, the building remains largely empty—a white elephant. My question to the minister is: will the Minister for Primary Industries and Regional Development allow for the Loxton Research Centre to be utilised by local Riverland industry groups, research bodies and training organisations as was promised prior to the new facility being constructed? If not, why not? Why has the Loxton Research Centre not already been made available to these groups?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:27): I thank the honourable member for his ongoing interest in regional South Australia and in particular the Loxton Research Centre. I will take his numerous questions and refer them to the Hon. Timothy John Whetstone, the Minister for Primary Industries and Regional Development, in another place.

REPATRIATION GENERAL HOSPITAL

The Hon. J.E. HANSON (15:27): My question is to the Treasurer. Does SA Health have all the necessary expenditure authority required to open beds at the Repatriation General Hospital?

The Hon. R.I. LUCAS (Treasurer) (15:28): Was that a question to me?

The PRESIDENT: Yes.

The Hon. R.I. LUCAS: I do apologise. I am so used all the questions going to the Minister for Health and when you mentioned Health I assumed it was going to the Minister for Health. If I understood the question, it was whether or not Health had sufficient funding to do all it needs to do. Is that a fair reflection of the question? If it's not—

The Hon. J.E. Hanson: No.

The Hon. R.I. LUCAS: Perhaps if the honourable member—

The PRESIDENT: I will ask the member to state his question again.

The Hon. J.E. HANSON: I will help the Treasurer out. Does SA Health have all the necessary expenditure authority required to open beds at the Repatriation General Hospital?

The Hon. R.I. LUCAS: The Minister for Health and SA Health—the Minister for Health, ultimately, accepts responsibility, as all ministers do for the operations of their departments and budgets—has sufficient funding for all of the decisions that he and his department choose to make.

REPATRIATION GENERAL HOSPITAL

The Hon. J.E. HANSON (15:29): Supplementary, which I will do at a slower pace for the Treasurer: what is the estimated cost of the proposal to open 50 beds at the Repat?

The Hon. R.I. LUCAS (Treasurer) (15:29): That's a question that should more appropriately be directed to the Minister for Health. I am sure he would be happy to provide some sort of response. If I could just explain to the member, the Treasurer has responsibility, together with his colleagues, for bringing down the state budget. We deliver an overall appropriation to the Minister for Health and all other ministers. Ultimately, the challenging decisions in relation to the allocation of their budget appropriations are issues for the ministers and their departments.

GOODS AND SERVICES TAX

The Hon. T.J. STEPHENS (15:29): My question is to the Treasurer. Can the Treasurer update the house regarding GST funding and his demand that South Australia will not be disadvantaged?

The Hon. R.I. LUCAS (Treasurer) (15:30): I can sort of give the house a brief update this afternoon. I would hope tomorrow or Thursday, when more information becomes available, perhaps

to better inform the house as to the latest, we hope, significant developments in relation to the GST funding deal from South Australia's viewpoint. The honourable member will be aware—we have put it on the public record both before and after the election—that the South Australian government will always put the interests of South Australia first, irrespective of the flavour or colour of the federal government, whether that happens to be a federal Labor government or a federal Liberal government.

On the issue of GST funding arrangements, we unashamedly have put South Australia first. We have said right from the word go that we don't support and wouldn't support anything that disadvantaged South Australia. To that end, we have continued to argue that case with the former treasurer, the current Prime Minister and the current Treasurer. At two recent Board of Treasurers meetings, there has been a united view in relation to GST funding arrangements, albeit Western Australia has had a slightly different tweak to some elements of those discussions. Nevertheless, on most occasions it has either signed joint media statements from the Board of Treasurers or has agreed with the overall position of the Board of Treasurers.

At the most recent one, importantly, once the commonwealth government had made a decision to introduce legislation into the federal parliament, which I have expressed our concerns about on behalf of the state government, once that decision had been taken, South Australia and all the other states and territories took a united view that, given the commonwealth government had given a guarantee that no state or territory would be worse off under the new deal, there should be an amendment to the legislation to reflect that no-worse-off guarantee.

All states and territories at the Board of Treasurers meeting agreed with that proposition—that is, to move an amendment—albeit, as I have acknowledged in my media statement, that Western Australia did indicate that they would support the legislation with or without that particular amendment.

We are advised as of this morning—and I had a brief conversation with the federal Treasurer and a number of my interstate treasury colleagues—that the commonwealth government has indicated that it will introduce an amendment to the GST legislation sometime later this week. We understand that amendment will provide, in broad terms, a no-worse-off guarantee for the duration of the proposed structure of the agreement that the commonwealth government has talked about from 2018 through to 2026-27. We understand it will propose a Productivity Commission review at the end of that particular guarantee period.

Again, whilst the South Australian government's preferred position is to stick with our current funding arrangement—that is, the GST deal—given the decision to introduce the legislation, we have welcomed the announcement from the commonwealth government that a no-worse-off guarantee amendment will be moved in the federal parliament. I have indicated to the federal Treasurer that we are supportive in principle of the announcement, subject of course to looking at the final detail of the amendment. We have not yet seen the detail of the amendment, although clearly a no-worse-off guarantee in and of itself would seem to indicate the nature of what that amendment will be.

Again, through an excess of caution, many years in federal/state financial relations, I will await the detail of the particular amendment on behalf of the state government. I would hope, perhaps tomorrow or Thursday, to be in a position to provide greater clarity to this house in relation to the detail of the amendment and the potential impacts on the state of South Australia as a result of that particular amendment.

GENE TECHNOLOGY

The Hon. M.C. PARNELL (15:35): My question is to the Minister for Health and Wellbeing. Is the minister able to provide me and other interested parties with a copy of the regulatory impact statement and consideration of trade and market access implications report in relation to the new gene editing techniques being considered for regulation by the Legislative and Governance Forum on Gene Technology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:35): I thank the honourable member for the question. It was my privilege to represent the state last week at the legislative forum in relation to gene technology, and I must admit that it reminded me yet again how I really should have paid more attention during my science lessons.

At the meeting of the forum on 11 October, ministers endorsed the final report of the review of the National Gene Technology Scheme and agreed that the 27 recommendations will enhance and strengthen the scheme so it continues to be fit for purpose and is sufficiently agile to address future developments and challenges, spanning fields such as health, medicine, agriculture, plants and animals. Any risks posed by gene technology will continue to be identified and managed.

It was interesting, because it is apparently the first time the forum has actually met in its current form, and it has not met in any form since 2009, which I think is a challenge for us as legislators. If we have responsibility to maintain oversight of regimes, we need to make sure that we have mechanisms to do that. In that context, ministers have agreed to meet annually to monitor the progress of the scheme review recommendations, and will use out-of-session processes where timing requires or where the issue is considered minor.

I understand that the honourable member's question relates specifically to the technical review of the gene technology regulations, which was instigated by the national regulator to provide clarity following technical advances in this field. The regulations specify activities and organisms that fall under the scheme, and the technical review considered any risks to human health and the environment and proposed steps to address ambiguity in regard to some gene technology techniques.

The dilemma is the different tolerance, if you like, and again I need to be careful, not being scientific: the tolerance for different forms of techniques, some of which, I am told, mimic natural processes but still offend some people in relation to gene technology. There is also concern about the use of terminology. For example, one of those mechanisms, which I am told mimics natural processes—I could be wrong—on my understanding is the term SDN1. There are certainly people who object to that process, but I am advised, on layman's scientific understanding, that it mimics natural processes.

The issue was raised as to whether the use of the terms themselves tend to raise concerns in the community which may not have a scientific base. So there was a significant discussion about the use of terminology and how we communicate effectively to the community.

The honourable member, I think, asked specifically whether the report in relation to the review was being published. At the forum last week, we welcomed the technical review and requested further information regarding the impacts of the proposed changes to the gene technology regulations. While we are awaiting that information, it is not intended to release the report. I am advised that the normal practice in relation to matters such as this is that, until the full process is completed, the reports are not released.

OUTER SOUTH MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (15:39): My question is to the Minister for Health and Wellbeing. Will the minister advise whether he intends to publicly release the SA Health review of the outer south mental health services at Noarlunga, and will the minister commit to implementing the recommendations of the review or will he, as the minister has before, just sit on this report, contrary to promises of openness and accountability?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:40): I will make inquiries about the report the honourable member refers to and bring back an answer for the honourable member.

OUTER SOUTH MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (15:40): Supplementary question: is the minister saying he is not aware of the report that is referred to in InDaily before today? Is he aware of the report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:40): With all due respect to the honourable member, and through you, Mr President, I must admit I haven't read InDaily today. I certainly am aware of investigations being made by the Chief Psychiatrist, but as far as I'm aware, that report has not been provided to my office.

*Bills***RETAIL TRADING BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 3 July 2018.)

The Hon. E.S. BOURKE (15:41): 'It's a matter of time.' These were the five simple words provided to me during a government briefing—the five words they used to sell why the government is pushing the Retail Trading Bill 2018. I am guessing this was also the Liberal government's approach to Holden when they drove them out of South Australia.

I would argue that the right argument is the argument that backs South Australia. It is the argument that backs South Australia's largest employer: small businesses. It backs farmers who rely on local independent retailers to stock their produce, and most importantly, it backs hardworking South Australians. That is why I stand to oppose the government's Retail Trading Bill 2018 and back the current balance that backs South Australia's retailers, farmers and workers.

The Liberal Party's election platform had their commitment to deregulate shop trading hours at the top of their to-do list. So important was this policy that, if successful at the March election, they promised to introduce the legislation within the Liberal government's first 100 days. Instead, they have left South Australian small businesses in limbo by delaying the debate on shop trading hours.

We have heard the calls to back the government's mandate pushed through the media. I would argue that the government has no mandate on shop trading hours. Why? Because, like the Liberal Party, parties represented in this chamber took a position to the election on trading hours, and it is of no surprise that the only party standing with large interstate retail chains at the election was the Liberal Party.

More South Australians voted for the current trading laws at the 2018 election than the Liberals' position to deregulate trading hours allowing shops to trade every day of the week between midnight and 9pm except on Good Friday, Christmas Day and ANZAC Day morning. I repeat: from midnight to 9pm. Claims of a mandate on this bill are completely baseless because the legislation tabled in this parliament goes so much further.

With little to no consultation with local retailers, the Liberal government has tabled legislation to deregulate trading hours to a much further extent than their own election commitment, opening all metropolitan stores 24 hours a day, seven days a week, with larger stores (including interstate chains) only closing on Christmas Day, Good Friday and ANZAC Day morning. It is far from a balance in my books.

When it comes to this bill, it is not the size that matters; it is the number of people you employ. The current Shop Trading Hours Act 1977 exempts all shops with a floor area of less than 200 square metres and shops selling foodstuffs are exempt from the act if they have a floor area of less than 400 square metres. Under the current act, I believe about 80 per cent of all South Australian stores can currently trade 24/7.

The Retail Trading Bill 2018 does something a little extraordinary. The government would have us all believe that they are in this to create jobs for South Australians; however, by replacing the definition of an exempt shop to be defined by the number of employees, the government has not only turned its back on local businesses, but workers. As stated under the interpretation of what an exempt shop is:

- (b) a shop that has no more than 20 persons employed and working in the shop, provided that the total number of persons employed and working in the same shopkeeper's shops in South Australia during the immediately preceding period of 7 consecutive trading days did not exceed 100 (when calculated in accordance with subsection (2)(b));

When I recently asked about the government's response behind the magical cap of 20 employees, I was provided with the answer, 'We just copied Victoria.' Again, no consultation, just a copy and paste of the Victorian act, with no consideration of the ramifications an employment cap might have in South Australia. We are not Victoria. Giving business owners a choice to open when they choose,

and consumers a choice to shop when they want, and then of course the added line of 'workers are prepared to work', these are the words we have heard repeated time and time again by the Liberal Party.

The throwaway lines that the Liberal Party uses when referring to a piece of legislation have the potential to do irreversible damage at both an economic and social level, and these words are insulting to local business owners, farmers and workers who will be impacted by 24/7 trading. Of course, and of no surprise, the line that grates me the most is 'workers are prepared to work', or as suggested under section 5(1) of the bill:

A person who is employed to work in a shop in the metropolitan area is not required to work on a Sunday unless the person has freely elected to work on that day.

I raise this particular section of the bill because, unlike New South Wales, the Liberal government is not proposing any form of punishment for an employer who, in fact, breaches the section. The words printed under 'Staffing on Sundays' in the bill cannot be enforced, there is no punishment and it is a disgrace that the Treasurer and the government have tried to hoodwink hardworking South Australians into believing they have their interests at heart.

What is further disturbing are the lessons from interstate. Three years ago, the New South Wales Retail Trading Amendment Act 2015 commenced. As part of the changes, an independent review was conducted two years after Boxing Day shopping hours commenced in New South Wales. The review recommended that more work was required to ensure workers' rights were protected. The review further found that one in five workers felt coerced into working on Boxing Day. The member for Croydon and the Labor leader has often stated that, if the government introduces legislation that does not impact working families, the opposition will seek to work constructively with the government.

The Retail Trading Bill 2018 unfortunately goes to the core of removing something that is fundamental to hardworking families, and that is time. There are few, if any, protections in the Liberal government's Retail Trading Bill 2018 which prevent workers from being coerced to work on a Sunday or public holidays. While the bill purports to provide protections for workers who may be opposed to working at 3am on a Sunday, it is silent on how workers who seek to keep their public holidays work-free will be treated.

On this point, the bill merely notes the commonwealth scheme, and specifically section 114 of the Fair Work Act. This section of the commonwealth act provides little practical assistance for retail workers. It requires workers to undertake an onerous process of demonstrating that their employer's request is unreasonable or that their own refusal is reasonable. Arguing these points across a power divide, which we all know exists in the retail sector, is an extremely difficult task for any employee.

The Liberal government is reliant on throwaway lines to sell the message that is not backed by any solid economic modelling and is not backed by the stories of hardworking South Australians. Never is there a name, a face or a story behind the policy. However, I have seen the faces, learnt the names and heard the stories—stories like that of Brendan from Radio Rentals, who says, 'Deregulated trading hours would mean I'd miss out on time with my kids outside of school.' Janet from Woolworths says:

I'm a single parent working in retail. I work through school holidays and start early so I can help my son who has a learning difficulty with his homework. Public holidays are our odd extra chill out days together.

This sort of family time is just as important for retail workers as everybody else. Retail workers are not the worker bees of our society. Everybody matters just as much as the big business owners and their shareholders.

The Treasurer himself confirmed in this very chamber that the government has not undertaken any economic modelling on the impact of deregulated trading hours and how it will impact South Australia. In fact, while claiming regional communities would not be impacted by statewide deregulation, the Treasurer said, 'The modelling I use is common sense.'

Small businesses are the state's largest employer. They are the economy's backbone, and they deserve much more than the Treasurer's so-called 'common sense' when it comes to keeping

their doors open. In South Australia, we have something pretty unique. We have the most diverse retail sector, with genuine independent options. We have some of the world's greatest independent grocers, and they are the envy of the Eastern States. In fact, I believe we have more independent retailers in South Australia than in any other state.

The doors of the local retailer have been kept open by a balance that protects locals, a balance South Australian retailers are calling to keep, a balance that backs hardworking South Australians. I have not had South Australian businesses knocking on my door to back the government. They have been backing the balance that keeps local businesses' doors open and their profits here in South Australia.

The government's closed-door approach to this bill needs to be raised. As I mentioned earlier, the Liberal government committed itself to a mandate to bring this debate within its first 100 days. They gave South Australian small businesses a deadline to work towards, to seek clarity about the future of their businesses. But sadly, the government was only providing lip service.

We need to end the uncertainty created by this government so that local retailers and workers can get on with keeping the doors of their local stores open. Companies like Aussie Apricots and its 20 staff are experiencing uncertainties; so too are small businesses like Aquasun Produce, and so too are the second-generation almond growers at Waikerie.

Local South Australian businesses made their voices heard by doing something extraordinary. Florists, butchers and independent retailers put not only their name but their face to a campaign to call on the government to keep the current balance. The extreme lengths these business owners, like Cathy from Blooms 'n' Bakes and Franz Knoll from Barossa Fine Foods, had to go to, not only to be listened to but, most importantly, to be heard, is incredibly disappointing.

The government has closed its door on South Australian retailers and they might just close their doors permanently if this bill progresses. Labor is backing SA shops, farms and suppliers that keep their profits here in South Australia. We are backing South Australian jobs.

The Hon. J.E. HANSON (15:54): Today I rise obviously to speak about the Marshall Liberal government's attack on South Australian small businesses. That may sound a little dramatic, but let's not kid ourselves: the reasons behind this legislation coming into being are all ideological. They are born on the misconception of those opposite that we live in a 24/7 world where we race each other to the bottom to catch the dollar. Well, Mr President, we do not.

The fact is that right now, as I give this speech, you could find shops closed in London, Berlin or Paris, especially if it is a Sunday or a public holiday, but of course we do not do that here. Similarly, if you wanted to look closer to home, you could find that in Western Australia or Queensland the shop trading hours are also regulated, just as we do here now. If it is good enough for Berlin, if it is good enough for Paris, if it is good enough for Perth, then why is it not okay for Adelaide?

The Marshall Liberal government's shop deregulation proposal does not make sense for small businesses in South Australia. Again, let's not kid ourselves: the retail industry will be affected by these changes. They will impact workers on the front lines who want to spend time with their family, the employers of those workers who cannot compete with larger competitors, and the suppliers and farmers who supply those businesses. Shop deregulation in this state in practice will force small businesses and family-run businesses to stay open much longer which, other than lacking an appropriate social licence in our community, will also mean that they lose their small business's competitive edge and market share to larger, multinational or interstate conglomerates.

In a state that runs on small business, in a state that runs on agriculture and produce, in a state that wants to see itself as family friendly, and with no economic analysis to back this up, why would we put all of this at risk to satisfy an ill thought out ideological thought bubble? What those opposite do not seem to understand is that, when you propose changes, it is actually best to make sure that you speak to those who you are going to affect, and to be flexible in terms of the feedback you might get, but we have seen none of that from this government.

Unlike them, over the last few months, I have been meeting with small businesses and shop operators across South Australia. Business owners and operators on the Norwood Parade all told me what this legislation would mean for their small businesses. These small businesses all said that

they do not have the capacity to absorb the additional operating costs of staying open from midnight until 9pm Monday to Friday, Saturdays, Sundays and public holidays. This issue of shop deregulation will not only hurt small business owners on The Parade in Norwood, in Steven Marshall's own seat—or should I say, the member for Dunstan—but it will also impact on regional communities.

To better understand the passion that regional communities feel about shop deregulation, I visited the South-East town of Millicent with the Hon. Clare Scriven. My visit to Millicent demonstrated to me the community's true feelings towards shop deregulation: they are dead against it. Indeed, in February 2017, the Australian Electoral Commission conducted a postal vote for the residents of the South-East town to have their say on deregulating shop trading hours and the impacts of expanding trading hours that would occur in their community. Of course, I am pleased to advise the chamber that the Millicent residents overwhelmingly voted, with almost 80 per cent of people voting no.

The Hon. C.M. Scriven: What was that amount?

The Hon. J.E. HANSON: It was 80 per cent. This no vote comes on the back of a similar 2006 vote in Millicent where locals voted no again against shop deregulation in their town. Millicent locals know the true value of protecting small businesses, supporting local family-run shops and local farmers and producers, and so does the Labor Party. However, to those opposite these concerns are falling on deaf ears. It is all just ideology. There is no negotiation. It is the multinational highway or it is nothing. Well, that is not good enough. I will not vote for it and I encourage all others to do the same.

The Hon. T.T. NGO (15:59): I rise to make some brief remarks against this bill. Members will not be surprised to hear me take this position, particularly given my proud connection to the Shop, Distributive and Allied Employees Association (SDA). It is my opinion that the economic benefits to the state are exaggerated and the negative social consequences would be profound for small businesses and everyday workers. I will take the opportunity to outline some of these negative consequences in my contribution today.

The current laws stipulate that any retailer with floor space above 400 square metres is prohibited from trading after 5pm on Saturdays and Sundays and all day on public holidays. The changes proposed by the government would allow all businesses to trade irrespective of size, between 12am and 9pm, seven days a week, with the only exceptions being Christmas Day, Good Friday and ANZAC Day morning.

Our independents, like the IGAs and Foodlands but, even more importantly, the few corner delis that still exist, are able to trade for longer hours. Many of these businesses rely on the extra income from being able to operate when major retail chains are forced to shut. Why, then, is this government insisting on making changes that would disproportionately benefit the big end of town at the expense of small businesses operated by mums and dads? Independent supermarkets currently hold 32 per cent of the market share, which is a good amount by Australian standards.

I envisage this strong market share being negatively affected if the government's proposed changes become law. This is because I believe that, at the end of the day, consumers will simply spread their shopping across the extra hours. I believe that the reports about growth in spending throughout the retail sector are overstated for this very reason. More importantly, some of our state's lowest paid workers are being left in the lurch by this government. The government continues to insist that workers do not have to work irregular hours if they do not want to. While it is easy to legislate that, it is much harder to enforce.

It would be easy, for example, for a casual or part-time employee of Coles or Woolworths to have their hours cut by management. Given that hours are variable for these workers from week to week, it would be easy for management to take retribution against employees who they see as being unwilling to work on public holidays or weekends. If a worker were to challenge this type of blackmail, what avenues would they have to assist them in making their case? Furthermore, there is nothing in this bill that I can see that penalises an employer for bullying or harassing an employee to work a shift they do not want. There are no fines—nothing.

What concerns me is that, federally, the conservative side of politics is constantly trying to remove penalty rates for retail workers. It is all well and good for the Treasurer to say that he and his

government support the retention of penalty rates but, given the position of his federal colleagues, South Australian workers risk being hit with a double whammy: longer and more unsociable hours of work with less pay. It is for all the reasons I have outlined that I will not be supporting the bill.

The Hon. C.M. SCRIVEN (16:04): I rise today to speak against the government's proposed deregulation of shop trading hours. Thousands of small business owners across our state are vehemently opposed to this legislation. They are opposed to it because they know that the Marshall Liberal government's plan will benefit big supermarket chains at the expense of small family-owned businesses here in our home state, and this will mean job losses.

Deregulation will force small South Australian shops to stay open longer and lose market share to big interstate shopping centre giants, so the big interstate companies will expand at the expense of local, family-owned companies. They will kill off competition, and South Australian consumers will pay higher prices. If independent retailers are pushed out of the marketplace there is a serious risk to the South Australian brands and produce being stocked in those smaller supermarkets, and this means growers will be put at substantial risk.

As a Limestone Coast local I speak to residents and business owners throughout the region. Let me tell you, they are not happy with the Marshall Liberal government's plan, particularly in Millicent. I have had petitions with more than 1,000 signatures from the Millicent area—

The Hon. J.E. Hanson: How many?

The Hon. C.M. SCRIVEN: A thousand signatures from the Millicent area, sent to me personally. That is separate to those that have come in through other means; that is just to me personally.

The Hon. J.E. Hanson: Where are the regional members?

The Hon. C.M. SCRIVEN: Where are the regional members, the Hon. Mr Hanson asks—and a very good question that is. People from IGA Millicent have told me directly that deregulation is likely to close them down. Already they have been unable to provide certainty to their employees. They have not recruited extra staff in readiness for Christmas as they normally would, and their existing staff are extremely worried that they will be losing their jobs once deregulation kicks in, or, perhaps it would be more accurate to say, once deregulation kicks them out.

Foster's Foodland is also opposed to deregulation. An outsider might imagine that Foster's, which does not currently open on Sundays, would be neutral about this bill. 'After all', perhaps someone might think, 'if IGA is forced to close, won't that just be less competition for Foster's?' But, no, Foster's knows that they will have to open longer hours and on Sundays, and competition with Woolworths will mean they will have to cut daytime hours during the week for a number of their existing employees.

Far from stimulating the economy, deregulation will see long-term employees losing their jobs, weekday hours being lost and the likely loss of a longstanding business—at least one of them in the town. Small retailers understand what this Liberal government apparently does not: big supermarket chains have the buying power to undercut the small, independent retailers until the independents can no longer survive. Once the big guys are the only stores in town local people are at the mercy of price rises, because competition is gone. Is this really what the Liberal government wants for the people of Millicent and elsewhere?

Foster's Foodland and IGA Millicent also agree that this deregulation will put many farmers at risk. Independent retailers purchase much of their local produce from small South Australian suppliers and give them fair prices. These suppliers are not big enough to negotiate with the big chains; the big chains are not interested in dealing with local suppliers to one or two stores, and small suppliers cannot negotiate prices on an equal footing.

The Treasurer has unfortunately mocked those who are against deregulation and shown shocking disdain for the people whose livelihoods this policy is putting at risk. He laughingly declared:

I am not a lawyer, but if you have a non-lawyer's view as to what is a 400 square metre shop, the non-lawyers of us might just say, 'That's pretty easy, you just measure the size of the shop and it's either more than 400 square metres or it isn't more than 400 square metres.'

I am sure many of us, lawyers and non-lawyers alike, know of shops that do not occupy an entire building on their own. Maybe no-one has ever seen them except those of us on this side. However, the Treasurer outlines queries about space that is vacant in a building—that is, it is not used in trading: space, for example, that is an entryway, which of course may be space that is shared with other tenants of a building, and a variety of other queries.

Because of this ambiguity, the Treasurer argues that only a court of law can determine what should or should not be included in the calculation of a store area. Further, the Treasurer has indicated that if this bill does not pass, stores that are near the 400 square metre mark will be taken to court so that determination can be made. Indeed, he appears to suggest that pursuing a small retailer to court is the only solution to the ambiguity around trading space.

I may have many criticisms of the current Treasurer, but I do not believe he is a total fool. I am sure he can see that the solution to ambiguity around the calculation is to provide clarity. Clarity, perhaps! If he wants to have trolley areas included and unused space and, who knows, perhaps front footpaths with store advertising on them or trolley areas within the car park—whatever the Treasurer wants—surely all he needs to do is put forward an amendment to the current act, or perhaps add some regulations. After all, surely it cannot have escaped the Treasurer in his 36-odd years in this place that this parliament frequently moves amendments and adopts regulations.

The Hon. J.E. Hanson: No!

The Hon. C.M. SCRIVEN: Seriously, we do.

The Hon. J.E. Hanson: It happens here, in the Legislative Council?

The Hon. C.M. SCRIVEN: In the Legislative Council also. I am confident that the Treasurer and the government, with the resources they have at their disposal within their departments, could find a way to give clarity to small retailers without marching them off to court. Why would the Treasurer put forward such a proposition? Whilst I cannot speak for him, it is not surprising that a number of small retailers interpret such posturing as a thinly veiled threat that they should shut up or look out. Small retailers, such as those in Millicent, do not deliberately set out to break the law. If the law is not clear, then it is incumbent on the government to make the laws clearer.

Another assertion of this Liberal government is that deregulation will provide greater choice, but the people of Millicent have chosen not once but twice to reject deregulation of shopping hours in their town. As has been mentioned, in 2006, the Wattle Range Council conducted a community questionnaire and 66 per cent of respondents voted against the proposal. In April 2017, close to 80 per cent of respondents voted against deregulation.

So the people of Millicent have chosen. They have chosen to support small retailers over big supermarket chains. They have chosen to support fair prices for local producers over big corporations squeezing down farmers' returns. They have chosen to support local jobs over destroying small businesses. These choices will be taken away if this bill succeeds. I therefore ask members here to also choose to support small retailers, to also choose to support fair prices and to also choose to support local jobs by voting against this bill.

The Hon. R.P. WORTLEY (16:12): I rise to speak in opposition to the bill, and I outline my opposition in the following terms: namely, my concern for various sectors in our community, being retail workers, smaller independent retailers, farmers, local producers and consumers. In regard to retail workers, there is no evidence available to suggest that deregulation would create more jobs or provide economic benefits. Instead, local businesses stand to be pushed out of the market along with local jobs. When you consider that many thousands of workers are employed by these small independent grocers, they are fully aware of the impact it is going to have on their workforce.

I continue to be amazed at the lack of concern by the Liberal government for the welfare of those already employed in the retail sector, which makes up 10 per cent of the South Australian workforce. Public holidays allow retail workers to spend time with their own families. For workers who are also parents, there is the additional stress of finding care for their children outside of regular business hours and this will become even more pertinent in the event of full deregulation.

We already live in a time-poor world and working families are often the ones who feel the strain the most. Time away from families and loved ones is what is at stake here for retail workers. I urge those opposite to consider this point carefully and put themselves in someone else's shoes. The legislation will have a very real impact on retail workers and the time they can spend with their families, time with their precious children, time to relax with their loved ones and time to enjoy leisure activities and recuperate from busy work periods.

People advocating deregulation of hours often accuse South Australia and the Labor Party of being backward and out of touch with what is happening around world trends. But when you look at the countries that enjoy probably some of the best standards in the world, countries in Europe in particular, countries like Norway, Denmark and Sweden, they have very highly regulated shopping hours.

The country we really should be looking at in comparison is the United States, where many states have total deregulation. You will find large stores open in the middle of the night with very few staff, but those staff are paid minimum wages, around \$7.50 an hour. A logical conclusion would be that, if deregulation of shopping hours ever does eventuate, the major stores of Coles and Woolworths will then embark upon a campaign of reducing penalty rates so they too can have lower rates for people who they will have working in the wee hours of the night.

Regulation helps small retailers compete with national and international chains. Furthermore, South Australia now enjoys a diverse retail sector. We actually have the largest number of independent retailers in the whole country because we actually protect and care about their welfare. The current legislation allows smaller, independent, South Australian-owned retailers and small business owners to compete with the two major supermarket chains that dominate the Australian market. South Australia has managed to resist the duopolisation. Change to the current balance will have a widespread impact, with shops being forced to stay open longer to compete with big business. They will see their current trading advantage removed.

With regard to farmers, a few weeks ago, I had the privilege of visiting the Pooraka Produce Market with a few of my colleagues. It was clear to me that those local suppliers and producers are supported by independent stores. If these independent stores are forced out of the market, or their market share is greatly decreased, there is an immediate flow-on effect to our local producers and farmers. Farmers may also be forced to accept lower prices for their product, again having a detrimental effect on the local economy.

If Coles and Woolworths can stay open for longer hours, then the market share will naturally shift towards these large supermarkets. The income generated by the increased market share will most likely leave South Australia, rendering no benefit to the local economy. With regard to consumers, I make the point that consumers will not automatically have more money in their pocket just because shops are open longer. I am concerned also that, with the emergence of a duopoly, consumers will be left with less choice and will no longer benefit from healthy competition.

I also had the pleasure, a month or two ago, of visiting Waikerie with a few of my colleagues to talk to a lot of the shopkeepers in the main street of Waikerie. I must say I was quite surprised that people in every single shop that we walked into took one of our brochures and flyers and put it in their window—all but one, and that was because the person did not own the shop and they were a bit worried about taking something without their owner giving approval.

They understood the problems it would have for them in the Riverland. Even though they are exempt from this and will not be affected by it, they also knew that many people from Adelaide very often come down to the Riverland on a Sunday or over a weekend. A lot of their children come back to the Riverland to spend time with their families. If deregulation of shopping hours eventuated, this would become even more and more difficult, which would not only have a personal effect on their families but would also have an effect on their economies.

Current trading hours provide a balance for business owners and workers. The current system allows for the vast majority of shops, and all small shops, to trade whenever they want. Importantly, the majority of shops have the opportunity to trade on public holidays when big retailers like Coles and Woolworths are closed. Locally owned independent retailers are a vital part of our economy and contribute positively towards employment. Total deregulation will lead to a rapid loss

of market share for smaller retailers and, in turn, the profits that would have once stayed in South Australia will be lost to the Eastern States.

The Premier and Treasurer frequently and unfairly paint the existing balance as evidence of South Australia being somehow behind the times. It is certainly not unusual for those opposite to talk this state down. I make this final point: London, Berlin, Paris and many other European cities have regulated shopping hours, particularly on public holidays. Many of you who have travelled overseas would also realise that very often you are sitting, waiting for shops to open. The very concept that we are behind the times is just a furphy. Deregulation is simply not the all-in-one ticket that will drive employment and economic growth that those opposite have long boasted it will be, nor is there conclusive evidence of an improvement in consumer welfare.

In opposing this bill, I appeal to those opposite to put the interests of South Australians ahead of the Coles and Woolies profit margins. I urge you all to consider carefully the interests of the retail workers and local businesses, the independent retailers, local producers, the farmers and the South Australian consumers and vote down this legislation.

The Hon. I. PNEVMATIKOS (16:19): I, too, rise today to speak about the Retail Trading Bill. The bill relates to the deregulation of shop trading hours to allow all shops to open every day between midnight and 9pm, public holidays included. The aim of the bill, we are told, is to encourage the public to engage in shopping and purchases whenever they wish in a bid to boost the economy, encourage tourism and discourage online shopping.

I agree that we must investigate incentives to further encourage tourism in South Australia. I also agree that online shopping is a key concern for local businesses. I disagree that the deregulation of shop trading hours will adequately address these matters, as I am concerned about the potential impacts it could have on local businesses across the state.

In 2002, a select committee provided a report on shop trading hours in South Australia. After receiving many submissions, both for and against the bill, the committee found that they were unable to reach a conclusion either way based on the data presented for extending shop trading hours. A dissenting statement was provided by the Hon. Mike Elliott MLC, which affirmed that the evidence failed to produce a convincing case for further deregulation of shop trading hours. He also noted that several significant concerns remained unanswered, notably that claims that were made regarding the increased retail turnover and employment following deregulation were not supported by the analysis of ABS data relevant to the impact of deregulation in Victoria.

The only definitive finding in this data was the pressure for change emanating from a minor number of large retail chains. The pressure is not too dissimilar to the kind that many South Australian small businesses are experiencing currently. A similar submission has been made by the Queensland Treasury, which looked into the impact deregulation could have on Independent Grocery Association retailers. Like South Australia, IGA retailers in Queensland operate with extended trading hours, while national chain shops, such as Coles and Woolworths, are subjected to regulated trading hours.

Evidence collected indicates that the deregulation is expected to result in a reduced volume of business for IGA stores. This, in turn, would trigger cuts to labour costs and possibly the decision to terminate store operations. A quantitative analysis of multiplier effects across the various sectors of the economy was then able to show that a decrease in IGA's market presence, as measured by the reduced number of shops or sales, would likely have a significant negative effect on employment and the value added in the retail sector as well as in the economy overall.

The submission concluded that the IGA network has a significant impact on local economies in terms of both employment and value added. Their economic contribution, however, coincides with their ability to compete with national chains, which is critically dependent upon trading hours, that is, by remaining open when national chains are closed.

The deregulation of trading hours will result in national chains being able to trade longer, as well as over public holidays, and would most likely lead to a decrease in IGA and Foodland's market presence. This decrease would then result in reduced employment and lower value added to the

economy. All of these findings are not dissimilar to the concerns that we have been hearing in our communities.

Advocate groups are saying that longer hours do not translate to the ability to spend more money, and research conducted by the McKell Institute has found no significant evidence to suggest that deregulation will lead to job creation or economic growth. By speaking to businesses, both within Adelaide and rural communities, these concerns are being reaffirmed.

There is a genuine fear that retail workers will be pressured to work more unsociable hours such as public holidays, early mornings, evenings and on weekends, with no protections in place. There are also concerns that if independent retailers are pushed out of the marketplace, there will be little to support South Australian brands and produce, making life harder for grower and supplier businesses in our state.

We know that the big chains often stock the majority of their fruit, vegetables and other produce from interstate, and it is already evident that start-up suppliers face difficulties to begin in such a competitive arena. We have 89 IGAs in South Australia. If many of these stores were to be forced out of the marketplace, we not only hurt the employment industry and the value added to the retail sector but also the economy overall. In closing, there is no convincing evidence to suggest that this bill will effectively boost the economy, encourage tourism, create jobs or promote job security. That is why I will not support this bill.

The Hon. K.J. MAHER (Leader of the Opposition) (16:25): I rise to indicate my opposition to this bill. Independent retailers are part of the very fabric of this state. They are located throughout our suburbs and in almost every regional town. This is a very different set-up from most other states. The McKell Institute report into trading hours suggests that independent retailers in South Australia currently hold approximately 32 per cent of the market share, which is a very significant proportion. In comparison, nationally, the market share of independent retailers in 2015 was somewhere around 8.1 per cent. That shows how important independent retailers are to South Australia.

This debate is not just about the hours one can shop; it is a debate about sales and wealth in the South Australian community. It is also about local economies, and the groups and communities that grow around independent retailers. On many occasions, I have heard firsthand about the support that independent retailers have given to local producers, and about the local jobs that have been created. In my former guise as minister for manufacturing, I recall visiting a local prepared meat manufacturer which produced low-and-slow cooked American-style products such as brisket and pork ribs. What that company told me really stuck with me. They told me about the remarkable support they had received from independent retailers.

The independent retailers had helped this company with their product development, packaging, marketing advice and stall placement. In effect, the independent retailers helped them become a success. That contrasted with what the company told me about Coles and Woolworths. The 'big two' were not at all interested in stocking their product and did not want to go anywhere near what was effectively a start-up food manufacturer. The 'big two' were certainly not going to help them with the things and in the ways the independent retailers did.

The point is: if we do things that increase the market share of the big retailers at the expense of independent retailers, there will be an impact on local jobs and local manufacturing, because independent retailers simply will not be in the same position to help. Another example is the support provided by the Foster's Foodland in Millicent, which the Hon. Clare Scriven has spoken about. I met Kate, a local food manufacturer who makes Pops Blackjack Worcestershire sauce. Kate wanted to honour her late father by sharing their family sauce with the rest of Australia. To do so, she sought and received support from Foster's Foodland.

Third-generation Foster's Foodland helped Kate to navigate the sometimes overwhelming world of food manufacturing, including what is required, the regulations, how to market, logo creation and product placement—basically everything to ensure Kate had a chance at success. That was well over a year ago, and this sauce is now going great guns, all thanks to the help provided by the Millicent Foodland to give Kate a chance.

This is at risk if we fail to support our independent retailers, if shop trading hours are deregulated as this bill suggests, and if the big retailers get a much larger slice of the market. This is

not to mention the family-friendly hours that the current regime can afford, or the fact that many international tourism precincts do not have this so-called nirvana of deregulated shop trading hours. With those words, I once again indicate my opposition to this bill.

The Hon. T.A. FRANKS (16:29): I rise on behalf of the Greens to speak to the Retail Trading Bill. This bill, of course, was a centrepiece of the Marshall campaign and was promised to come before this council or this parliament in the first 100 days of the Marshall government. Of course, we now know that that bill did not arrive before this council in those first 100 days. A pesky little thing beat the 100-day deadline, a pesky little thing called a weekend that we could not potentially sit through to ensure that the bill met the 100-day promise.

It seems that weekends only apply to politicians in this particular debate. Indeed, from conversations I have had with a retail worker recently, this government fails to understand that getting called into work on a Sunday feels like the dirtiest day of all—the day that you are dragged away from your family, from your friends and from your leisure time. On this issue, we have previously debated a compromise position in my time in this parliament. It was a debate in my time in this parliament that garnered more correspondence and more interest than any other issue, including voluntary euthanasia.

I believe that the current system, where we have some deregulation across the regions and the CBD, has struck a balance. We are only talking about the suburbs now, and we do not need to hand out a free pass to the big end of town to squeeze out the independents and the small businesses. More deregulation will be bad for families, it will be bad for communities, and eventually it will be bad for small businesses. I do not understand why this Marshall government feels that we need to shop until they drop. I am thinking of those workers when we cast our vote.

It might sound appealing to have convenience, but it will not be so appealing when those workers never see their kids play sport on the weekend and local sporting competitions go under. It will not be so appealing when they struggle to compete with the big operators and end up being squeezed out of business completely. In this era of disruption, it is already possible to order most items delivered to your door 24/7 in these suburbs anyway. The debate has actually moved on.

The Greens have a longstanding commitment to support small retail operators and back diversity in the market by opposing this full deregulation policy of the South Australian Liberals. In December, we were proud to sign a pledge in this election and go into bat for the smaller South Australian retailers, and stand against these measures that the Marshall government has brought to this place, which we believe will only protect the duopolies, the 'Colesworths' of this debate.

Speaking of duopolies, it is no surprise that, in this place, we see a crossbench standing against this. This is a council where the government has not held the outright numbers for some decades. It is no surprise that South Australia, therefore, has one of the strongest independent retail sectors in this country. That means choice and the voters chose choice. They chose not to give the Marshall government their mandate uncontested in this place. Steven Marshall may have been the man, but he does not have a mandate in this council when it comes to shop trading hours.

We do not want to see the Starbucks effect, where the Starbucks Corporation has a practice of squeezing out the little coffee shops because they can, because they can afford to run them out of business by underpricing them. That is their business model and we have seen that across the retail sector. Starbucks did not do so well in South Australia because we like good coffee, we like small independent retailers and we like choice.

I am going to call this out for what it is: this is a political game. This bill was promised to come to us in that first 100 days. Of course, they missed the deadline because of a pesky little weekend and the fact that they did not want to work overtime and work through that weekend. This is a political game that is very much like Ralph wolf and Sam sheepdog in the old cartoons. The Marshall government believes that the Labor government is weakened in its position by its links to the SDA. I remind both sides that there is a new player in town in terms of the Retail and Fast Food Workers Union, but also South Australians will see through this political game.

Every public holiday, when you desperately hope to find a shopper who wanted to buy a bar of chocolate at 9 o'clock and could not wait until 11 o'clock that day, they will start to see through the

sham and the spin of this government, because we know people who work in the retail sector. They are real people with real families, who live in real communities, and buying that bar of chocolate at 9am is much more important than the investment that we make by standing against this full deregulation.

They will also see through the sham of a government that brought this bill to this place with threats against the small retailers that in fact 'if the parliament rejects this bill there will be no alternative to enforcing compliance with the current act'. A few shops will have to move a few fridges and perhaps a front counter or deli desk or two, but meanwhile SafeWork SA, while cracking down on these small retailers, will continue to be unable to address deaths in workplaces, as we have seen time and time again under their watch. The South Australian people will start to ask why the Treasurer prioritises where a fridge is at the local Foodland over yet another death on a worksite. With those few words, I do not commend this bill; I indicate that we oppose this bill at the second reading.

The Hon. F. PANGALLO (16:36): I rise today on behalf of SA-Best to speak in strong opposition to the government's Retail Trading Bill 2018. Honourable members may have noted that my colleague the Hon. Connie Bonaros and I have been mocked, pilloried and satirised over this issue far more than any other parliamentary colleagues also opposed to this bill. They would have the public believe that we are alone in blocking the government's legislation agenda, particularly shop trading hours and the looming rate capping.

On the front steps of this esteemed house of democracy, alongside the Labor opposition leader Peter Malinauskas, Greens MLCs the Hon. Mark Parnell and the Hon. Tammy Franks, and Advance SA's the Hon. John Darley, SA-Best signed a pledge to vote down this bill in the upper house and to my knowledge nothing has changed.

SA-Best went to the state election with a clear and transparent policy opposing any changes to the current shop trading laws. The misinformed said SA-Best had no policies. Well, we released 32 and have more to come. Our policies convinced more than 200,000 people, or about one in five South Australians, to vote for SA-Best to represent them in parliament. Politicians do have a responsibility to give serious consideration to the legislation of the elected government. We do not intend to be obstructionist. We will support Liberal government legislation where we believe it is in the best interests of South Australians, and we have done that, but not this bill.

Since the election, we have continued to consult widely with a wide range of organisations and stakeholders on both sides, including the Australian Retailers Association, the South Australian Independent Retailers, the Shopping Centre Council of Australia, the Motor Trade Association, Business SA, primary producers and growers, and small and medium businesses in Adelaide and the South-East of the state. Strangely, we have not heard from, or been asked to meet with, either Coles or Woolworths. Aldi have no interest in the politics of shopping.

Considering all the histrionics from a handful of media commentators and sniping from the usual suspects cloaked in Liberal blue, the feedback we have received from the public has surprisingly been non-existent. The same goes for rate capping. Instead, my inbox has been inundated with issues the public find far more important, like marine parks, fracking, prostitution and euthanasia.

On shopping hours, the world has not fallen in on the state since we were elected, and we have yet to see any compelling evidence to be convinced to change our position. The government has even admitted that it has not done any sort of economic modelling on this. You need to ask why. As part of our consultation process, SA-Best ventured to Millicent, where we held a community forum on this topic and the impact it would have on the town.

Millicent holds a unique place in this debate as it is one of only three regional communities in SA where shopping hours are fully regulated. The largest supermarkets and stores in the town, as has been pointed out by our friends on the Labor side, are unable to open past 6pm on Saturdays, and the town's only Woolworths store, a giant one, is closed on Sundays, something the local community strongly supports. In a local council-run poll last year about 67 per cent of Millicent's eligible ratepayers voted against deregulation.

I was overwhelmed with the response I received that night in Millicent. Despite there being two other functions on that same night, nearly 100 people attended the forum, and the collective view

of the group was emphatic: do not change the rules and do not interfere in our town. They did not have kind words for their local Liberal member Nick McBride after they challenged him to cross the floor and oppose the bill. Millicent locals, like people living in other regional communities, are acutely aware of the severe impact any changes to shop trading hours will have in their region, including the potential forced disclosure of small family-run businesses that in turn provide all manner of support to the community.

As part of our consultation we have also met with the government and the opposition and while those meetings have always been cordial and productive we have agreed to disagree on this issue with the Treasurer. Even before he introduced the legislation in parliament the Treasurer knew that he was confronting a tsunami of opposition. The one thing they cannot say about SA-Best is that we have not consulted extensively and looked closely at both sides of the argument. Deregulation will not create jobs; if anything it will only add to the casualisation of the workforce.

In recent weeks there was a significant ruling from the Fair Work Commission that will have a big bearing on the retail sector. Saturday pay for casuals in the retail industry was increased to 150 per cent from 135 per cent. The ruling could discourage using casuals on weekends and offset the cuts to their Sunday penalty rates, which will be phased in by July next year—another cost to bear whether you are big or small or not covered by enterprise agreements.

Another significant ruling that came into force on 1 October was that casual workers now have the right to ask for a permanent position if they have worked an average of 38 hours for the past 12 months. It would give them rights like paid sick leave and annual leave as well as guaranteeing them set hours. This is likely to cause industrial mayhem. Russell Zimmerman of the Australian Retailers Association bleated:

Retailers are going to look very closely at their casual staff and there's just not going to be as much work as there would have been.

So where will all these jobs that the Treasurer and Premier promised come from? The 24/7 trading that the Treasurer wants to hand to Coles, Woolworths, Aldi, Costco and the new arrival of Kaufland, will not result in people spending more; it will simply carve up the existing retail pie and targets the fiercely independent IGA stores which have managed to build a considerable share of that pie because of customer and brand loyalty. Every dollar spent in a Romeo's or Drake's Foodland, for example, remains in the state.

Aldi's profits go back to the private family-owned company in Germany. Woolworths and Coles are only interested in their shareholders. Woolies, the 'fresh food people', source much of their fresh food from their interstate suppliers. The meat you buy is sourced and prepacked from interstate suppliers, not locals, and you do not know how fresh it really is. The staff behind the counter might dress and look like butchers but chances are they are not, and you will not ever hear or see a bandsaw slicing lamb cutlets, like we used to hear. I do not even think they would give you a free slice of fritz if you asked.

Mitcham's award-winning butcher, Trevor Hill, is 50 steps from a Woolies store. He tells me that he put on more apprentices in his four stores in one year than Woolies did in the entire state, a figure that I believe was zero. They have no need to employ apprentices, unlike Trevor, because they do not need them. They operate a centralised, pre-packed processing facility in Victoria, which now supplies stores in South Australia. A few stores will retain qualified butchers to offer what they say is 'great service and advice'. Coles is likely to take a similar path.

Meanwhile, the South Australian Produce Market at Pooraka is a cooperative set up by some of the largest producers of fruit and vegetables in the state. It is a lively and vibrant hive of activity from around 4am to 8am, as I discovered on a visit there in March. It supplies a range of local businesses, including IGAs and Foodlands, but the majors do not support it. One of our largest potato growers sells 70 per cent of his crop to local independent retailers and fears he, too, will lose out against the interstate produce favoured by the majors.

Consumers will also lose choice. The big retailers will push their own house brands, many of which are really knock-offs, while the well-known brands shrink or disappear altogether from shelves. That has a significant knock-on effect on those manufacturers, placing them, as well as the jobs of the people they employ, at risk. We saw the damage done to dairy farmers when Coles and

Woolies started selling milk at a loss for \$1 a litre. They do not care. Their sole focus is getting results for their shareholders.

Coles' business ethics have come in for extra attention in recent days by the federal agriculture minister, David Littleproud. The minister launched a scathing attack on the supermarket monolith over its handling of the 10¢ milk levy for drought relief, calling its approach 'slippery' and questioning if the extra money was even finding its way to affected farmers. The broadside follows both Woolworths and Coles, last month, responding to calls by the dairy industry to introduce a 10¢ levy on milk to be directed towards these drought-affected farmers.

Woolies introduced the levy across the entire range of its own brand milk. Coles only did so for its three-litre own brand milk. Mr Littleproud also dumped on Aldi, saying that the German-owned supermarket giant had not applied any levy and had done 'bugger all' to help Australian farmers. Manufacturers who supply the majors have told me that they are constantly being squeezed to provide goods at lower prices or face the prospect of being banished or penalised.

Dick Smith finally ran up the white flag and closed down his Dick Smith Foods business, the profits of which went to charities, blaming the demise of his proud business on the inroads by Aldi. The knock-on effect here was that many small manufacturers used by Dick to make his eponymous products, including jams, honey and spreads at Spring Gully in Adelaide, could have lost significant business. After speaking to Mr Smith, I can report that he has generously given Spring Gully the rights to continue his spreads, including OzEmite, for nothing, but he issued the ominous warning that Aldi will continue to eat away and eventually destroy both Coles and Woolworths.

Aldi's model is hurting small businesses. You can imagine my shock when I saw a survey showing that Aldi is now the most trusted supermarket brand in Australia, and it is not even Australian. I am uncertain if many Australians realise that a large chunk of Aldi's products are imported, so it is a sad indictment when consumers put price ahead of loyalty to the homegrown. Once the smaller operators go out of business and competition diminishes, costs will inevitably have to rise.

Employees also seem to have been forgotten in this argument that is primarily about the convenience of consumers. The work-life balance of retail workers—nearly 90,000 of them in this state—would be significantly disrupted. Does anyone care that mums and dads would not be able to spend weekends and public holidays with their kids, taking them on outings, to their own sport engagements or to the footy, because they will be forced to work? What would you say if your boss demanded that you had to work on Saturdays, Sundays and public holidays and instead have a couple of weekdays off? That is a question not being asked in the push polls. You can only guess what the responses would be.

Colin Shearing, CEO of the South Australian Independent Retailers Association, who is in the chamber with us today, fears the only impact the laws would have, if passed, would be on small business, employment and families. Colin's concerns are being amplified loud and clear through a powerful campaign by the Shop, Distributive and Allied Employees Association (the SDA), where its members have written to the state's politicians, voicing their personal views. Here are just some of the responses we have received. Michael from Mile End:

I don't want to have to work public holidays whilst everyone else is at home. If you are so keen on deregulation, please feel free to work on Christmas for me.

Cynthia from Tea Tree Gully:

...childcare only operates Mon-Fri 6.30am to 6.30pm. Can the workplace provide creche on site for hours outside this?

Filomena from Kensington Park:

I am a single mother and I work a lot to support my small family. I have a very unfair roster but I need to stay at home during the night and the public holidays to look after my son.

Michelle from Craigmore:

I would want to spend the public holiday with my family and friends instead of working—we all get more than enough time to shop every other day of the year.

Mel from Morphett Vale:

It's not going to change anything. People still won't have the disposable income to shop.

Nadine from Torrensville:

As a retail worker we also have families and partners and would like to see them.

And this from Greg, an IGA supermarket owner:

Liberal Premier Steven Marshall says deregulated shop trading is working in Victoria and NSW.

Is it?

In Victoria and NSW, 75% of all supermarkets are Coles, Woolies or Aldi.

Here in SA, IGA and Foodlands are everywhere and proudly stock SA brands.

Already...Coles and Woolies branches got rid of SA butchers and are bringing in packed meat from Victoria.

At the moment Steven Marshall is standing up for interstate corporates.

Tell him to stop deregulation, and stand up for South Australia.

I think everyone will agree that those messages paint a very sobering picture.

Shopping centre owners are likely to place pressure on shop owners in their centres to stay open. Some might even incur losses because they cannot afford to pay the triple penalty rates. The government will argue there are laws to stop this, yet the cashed-up landlords have ways and means to get around it.

The Motor Trade Association does not want deregulation either. It says it will not be able to get staff to work on Sundays. Besides, buyers would not be able to drive away with a new or used car on Sundays anyway because transactions involving banks or government authorities like the motor registry are shut. There are genuine fears the price of vehicles will then rise to compensate for the additional costs.

The Marshall government needs to listen to the people it will impact the most. Its plans will devastate many small and medium-sized businesses. I always believed the Liberals supported small business, not white-anting it, as it promises to do with this proposed legislation.

SA-Best believes this bill is a payback to the big end of town for backing the Liberals in the last election. Staring at the defeat of his big-ticket election promise, it was disappointing to see the Treasurer recently misrepresent the owner of the Foodland at Thebarton, who had again pleaded with the government for an extension of hours, not because of the coming Christmas period, as the Treasurer twiddled, but because significant roadworks have recommenced outside his car park, and he is desperate to save his business.

This owner, who is stridently opposed to deregulation, had only just finished enduring 12 months of severe disruption and trading losses while road construction workers dilly-dallied streetscaping George Street. Now they are ripping it up and all the new work has further renewed stress and anxiety for this hardworking businessman. The Treasurer is vowing retribution if the bill is killed off, saying he will dispatch his space police to inspect and issue noncompliance notices on stores that are not conforming with existing trade regulations. I quote the Treasurer:

We are hopeful that we might be able to demonstrate to people that the current laws are such a mess that we need to start again. If they choose to stick with the current mess, the sad reality will be that the current law has to be enforced as best we can.

So the Treasurer is basically saying, 'If we do not get what we want, we are going after you.' He should be prepared to negotiate, to compromise, to find some common ground, not throw his weight around and intimidate. I have gone on record suggesting the shop trading laws, together with the government's proposed rate capping legislation, should be among the first issues tackled by its new productivity commission. After all, the government has admitted it has not done any economic modelling on it.

Having its own umpire investigate and report should be a logical step, which perhaps could open the doors for a rethink. It should not simply rely on flimsy and populist push polling and cajoling

as we have seen from the Liberals' staunchest allies, the Property Council and Business SA, to justify its hollow stance.

Finally, I would like to issue a challenge to any advocate for deregulation to visit a small business operator like Hutt Street IGA owner, Theo Vlassis, and tell him to his face that they do not care if he goes broke, loses his livelihood and his home, because they want to buy bread, milk or a packet of cigarettes at any time of the day of their choosing. What must not ever be forgotten in this debate is that small business is by far the biggest employer in this state.

I do not want the destruction of small businesses, job losses, the fact that good, decent, hardworking people will lose their livelihoods and family homes, on my conscience. The Treasurer reckons it helps having ice in your veins. I think he, the Premier and the Liberal Party, which claims it stands for business, need to chill out on this one. We strongly oppose the bill.

The Hon. J.A. DARLEY (16:57): This bill sees some of the biggest changes to our shop trading hours since the introduction of the Shop Trading Hours Bill in 1977. Shop trading hours were first regulated in 1900 and were designed to protect shop assistants who were forced to work unreasonably long hours. This was especially so for farmers who were forced to travel great distances to trade. The original legislation also aimed to provide for consumer demand. In 1911, changes were made to the Early Closing Act to introduce a Saturday closing district, which outlined that all shops within the district were to close at 6pm from Monday to Thursday, 9pm on Fridays, and 1pm on Saturdays.

Further changes were made to the act in 1923 and 1924 to stipulate different opening times for tobacconists and butchers respectively. These rules remained relatively unchanged until 1940, when the hours were reduced slightly, from 6pm to 5.30pm from Monday to Thursday, and from 1pm to 12.30pm on Saturdays for those shops in the designated Saturday closing district. Reduced resources and manpower during the Second World War saw late-night trading on Fridays suspended.

With the growth of shopping centres in suburban areas in the 1950s, a growing number of retailers and consumers from the inner city were calling for a uniformity of shopping hours. Most of the regulation was confined to shops within the inner city, resulting in shops outside of this area being largely unregulated. This call for uniformity continued until 1970 when the government held a referendum, which asked all metropolitan voters the question: are you in favour of shops in the metropolitan planning area and the municipality of Gawler being permitted to remain open for trading until 9pm on Fridays? As a result of the referendum, the government legislated to extend the metropolitan shopping district.

In 1977, the government established a royal commission to inquire into the law relating to shop trading hours and ancillary matters. The commission recommended that shopping hours be changed to allow for one night of late-night trading per district, that is, one night for the inner city and another night for metropolitan areas. The commission did not believe it necessary to expand Saturday trading beyond 12.30pm but did make several comments in relation to exempted goods in shops. This resulted in the Shop Trading Hours Act 1977. There have been a few changes since then, including the extension of trading hours from a half day to a full day on Saturday as well as Sunday trading from 11am to 5pm.

Having read the report of the 1977 royal commission, it is clear that we are still arguing about the same things over 40 years later. The commission's report outlined the requirements to strike the balance between need and convenience. The retail industry should service the community, but they made a distinction between consumers who wanted the convenience that longer trading hours would offer, as opposed to consumers who had an actual need for trading hours to be longer.

There is no doubt that consumers will want what is more convenient for them. However, I am yet to see an actual need for longer shopping hours. I requested statistics on the number of transactions and the amount of transactions from 5pm to 9pm from a large supermarket operator earlier this year. It showed that after a peak at about 6.30pm, there were only minimal transactions made at night, with the exception of the traditional evening that is subject to late-night trading. To me, this demonstrates that there is not a big demand for extended trading hours, if existing evening hours do not have the same number of shoppers as during the day.

Similarly, I have witnessed shopping centres at night where big retailers such as Big W and Kmart stay open until 9pm on weekdays. The centres are empty and, with the exception of skeleton staff who seem to be very bored, the shops are also empty. Small retailers are essentially deregulated now; however, we see very few operating 24/7 because this is not what the market wants. There is little or no demand for it and so owners choose not to open and instead spend time with their family and friends. If shopping hours are deregulated, big companies are likely to open, which will force small businesses to open too in the name of competition. This is not healthy for our community.

In 1977, small traders argued that extending trading hours would affect their business, because these people would go to the city or large suburban shopping centres. At the time, there was no evidence of this being true, but given the experience of time, we have seen that this is true. Now we are seeing retailers giving similar predictions. Given the experience, it could be said that it is likely their predictions will come true this time, too.

We have seen the growth and growth of suburban shopping centres, practically at the cost of our main streets. Suburban shopping centres offer convenient parking, shopping sheltered from the elements and major retailers all wrapped up in an attractive package. In comparison, Jetty Road, Glenelg, is practically a ghost town on Thursday nights, with an abundance of empty retail spaces. I believe vibrant main streets add to the community, and it has been disheartening to see their decline over the years. Tourists do not often visit a city to visit a shopping centre. After all, they are practically all the same. Instead, tourists are drawn to main streets, and it does not leave a good impression of our city if our fledgling main streets are left to linger and die.

The experience of the meat industry is particularly telling. In 1977, butchers were responsible for 73 per cent of the market. Trading hours were extended for retailers with the exception of butchers, who had their trading hours limited. The reasoning behind this was that at the time there was only a limited number of butchers working in the trade, and it was thought having them trade for longer would put undue pressure on them. However, the result of this move was that people moved towards buying meat from supermarkets due to the convenience, and the number of butchers has declined dramatically.

Now the majority of meat sales are done through supermarkets. Again, we see small retailers such as florists, newsagents and bakers making a similar argument against deregulating shop trading hours. I cannot see how they and their industries will not experience what the butchers did 40 years ago.

SAPOL's submission to the royal commission was interesting in that they asserted that, should shopping hours be extended, they would need more resources. They asserted that there would be more traffic on the roads due to extended trading hours, and they would therefore need more resources to manage this. They also submitted that crime would increase, as there would be more exposure and more opportunities to shoplift. General crowd control would need more resources to manage, and they also submitted that sexual assaults on women may increase due to extended shopping hours.

This brings about an interesting point: the safety of employees. We already have a problem in the community where many—I would say most—women feel unsafe walking alone at night. If these women are then rostered on to work a graveyard shift, I have genuine concern about their safety if they finish in the middle of the night. South Australia's public transportation system outside of peak hours is already problematic. We are not like our Eastern States cousins, who have public transport operating regular and relatively frequent services throughout the night. We simply do not have the population to support this. How will the safety of workers going home at odd hours be ensured if we move to a 24/7 economy?

Consumers seemingly want longer shopping hours; however, shopkeepers do not. The main difference from an historical perspective is that there are now fewer owner-operator shopkeepers and that the market, particularly shops that sell foodstuffs, are dominated by large corporations with many employees. Historically, the cry from shopkeepers was heard loudly during debate on this issue. Their arguments often outstrip those of the consumer, as there are many more shopkeepers

who are concerned about the pressure that increased trading hours would have on their work-life balance.

These days, however, we see this as an argument that is being made by employees of large companies, as well as owner-operators of small businesses. There is concern about the impact deregulated trading hours will have on family pressures and people's social lives at a time when people are being encouraged to take better care of themselves from an holistic perspective. It seems a backward step to introduce legislation that would see people be pushed, or push themselves, to the brink.

The current act provides exemptions for shops with a floor area of under 200 square metres, or 400 square metres if they are selling foodstuffs. However, I understand there is ambiguity over what constitutes the floor area. I understand there are retailers who will section off parts of their store on certain days that they can trade, and I have heard arguments about measurements from the inside of fridges. There needs to be clarity around this issue.

It is unhelpful for the government to just say that, unless they get their way with the passing of this bill, they will then prosecute people for not following the rules. If the rules are unclear, then the government should be aiming to provide clarity and make it clearer, rather than just punishing people.

Interestingly, the royal commission in 1977 recommended that retail hours should be determined by an independent body, such as the new Industrial Commission, or a tribunal, rather than parliament where it could be politicised. This suggestion had the overwhelming support of traders, unions and the public, and I would be interested in hearing whether the government is giving consideration to this proposal. Given the above, I cannot support this bill and urge the government to rethink its plans on this issue going forward.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

FAIR TRADING (GIFT CARDS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 July 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:09): I rise to indicate the opposition's support for the Fair Trading (Gift Cards) Amendment Bill 2018. The bill amends the Fair Trading Act 1987 to require that gift cards sold in South Australia must have a minimum expiry date of three years. I understand that New South Wales has already introduced a similar scheme, and that we have been moving towards a national scheme to deal with these issues for some time.

I know the former attorney-general described the introduction of state legislation when we are moving towards a national scheme as 'a bit of a Swiss cheese legislative solution', but that is not to say we should not be proceeding with this bill. It affords consumers with important protections; however, I would be interested to know whether the current Attorney-General intends to come back to the parliament with a further bill if and when national legislation is passed and national regulations are finalised.

Perhaps that is something the Treasurer in this place, representing the Attorney-General, might like to expand upon in his second reading speech or during the committee stage. In particular we are seeking to clarify: what are the differences between the South Australian legislation and what is being proposed federally; are there any inconsistencies or issues, or different penalties in place; how does the government intend to deal with the federal bill once it is enacted; and, how would the federal bill interplay with the state bill?

The Labor opposition has filed amendments inserting a review clause that I would encourage the government to consider supporting, particularly given the possibility of federal legislation. We think it is even more appropriate to insert the review clause in order to make sure that is considered if there is a federal solution to this issue.

My colleague in the other place the Hon. Stephen Mullighan (member for Lee) raised additional matters in relation to this bill; namely, whether the bill before us covers gift cards purchased online from international companies which do not have a presence in South Australia, and secondly, whether the bill is limited to covering gift cards with a monetary value that can be exchanged generally for goods and services from that particular retailer and does not cover a gift card for specified goods or services.

The Attorney-General in the other place almost answered these questions, but I gather the Attorney-General thought the question was in relation to whether international companies were explicitly excluded from the bill. That was not the question: it was in relation to whether these companies have a presence in South Australia. In advice provided by the Attorney-General's Department, we were told the bill did not cover international companies where those companies did not have a presence in South Australia. I would be grateful if the Treasurer could confirm whether that is the case.

The Attorney-General, in her second reading speech, responded, 'I am advised it does not matter where the seller or the business selling is located.' I think there is some confusion between what we were told at the briefing and what was read into *Hansard* in the other place. As such, I would be grateful if the Treasurer could confirm which of those is in fact the case.

With regard to the question of whether the bill is limited to covering gift cards with a monetary value that can be exchanged generally for goods and services from a particular retailer as distinct from a gift card for a specified good or service, I would be grateful for an answer to that which goes beyond saying there would be further consultation and something might appear in the regulations. I think it is a reasonable question that needs to be contemplated within the legislation.

With those words, I indicate Labor's general support for this bill, and indicate that we will be proceeding with the amendment for a review clause, which we think is particularly important given the possibility of federal legislation covering this matter. We would be grateful for clarification on the two points that have been raised.

The Hon. J.A. DARLEY (17:13): This bill will introduce a three-year expiry date on gift cards which are purchased in this state. The government has undertaken further consultation to iron out problems posted by vouchers and items such as those available in the Entertainment Book. It does not apply to reloadable credit cards or items like iTunes cards.

Since New South Wales introduced similar legislation, some national companies have taken the step to get rid of expiry dates altogether for their gift cards. The intention behind this legislation is to help consumers by giving them longer to spend the value of the gift card, reducing the likelihood of people having to make an impulse buy for items they do not really want or need just because the expiry date is looming.

Although this is a seemingly good move for consumers, research from the US suggests that whilst consumers are nearly all supportive of extended expiry dates, consumers are less likely to spend the value of a gift card if they are given a three-year rather than a one-year expiry date. These studies which looked at the procrastination of pleasurable tasks found that participants were less likely to complete an enjoyable task if there was an extended time limit, rather than a shorter one.

In one of these studies, participants were given a voucher for a pastry and a coffee. One group's voucher had an expiry date of three weeks and the other had a two-month expiry date. The results showed that there was a redemption rate of 31 per cent for those who had a three-week expiry and only a 6 per cent redemption rate for those with a two-month expiry date. People seemed to delay the redemption of the voucher because they wanted to save it for a time when they wanted a treat, rather than frittering it away. The study demonstrated that, whilst people are supportive of longer expiry dates, behaviourally it reduces the likelihood that gift cards would be redeemed.

The move to extend expiry dates is especially good for retailers, as people are more attracted to purchasing gift cards with longer expiry dates; however, people are less likely to redeem them. If a retailer becomes bankrupt, gift cards are not honoured. Research conducted in the US also shows that those who receive gift cards treat them differently to the same amount of cash. Rather than purchasing items with the same value as the gift card, most recipients ended up spending double

the amount compared with the same amount of cash. People deem the money to be a bonus and put it towards a bigger ticket item, which they may not necessarily have purchased if they had not needed to redeem the gift card. Again, this is a boon for retailers as people end up spending more.

I understand the opposition has filed amendments which will cause a review of this clause. Given the above, I am very supportive of this amendment and look forward to seeing whether the move to extend gift card expiry dates will result in the desired outcome of reducing wastage. I support the bill.

The Hon. R.I. LUCAS (Treasurer) (17:17): I thank honourable members for their contributions on the bill. In March of this year, the Marshall Liberal government took two key consumer reform policies to the election that will modernise our fair trading laws. They related to new provisions that will crackdown on the predatory practices of ticket scalping. The government is also committed to affording the same consumer protections available in other parts of Australia to South Australians.

This bill legislates for a minimum three-year expiry date for gift cards. By doing this, we are protecting consumers from unjustifiable and unfair expiry dates, and balancing this appropriately with the needs of business. It was a key election commitment and the government is keen to see this, if the parliament so chooses, pass the parliament expeditiously so that it can commence before the Christmas season when clearly the preponderance of gift cards, and whatever protections might be able to be afforded to them, would have great potential impact.

I pay tribute to the Attorney-General for her carriage of the legislation, but also to my other colleague Corey Wingard, the member for Gibson, who in opposition took up this particular issue passionately on a number of occasions and was actively engaged in the policy debate within our party in the period leading up to the election. With that, I thank members for their indications of support for the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: I will ask the honourable member to outline some of the other questions that he put to the government during the second reading. One question I have outlined to the government's advisers is whether or not the legislation applies to foreign companies that do not have a presence in South Australia. I am told that the legislation does apply, but the issue is, obviously, problematic as to how one would actually prosecute somebody who is in America and does not have a presence in South Australia. That would obviously be a challenge, but the drafting of the legislation, I am advised, does cover the circumstances the honourable member has referred to, that is, a foreign company that has no presence in South Australia.

The Hon. K.J. MAHER: I thank the honourable member for his clarification on that point. The other point I raised in the second reading speech was whether it is intended to cover gift cards that are for a monetary value—a \$100 Bunnings card, for example—or whether it is intended to cover gift cards that are for a specific gift, an actual gift or a service.

The Hon. R.I. LUCAS: Or both.

The Hon. K.J. MAHER: Or both.

The Hon. R.I. LUCAS: The government's adviser has just given a very good example. It is intended to cover both. It is for a monetary value, but someone may have purchased, for example, a gift voucher for a spa treatment for someone near and dear to them. The specific service might be a type of spa or massage, or whatever it might be, and you have incurred the cost of that without your nearest and dearest being aware of what the cost is, but it is nevertheless a description of the service that is provided. My advice is that it is intended to cover both.

The Hon. K.J. MAHER: I thank the honourable member for his clarification. Generally, what consultation occurred with different interest groups in relation to the bill, and who were those interest groups?

The Hon. R.I. LUCAS: I am advised that the government undertook both targeted and general public consultation. The targeted consultation was with a small number of groups, such as the Australian Retailers Association and the Shopping Centre Council of Australia. The general or public consultation was on the YourSAY website, which the leader would be familiar with. In terms of public consultation, I am advised it is fair to say there was not a huge number of responses from the public in relation to it.

The Hon. K.J. MAHER: In terms of the targeted consultation, were formal submissions received from those that targeted consultation occurred with? Is it possible to table the responses to that formal consultation?

The Hon. R.I. LUCAS: We do not have copies of those submissions here. We would need to seek the permission of the Australian Retailers Association and the Shopping Centre Council of Australia in relation to their submission as to whether they had any concerns about them being made available. The simple answer is that no, I cannot table them here today because I do not actually have copies of them.

The Hon. K.J. MAHER: Is it possible to reveal a general overview of the position of the submissions that were made without tabling the specifics?

The Hon. R.I. LUCAS: I am advised that the general nature of the responses was that the associations recognised that the South Australian government was following what had already occurred in New South Wales. I do not want the member to think that I am quoting them because I have not seen the submission, but I am characterising them as being the direction that governments were heading.

I suppose if they had their way they probably would not have supported the New South Wales legislation. I do not know that; I am just supposing that. However, that is what occurred in New South Wales and the South Australian government was doing it and so the nature of their consultation or discussion, I am advised, with the government was these were some of the issues that the New South Wales changes had raised and that was of some assistance in terms of the government's drafting of the regulations that are proposed.

The Hon. K.J. MAHER: I thank the honourable member. Have regulations been drafted and/or settled in relation to this scheme?

The Hon. R.I. LUCAS: I am told that they are still being drafted, so nothing has been settled yet but, clearly, as the government has outlined, the intent is to have these new reforms operational for this Christmas. Given we are at 16 October, that does not leave too much longer, so one would imagine that the Attorney-General and her department will bring those for inclusion in the next few weeks so that they can be promulgated and then circulated and people will be aware of them prior to the gift-buying season before Christmas.

I am advised that the drafting of the regulations is pretty consistent with the regulations that exist in New South Wales, with some differences, and also those that are drafted in the South Australian regulations—which comes back to one of the honourable member's questions in his second reading—have been drafted to be, to the greatest extent possible, consistent with the current drafting of the commonwealth regulations, so there has evidently been discussion and consultation.

The drafting of the regulations in South Australia is highly likely, I am told, to occur before the national regulations are concluded. Sensibly, I am advised, the state regulations are being drafted to be as consistent as possible with the current thinking in terms of the national regulations.

The Hon. K.J. MAHER: I thank the honourable member. That was my final line of questioning in relation to clause 1. Is the government aware of the timetable for the federal scheme, and how does that scheme take shape? What federal piece of legislation will that scheme be under?

The Hon. R.I. LUCAS: I am told that the legislation amends the Australian Consumer Law, and it was introduced to the federal parliament on 20 September. I am advised that the honourable

member and his advisers would be able to have a look at the amendments to the Australian Consumer Law.

In terms of the timing, our honest answer is that we do not know exactly. They are hoping to do them as soon as possible, but they are not intended to operate for this Christmas. This is our best understanding. They anticipate that they will operate for next Christmas as opposed to this Christmas. It will be sometime next year, obviously, but not in time for this Christmas.

The Hon. K.J. MAHER: Given the advice that, in particular in terms of the regulations, the South Australian government is working closely with its federal counterparts to make sure that the schemes are as consistent as possible, are there any areas so far in the legislation before us today that we recognise may be different from the federal scheme?

The Hon. R.I. LUCAS: I am advised that, at this stage, the commonwealth is still consulting, but the three areas that they are looking at possibly exempting from the scheme are gift cards supplied through a second-hand market, gift cards supplied to certain charities and government agencies and gift cards donated for promotional purposes. However, the commonwealth is still consulting on that, so there is no concluded position. It is up for consultation and discussion and is being contemplated. My advice is that, if the national regulations were to exclude those types of gift cards, the proposal is that we would then amend our regulations to be consistent with the commonwealth regulations.

The Hon. K.J. MAHER: A final question: is there any difference contemplated between the state and federal schemes in penalties for breaches of the schemes?

The Hon. R.I. LUCAS: I am advised that we are not clear on the commonwealth's propositions in relation to penalties in terms of the size of the penalties. My advice is that the proposed penalties under the South Australian scheme are pretty consistent with the New South Wales scheme and pretty consistent with the fair trading legislation here in South Australia.

The Hon. M.C. PARNELL: I did not make a second reading contribution so will just put on the record that the Greens are very supportive of this bill and especially supportive of getting it in place in the lead-up to Christmas. I am sure I am not Robinson Crusoe in having discovered in a drawer a musty old gift voucher from perhaps only two years ago that we neglected to cash in for books or whatever it was for, so I think this is a measure that is going to be well received in the community.

The Hon. R.I. Lucas: Are you going to move a retrospective amendment?

The Hon. M.C. PARNELL: I am not going to personally seek legislation to activate old gift cards that I might have found in my top drawer, but I think that the general community will be appreciative of having these cards last longer. In the same line of questioning as the Hon. Kyam Maher, I will just check, if I can, a couple of situations to make sure they are not going to be caught by the legislation. The first one is that the bill refers to the sale of gift cards:

A person must not sell to a consumer...a gift card...

I just want to make it clear in relation to the voucher that is provided as part of a fundraising event. All of us have been to quiz nights and have had silent auctions and charitable events where some member of the committee has lent on a local business—'Can we have a couple of nights in your bed and breakfast?' or 'Can we have a massage?' or whatever—and they usually are time limited. Can I just make it clear that because they were not sold to anyone and were donated, it is not the government's intention that those cards be caught by this regime?

The Hon. R.I. LUCAS: This is one of those issues that is evidently caught up in what the federal government is talking about in terms of whatever it was, gift cards donated for charitable purposes, although in terms of the sort of circumstances the member is talking about, it may well just be a charitable purpose, depending on how you define political parties.

The Hon. M.C. Parnell: Very charitable.

The Hon. R.I. LUCAS: Very charitable. But I am advised that this need not be impacted by the legislation. This will be an issue that will ultimately have to be resolved by regulation. My answer on advice to the earlier question was that if the commonwealth government on consultation and

advice decides that the sort of circumstances the honourable member is talking about is not what they are talking about and they do amend or change their regulations not to include those specifically, it is our intention to amend our regulations here. But it is arguable at the moment that the sort of circumstances the member is talking about might be caught, might not be caught—it is arguable—and that will be resolved one way or another, we suspect, through the consultation that is being done at the national level.

In the interests of getting our scheme up before this Christmas we are proposing to proceed as we are without understanding. I cannot speak for the Attorney-General here, but I would be very surprised if she did not share a similar view to the honourable member and myself in relation to my not thinking that is what is intended, but I will pass the honourable member's questions on, or the adviser will, to the Attorney, and it will be the subject of discussions. But as I said, it does not impact on the legislation you are being asked to pass today. It will impact on whether or not you might want to move to disallow the regulations at some stage if they are not of a form you are comfortable with in relation to what is covered and what is not covered.

The Hon. M.C. PARNELL: Another question—it is slightly different and I will accept the same answer if it is the same answer—but there is one type of card that many of us here have actually purchased and it is an annual thing, and that is the Entertainment Book. You see lots of schools and different charities sell Entertainment Books. The regime there is that it is effectively a book of vouchers. Some of it is two desserts for the price of one, or you pay for the more expensive main course and you get the second one cheaper.

I will confess that I have bought one of these books most years. I have used it on Kangaroo Island ferries. You get your money back if you use it on that because that is so expensive. I note the Hon. Dennis Hood nodding in agreement: he uses the Entertainment Book. I make the point that it only costs \$70 and it only lasts for a year. The Entertainment Books say in their online blurb that you get \$20,000 worth of benefits, but I think that is if you go to every single cafe, use every dry-cleaning voucher and every other service that is in there. The question is: is it going to be made clear that those are not covered by this legislation, that they are, in fact, annual vouchers and that they will expire at the end of the year?

The Hon. R.I. LUCAS: I am advised we have a clear answer on that. This has been considered. They will not be considered to be covered by the legislation. They are not covered in the government's view in the definition of a gift card: they are of the nature of discount voucher or whatever it might happen to be, as the member has described. Our advice is clear that that is not covered, whereas with the earlier one it is arguable in relation to it.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

The CHAIR: Leader of the Opposition, you have an amendment?

The Hon. K.J. MAHER: I have an amendment, and I have questions at clause 4.

The CHAIR: We can go with questions and then you can move your amendment.

The Hon. K.J. MAHER: Thank you for your wise guidance. In relation to clause 4—I think that is the clause that has penalties in there—how were the level of penalties arrived at?

The Hon. R.I. LUCAS: They are based on the New South Wales regime and also they are very consistent with fair trading legislation.

The Hon. K.J. MAHER: Just to seek clarity, I think it is an area we touched upon earlier in terms of the potential federal regime: is it not the case that the federal regime is contemplating \$30,000 in terms of a penalty? I thought that was somewhere there. If there was some clarity—if the government does not know, that would be good to place on record that there is not even a suggestion that it is \$30,000, because I thought, from memory, that was something that was being contemplated under the federal regime.

The Hon. R.I. LUCAS: I cannot rule out whether it was \$30,000 or \$20,000. My advice, which I indicated in clause 1, is that we do not know what the commonwealth penalties regime is likely to be, so I cannot rule out the \$30,000 number, but we are just not aware of what it is. This is my adviser here, and someone else might be involved in discussions. As I said, my advice is that it is consistent with the New South Wales regime and the fair trading regime here.

The Hon. K.J. MAHER: Again, this clause talks about what may be excluded under regulation. Except for what has been talked about already in answer to the Hon. Mark Parnell's question at clause 1, are there any current gift card classes that are under consideration to be excluded by regulation rather than by operation of the act?

The Hon. R.I. LUCAS: Yes. For example, if there was a gift voucher to an art exhibition that only went on for a month, clearly it makes no sense. Those types of exemption where it is time limited—the actual event or the service or the gift itself could only occur within a certain period of time—there is not much point in having a three-year, or however long it might be, provision that applies.

Just in relation to the earlier one, we have had some advice that the commonwealth legislation does include a \$30,000 penalty, as the member has indicated. It is still subject to consultation and has not been passed yet, but that is obviously their initial thinking and that is what is in their legislation.

The Hon. K.J. MAHER: What does this bill propose for the penalty for a body corporate or a natural person?

The Hon. R.I. LUCAS: The proposed legislation has a penalty of \$5,000 as opposed to \$30,000.

The Hon. K.J. MAHER: Both body corporate and—

The Hon. R.I. LUCAS: I think the legislation does not specify; it just says 'a person'. My advice is 'a person' includes a body corporate. We will take advice on that, but the definition here just says, 'A person must not sell to a consumer', and the maximum penalty there is \$5,000. It is however you interpret legally 'a person', I guess.

The Hon. K.J. MAHER: If it did pass, as is currently being suggested, that the maximum penalty for a body corporate federally was going to be \$30,000, whereas it is only \$5,000 in the state laws, is that something that the government would intend to revisit to harmonise?

The Hon. R.I. LUCAS: The answer is that clearly the government would need to give further consideration to that. As I said, the government's proposition is to try to pass this gift cards legislation prior to this particular Christmas. Ultimately, the commonwealth may go down the path of the \$30,000 penalty. The \$5,000 that we are proposing is consistent with what exists in New South Wales and is consistent, so I am advised, with other provisions in the fair trading legislation. That is the reason why that number has been settled on.

If ultimately the national legislation settles on \$30,000 and that is what is passed after consultation, then I am sure the Attorney will reconsider that. If ultimately that is the position that is adopted nationally and other states indicate a willingness to go down that path, it would make sense to be consistent with the national legislation. What it might then do is obviously be inconsistent with some of the other penalty provisions within the fair trading legislation.

The Attorney and the government might then need to review those penalties as well because if a penalty for this was \$30,000—and I am not an expert in fair trading law—and for something else that might be seen to be equally serious it was \$5,000, there might be inequities within that piece of legislation.

At this stage, we are broadly consistent with the other penalty provisions of the Fair Trading Act here and the New South Wales scheme. If ultimately we are inconsistent with the commonwealth, we will need to have further consultation, and I am sure the government would further reflect on that.

The Hon. K.J. MAHER: Can the government explain how it is decided, once the federal scheme comes into force and there are companies that have breached their obligations, whether it is prosecuted under state or federal laws? Does one trump the other? How is that decided?

The Hon. R.I. LUCAS: Consumer and Business Services (CBS), I am told, is an Australian consumer law regulator, so it has the powers and authority to enforce provisions. So I am advised, if there are inconsistencies, CBS could enforce under either law if it wanted to. It is actually the regulator, so it could choose to prosecute under the state law or it could choose to prosecute under the federal law, so it would have a smorgasbord.

Clearly, it is further argument as to why national consistency would make some sense but, for the reasons I gave earlier, if you are going to amend the penalties here in relation to this part of the Fair Trading Act, you might want to then have a look at the equity of the other penalty provisions within the fair trading legislation, and at this stage the federal legislation has not been passed—it is still out for consultation.

The consultation may well come back and say, 'Hey, fair suck of the sauce bottle', to use a colloquial expression, 'it's \$5,000 in New South Wales; the South Australian government has proposed \$5,000—you could be consistent with the two states that have actually done something and make this \$5,000.' So consistency does not have to be in and of itself just what is in the current draft federal legislation; it might be consistency with the two states that have actually done something, which is New South Wales and South Australia. It is a sensible question, incapable of resolution by us this afternoon in this chamber. It is an issue that will need to be further consulted upon and discussed between the states and the commonwealth.

The Hon. K.J. MAHER: Just further on that, if a federal scheme was to come into force and CBS was the body that enforced both of those schemes and, as I think the minister described, it was a smorgasbord and they could choose from either, is it possible then, if a federal scheme came in with a different penalty, that with two different sellers of gift cards one could be prosecuted under the state scheme and face whatever penalties were there and on almost the same set of facts and circumstances a different seller of gift cards could be prosecuted under the federal scheme, if it is the case that CBS could pick and choose at any given time which one they would prosecute from?

The Hon. R.I. LUCAS: I am advised that the best we can put on the record this afternoon is that there is a compliance and enforcement policy of CBS, and its compliance and enforcement policy would need to be consistent with that. Clearly, it would not make much sense to have inconsistent application of prosecutions for offences for analogous or similar offences. We are just not in a position to give you advice on that at the moment.

One would imagine that good sense would mean that, for similar circumstances, the compliance policy of CBS would be to apply similar penalties and similar enforcement policies. Again, probably it is just another argument, as I said earlier, for the greatest degree of consistency between the national law and the state law, and I think we are all in furious agreement in relation to that.

At this stage, the options open to this state parliament are that the national one is intended to operate for next Christmas; the state government wants to get this protection in to operate for this Christmas, and that is why we are hopeful of getting the support of the Legislative Council and the state parliament to get the legislation through so that it can operate for gift cards for this Christmas.

The Hon. M.C. PARNELL: I do not want to overegg this pudding. I am not at all familiar with the commonwealth process they are going through, but my guess would be that they are relying on their corporations power. My question is: if the issuer of the gift card was a sole trader, not a corporation, is it possible that the South Australian act would have coverage beyond the federal act, or is there some aspect of federal consumer protection law that I am not aware of that would extend commonwealth laws to a sole trader in South Australia?

It strikes me that, regardless of whether or not we can get the penalties the same, it would be a shame for someone to fall through the cracks. The Hon. Kyam Maher is talking about a smorgasbord and two different laws under which you could choose to prosecute, I would imagine that there are a small range of gift card issuers who might not be covered by commonwealth law at all and might only be covered by this state law, unless I have missed something in relation to the proposed commonwealth regime, which in any event is hypothetical because we have not got it.

The Hon. R.I. LUCAS: I am afraid I cannot give a substantive response to the honourable member's question this afternoon. You are certainly getting way beyond my brief. My adviser has

indicated that the point the honourable member has raised is arguable, but we would have to take it away and seek further advice to see whether the issues the honourable member has raised are issues of significance. We are happy to take that on notice and take advice, and have the Attorney-General correspond with the honourable member upon reflection, in relation to the issue the member has raised.

The Hon. K.J. MAHER: I have questions in relation to regulations. I think I previously asked about what classes of gift cards were being considered for exclusion under the regulations. I am also interested in two other areas: what class of person or persons are being considered to be excluded by regulation, and what circumstance or circumstances are being considered to be excluded by regulation?

The Hon. R.I. LUCAS: I am advised that at this stage there is no specific class of persons contemplated to be excluded. As to the circumstances, I can only broadly return to the earlier example I gave the member in relation to a time-limited function; for example, the Art Gallery exhibition. In relation to persons, no group is currently being contemplated for exclusion.

The Hon. K.J. MAHER: I move:

Amendment No 1 [Maher-1]—

Page 3, after line 30—Insert:

45E—Review of Part

- (1) The Minister must cause a review of the operation of this Part to be conducted not before 18 months, and not later than 2 years, following the commencement of this Part.
- (2) The review must be completed, and a report on the results of the review provided to the Minister, within 3 years following the commencement of this Part.
- (3) The Minister must, within 12 sitting days after receipt of the report, cause copies of the report to be laid before each House of Parliament.

This is an amendment to clause No. 4 to insert a requirement for a review of this operational scheme. I think that is particularly sensible in this case as we have traversed the possibility of a federal scheme coming into effect that substantially covers the same matters. I think it makes very good sense that a review be required of the gift card scheme we are introducing, given there is a federal scheme coming into operation. I think it would be a good idea to see, if nothing else, how those two schemes have interacted should a federal scheme come into force by next Christmas, as is being contemplated.

The Hon. R.I. LUCAS: I am advised the government is prepared to support the amendment.

The Hon. F. PANGALLO: We will be supporting the amendment, Mr Chairman.

The Hon. M.C. PARNELL: I think we will be in furious agreement. The only observation I would make around it is that, with any bill that prohibits certain behaviour, it is often hard to see what the review would consist of. I guess it would include the number of people who infringed. If no-one infringes, or if no-one is caught, then apart from reflecting on the fact that there are two regimes—as the honourable member has said, that would be worthy of reporting.

I have not really pursued this line of questioning, but my expectation would be that a review might also include how much money or resources the government puts in to promoting these new laws. Given the thousands of business enterprises that are now in the gift card business, if you are creating a criminal penalty then it is only fair they are told the new requirement is a three-year card and not a one-year card. This is going to cost some money, so I assume the review would also include a summary of the efforts made by the state to inform traders of their new responsibilities under the act.

The Hon. J.A. DARLEY: For the record, I will be supporting the amendment.

The CHAIR: For the benefit of honourable members, it is not a new clause 4 but an addition to clause 4.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (18:01): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SUMMARY OFFENCES (DISRESPECTFUL CONDUCT IN COURT) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (18:02): I move:

That this bill be now read a second time.

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

Leave granted.

Mr President, the Summary Offences (Disrespectful Conduct in Court) Amendment Bill 2018 implements the Marshall Government's commitment to amend the *Summary Offences Act 1953* to make it a summary offence for a person, who is a party to proceedings before a court, to intentionally engage in disrespectful conduct before the court.

The Bill generally adopts the provisions of the Summary Offences (Disrespectful Conduct in Court) Amendment Bill 2016, with some amendment. The 2016 Amendment Bill was a private members Bill introduced into the other House by the then Shadow Attorney-General, now Attorney-General. It was read a second time but was ultimately defeated.

This Bill also incorporates provisions of the New South Wales offence of disrespectful behaviour, as established in the *Courts Legislation Amendment (Disrespectful Behaviour) Act 2016*, on which the former private members Bill was originally based.

The issue was first identified in a New South Wales case involving an accused who was charged with shooting a man outside a night club in 2013. The accused refused to stand for four judges over an 18 month period.

When the accused was charged with contempt, it was held that the failure to stand for a judge was not contempt of court.

Legislation was therefore developed in New South Wales to address such disrespectful behaviour.

This Bill acknowledges the importance of maintaining the administration of justice, and in preserving the authority and dignity of the courts. The Bill seeks to uphold the expectations of the community that parties to court proceedings will conduct themselves in a respectful manner before the court and recognises the rights of all parties to be heard free from unnecessary disruptions and abuse from other parties.

Unfortunately, there have been instances where defendants, families and witnesses even have created a situation where abusive behaviour is occurring towards judicial officers and the like.

As the Law Society stated in its submission on this Bill:

The rule of law and respect for our institutions and their practices are fundamental tenants of our democratic society. Respect for and compliance with the practice and convention of the court is integral to the smooth flow of proceedings.

Mr President, the Bill achieves its objectives by creating a new summary offence of disrespectful conduct. The introduction of the new offence will create an additional tool to enforce stricter standards of respectful conduct which will supplement the existing powers of the court.

The offence seeks to capture disrespectful conduct which currently falls in between the existing powers of the courts to remove a person from the courtroom and its inherent judicial power to deal with contempt of court.

It is intended that the offence will operate alongside the judiciary's existing powers to manage the conduct of parties.

For the purposes of the offence, 'disrespectful conduct' is defined broadly in the Bill to include refusing to stand up for a judicial officer after being requested to do so by the court, using offensive or threatening language and any other conduct which may interfere with, or undermine the authority, dignity or performance of the court.

The Bill does not apply to youths or proceedings conducted in the criminal jurisdiction of the Youth Court. This measure reflects the generally accepted principle that youths should not be subject to a term of imprisonment. It

is appropriate that the Youth Court continue to exercise its discretion according to its existing powers to manage the behaviour of youths in proceedings.

The Bill makes it an essential requirement of the offence that there be an intentional physical act rather than an involuntary act, but does not require a person to intend to be disrespectful to the court.

For example, deliberately failing to stand when requested may be disrespectful, even if the person did not intend to cause disrespect by remaining seated. By contrast, a person who has a physical impairment which prevents them from being able to stand before the court would not be captured by the offence.

The Bill prescribes a maximum penalty of a \$1,250 fine or three months imprisonment. These penalties are consistent with the penalties currently prescribed for disorderly or offensive conduct or language, and are less than those prescribed for the offence of contempt in the face of court in the lower courts.

For the purposes of proceedings for the offence, the Bill ensures that the presiding judicial officer of the proceedings in which the disrespectful conduct occurred cannot be compelled to give evidence in proceedings before any court for the offence.

In addition, the Bill also allows for official transcript or official audio or video recording of the proceedings in which the alleged disrespectful conduct occurred to be admissible in evidence in the summary proceedings, and for such evidence to be taken as evidence of the matter so included.

As a corresponding measure intended to support the existing powers of the courts to deal with instances of contempt, the Bill also makes clear that a person cannot be prosecuted for an offence for disrespectful conduct, if that conduct is, or has already been, the subject of contempt of court proceedings against the person.

This Bill will send a clear message that adherence to the laws and procedures of the judicial system is a fundamental expectation of all who appear before the courts.

Mr President, I commend the 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 *Summary Offences Act 1953*

4—Insertion of Part 11A

This clause inserts a new Part 11A containing a single new clause (proposed section 60) creating an offence relating to disrespectful conduct before a court. Proposed section 60(1) requires that a person who is a party to proceedings before a court must not intentionally engage in disrespectful conduct before the court during those proceedings. The maximum penalty for the offence will be \$1,250 or imprisonment for 3 months.

Disrespectful conduct is defined to include refusing to stand up after being requested to do so by the court, using offensive or threatening language and interfering with or undermining the authority, dignity or performance of the court.

The new offence will not apply in respect of proceedings in the Youth Court of South Australia (other than proceedings under the *Children's Protection Act 1993* or the *Children and Young People (Safety) Act 2017*) or a child who is a party to proceedings under the *Children's Protection Act 1993* or the *Children and Young People (Safety) Act 2017*.

Proposed section 60 will not affect the power of a court to take action for contempt of court and, in the event that a court takes action for contempt of court for a person's conduct in court, the person cannot be prosecuted for an offence against the new offence (except where the contempt of court proceedings have been discontinued by the court in contemplation of a charge for an offence against the new section).

The presiding officer of proceedings in a court during which alleged disrespectful behaviour occurred cannot be required to give evidence in proceedings before any court for an offence against the proposed section 60.

Debate adjourned on motion of Hon. I.K. Hunter.

CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL

Final Stages

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

At 18:03 the council adjourned until Wednesday 17 October 2018 at 14:15.

*Answers to Questions***MINISTERIAL STAFF TRAVEL**

61 The Hon. C.M. SCRIVEN (2 August 2018).

1. Has the Treasurer circulated guidelines for ministerial and ministerial staff travel? If so, when?
2. Is there a reporting or monitoring process to ensure guidelines are adhered to?
3. Are the guidelines publicly available?

The Hon. R.I. LUCAS (Treasurer): Travel guidelines are contained in Premier's Guideline—Air Travel by Ministers and Their Staff; and Department of the Premier and Cabinet (DPC) Circular 040 – Air Travel. Both of these documents were last updated in March 2016 and remain current.

DPC Circular 035 – Proactive Disclosure of Regularly Requested Information, outlines the reporting requirements for numerous ministerial and ministerial staff activities including regional, domestic and overseas travel. This circular was last updated in November 2016 and remains current.

These documents are publicly available on the Department of the Premier and Cabinet website: www.dpc.sa.gov.au.

NON-VIABLE FARMING LAND

In reply to **the Hon. J.A. DARLEY** (24 July 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Planning has provided the following advice:

The Environment and Food Production Areas (EFPAs) were introduced to aid the protection and longevity of vital agricultural lands surrounding metropolitan Adelaide, from threat of urban development and sprawl, by reducing the ability for landowners to divide land for residential purposes.

This is in addition to the Character Preservation (Barossa Valley) Act 2012 and Character Preservation (McLaren Vale) Act 2012 (the preservation acts).

Land Division and Grace Periods

It is important to note that land division within the EFPA will continue to be assessed against the provisions contained in the current zones within a council's development plan.

The minimum allotment sizes stipulated within those zones continue to apply, and applications will therefore continue to be assessed on merit. The changes introduced by the EFPA relate only to land division creating allotments for residential purposes, which are now prohibited subject to certain grace periods.

In rural living areas in the EFPA, the Planning, Development and Infrastructure Act 2016 (PDI Act) provides a two-year grace period until 1 April 2019 to allow lodgement and approval of land division applications to create residential allotments. Applications can be lodged up until 1 April 2019 and will be considered through the normal assessment process.

The PDI Act also deals with 'Preserving Existing Authorisations and Rights' for any purpose anywhere in the EFPA where an approval was granted before 1 April 2017. This also allows for a two-year grace period to complete works and satisfy any conditions associated with an approved division.

Amending the EFPA

Landowners can make a case that their land is not viable for farming. The PDI Act sets out a process for the State Planning Commission (commission) to hear such requests that seek to amend the EFPA.

This involves the commission conducting an inquiry against a set of criteria, at least every five years or upon request.

Following an inquiry, the commission provides a report to the Minister for Planning on the outcomes of the inquiry. The commission may vary the EFPA, by notice published in the *Gazette* and SA Planning Portal. The notice is laid before both houses of parliament, where it may be disallowed.

The department will seek direction from the commission at its meeting on 20 September 2018 in relation to establishing a clear and consistent process for landowners wishing to review or vary the EFPA. A clear process will improve the manner in which requests to review or vary the EFPA are received and considered by the commission, which is currently on a case by case basis.

Review of Character Preservation Acts

The EFPA works in a similar manner to the preservation acts in the Barossa and McLaren Vale, which have been in operation since 2012. Both preservation acts were recently reviewed to assess:

- family, social, economic and environmental impacts;

- the impact on councils within the district;
- any changes to the district as a result of the preservation acts;
- any actions that may have been undertaken to address any negative impacts on the preservation acts.

Consultation occurred between October 2017 and February 2018. Submissions were received from the local government sector, members of parliament, peak bodies, industry groups and individual community members. The Outcomes Report was tabled in parliament on 19 June 2018.

As a recommendation of the Outcomes Report, the commission will seek to improve policies and processes in the development and implementation of the state's new Planning and Design Code.

This could provide greater certainty to assist primary producers in EFPA's with an emphasis on value-adding and tourism to provide additional income streams, especially in areas considered 'non-viable' for production purposes.

GAS INDUSTRY WORKERS

In reply to **the Hon. M.C. PARNELL** (4 September 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):

Since 1 July 2018, work health and safety has been the responsibility of the Treasurer and I have been advised that:

In South Australia, all persons conducting a business or undertaking (PCBUs) are legally required under work health and safety legislation to provide a safe and secure workplace, including site monitoring for atmospheric contaminants and the management and control of risks to the health and safety of workers. Exposure of workers cannot exceed legislated workplace exposure standards for airborne contaminants. A range of environmental and personal monitoring systems must be in place to meet this duty.

There are considerable differences between the Leigh Creek Gasification Plant and the Queensland underground coal gasification project undertaken by Linc Energy, referred to by the honourable member. The main difference being; the shallow depth of the Queensland operations with a drilling depth of only 120 metres, versus Leigh Creek with a drilling depth of 500 metres; and its proximity to water aquifers, with none in the area of operation of Leigh Creek, as well as robust geographical containment features in Leigh Creek.

Since December 2017, SafeWork SA has recorded a number of proactive worksite visits and compliance audits at the Leigh Creek site. SafeWork SA inspectors have focused their discussions on designs to eliminate or minimise health risks or mitigating the gas exposure risk by adherence to higher order controls; in this case the use of engineering containment controls to negate the risks of harmful exposures to hazardous chemicals.

It is also important to note that there is combined regulatory oversight of the Leigh Creek site, including the Petroleum and Geothermal Energy Act 2000, Environmental Protection Act 1993 as well as the Work Health and Safety Act 2012. This involves the Department for Energy and Mining as overall lead agency, with support on environmental safety provided by the Environment Protection Authority and workplace and worker safety by SafeWork SA.

REGIONAL PUBLIC TRANSPORT

In reply to **the Hon. T.T. NGO** (4 September 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

The recently announced 2018-19 state budget has committed \$150,000 for this feasibility study to be undertaken this financial year. This funding allocation is on page 116 of the Budget 2018-19—Paper 5 Budget Measures Statement.

SHACK LEASES

In reply to **the Hon. J.A. DARLEY** (4 September 2018).

The Hon. J.M.A. LENSINK (Minister for Human Services): The Department for Environment and Water has advised:

1. On 4 April 2018, a moratorium on the previous practice of automatically terminating departmental leases upon the death of the last person named on the lease was implemented. Further, all revaluations of shack sites were put on hold until the new policy is implemented.

The Department for Environment and Water (DEW) is engaging with key stakeholders to determine relevant criteria, eligibility, and processes to maintain a lease in return for upgrading shacks to meet contemporary safety, amenity, and environmental standards. Advice is being sought from the Valuer-General on the fair valuation for the sale of shack sites.

2. A draft policy will be released in the coming months for targeted consultation with key stakeholders. The shacks in the Coorong National Park and at Milang will be the first to be assessed against the new policy and it is envisaged that suitability assessment of these sites will commence in 2019.

3. The draft policy will address the relevant criteria, eligibility and process for freeholding of shacks on Crown land.

NATIONAL PARTNERSHIP AGREEMENT ON REMOTE INDIGENOUS HOUSING

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (4 September 2018).

The Hon. J.M.A. LENSINK (Minister for Human Services): The South Australian Housing Authority has advised:

The value of remaining funds from the national partnership on remote housing beyond the end of the agreement is \$38.2 million.

ELECTRIC VEHICLES

In reply to **the Hon. M.C. PARNELL** (5 September 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

1. The South Australian government acknowledges that growth in low-emission vehicles has the potential to make substantial economic and social impacts and that this state is well placed to benefit. Furthermore, electrification is widely recognised as a global transport megatrend, along with automation, connectivity (intelligent transport systems) and shared transport mobility.

The South Australian government supports a national response and coordinated approach to low-emission vehicle policy development. The government is currently considering the merits of a separate electric vehicle (EV) strategy approach or whether low-emission vehicles should be considered as part of overall priorities for action across government pertaining to low carbon or future transport mobility.

2. The South Australian government has set a target of 30% low-emission vehicles in its fleet by 2019. This is likely to be met with vehicles such as Toyota and Hyundai hybrids, including the Mitsubishi Outlander PHEV (plug in hybrid electric vehicle) as well as an advance order for the Tesla Model 3 vehicle.

Fleet SA will continue to trial low-emission vehicles as a wider range becomes available and more affordable (noting there are few commercial EVs).

In addition to the adoption of low-emission vehicles, the South Australian government has partnered with local governments, universities and the private sector to deploy charging infrastructure in the city centre, greater Adelaide region and for e-tourism purposes across rural Adelaide Hills and Kangaroo Island.

This has seen 50kW DC fast charging infrastructure deployed in the city and planned for the Tonsley Innovation District. It has also seen 30+ 22kW Type 2 AC charging stations provided on-street and in city car parks and low-cost Type 1 AC charging being provided in rural areas to date. These services support early adopters in the private and commercial use of electric vehicles.