LEGISLATIVE COUNCIL

Tuesday, 10 September 2019

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

CRIMINAL LAW CONSOLIDATION (ASSAULTS ON PRESCRIBED EMERGENCY WORKERS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

DIRECTOR OF PUBLIC PROSECUTIONS (PENSION ENTITLEMENTS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

EDUCATION AND CHILDREN'S SERVICES BILL

Assent

His Excellency the Governor assented to the bill.

FIRE AND EMERGENCY SERVICES (VOLUNTEER CHARTERS) AMENDMENT 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—

Report of the Auditor-General on Adelaide Oval Redevelopment for the designated period 1 January 2019 to 30 June 2019—Report No. 5 of 2019
The Registrar's Statement, Register of Members' Interests, June 2019 [Ordered to be published]

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2018-19—
South Australian Civil and Administrative Tribunal
South Australian Classification Council
Terrorism (Preventative Detention) Act 2005
Annual Review of Section 74A of the Police Act 1998, dated 2018—2019
Anangu Pitjantjatjara Yankunytjatjara Lands Conciliation Directions and Report
Operation and Administration of South Australia's Funding, Expenditure and Disclosure Legislation—Report by the Electoral Commission dated July 2019

Summary Offences Act 1953—Dangerous Area Declarations Report for the period from 1 April 2019 to 30 June 2019
Summary Offences Act 1953—Road Blocks Report for the period from 1 April 2019 to 30 June 2019
Regulations under Acts—
Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981—Electorates
Associations Incorporation Act 1985—Revocations
Essential Services Commission Act 2002—General
South Australian Museum Act 1976—Museum
Spent Convictions Act 2009—Central Assessment Unit
Subordinate Legislation Act 1978—Postponement of Expiry
Victims of Crime Act 2001—Offender Service
Rules of Court—
Magistrates Court—Magistrates Court Act 1991—
Criminal—Amendment No. 76
Criminal—Amendment No. 77
Criminal—Amendment No. 78
Determination by Commissioner of Police—Section 16 of the Police Complaints and Discipline Act 2016

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

Corporation By-laws—
City of Holdfast Bay—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land
No. 4—Roads
No. 5—Dogs
No. 6—Cats
Port Augusta—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land
No. 4—Roads
No. 5—Dogs
No. 6—Waste Management
No. 7—Cats
No. 8—Australian Arid Lands Botanic Garden
Town of Gawler—
No. 5—Dogs
District Council By-laws—
Wattle Range—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Roads
No. 4—Local Government Land
No. 5—Dogs
No. 6—Foreshore
Regulations under Acts—
Development Act 1993—
Public Notification
Railway Works
Fisheries Management Act 2007—Rock Lobster Fisheries—Southern Zone—Family Licence Transfers
Highways Act 1926—Port River Expressway Project—General
South Australian Local Government Grants Commission Act 1992—General

Ministerial Statement

APY LANDS CONCILIATION DIRECTIONS AND REPORT

The Hon. R.I. LUCAS (Treasurer) (14:23): I table a copy of a ministerial statement made in another place today by the Premier on the subject of APY Lands Conciliation Directions and Report.

Leave granted.

Question Time

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): I seek leave to make a brief explanation before asking a question of the Treasurer regarding land tax.

Leave granted.

The Hon. K.J. MAHER: The South Australian Liberal Party have experienced a tumultuous winter break with the land tax aggregation issue dominating the political landscape. The former Liberal state president and member for Davenport, Steve Murray, described the proposal for land tax aggregation as 'neither fair, nor sustainable, nor competitive'. Liberal senator Alex Antic said he was 'deeply concerned about the impact that this proposal will have on our state's economic future'. An unnamed Liberal MP also mentioned dispatches when speaking on the aggregation of land tax and was quoted as saying, 'The policy development on this has been an absolute train wreck.'

We have also heard as recently as today from Daniel Gannon, the head of the Property Council—a former staffer to both the Premier and the Treasurer—saying, after the most recent land tax announcement, 'If aggregation is still part of the plan, it's not a plan that we support because it's incomplete and underdone.' The UDIA chief, Pat Gerace, told InDaily yesterday that 'reducing the top rate is always welcome but there's still a number of losers in this outcome'.

After changes to land tax over a year ago, we saw land tax 2.0 in the most recent budget, which included the wildly unpopular aggregation measure. We are now seeing another fiddle, with land tax 3.0 keeping the proposed aggregation measures, albeit the Treasurer's revenue estimates were wrong by some hundreds of millions of dollars over the next decade. Alienating your colleagues is a curious tack to take, particularly given Premier Marshall has claimed that 'we are really running a cabinet government'.

Given the Treasurer styles himself as a campaign genius—you just need to ask him—and that he has a wealth of political experience, can the Treasurer explain to the chamber why he didn't stop Premier Steven Marshall from introducing this land tax aggregation measure which has so heavily damaged the Liberal Party?

The Hon. R.I. LUCAS (Treasurer) (14:31): I welcome the Leader of the Opposition's land of fancy imagination or fanciful imagination. It's sad to see that the Australian Labor Party are lining up to defend a situation where somebody can actually own $3 million or $4 million in property and not pay a single dollar in land tax. These are the people who are defending a situation where someone can own $3 million or $4 million in property and not pay a single dollar in land tax.

It's the Leader of the Opposition in the other place and the shadow treasurer who are defending the indefensible position of someone being able to own millions of dollars in property and, because they structure themselves in a complicated series of companies and trusts, not pay a single dollar in land tax. It's the Australian Labor Party who are standing arm in arm. For 20 years they refused to do anything about it. They didn't have the ticker to do anything about comprehensive land tax reform.

I'm surprised that old-fashioned lefties, like the Hon. Mr Hunter and the Hon. Mr Maher—although he's not an old-fashioned one; as the Hon. Mr Hunter pointed out on a previous occasion, he was one of those newfangled, new-stage, touchy-feely lefties. He wasn't an old-fashioned lefty like the Hon. Mr Hunter. There are two views of the lefties within the Labor Party. There is a very erudite speech from the Hon. Mr Hunter on the public record in relation to the 'leftiness' of the Labor Party. But whatever degree of 'leftiness' there is in the Labor Party, the Labor Party are defending

the indefensible position where someone can own millions of dollars in property and not pay a single dollar in land tax.

The comprehensive land tax reform package that the government announced yesterday, supported by the joint party room, is a package which reduces total land tax collections by $70 million over the next three years. It drives down the top rate of land tax from 3.7 to 2.4 per cent in South Australia. For 20 years, the Labor Party refused to do anything about it. Whilst investors were turning their investment taps on in Sydney, in Melbourne and in Brisbane and were refusing to invest in Adelaide because of our uncompetitive 3.7 per cent, the Labor Party turned a blind eye to it because they wanted to defend the indefensible. Some of their friends and mates who hold millions of dollars in property are not paying a single dollar in land tax.

Members interjecting:

The Hon. R.I. LUCAS: We know their names. We know their names, and the former Treasurer knows their names. Driving down the top rate of land tax, increasing the threshold to $450,000—this package will mean that 92 per cent of individuals, contrary to the claims from the Property Council and others, will be better off as a result of the land tax reform package announced yesterday.

Members interjecting:

The Hon. R.I. LUCAS: Ninety-two per cent of individuals will be better off; 8 per cent will be worse off. Even more persuasively, 75 per cent of company groups in South Australia will be better off as a result of this particular package; 25 per cent of company groups will be worse off in relation to the land tax reform package. That is why there is a reduction of $70 million in total land tax being collected over the next three years from the government's land tax reforms.

The government stands wholeheartedly behind a comprehensive and bold reform package. It will be for the Labor Party and indeed others to stand up in this chamber and defend a situation where someone can own $3 million or $4 million in property and not pay a dollar in land tax, or stand up in this chamber and say to the 92 per cent of individuals who will be better off after 1 July next year—it will be up to the Labor Party whether they are prepared to say to those 92 per cent of individuals who will be better off that they are not going to support them being better off.

The Labor Party has to make the decision: will they support the 8 per cent, or will they support the 92 per cent? Will they support the 25 per cent, or will they support the 75 per cent? We on this side know who we are supporting. We are supporting equity, we are supporting fairness, we are supporting a better economic environment for investment in South Australia and we are supporting 92 per cent of individuals and we are supporting 75 per cent of the company groups. This is a bold, comprehensive package. The Labor Party did not have the ticker for 20 years to take it on. The Marshall Liberal government has taken that on, and it will be up to the parliament to decide what to do.

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (14:37): I have a supplementary arising from the answer given. The original—I think the Treasurer previously referred to them as 'estimates', which he said were the same thing as 'modelling', was for an extra $40 million to be raised as a result disaggregation. According to his latest modelling, just how far out were these estimates?

The Hon. R.I. LUCAS (Treasurer) (14:37): As the press release yesterday indicates, they were significantly underestimated. We have now taken advantage of that by introducing the comprehensive reform. Only through that avenue are we able to reduce the top rate from 3.7 per cent to 2.4 per cent. At 2.4 per cent it is $86 million, at 3.6 per cent it is $118 million. It is through the additional revenue that is generated—

Members interjecting:

The Hon. R.I. LUCAS: It is the additional revenue generated that we are able to drive down the top rate from 3.7 per cent 2.4 per cent, increase the threshold from $391,000 to $450,000 and introduce aggregation provisions which exist in every other state in Australia. South Australia is the lone outlier. It has been unprepared, because we've had a Labor government for 20 years who had

a few mates who wouldn't let them do it, but the Marshall Liberal government has got the ticker for comprehensive reform. We will be on the side of the 92 per cent of individuals and the 75 per cent of company groups that will benefit.

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (14:39): Further supplementary arising from the original answer: if the Treasurer believes he has got it so right, and it is so fair this time, why is it that all of the representative bodies are lining up to continue their attacks?

The Hon. R.I. LUCAS (Treasurer) (14:39): It is up to the representative bodies to indicate their position, but a number of the representative bodies, such as the MBA and Business SA, have welcomed key elements of the package that has been announced. They have indicated that they want to have a look at the detail in relation to aggregation, but a significant number of the people who have contacted both me and individual members of the Liberal parliamentary party room, having looked at the new package, have now said to members and to me, 'We support the new package as a reasonable package.' If the government is going to have aggregation it had to do it on the basis of reducing the top rate so that we were more competitive nationally.

At 2.4 per cent we are at the national average of all mainland states. Western Australia is at 2.67; Queensland at 2.75; Victoria at 2.25; and New South Wales at 2. The average is 2.4, and the Marshall Liberal government's reform package is pitching at 2.4 per cent—exactly the same as the national average for all mainland states in Australia.

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (14:40): Final supplementary: if the Treasurer's estimates are so wildly out by almost 200 per cent, how does he expect anyone to believe he has got it right this time?

The Hon. R.I. LUCAS (Treasurer) (14:40): I will stand on a daily basis here and answer any question the Leader of the Opposition wants to put to me.

LAND TAX

The Hon. C.M. SCRIVEN (14:41): It changes day by day. My question is to the Treasurer. When was the Treasurer first made aware that the policy that has now become the government's land tax aggregation policy would raise $118 million per year and not the $40 million first claimed?

The Hon. R.I. LUCAS (Treasurer) (14:41): About two weeks ago.

LAND TAX

The Hon. C.M. SCRIVEN (14:41): A supplementary: is the Treasurer saying that he did not receive any advice before the start of the winter break that the government's land tax aggregation policy, as it now is, would raise more than the $40 million that he was telling South Australians, investors and his parliamentary colleagues—is that what he is telling this chamber?

The Hon. R.I. LUCAS (Treasurer) (14:41): The question I was asked was: when was I first advised about the $118 million? About two weeks ago.

LAND TAX

The Hon. C.M. SCRIVEN (14:41): So the supplementary was: is the Treasurer saying that he had no advice prior to the beginning of the winter break to that effect?

The Hon. R.I. LUCAS (Treasurer) (14:42): I have just indicated to that effect I was advised two weeks prior, about two weeks ago.

LAND TAX

The Hon. C.M. SCRIVEN (14:42): A further supplementary—

The Hon. R.I. Lucas: How many times do you want me to answer? I have answered it three times.

The Hon. C.M. SCRIVEN: You change your answers all the time, so it might be different.

The Hon. R.I. Lucas interjecting:

The Hon. C.M. SCRIVEN: Has it changed since the last time you answered?

The PRESIDENT: The Hon. Ms Scriven, please sit down for a moment. Treasurer, this is not helping me, having a conversation seated. The Hon. Ms Scriven, would you like to ask the supplementary?

Members interjecting:

The PRESIDENT: I would like to hear the supplementary in silence—I may not allow it, but I would like to hear it in silence.

The Hon. C.M. SCRIVEN: So why didn't the modelling or Treasury estimates contemplate that this could raise $118 million per year and not the $40 million first claimed?

The Hon. R.I. LUCAS (Treasurer) (14:42): I have nothing further to add, Mr President.

Members interjecting:

The PRESIDENT: The Treasurer has answered the question. I have given you leave, and that is sufficient leeway, the Hon. Ms Scriven.

The Hon. C.M. SCRIVEN: Further supplementary, Mr President—final supplementary.

The PRESIDENT: I am going to be merciful and allow it, but those other two were not exactly within the standing orders.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, don't push your luck—I'm being generous to one of your members.

LAND TAX

The Hon. C.M. SCRIVEN (14:43): Will the Treasurer publicly release all Treasury and independent land tax aggregation modelling?

The Hon. S.G. Wade: Independent—doesn't even own them?

The PRESIDENT: It's a new question but, Treasurer, since you are misbehaving you can answer that one.

The Hon. R.I. LUCAS (Treasurer) (14:43): I won't be answering that question as it is not relevant to the first question, Mr President.

Members interjecting:

The Hon. S.G. Wade: It's called standing orders.

The PRESIDENT: I wouldn't start quoting standing orders, the Hon. Mr Wade.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, I would like to listen to one of your frontbenchers' questions.

LAND TAX

The Hon. E.S. BOURKE (14:43): My question is to the Treasurer. In relation to your land tax aggregation proposal, how does the government define 'mum-and-dad investors', and how many mum-and-dad investors are there, according to the government?

The Hon. R.I. LUCAS (Treasurer) (14:44): I have used the term in the same fashion as the Property Council and some of the opponents have used. We have referred to it in the context of individuals. There are three ownership structures generally referred to: one is natural persons or individuals; the second one is companies; and the third one is trusts. I suspect the Property Council and others, when they have referred to mum-and-dad investors, have been sometimes referring to not only individuals—

The Hon. K.J. Maher: You said it nine times—what do you mean?

The Hon. R.I. LUCAS: I just said: individuals—

The Hon. K.J. Maher: No, you're saying what the Property Council says; what do you mean?

The Hon. R.I. LUCAS: I'm just saying the same thing: individuals or natural persons.

The Hon. K.J. Maher: So any natural person is a mum-and-dad investor, according to you.

The PRESIDENT: Leader of the Opposition!

The Hon. R.I. LUCAS: Is this an interrogation?

Members interjecting:

The PRESIDENT: Leader of the Opposition, we have gone through this. A supplementary when seated is not within the standing orders. Treasurer, responses to questions without the call are also not approved under the standing orders. The Hon. Ms Bourke.

LAND TAX

The Hon. E.S. BOURKE (14:45): My question was: how many mum-and-dad investors are there? Your economic modelling must show how many there are.

The Hon. R.I. LUCAS (Treasurer) (14:45): There are 51,000 or 52,000 individuals, or mum-and-dad investors, of which 92 per cent will be better off as a result of the comprehensive, bold, imaginative land tax reform package and 8 per cent, just over 4,000 individuals, will be worse off as a result of that.

LAND TAX

The Hon. E.S. BOURKE (14:45): Supplementary: can the Treasurer explain why mum-and-dad investors owning land in their own name are charged one rate but if they choose to own the same land in a trust they pay a higher rate?

The Hon. R.I. LUCAS (Treasurer) (14:46): Mr President, I am not sure that I really understand the honourable member's question in relation to the issue. It will depend on the circumstances in relation to the honourable member's question. If she wants to give us some details of what particular property she is talking about and what the structure of those—

Members interjecting:

The Hon. R.I. LUCAS: Well, I am happy to answer the question if you give me the detail of the problem. In general terms, not that the honourable member has referred to the issue of surcharge, if that is the import of her question, but she didn't mention the issue of surcharge because I am not sure if she understands the package and the questions that she has been asked. If she is referring to the issue of the surcharge, the reason for a 0.5 per cent surcharge is to try to prevent the use of multitrusts to avoid the payment of land tax. That's what occurs in Victoria, and the package that the government released yesterday is essentially modelled on Victoria's, with some elements of the New South Wales package as well.

So if that's the import of the member's question, that she is talking about the 0.5 per cent surcharge—not that she mentioned that, but if that's the question—then the reason for that is to avoid minimisation techniques through the use of multisplitting.

LAND TAX

The Hon. T.A. FRANKS (14:47): Supplementary: how many mum-and-dad investors can afford $250 to attend lunch at the Hilton to air their views on the land tax to the media?

The Hon. R.I. LUCAS (Treasurer) (14:48): I don't know the answer to that question; that's the honest answer there.

SUICIDE PREVENTION

The Hon. J.S.L. DAWKINS (14:48): My question is directed to the Minister for Health and Wellbeing.

The Hon. K.J. Maher: Give it to Ridgy.

The Hon. J.S.L. DAWKINS: Are you right there? Will the minister update the council on the initiatives the government has in place that align to the theme of this year's World Suicide Prevention Day?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): I thank the honourable member for his question and I pay tribute to the important work that he has put into this important area of public health policy over many years. Suicide is always a tragedy. In Australia, it claims far too many lives, with the number of Australians taking their own life greater than our national road toll. Each suicide touches many more Australians through affected families, friends, work colleagues and communities.

The Marshall Liberal government is strongly committed to supporting suicide prevention. The Premier has appointed his own advocate in the area and an advisory council. We welcome the Morrison Liberal government's recent declaration of a zero target for suicide in Australia, together with the appointment of a National Suicide Prevention Adviser, Ms Christine Morgan. The honourable member's question is particularly appropriate, given that today is World Suicide Prevention Day and the theme is 'Working Together'.

The very nature of suicide, as well as its far-reaching implications, means that working together to prevent suicide is critical. Everyone is able to make a difference in raising awareness, breaking down stigma and encouraging conversations. Further reflecting the need for this collaborative approach, the Marshall Liberal government is working towards zero suicide through the Premier's Council on Suicide Prevention, the Issues Group on Suicide Prevention and the South Australian suicide prevention networks, along with a host of community groups and service clubs.

In concrete terms, the Marshall Liberal government has committed $2.5 million to support South Australian suicide prevention networks and SA Health has used this to facilitate a network of networks. A further seven Wesley LifeForce suicide prevention networks are supported by SA Health, with advice and funding through the Office of the Chief Psychiatrist. The networks are run by volunteers who work to raise awareness and break down stigma, to start life-saving conversations in their communities, to bring education and training to their communities and to link those bereaved by suicide to support services.

Providing a more formal structure for engagement with suicide prevention, the Life in Mind National Communications Charter outlines a unified approach to mental health and suicide prevention in pledging to enact eight core principles. They are:

- making mental health, wellbeing and suicide prevention a priority issue;
- using appropriate, person-centred and respectful language in all communication;
- sharing nationally consistent information and messages;
- working together to maximise our efforts and resources;
- using the charter as a guide for strategic communications, advocacy and awareness raising;
- acknowledging those with lived experience of mental ill health or suicide;
- respecting the diversity of experience of those affected by mental ill health or suicide; and
- promoting crisis services and help seeking information.

I understand the Premier has personally signed this charter, along with the Premier's Advocate for Suicide Prevention, the Hon. John Dawkins, and members of the Premier's Council on Suicide

Prevention. Following shortly after World Suicide Prevention Day—which is today—we have R U OK? Day on Thursday 12 September.

Many organisations will hold events, including morning teas and information-sharing sessions, to help start important conversations around mental health and wellbeing. I encourage all members of the chamber and members of the community to check in on someone you may not have seen for some time, remembering the theme of this year's World Suicide Prevention Day is 'Working Together to Prevent Suicide'. Each of us can make a difference.

LAND TAX

The Hon. C. BONAROS (14:52): My question to the Treasurer is also in relation to land tax. Does the Treasurer accept that small investors with property portfolios of up to $1.3 million are still going to be paying a rate of land tax which is significantly higher than what they would be paying in New South Wales or Victoria if their properties are aggregated?

The Hon. R.I. LUCAS (Treasurer) (14:52): I am happy to take an aspect of that question on notice and bring back a more detailed reply to the honourable member. If the import of the honourable member's question is that the total value of a series of aggregated properties is less than (I think she said) $1.3 million, the new threshold is actually being proposed to be $1.1 million, so I'm not sure why—the $1.3 million was going to be the old threshold but it's now $1.1 million.

The member is genuinely seeking information so I'm happy to provide some answers in relation to $1.3 million, which was the honourable member's question, but it may well be that on reflection it is more appropriate for $1.1 million. I'm assuming from her question that she is talking about someone who owns a series of properties, not a single property, that are aggregated, but I'm happy to clarify the honourable member's question and bring back a response.

Can I indicate that, whilst we have pitched our package at the average for all mainland states, New South Wales and Victoria in some elements have lower rates of tax, both the top rate and rates along the line. Their top rate is still lower as well, so it's not just at the lower end, as the honourable member's question is seeking to refer, that their rate may well be lower, but their rate at the top end is also still lower because it is 2 per cent and 2.25 per cent. We have pitched ours at 2.4 per cent, which is the national average of all the mainland states.

As I said, Queensland is 2.75, Western Australia is 2.67. They actually have a metropolitan improvement levy or tax at 0.14, which we have not included in our calculations, which we could have because it goes out on the land tax bill as well, and that would have taken the average to slightly above 2.4 per cent. We would still be, in South Australia, higher at the top rate, and I suspect the answer to the honourable member's question is, irrespective of the structure of the ownerships, at the lower levels their numbers are lower as well in those particular states.

LAND TAX

The Hon. I. PNEVMATIKOS (14:55): My question is to the Treasurer. Does the Treasurer now regret that the Premier did not attend more budget cabinet committee meetings which canvassed the land tax aggregation measures?

The Hon. R.I. LUCAS (Treasurer) (14:55): I don't regret anything that the Premier does or doesn't do. The question makes some assumptions which are not accurate.

Members interjecting:

The PRESIDENT: Treasurer, please show some respect for your whip; he is on his feet. The Hon. Mr Stephens.

INTERNATIONAL EDUCATION STRATEGY

The Hon. T.J. STEPHENS (14:56): My question is to the Minister for Trade, Tourism and Investment. Can the minister inform the council about the new international education sector strategy?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): I thank the honourable member for his ongoing interest in international education. International education,

as we know, is a critical industry to South Australia's economy, employing some 12,500 South Australians and bringing in over $1.8 billion to our state last year.

The Marshall Liberal government has invested more in this industry than ever before, and our universities, schools and colleges are seeing great results. The year-to-date enrolments to June have increased by 11.8 per cent when compared to the same time in 2018—a year in which we achieved exceptional growth, I might add. These figures of 32,700 enrolments for the first five months of 2019 exceed even the national growth rate of 10.7 per cent, making it the first time since 2011 that South Australia is above the national average.

The Marshall Liberal government welcomes international students to our state and the investment in the sector, and we want to do more to make them more welcome and bring even greater numbers of international students to South Australia. Over the past 12 months, I have been working closely with the industry through the Ministerial Advisory Council for International Education (MACIE) to develop a state sector strategy on international education.

Three weeks ago, the Premier and I were pleased to release the International Education 2030 plan. Developed hand in hand with our institutions, the sector plan sets out an ambitious target of achieving a $3 billion industry and employing some 23,500 South Australians by the year 2030.

International Education 2030 builds upon the government migration initiatives that make it easier for international students to extend their stay in South Australia following their graduation. These include continuing to pilot the new Supporting Innovation in South Australia visa, improved access to state nomination for the state's high-performing graduates and an extension of post-study work rights for the state's international students from two years to three years.

The plan also aims to increase the services and support provided for students who invest in an education here, delivered in partnership with industry. By increasing international student numbers, our state's burgeoning industries, such as food, wine, agribusiness, health, medical, tourism, technology, defence, space and creative industries, will have greater access to a pipeline of talent to fill current and future skills shortages.

International students make a significant contribution in retail expenditure. They boost tourism dollars and entice their friends and relatives to visit them in South Australia. Moreover, by studying in our local institutions, these students internationalise the education our own daughters and sons receive and they gain an Australian cultural experience so valued by many international students. The Marshall Liberal government's commitment will continue to support this important sector that delivers such a positive impact on the economy, the culture and the workforce of South Australia.

INTERNATIONAL EDUCATION STRATEGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:59): Supplementary arising from the answer: is the minister able to outline which recommendations of the Joyce review pertain to international education and what stage of implementation they are up to?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:59): I thank the honourable member for his supplementary question. Obviously, in the Joyce review it was identified that international education be one of our key sectors, and that is why the sector plan has been developed. A range of the other implementations from the Joyce review support a number of the sectors, but we have got eight sectors, we are rolling out the plans, and then we have had the growth chapters for our growth state agenda which will be released later in the year.

INTERNATIONAL EDUCATION STRATEGY

The Hon. K.J. MAHER (Leader of the Opposition) (15:00): Further supplementary arising from the original answer: has a memorandum of administrative understanding been signed between the minister's department and the body charged with overseeing international education inbound to Adelaide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:00): I thank the honourable member for his question. I assume that he is referring to StudyAdelaide, the body

that we fund to, obviously, be the marketing arm for international education on behalf of the government. MACIE, the advisory council that I have, is a volunteer group of people made up from the universities and from all the institutions that have come together to help develop the plan. In relation to those two, we don't have an MOU with MACIE, and we have an ongoing funding agreement with StudyAdelaide.

INTERNATIONAL EDUCATION STRATEGY

The Hon. K.J. MAHER (Leader of the Opposition) (15:00): Supplementary, just to be clear: is there some sort of memorandum that has been signed in the last six months between the minister's department and StudyAdelaide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:01): We have an arrangement. Obviously, we fund StudyAdelaide every year. As to whether there is an MOU, I don't recall that there is, but I will take that on notice. We have a funding arrangement. It is an administrative one between the department and StudyAdelaide. With the formation of the new department, I am sure there were some new arrangements put in place, but I don't have those details with me.

INTERNATIONAL EDUCATION STRATEGY

The Hon. I.K. HUNTER (15:01): The minister on his feet said that the Marshall Liberal government has invested more in this sector than ever before but neglected to give the chamber any indication of the amount that has been invested. What is the quantum of this investment and on what programs has the investment been spent? Can the minister also advise how much has this investment been increased over the last, say, two years?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02): I thank the honourable member for his ongoing interest in international education. It became an election commitment that we would increase funding to StudyAdelaide up to $2.5 million across the forward estimates, so that is the funding that we have increased, more than the Labor Party had put in, in my recollection, over the previous 16 years.

Of course, some of the changes around post-study work rights visas and some of the great work that we have done with the federal government around Designated Area Migration Agreements is now making South Australia a really attractive place, not only to get a great education, it is a great experience to come here and it is a great small city that international students love to come to. It is also one where, other than Tasmania, they have an enhanced opportunity of work rights post-graduation.

It is an old Labor psychology that you have to put more and more money into things. We have put $2.5 million a year into StudyAdelaide, which had some policy setting changes. We have said to the international students, 'We are open for business.' Then, of course, on the back of the Premier's great hard work with the international Space Agency, Lot Fourteen and all of the work around defence, we have actually got a wonderful opportunity for careers beyond some of the traditional ones we have had.

Space and some of the tech and start-up activities happening at Lot Fourteen will provide significant opportunities for students from all over the world to secure some great careers here in South Australia. The SmartSat CRC was talked about globally recently. I think there are some opportunities. It is not just about putting extra money in, and we are putting in more than ever before, it is making sure the policy settings are right—$2.5 million a year is the commitment, but it is the policy settings that make our great state attractive to international students.

INTERNATIONAL EDUCATION STRATEGY

The Hon. I.K. HUNTER (15:03): I thank the honourable minister for giving us the information about his election commitment, but what I actually asked for is the quantum that has been spent, what programs it has been spent on and how much is it an increase over previous expenditure? I am happy for the minister to take that away and bring back an answer.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:04): I thank the honourable member for his question. We provide StudyAdelaide with that funding. They then

actually fund a whole range of programs. I will seek an answer from StudyAdelaide and bring it back to the honourable member.

INTERNATIONAL EDUCATION STRATEGY

The Hon. E.S. BOURKE (15:04): Can the minister list the key countries that students are coming from to participate in South Australia's international education programs?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:04): I thank the honourable member for her ongoing interest. Clearly, China is the largest country that we have international students from. It was 41 per cent; it may have just dropped down to 38 per cent. As for the other countries that are of significance, clearly India is an important country and some of the countries in South-East Asia, such as Indonesia and the Philippines. We are also seeing Latin America: Mexico and Brazil are two that are identified. Nepal is also one that we are seeing good numbers from.

I think China has just dropped below 40 per cent—it may be about 38 per cent—but there is a large cohort of people who come from all over the world. The key ones, as I will repeat again, are India, Nepal, South-East Asia and, clearly, Latin America—Mexico and Brazil. We are also having some from Mauritius and some parts of the other side of the Indian Ocean; some interest from Africa as well. We have a really diverse offering here. It is great to meet some of the students when they have come from Mexico and Brazil. They do enrich our culture, Mr President.

SCISSOR LIFTS

The Hon. T.A. FRANKS (15:05): My question is for the Leader of the Government in this place. Will the minister update the council on the six-month-long industry-wide compliance campaign for the safety of elevating work platforms, aka scissor lifts, that finished three months ago?

The Hon. R.I. Lucas: Scissor lift audit, did you ask?

The Hon. T.A. FRANKS: The industry-wide compliance campaign for the safety of elevating work platforms, aka scissor lifts, the SafeWork SA audit of scissor lifts, that concluded in June?

The Hon. R.I. LUCAS (Treasurer) (15:06): I have a briefing in the office in relation to the six-month what SafeWork SA has referred to as an audit of, or compliance activity of, the use of elevating work platforms. I think I have said publicly before at some stage the number of prohibition notices and improvement notices that were issued, or else it has been reported publicly, so I am happy to take the detail of the honourable member's question and bring back a reply.

There was a significant number of improvement notices and prohibition notices as a result of that, and I think my office has been advised that SafeWork SA intends, as you would expect them, an ongoing compliance activity, albeit not at the same level as during the six-month audit. I am happy to take the member's question on notice and bring back a reply.

SCISSOR LIFTS

The Hon. T.A. FRANKS (15:07): Will the government make any recommendations or changes to legislation or, indeed, look at the Coroner's recommendations as a result of this audit?

The Hon. R.I. LUCAS (Treasurer) (15:07): The answer to the question, as a result of the audit are we proposing legislative change, is no. In relation to the Coroner's recommendations, I have currently got, after a long period of time, a series of recommendations. I am about to write back to the Coroner and I will indicate publicly the government's response to the Coroner's recommendations. At the same time, SafeWork SA will write to various stakeholders in relation to the government's response to the Coroner's recommendations.

LAND TAX

The Hon. R.P. WORTLEY (15:08): My question is to the Treasurer: is the government's land tax aggregation policy the final version, or will further changes be considered?

The Hon. R.I. LUCAS (Treasurer) (15:08): There was a draft bill issued last night. I encourage the Hon. Mr Wortley, and indeed anybody else who is interested in making a submission on the YourSAy website, to do so should they so wish. We welcome any comment that the

Hon. Mr Wortley might have in relation to tax-effective investments in relation to property, if he has an interest in that particular area. The closure for submissions is, I think, 2 October. That is made clear on the YourSAy website.

It is proposed that the final draft of the legislation will be introduced on 14 or 15 October—whatever that Tuesday is of that particular sitting week—with the requirement for the parliament to either support it or defeat it, whatever is its wish, by the end of the year, because RevenueSA requires, they say, eight months, but it will be seven months, to actually make the comprehensive system and policy changes required should the parliament agree to what is a bold, comprehensive land tax reform package.

LAND TAX

The Hon. R.P. WORTLEY (15:09): Supplementary: is there any part of your land tax policy that's not negotiable?

The Hon. R.I. LUCAS (Treasurer) (15:09): The government is certainly not prepared to wind back the significant reform of driving down the top land tax rate to 2.4 per cent. We think that's broadly supported by everyone; and 92 per cent of individuals will be better off and 75 per cent of company groups will be better off. We are not prepared to make changes, for example, to the increase in the threshold to $450,000 because 9,300 land tax payers will no longer pay land tax as a result of the reforms. We are also not prepared to countenance a situation that the Labor Party was prepared to and that is to allow to continue a situation where someone can own millions of dollars' worth of property and not pay a single dollar in land tax.

So the answer to the question is yes, there are non-negotiable aspects to it. We have had 12 weeks of consultation with stakeholder groups and individuals and a very, very large number of people have expressed an interest in this over 12 weeks. We think the package now is a much improved package in terms of driving comprehensive reform and investment into South Australia. The nature of the consultation will be in relation to the technical detail of the drafting of the bill. Then, ultimately, it will be up to the parliament to decide whether it wishes to support the package or not.

LAND TAX

The Hon. R.P. WORTLEY (15:11): Supplementary: we now know what's not negotiable. Can the Treasurer tell the council what is negotiable?

The Hon. R.I. LUCAS (Treasurer) (15:11): Mr President, I have just outlined that.

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (15:11): Supplementary: so the aggregation area is not negotiable, the rate is not negotiable and the threshold is not negotiable. Is the Treasurer saying that in this sham consultation the only thing that is negotiable is technical elements of drafting?

The Hon. R.I. LUCAS (Treasurer) (15:11): Mr President, I have not got much to add to what I have already put on the public record both in this chamber and publicly as well.

Members interjecting:

The Hon. R.I. LUCAS: We have consulted for 12 weeks.

The Hon. K.J. Maher interjecting:

The Hon. R.I. LUCAS: I know the Leader of the Opposition is easily excited. The littlest things excite the Leader of the Opposition and good luck to him. Whatever gets him excited over in that chair, let him enjoy it.

The essential elements of the package have been as a result of 12 weeks of negotiation, where we have engaged with individuals, stakeholders and others. There is now a draft bill, which has been circulated and if there are sensible recommendations in relation to the draft bill—and we wouldn't expect those to come from the Labor Party, as my colleague indicates—but if there are sensible suggestions in relation to the drafting of the bill, we are prepared to consult on those particular issues.

SA SPINAL CORD INJURY SERVICE

The Hon. J.S. LEE (15:12): My question is to the Minister for Health and Wellbeing regarding—

The Hon. C.M. Scriven interjecting:

The Hon. J.S. LEE: I will just start again, Mr President. My question is to the Minister for Health and Wellbeing regarding initiatives to support spinal rehabilitation in South Australia. Can the minister please provide an update to the council about the SA Spinal Cord Injury Service at Hampstead Rehab Centre?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13): I thank the honourable member for her question. It's a particularly relevant time of the year to consider spinal cord injury. Last Thursday was Spinal Cord Injury Day. I was pleased to be able to mark the day myself with a visit to the Hampstead Rehabilitation Centre to recognise the generous donation from ParaQuad SA to the exercise physiology and physical education department of the SA Spinal Cord Injury Service at Hampstead Rehabilitation Centre.

The Hon. J.M.A. Lensink interjecting:

The Hon. S.G. WADE: The interjection from the honourable member reminds me that I think the Hon. Michelle Lensink might have worked there. If she didn't work there, she certainly worked in this area. ParaQuad SA is a not-for-profit community organisation that has been providing support to South Australians with spinal cord injury, but also more broadly in the disability sector, for 50 years. I would like to pay tribute, in particular, to ParaQuad SA leaders: Mr Craig Clarke, Mr Peter Stewart and the late Sue Twelftree.

ParaQuad SA generously donated $180,000 to update the strength and conditioning equipment for patients going through spinal cord injury rehabilitation. The ParaQuad SA donation has been supported by $74,000 in funding by the Central Adelaide Local Health Network to upgrade and fit out the facility at the Hampstead Rehabilitation Centre. The upgrade includes installation of electric sensor doors, restoration and painting of the bathrooms and weight rooms, and electrical data works. As part of the upgrade, tribute was also paid to Mr George C. Dunstan AM, who has done so much for Australian disability sport and sports administration. The weights and conditioning room was named the George C. Dunstan AM Weights and Conditioning Room.

Strength and fitness training is extremely important for patients undergoing spinal cord injury rehabilitation to support their recovery and to help them learn the new skills required to return to everyday life. The new state-of-the-art equipment donated by ParaQuad SA uses smart technology to support the rehabilitation journey. The outpatients and inpatient I spoke to spoke of the freedom and empowerment that they feel through the program. All they needed to do was swipe their bracelet to set the machine up for their program. This ensures a high-quality service delivery and patient safety and also will support future research programs.

The addition of this equipment and upgrades will help the South Australian Spinal Cord Injury Service to be a global leader in spinal cord injury rehabilitation and support outpatients in the future. I understand that the use of this specialised equipment is a first for any spinal cord injury rehabilitation unit in Australia, and we have seen the benefits of its use interstate. This is a great achievement, and I would like to acknowledge the efforts of all those involved from the South Australian Spinal Cord Injury Service, and CALHN more broadly, and from ParaQuad.

ParaQuad has a long history of providing funding to initiatives that enhance the lives of people with disabilities, particularly with respect to people living with a spinal cord injury. As the project demonstrates, the collaboration of community organisations such as ParaQuad working together with the healthcare system is a major driver in providing the best healthcare outcomes for our patients. On behalf of the South Australian government, I would like to thank ParaQuad and the injury service on delivering this great achievement and for their important work in advocating for the spinal cord injury community and for the generosity of their gift.

LAND TAX

The Hon. C. BONAROS (15:17): My question is to the Treasurer in relation to land tax. Does the government support the proposal for a joint parliamentary inquiry to forensically examine its land tax reforms, especially given the lack of public confidence in your department following its massively flawed revenue projections?

The Hon. R.I. LUCAS (Treasurer) (15:17): I have indicated publicly, no, we don't, and I am available every sitting day to answer questions in this chamber as, indeed, the Premier is elsewhere. I must say, the individual commentators have been commenting for 12 weeks and will now comment on the draft bill for the next four weeks. There is nothing that prevents the stakeholder groups making submissions and speaking to the Labor Party and crossbenchers. I am available to answer questions in relation to—on a daily basis—the government's package and response.

Ultimately, what this chamber has to decide is does it want to use the device of a parliamentary committee, for however long that would go, to stop 92 per cent of individuals being able to receive the benefit of a tax cut in July next year and 75 per cent of company groups not getting a tax cut in July of next year because the parliament, either through defeating the bill or through delaying the bill or through instituting a parliamentary inquiry, prevents those benefits for the vast majority of land tax payers in South Australia flowing through?

It is a $70million cut in land tax collections starting on 1 July next year, but at the same time introducing a fairer and more equitable system so that people who have $3 million or $4 million in property can't continue to not pay a single dollar in land tax. From the government's viewpoint, that is a comprehensive reform which should be instituted by 1 July. We have indicated we don't support a joint parliamentary inquiry, and we won't.

LAND TAX

The Hon. C. BONAROS (15:19): Supplementary: given the Treasurer's offer just now, will you give an undertaking to provide a detailed explanation to this chamber regarding how the government got its projections so wrong?

The Hon. R.I. LUCAS (Treasurer) (15:19): I will be here on a daily basis answering each and every question that the member or indeed any other member wishes to ask in relation to it. So the answer to the question is, yes, I will answer every question that the honourable member has got in relation to the particular questions.

The PRESIDENT: The Hon. Ms Bonaros, a further supplementary.

LAND TAX

The Hon. C. BONAROS (15:20): Will the Treasurer undertake to provide a response to this chamber in relation to the errors that were made in its land tax revenue projections?

The Hon. R.I. LUCAS (Treasurer) (15:20): I already have, but I am happy to repeat it again in terms of the detail, and tomorrow and Thursday and any other day that we are sitting answer any other detailed questions the honourable member has got. In relation to the significant underestimate in terms of revenue, what Treasury in the last 12 months has been able to do is cross-reference the RevenueSA database with TRUMPS driver's licence database material but also, more importantly, ASIC company search material. What that forensic investigation, as it relates to companies and individuals, has determined is that, essentially, the estimate for individuals has been relatively accurate; the significant underestimate was in relation to companies.

I might just tangentially indicate that the 2015 state tax reform paper, which was issued by the Labor government and endorsed by the Labor Treasurer at the time, lists on, I think, page 6 or something of that particular report the proposition that is now being discussed. The estimate of the revenue to be collected from that particular proposal at that time, which was 2015, which was reform aggregation to be like New South Wales, Victoria and Queensland, was $30 million a year.

So the Labor Party estimate three years ago on this, which they issued for a state tax reform summit, endorsed by the Labor Treasurer, endorsed by the then Labor premier, endorsed by the

ministers sitting around the cabinet, was that to reform aggregation to be like New South Wales, Victoria and Queensland the net cost to revenue would be $30 million.

So when Treasury produced the estimate in 2019, about four years later, and their estimate was $40 million, which was in essence a 33 per cent increase over four years, it was sort of within the ballpark of the Labor government's estimate of what the cost would be. The Labor Party cannot move away from their estimate in relation to this particular issue.

Members interjecting:

The Hon. R.I. LUCAS: The Leader of the Opposition can squeal like a stuck pig if he wants to, but that was the estimate the Labor Treasurer in 2015 issued, endorsed by the Labor government, as to what the cost would be. The significant underestimate by both the former Labor government and the current Liberal government in its budget in relation to the estimate was in relation to the cross-referencing with ASIC data.

What has now been established, after 12 weeks of further work and consultation, is that there were a number of company groupings in the RevenueSA database, which might have been ABC proprietary limited, or whatever it is, which owns some properties, and there might have been another group of companies called XYZ proprietary limited, and they look different in the RevenueSA database; there was nothing which indicated that they were linked. But through the ASIC database—and you can have a look at some of these complex structures: they look a bit like Noodle Nation—you go back through two or three layers of other companies and you eventually find that ABC proprietary limited and XYZ proprietary limited are actually controlled by the same company or the same individual.

It has been that cross-tabulation with the ASIC database which has allowed—in essence, it then says, 'Well, they are all being controlled by the same group; they therefore should be aggregated.' Under the RevenueSA database, which the Labor government issued in 2015 and the Liberal government in 2019 issued—the estimate of Labor was $30 million; the estimate of the Liberal government was $40 million—it significantly underestimated the related party groupings in relation to the company structure. That has been the big difference in terms of it.

I am happy on a daily basis to continue to talk about that, but that is the simple answer to the question as to why both the former Labor government's estimate was a significant underestimate and the Liberal government's estimate in its budget this year was a significant underestimate, although we were $10 million closer, albeit four years later, to what is the accurate figure in relation to the revenue to be reaped.

The general answer to the Hon. Ms Bonaros' question is that I am happy on a daily basis to take each and every question from the Hon. Ms Bonaros or anybody else in relation to the government's tax reform package as part of being open and transparent about the government's proposal, of which we are seeking the endorsement of the parliament by the end of the year.

LAND TAX

The Hon. J.E. HANSON (15:25): My question is to the Treasurer. Given that the Premier has previously claimed that he had full support for his original plan, can the Treasurer advise whether the Premier has the support of the entire Liberal backbench for this new current plan?

The Hon. R.I. LUCAS (Treasurer) (15:25): The Premier not only has the wholehearted endorsement and support of me as Treasurer and Leader of the Government, he has the wholehearted support of every member of the parliamentary party room.

TOURISM PLAN

The Hon. D.G.E. HOOD (15:26): My question is to the Minister for Trade, Tourism and Investment. Will the minister update the council on the state's new tourism plan?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:26): Thank you, Dennis.

Members interjecting:

The Hon. D.W. RIDGWAY: The opposition is very excitable. I thank the honourable member for his question. I know members opposite love the tourism industry and they are very excited today. The South Australian tourism industry is booming and employing more people than ever before. Since the launch of the previous South Australian tourism plan 2020 in 2014, the visitor economy has grown from $5.1 billion to $7.2 billion. In fact, it is the first time in this state's history that we have a '7' at the front of the figure—$7 billion.

The total number of people employed in the sector has risen to an all-time high of 38,900, a 4 per cent increase or an additional 1,616 jobs on the previous year. This growth justifies the government's additional funding of $21.5 million to the events bid fund and the allocation of a further $43 million to the SATC over four years to market our state on the world stage. We are well on the way to reach our 2020 target of $8 billion, as set out in the original tourism sector plan, but we need to be forward thinking, unlike members opposite who are always backward looking, to ensure the long-term growth and sustainability of this critical industry.

So in September last year the SATC commenced development of the next tourism plan. After extensive industry consultation the Premier and I were privileged to launch the South Australian Visitor Economy Sector Plan 2030 on 6 August. It is an industry-led plan, endorsed by the industry and aims to grow the state's visitor economy to $12.8 billion by 2030, generating an additional 16,000 jobs. That will take the sector to over 50,000 jobs.

The six strategic priorities of focus are: marketing, experience and supply development, collaboration, industry capability, leisure and business events, and promoting the value of tourism.

Members interjecting:

The Hon. D.W. RIDGWAY: Obviously, members opposite do not realise the value of tourism. We will also work hard to improve our capability by investing in public infrastructure, labour and skills, as well as streamlining regulation to simplify the private investment process and develop more unique tourism experiences across South Australia.

We travelled some 5,000 kilometres across Adelaide and regional South Australia to develop this plan, and I thank the many hundreds of people who took part in the consultation to develop what is a plan by the South Australian tourism industry for the industry. Members opposite should remember that 43 per cent of the visitor economy spend is in regional South Australia, so in 2030 we will have a $12 billion economy—$12 billion by 2030, which will be $430 million on average every month spent in regional South Australia and $570 million every month spent in Adelaide.

We are focusing our efforts and resources on these priorities. We will continue to build on the last few years of record growth in expenditure and employment to deliver more wealth and more jobs for South Australians.

Bills

APPROPRIATION BILL 2019

Second Reading

Adjourned debate on second reading.

(Continued from 1 August 2019.)

The Hon. R.P. WORTLEY (15:30): I stand today to speak on the Appropriation Bill 2019-20. In the 16 or so months since the election of the Marshall Liberal government, we have seen two budgets: one categorised by cuts, closures and privatisations and the most recent categorised by increased costs, reduction of services and, most stunningly, skyrocketing levels of debt. The Marshall Liberal government was elected on the platform of lower costs and better services. This is not an ambiguous platform by any stretch of the imagination, but that this Marshall Liberal government has then gone about doing exactly the opposite and yet still sought to equivocate otherwise is both disingenuous and, quite frankly, deceitful.

There are multiple examples whereby the Marshall Liberal government have broken their two straightforward promises of lower costs and better services and have consequently broken trust with the electorate. This latest budget does not set out a plan for South Australia nor does it help

struggling families. Instead, this is a framework that pushes higher taxation regimes and an increased cost of living onto South Australian households. Instead of lower costs and better services, we are now at the point where the community is asking, 'What does this government actually stand for?'

Before the election, Liberal Premier Steven Marshall repeatedly told the electorate that lower costs and better services were key components of his vision for South Australia. How extraordinary, then, that this government has systematically gone about doing exactly the opposite and hence is now a government that can be categorised by broken election promises and no vision.

Surely the most galling example of the Liberals' retreat from the lower cost mantra is the 40 per cent increase to the solid waste levy. Let us not forget that, for years leading up to the last election, the Liberal Party campaigned on a platform of capping council rates. Indeed, they wanted to reduce council rates and, in one fell swoop of rank hypocrisy, have pushed a price gouge of $89 million onto hundreds of thousands of households across metropolitan councils.

A truly peculiar feature of this budget is the allocation to build half a hospital. The Liberal government's 'half hospital' announcement has throwbacks to other half-planned-for or half-baked projects that the Liberal Party have cooked up over the years, namely, the one-way expressway. While it is all very well to commit $550 million to start construction of the hospital, it is concerning that the Marshall Liberal government has refused to reveal the total cost of the entire build.

How much will the Women's and Children's Hospital cost taxpayers? If the Premier knows the answer, it is incumbent upon him to inform South Australian taxpayers. If Steven Marshall does not know the answer, then it is very worrying indeed that he has committed $550 million to build a hospital when he does not know the final cost.

In the Treasurer's speech in another place, he said that the 2019 budget is focused on the government's priorities of building a strong economy, growing jobs, lowering costs and providing better services for South Australians. Quite frankly, the vernacular of the Liberal Party is wearing thin with the community when, in the very same budget, it has increased motor vehicle transactions, tradie workplace expenses, motor registration, driver's licence renewals, public transport fares and hospital car parking. All the while, South Australian families and businesses are struggling to absorb the $130 million in extra fees, charges and taxes. Steven Marshall has managed to stump up $42 million from the budget for a loan to build a boutique hotel at Adelaide Oval, and also fork out $37 million to pay corporate liquidators to make cuts to our hospitals.

This debt-laden 2019-20 budget has set a new borrowing record, skyrocketing from $13.5 billion in 2018-19 to $21.2 billion in 2022-23. This is the highest debt increase we have ever had in this state's history and the risk is, of course, that future generations will be left to manage the burden, particularly if interest rates increase over the next five to 10 years.

This is truly a dreadful budget full of broken promises that reflects poorly on the Liberal Premier Steven Marshall and his government. This is a budget that only serves to highlight the lack of vision of the Liberal government for South Australia. This is a budget that highlights the disquieting lack of empathy that Steven Marshall and his Liberal Party colleagues have for South Australians who are already struggling with little or no wage growth and loss of penalty rates.

My colleague the Hon. Justin Hanson and I spent quite a bit of time in the north-eastern suburbs as a result of inquiries to our offices from people opposing the closure of the Service SA centres. They have also asked quite consistently who their local member is in the seat of Newland. We spent quite a bit of time in the north-eastern suburbs, at the interchange, the Service SA centres and Modbury Hospital, and doorknocking. I was actually taken aback at the extraordinary amount of opposition people expressed to us regarding the government's broken promises.

They cannot work out why, before the election, they were given an undertaking that there would be no cuts to services and no increases in taxes and yet, straight after the election, there were cuts to nearly everything the Liberal government could think of; most importantly, the cost of public transport and the closure of the Service SA centres has hit very deeply within the community, and other parts of privatisation like SA Pathology.

I was also amazed at the number of people who did not know who their local member was—Richard Harvey. They only knew once we told them. One of the questions and one of the comments

that came from quite large numbers was, 'Why didn't the local member for Newland stand up for the people of the north-east suburbs when this government decided to cut Service SA centres and cut public transport?'

It is all very well now to sit and laugh and mock us on this side, but the people of South Australia will certainly punish you dearly at the next election. This is truly a dreadful budget delivered by what can now, after 16 months, be defined as a truly dreadful government.

Debate adjourned on motion of Hon. T.J. Stephens.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (15:38): 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 them.

Leave granted.

The 2019-20 Budget is focused on the government's priorities of increasing economic growth and jobs and providing better public services for South Australians.

As part of the 2019-20 Budget, the government has announced increased expiation fees for high risk offences, including excessive speed, as well as increased fees under the *Mining Act 1971*.

The *Statutes Amendment (Budget Measures) Bill 2019* contains amendments to the necessary legislation to implement these fee changes.

Increase in expiation fees for high risk offences

The Bill seeks to amend the *Road Traffic Act 1961* to facilitate the increase in expiation fees for speeding offences between 30 km/h and 44 km/h and from 45 km/h and over.

Research indicates that each 5 km/h increase in speed over 60 km/h, doubles the risk of casualty crashes on metropolitan roads, and that each 10 km/h increase in speed doubles the risk of a casualty crash on rural highways. Speed is a significant factor in fatal crashes in South Australia, and reductions in average travel speeds across the road network is the most effective and swift way to reduce road trauma and provide significant and immediate road safety benefits. The detection of speeding offences is one of SAPOL's priorities in its road safety strategy. The increase in speeding fines will serve as a further deterrent to people speeding and is intended to lead to a safer road network.

The *Road Traffic Act 1961* will also be amended to allow the penalty for bodies corporate who fail to nominate a driver to be amended through regulations and subsequently be increased.

When a person is detected transgressing the road rules, the loss of demerit points places a driver's licence at risk. This deterrent is one of the measures available that provides consequences for dangerous driving. Anecdotal evidence suggests that people who are detected speeding and/or running a red light in a corporate vehicle are simply paying the corporate fee to avoid losing demerit points thereby avoiding all the personal consequences of dangerous driving. Increasing the corporate fee will provide a deterrent to companies who pay the corporate fee instead of nominating the driver of a vehicle. This is a measure to provide an incentive to companies to nominate the driver of a vehicle which will enable drivers to be held to account for their dangerous driving which places other people's lives in jeopardy and will bring South Australia more in line with other Australian jurisdictions.

Extractive mineral industry—increase fees

The *Mining Act 1971* (Mining Act) will be amended to include a fee to recover the cost of assessing and reviewing Programs for Environment Protection and Rehabilitation or Mine Operations Plans, with the new fees to apply to submissions made from 1 January 2020. Development Programs relating to historic mining tenements approved under the Mines and Works Inspection Regulations 2013 will transition to the Mining Act to avoid unintended assessment fees. Development Programs were required on some tenements before the introduction of Programs for Environment Protection and Rehabilitation.

The Bill will also end the current scheme of providing discounts on mining lease rental payments under the Mining Act to tenement holders where they are also the freehold owner of the land under that tenement.

The 2019-20 Budget takes a considered approach to new revenue measures, with these changes intended to increase the deterrents for high risk traffic offences as well as improve cost recovery within the extractive mineral sector, including for work undertaken in the assessment of environmental protection and rehabilitation approvals and mine operation plans.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

Part 2 will commence on 1 January 2020. Part 3 will commence on the day on which the Act is assented to.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Mining Act 1971*

4—Amendment of section 6—Interpretation

This clause inserts a new definition. A body corporate is a *related body corporate* in relation to a particular entity if it is related to the entity under section 50 of the *Corporations Act 2001* of the Commonwealth.

5—Amendment of section 40—Rental

This clause amends section 40 by changing the meaning of 'relevant interest'. A relevant interest in land over which a mining lease has been granted is an estate of fee simple or native title conferring a right to exclusive possession of the land. Under the section as amended, an estate of fee simple of which a holder of the lease or a related body corporate is a registered proprietor is not a relevant interest.

6—Amendment of section 41E—Rental

This clause amends section 41E by changing the meaning of 'relevant interest'. This amendment corresponds with the amendment made to section 40 by clause 5.

7—Amendment of section 52—Grant of miscellaneous purposes licence

This clause amends section 52 by changing the meaning of 'relevant interest'. This amendment corresponds with the amendment made to sections 40 and 41E by clauses 5 and 6.

8—Amendment of section 70B—Preparation or application of program under this Part

Section 70B as amended by this clause will require the payment of a prescribed fee when a program is submitted for the purposes of the section.

9—Amendment of section 70C—Review of programs

Section 70C as amended by this clause will require the payment of a prescribed fee when a program is submitted for the purposes of the section. If a program under the section is submitted to the Minister after being reviewed at the Minister's direction, and the fee is not paid, the fee is recoverable from the holder of the mining tenement as a debt due to the Crown.

10—Insertion of section 70DA

This clause inserts a new section

70DA—Development programs to be taken to be approved programs

Under the proposed new section, a development program approved under regulation 9 of the *Mines and Works Inspection Regulations 2013* and in force immediately before the commencement of the new section is to be taken to be an approved program under Part 10A and is subject to the operation and requirements of that Part.

11—Amendment of section 73G—Mine operations plans

Section 73G as amended by this clause will require the payment of a prescribed fee when a program is submitted to the Director for the purposes of the section.

12—Transitional provision

This transitional provision provides that the amendments made to sections 40, 41E and 52 apply in relation to rent paid under those sections following the commencement of the amendments.

Part 3—Amendment of Road Traffic Act 1961

13—Amendment of section 45A—Excessive speed

This clause amends section 45A(1) by inserting a new penalty provision for the offence of exceeding the speed limit by 45 kilometres an hour or more. The existing penalty is a fine of $1,100 to $1,500 for a first offence and $1,200 to $1,700 for a subsequent offence. The new penalty is a fine of $2,400 to $2,800 for a first offence and $2,500 to $3,000 for a subsequent offence.

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

Under section 79B(2) if a vehicle appears from photographic detection device evidence to have been involved in certain speeding, red light or other offences, the owner of the vehicle is guilty of an offence against section 79B unless certain matters are proven.

This clause replaces the existing maximum penalty that a court can impose for the offence. At present the penalty is $5,000 for a body corporate and $4,000 for a natural person if the vehicle appears to have been involved in both a red light and a speeding offence and $4,000 for a body corporate and $3,000 for a natural person in any other case (unless it is an offence against section 45C(1) for heavy vehicle speeding offences on the South Eastern Freeway in which case the body corporate penalty is $25,000 to $50,000 and the natural person penalty is $5,000). Under the amendment the new penalty applicable in all cases except where the offence is an offence against section 45C(1) is $10,000 for a body corporate and $5,000 for a natural person.

This clause also amends the expiation fees applicable to offences against section 79B. Separate expiation fees are currently applicable under the section depending on whether the offence in which the vehicle appears to have been involved is an offence against section 45C(1) (the South Eastern Freeway heavy vehicle speeding offence), a combined red light and speeding offence, or some other type of offence. In each case at present the expiation fee for a natural person is an amount specified in the regulations for the relevant offence or combination of offences, and for a body corporate is the expiation fee for a natural person together with an additional amount specified in the Act. Under the amendment the additional amount for a body corporate is now referred to as a body corporate additional fee. In the case of an offence against section 45C(1) this body corporate additional fee is specified in the Act and is retained at its existing level of $25,000 (so that the expiation fee where a body corporate is the owner of the vehicle is the expiation fee for a natural person that is fixed in the regulations, together with the $25,000 body corporate additional fee fixed by the Act). In the case of combined red light and speeding offences, or in any other case, the body corporate additional fee that is to be added to the expiation fee for a natural person is no longer specified in the Act but is to be an amount not exceeding $5,000 prescribed by the regulations.

15—Amendment of section 176—Regulations and rules

This clause amends section 176(1a) to increase the maximum amount of any expiation fee that may be prescribed by regulation under the Act (for offences against the Act or the regulations or rules) from $1,250 to $2,500.

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

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO. 2) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 August 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:40): I rise today to indicate Labor's support for the Statutes Amendment (Attorney-General's Portfolio) (No. 2) Bill. However, we will have a series of questions during the committee stage of the bill. I note that the Attorney-General attempted to answer some of these questions in her second reading summing-up in the other place, as well as in response to questions from my colleague the shadow minister for health, member for Kaurna, Mr Chris Picton.

These questions touch on why a judge would need to have immunity in both civil and criminal trials as well as a proposed change of definition of premises of a participating body in the Sheriff's Act and how that will function. In particular, what is a precinct or immediate environs? How is a laneway between or abutting a premises different? How far will these geographic definitions extend? We also have a series of questions regarding the various commencement clauses of the bill. With these brief remarks, I indicate that we support in principle the bill but look forward to having our questions answered during the committee stage.

The Hon. R.I. LUCAS (Treasurer) (15:41): I thank the honourable member for his contribution to the second reading.

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

The Hon. R.I. LUCAS: I move:

Amendment No 1 [Treasurer-1]—

Page 3, after line 8—After subclause (1) insert:

(1a) Part 2A (other than section 4C) will come into operation immediately after section 4 of the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Act 2019 comes into operation.

(1b) Section 4C will come into operation immediately after section 7 of the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Act 2019 comes into operation.

This amendment is consequential, I am advised, on amendment No. 2, which I will move later. Its intention is that the relevant amendments referred to in amendment No. 2 commence immediately after the commencement of the provisions to be amended by the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Act 2019. This is essential so that there is no hiatus or difference in operation in the implementation of the reforms in the amendment act.

The Hon. K.J. MAHER: A question on the clause generally. Can the government provide any further advice on the commencement of various parts of the act? I think the Attorney-General indicated there may be a delay to the commencement of some of the clauses. Which ones are anticipated to have the commencement delayed and for what reason?

The Hon. R.I. LUCAS: My advice is that at this stage I am not in a position to be able to provide any advice. We are currently trying to consult with the Attorney-General's office to see whether they can provide any detail on the honourable member's question. It is not an unreasonable question, and perhaps if we continue with the discussion, I will endeavour to bring back a response before we conclude the debate.

The Hon. K.J. MAHER: We might get clarity when we consider some of the subclauses, for example, clause 2(2) states that, 'Part 3 will come into operation on a day to be fixed by proclamation,' rather than on the day it is assented to by the Governor. Why is it that part 3 is coming into operation on a different date than the rest of the bill?

The Hon. R.I. LUCAS: I am advised that because this is bringing in a criminal penalty, this is a normal drafting procedure in relation to criminal penalties that a lead-in time—I am not sure whether that is the technical description, but a sufficient amount of time is given in relation to the operation of the introduction of a criminal penalty. My advice is that it is a standard procedure as it relates to the introduction of a new criminal penalty and that is the reason for the difference to which the honourable member has referred.

The Hon. K.J. MAHER: In relation to part 9 of the bill, that only comes into operation on the day on which section 12 of the Public Interest Disclosure Act 2018 comes into operation, or the date of assent, whichever is the later. Can the government explain which they envisage to happen first and the reason for that?

The Hon. R.I. LUCAS: I am advised that subclause (b) 'on the day which this Act is assented to', has actually passed, so subclause (a) will be the operative clause and this section will be able to come into operation as soon as this particular bill is passed.

The Hon. K.J. MAHER: Similarly, in regard to 2(4), 'Part 12 of the Statutes Amendment (Attorney-General's Portfolio No. 3) Act comes into operation,' when is that anticipated to come into operation?

The Hon. R.I. LUCAS: I am advised that those provisions will come into operation no later than December of this year, but the Attorney's intention is to bring them into operation prior to that, so before the end of the year.

The Hon. K.J. MAHER: With regard to 2(5), on part 14 needing to be delayed, when is it likely that the prerequisite for that coming into operation will be met?

The Hon. R.I. LUCAS: I am advised that should this bill be passed it then activates the capacity to finalise regulations under clause 4 of the Summary Offences (Liquor Offences) Amendment Bill and so the intention is that once this bill passes the regulations would then be concluded and then they would be brought into operation soon after that.

The Hon. K.J. MAHER: In relation to 2(6), 'Part 16'—like part 3—'will come into operation on a day to be fixed by proclamation,' I note that part 16, like part 3, has penalties attached to it and I think the answer to part 3 was that is the way it is drafted. Can the Treasurer please explain why that is the case? I understand that it is drafted like that, but what is the reason that it is drafted like that?

The Hon. R.I. LUCAS: I am advised that in general terms—as I said, this is a practice that is being continued—all of the interested stakeholders is probably not the best description, but those who need to be advised need to be advised of the new criminal penalty (SAPOL, courts, the Crown and various others), that is, there is a new criminal penalty and all those who should be advised should be made aware of it.

It does surprise me that not everybody in our broader judicial and policing system follows with avid interest the proceedings of the parliament, but maybe that is the case. If the parliament passes a law with a new criminal penalty, all the appropriate people need to be advised and made aware of this particular criminal penalty and would need to make arrangements, I would assume, as is appropriate.

The Hon. K.J. MAHER: I thank the Treasurer for his response. Why is it then that the bills come into force at different stages? Why not the whole bill come into force once everybody has had the appropriate notice of the change of penalty?

The Hon. R.I. LUCAS: I am advised that the response to that is that this practice is only as it relates to criminal penalties. Regarding other issues that relate to minor or technical issues that do not relate to criminal penalties, there is no reason why they cannot be actioned more quickly than something that does involve the imposition of a new criminal penalty.

Amendment carried; clause as amended passed.

Clause 3 passed.

Clause 4.

The Hon. K.J. MAHER: In relation to clause 4, the section that provides immunity for judges, what is the rationale as to why the government believes that judges should not be subject to the same laws as normal citizens in the performance of their duties?

The Hon. R.I. LUCAS: I am advised that under common law judicial officers have immunity from civil and criminal actions insofar as it relates to the performance of their judicial function; therefore, this reflects that set of circumstances.

The Hon. K.J. MAHER: In relation to clause 4, is the Treasurer able to provide an example of a circumstance where that immunity might be used specifically for the Coroner?

The Hon. R.I. LUCAS: A possible simple example might be—and it does not just relate to coroners—that if in a judgement of a judicial officer, including a coroner, they were to make defamatory statements about an individual, because that is in the course of their function they would not be liable to an action for defamation.

Clause passed.

New clauses 4A, 4B, 4C, 4D and 4E.

The Hon. R.I. LUCAS: I move:

Amendment No 2 [Treasurer–1]—

Page 4, after line 12—After Part 2 insert:

Part 2A—Amendment of Criminal Law Consolidation Act 1935

4A—Amendment of section 19—Unlawful threats

Section 19(2), penalty provision, (c)—after 'section 5AA(1)(c)' insert ', (ca)'

4B—Amendment of section 20—Assault

(1) Section 20(3), penalty provision, (d)—after 'section 5AA(1)(c)' insert ', (ca)'

(2) Section 20(4), penalty provision, (d)—after 'section 5AA(1)(c)' insert ', (ca)'

4C—Amendment of section 20AA—Causing harm to, or assaulting, certain emergency workers etc

Section 20AA(9)—after the definition of *prescribed emergency worker* insert:

retrieval medicine means the assessment, stabilisation and transportation to hospital of patients with severe injury or critical illness (other than by a member of SA Ambulance Service Inc);

rural area means an area outside of Metropolitan Adelaide as defined by GRO Plan 639/93.

4D—Amendment of section 24—Causing harm

Section 24(2), penalty provision, (c)—after 'section 5AA(1)(c)' insert ', (ca)'

4E—Amendment of section 29—Acts endangering life or creating risk of serious harm

Section 29(3), penalty provision, (c)—after 'section 5AA(1)(c)' insert ', (ca)'

In essence, the amendment we have already passed will make no sense if we do not pass these amendments as well, but I will place on the record the advice I have from the government and the Attorney-General in relation to what these particular clauses seek to do.

Clauses 4A, 4B, 4D and 4E are related, so I will speak to them together. When it commences, the Criminal Law Consolidation (Assaults On Prescribed Emergency Workers) Amendment Act 2019 will increase the penalties for the offences in the Criminal Law Consolidation Act 1935 of making unlawful threats, assault, causing harm and endangering life where the victims are workers referred to in section 5AA(1)(c) of that act or regulations made under section 5AA(1)(ka) of that act.

The first of these provisions deals with police officers, prison officers, training centre employees and other law enforcement officers. The second of those provisions deals with other front-line healthcare, law enforcement and public transport workers. The amendment act contains five identical technical errors that were not identified prior to the passage of the bill. The provisions proposed to be amended should also include those workers referred to in section 5AA(1)(ca), as otherwise offences against community corrections officers and community youth justice officers will not carry the same maximum penalties as the other workers referred to.

I now turn to clause 4C. During the passage of the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Act 2019, a number of amendments were moved by the opposition to the bill and ultimately passed. This included the insertion of a set of offences in section 20AA. The opposition's model reproduced certain categories of emergency services workers into the original bill, particularly those involved in retrieval medicine and rural area callouts but, unlike the original bill, the opposition's amendments did not include definitions of 'retrieval medicine' or 'rural area'.

I am advised that the uncertainty as to what these terms mean bears a risk in criminal proceedings brought under section 20AA, namely, that such proceedings will either not be brought, will result in a not guilty finding or will be the subject of unnecessary appeals to the Supreme Court. This amendment remedies that by providing a definition of those terms. 'Retrieval medicine' is defined as 'the assessment, stabilisation and transportation to hospital of patients with severe injury or critical illness' and 'rural area' by reference to a map filed in the general registry office. The latter definition is adopted from that used in the Planning, Development and Infrastructure Act 2016.

New clauses inserted.

Clause 5 passed.

Clause 6.

The Hon. K.J. MAHER: Can the government explain the effect of deleting the word 'civil'?

The Hon. R.I. LUCAS: The impact of this amendment will mean that judicial officers will have immunity from both civil and criminal, so it makes that clear.

The Hon. K.J. MAHER: Can the government explain, does that bring us into line or does that take us away from what occurs in most other jurisdictions around Australia?

The Hon. R.I. LUCAS: On the advice we have, because it is a common law position, our understanding is that it would be common to most other jurisdictions.

The Hon. K.J. MAHER: This provision is either being inserted for the first time in a number of areas like the Coroners Court or removing the word 'civil' from the District Court and ERD Court, and magistrates and liquor licensing jurisdictions. Are there any differences between those various jurisdictions within South Australia that there might be different standards applied?

The Hon. R.I. LUCAS: My advice is that, given that they all refer to judicial officers, there is no reason why there should be any distinction between any of those jurisdictions.

Clause passed.

Clauses 7 to 11 passed.

Clause 12.

The Hon. K.J. MAHER: Can I ask the government: clause 12—what is the genesis of this amendment? Was it requested by a particular group or body that these be made in this legislation?

The Hon. R.I. LUCAS: My advice is this was a request from the ICAC commissioner.

The Hon. K.J. MAHER: The changes that are proposed, then, in clause 12, are they exactly as they were proposed by the ICAC commissioner, or do they differ in some way once the government took the request and then made their own view on the best way to proceed with this?

The Hon. R.I. LUCAS: My advice is they exactly reflect the ICAC commissioner's recommendation.

The Hon. K.J. MAHER: Was the Local Government Association consulted on these amendments in this particular section?

The Hon. R.I. LUCAS: My advice is that they were not consulted specifically; they were advised of the intention to progress these. It was seen by the government as being a largely technical amendment.

Clause passed.

Clauses 13 and 14 passed.

Clause 15.

The Hon. K.J. MAHER: Can the minister outline exactly what is a 'precinct' or 'immediate environs' as contemplated in this clause?

The Hon. R.I. LUCAS: I am advised this is undefined in the act, so it would be interpreted by the court by its ordinary meaning.

The Hon. K.J. MAHER: Is the Treasurer in a position to say what the ordinary meaning is, given it is the choice of words the government has used? I assume they have some idea about what they mean by the words they use in their own legislation?

The Hon. R.I. LUCAS: I can refer the leader of the opposition to the ordinary meaning as defined by the *Macquarie Dictionary*. It defines 'precinct' as including an enclosing boundary or limit or a walled or otherwise bounded or limited space within which a building or space is situated and 'environs' as the immediate neighbourhood, surrounding parts or district. I refer the honourable member to the *Macquarie Dictionary*.

The Hon. K.J. MAHER: Clause 15(a)(ii) refers to 'laneways between or abutting the premises or place'. Given that the government has chosen to put in 'between or abutting', can the government outline what the difference they see between those two things is?

The Hon. R.I. LUCAS: We can go through the *Macquarie Dictionary*. 'Between' is between two buildings, that is, you have two buildings and you are between them; 'abutting' means you are actually adjacent to something.

The Hon. K.J. MAHER: If there is a laneway between two buildings, does it have to be two buildings that are part of the premises, or can it be a laneway that is between a building that is part of the premises and another building that is not part of the premises?

The Hon. R.I. LUCAS: I am not sure I can throw too much more light, other than the natural ordinary meaning of the words that are there. A 'place' can be, essentially, as the name suggests, anything, I assume—a place—but it has to be within subclause (a), which is:

(a) any premises or place occupied in connection with the operation of a participating body—

That is the limiting factor on a 'place', and 'abutting' is abutting, it is just next to it. I am not sure that I can be any more helpful to the Leader of the Opposition in terms of this particular issue.

The Hon. K.J. MAHER: Maybe if the minister can outline the reason for this change of definition of 'premises' in the Sheriff's Act. What is the reason we are discussing this clause; what was deficient that it needs this remedy?

The Hon. R.I. LUCAS: My advice is that this particular amendment was specifically requested by the Chief Justice, and it is modelled on legislation that exists in Victoria.

The Hon. K.J. MAHER: What will be the effect of this change? What is it that this part of the definition section does? What else in the Sheriff's Act relies on this definition?

The Hon. R.I. LUCAS: There are a number of examples, but the simplest might be the operation of a Sheriff's powers only relate to, for example, premises or place occupied in connection with the operation of a participating body. Further on, or elsewhere in the legislation, when it talks about where the Sheriff's powers can operate, they operate within a certain area, and that is why it is used.

The Hon. K.J. MAHER: As I understand that explanation, we are in effect extending that area from the immediate premises to include things such as the precincts and environs of the premises or place and adjacent car parks and footpaths. So the change of definition seeks to extend the areas of the Sheriff's powers; am I reading that correctly?

The Hon. R.I. LUCAS: I obviously cannot speak on behalf of the Chief Justice, but I assume the Chief Justice has seen some restriction or issue with the current definition and has therefore sought some small extension by way of a clarification through this definition, as modelled on Victoria. I cannot and do not propose to speak on behalf of the Chief Justice as to why he saw reason to evidently request this particular amendment, but my advice is that in general terms what the Leader of the Opposition is suggesting is correct, that this will extend slightly the definition and therefore the operation of, for example, the Sheriff's powers issue that we discussed earlier.

As I said, I cannot speak on behalf of the Chief Justice. The Chief Justice has obviously argued, the Attorney-General has listened to those arguments and obviously has concurred with those arguments. If this is an important issue for the Leader of the Opposition, I can seek further advice via the Attorney-General of the Chief Justice to find out why he wanted this particular amendment.

The Hon. K.J. MAHER: Indeed, I think that is a very good point, similar to part 12, I think it was, where the ICAC commissioner asked for things and the Treasurer said that because the ICAC commissioner asked for them they were put in exactly as they were asked for. The Treasurer indicated that these amendments were requested by the Chief Justice, but he has also tempered that with: of course, the government would have had to turn their mind to whether that is reasonable and what the effect of those would be, because of course no responsible government would just do what they were asked to do by someone, they would actually have to turn their mind to whether it

was a reasonable thing to do, if it would operate properly, and agree that these are reasonable changes to our law.

The question that I am asking is: when the government turned their mind to these changes and decided that these were reasonable and worthwhile changes to make, we talked about the definition of a precinct or immediate environs and it was agreed that there was no definition within the act and that the court, if they were interpreting it, would have to turn to an ordinary definition. We have had the *Macquarie Dictionary* definition read out to us. These changes govern pretty fundamental things, that is, where the Sheriff's Officers can exercise their powers. In the view of the government, which has turned its mind to these things and thought that they are reasonable, how are the Sheriff's Officers going to get guidance about where they can use their powers in areas where they could not before?

The Hon. R.I. LUCAS: In relation to the government's position, clearly the government—I would assume the Attorney-General, in particular, and her advisers—given the advice that the request has come from the Chief Justice, placed some weight on the fact that the Chief Justice's view should be given appropriate weight. That does not mean, as the member suggests, that we would always agree with the position of the Chief Justice. It would have been given appropriate weight and the Attorney-General would have taken advice.

There are two general tenets I could suggest. One is that there may well be an important issue where a change needs to be made because there is a clear problem, whatever it may be. It is also possible that, in some amendments, the Attorney-General may take the position that the Chief Justice requested it and that there is no major problem or issue in relation to this matter from the Attorney-General's viewpoint, etc. If the Chief Justice has decided that he believes this is an important issue, and the Attorney-General's advice is that there is no danger, impact or negative effect due to the particular change of the amendment, that might also have been a factor in the Attorney's consideration.

I am not in a position to speak on behalf of the Attorney-General in relation to whether it was a combination of both those factors or whether it was one of the others that was the major factor. The bottom line is that you are right: the Attorney-General has considered the request from the Chief Justice and, for whatever reason, has decided to agree to it. We have explained, to the best extent we can, what the impact would be. Thus far in the debate there has been nothing suggested by the Leader of the Opposition that there is any problem or mischief caused by the particular amendment, so we recommend it to the committee.

Clause passed.

Clauses 16 to 20 passed.

Clause 21.

The Hon. K.J. MAHER: When this clause was debated in the House of Assembly, the Attorney-General advised that she was not aware whether any cabinet ministers run, own or are on the boards of any charities that might have been affected by these arrangements at the time that the Attorney-General was asked that question. Has the government now checked, and can the government advise, whether any cabinet ministers either own, run or are on the boards of any charities that might benefit from the new arrangements?

The Hon. R.I. LUCAS: I have nothing to add in relation to the position of individual cabinet ministers. My recollection—and the Leader of the Opposition will obviously be in a position to have his own view on this—not my recollection but my clear understanding is that the MPs' register of interests requires us to declare, as MPs, whether we are directors of a variety of bodies, which would also include charitable trusts, and that is publicly available. There is obviously a register of interests for cabinet ministers which is, to my understanding, not publicly available. It is registered with the cabinet office and it is cabinet in confidence, but the MPs' register of interests, which is all cabinet ministers or MPs, is publicly available.

I suspect that the Leader of the Opposition, if this is a matter of interest to him—this is a charitable trust that we are talking about; I am not sure there is any mechanism out of a charitable

trust. You can have a pecuniary benefit or interest but, anyway, it would be recorded on the publicly available register of interests. I think we tabled the Legislative Council register of interests today.

The Hon. K.J. MAHER: Is the minister prepared to take that on notice; that is, if merely being on the board of a charitable trust does not require putting it on the register of interests, will the minister take that on notice and bring back the answer to the question?

The Hon. R.I. LUCAS: No; I think the Leader of the Opposition can seek advice from the Clerk and the Presiding Officer, if he wants to. The register of interests for MPs is something which is an issue for the parliament and for the chamber, I think, to my recollection. Clearly, there are other requirements but my understanding is that if you are a member of a board of a charitable trust or, indeed, a whole variety of other organisations, you are required to declare that on your register of interests. Unless the Leader of the Opposition has advice to the contrary, that is my understanding.

The Hon. K.J. MAHER: Can the minister advise if this section would provide a potential benefit to a charitable trust? My question to the Treasurer is: is it possible that once this section comes into operation it may be beneficial to a charitable trust—the operation of the section?

The Hon. R.I. LUCAS: Are you talking about a financial benefit?

The Hon. K.J. MAHER: No, not necessarily; it could provide a benefit to the way the trust operates.

The Hon. R.I. LUCAS: If the question is in relation to a benefit, it is obviously intended to simplify a process for charitable trusts to be able to alter their trustees' powers to administer a trust. I assume the reason it is being done is to give them an administrative benefit—that is, reducing some red tape or inconvenience—so if that is of concern to the Leader of the Opposition then the answer to the question is that it is intended to provide some benefit in that broad sense.

I cannot see how it provides, and my advice is that we cannot see how it provides, any financial benefit, other than if you are talking about a financial benefit because it reduces red tape and inconvenience and maybe administrative costs will be reduced in some way, if that is what the Leader of the Opposition is concerned about.

Clause passed.

Remaining clauses (22 and 23) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:27): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. M.C. PARNELL (16:28): It is a little unusual for members to speak to a bill effectively on the same day that it is introduced, but the government had put this on the *Notice Paper* before the winter break; it is just that the minister had not delivered his second reading speech. Given the identical speech was made in the lower house, I had no problem in preparing some very brief notes to address this bill today so as to efficiently deal with the matters before the council.

The Statutes Amendment (Budget Measures) Bill in most recent years has had a number of contentious items in it. We could take a trip down memory lane and we could look at car parking taxes and all manner of things that have been in budget measures bills. This year, it is a disappointing offering from the government with not a whole lot to tax us, and I would be surprised if it takes a great deal of time through this chamber. There are only a handful of issues. The big-ticket item, of course, that is not in here is land tax, but we will spend more than enough time, I expect, debating that in the coming weeks and months.

In terms of the budget measures bill before us, the first issue that is raised is in relation to what is often called 'voluntary taxation', that is, the amounts of money that we pay to the state when we behave badly on the roads, in particular going through red lights or driving faster than the speed limit. This budget measures bill does propose to increase the penalties for some of the more serious of those traffic offences, such as driving more than 30 km/h or even more than 45 km/h over the designated speed limit. The Greens support this measure and measures like this that help discourage bad behaviour on the roads.

As an aside, I note that, as fines in this and other areas get bigger and bigger, the Greens are sympathetic to this parliament having a proper look at income-based fine regimes, the idea being that a fine, whether it is $500 or $1000, might be pocket money to a wealthy person. They just pull the banknotes out of their wallet or they wave their card and the matter is disposed of, but for a person on a very low income these substantial fines have a major impact on their take-home income.

That said, it is a form of voluntary taxation that you do not need to pay if you do not drive too fast or you do not go through red lights. I am not proposing to raise this as an issue in this bill, but I am just putting on the record that the Greens would like this parliament at some stage to investigate income-based fines. I appreciate that there are practical difficulties for a state government that does not have the same access to financial data that the federal government has, and I also understand that there are potential unintended consequences where incredibly wealthy people on paper appear to be quite poor if we just take their income tax records as an indication of their ability to pay fines. Anyway, that is an aside.

The bill proposes to increase penalties for serious speeding offences, and the Greens support that. The bill also proposes to deal with what I understand is a growing trend for the operators of commercial vehicle fleets to not name the driver—to pay a corporate fee, but in the process ensure that the guilty driver does not have any demerit points chalked up against his or her name and therefore risk losing their licence as a result of a speeding offence or other traffic offences committed in a work vehicle, often on work time. I think it is a—I will call it a loophole—that deserves to be plugged and the Greens support increasing the corporate fee.

I would have thought that the operators of fleet vehicles almost inevitably know exactly who was driving. It would be a very rare corporation where people can go into a yard, take a vehicle out driving and no-one knows who it is, what car they have taken or when it was brought in and brought back. I think that information is universally available in relation to corporate fleets and I support the idea of a corporate fee that is serious enough that the operators of those fleets will prefer instead to name the guilty party so that they do suffer some personal consequences for their bad driving.

The third area of the bill relates to again, I think, some loopholes in the Mining Act, in particular where the owners of freehold land were being reimbursed some of the fees that they were paying. Where the owner of that land is in fact the mining company itself, that reimbursement of fees makes no sense, and I understand that the intent of this bill is to make sure that those payments are not made.

I appreciate the briefing that I was offered by Treasury officials. I think there were six or seven in total, which seemed a lot for a very thin bill, but it just shows the level of specialisation in the department. I did ask one question in relation to whether the environment department is ever compensated for mining activities on National Parks and Wildlife Act reserve lands.

My understanding is that they are not. I think that is something that we need to look at again. I will consider whether there are appropriate questions in committee in relation to that. Generally, the additional fees that are sought to be covered under the Mining Act in relation to assessing and reviewing programs for environmental protection and rehabilitation are supported, and so too is the other loophole that the bill seeks to close. With these brief comments, the Greens will be supporting the Statutes Amendment (Budget Measures) Bill.

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

LANDSCAPE SOUTH AUSTRALIA BILL

Committee Stage

In committee.

(Continued from 1 August 2019.)

Clause 44.

The ACTING CHAIR (Hon. D.G.E. Hood): Does any honourable member wish to make a contribution at clause 44? The Hon. Ms Bonaros.

The Hon. C. BONAROS: I indicate that I will be moving the Hon. Frank Pangallo's amendments in his absence.

Clause passed.

Clause 45.

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

Amendment No 19 [Maher–1]—

Page 55, after line 8 [clause 45(1)]—Insert:

(aa) include information about the issues surrounding the management of natural resources and the state of landscapes at the regional and local level, including information as to methods for protecting, improving and enhancing the quality or value of natural resources within the relevant region, and the health of those aspects of the environment that depend on those natural resources.

This amendment seeks to ensure regional landscape plans include information regarding the ways in which natural resources will be protected or improved and ensure the health of ecosystems within a region. In our view, this key information is missing and is a requirement for a regional landscape plan in the bill as it currently stands. While the board may determine these to be part of its key priorities, the opposition views them as a key to the work of regional landscape boards and as such should be a common requirement for all boards.

I note that the minister has stated his view that boards should, to paraphrase, spend less time planning and more time doing. We believe this amendment incorporates work that boards should be doing anyway and as such should be a key part of regional landscape plans.

The Hon. J.M.A. LENSINK: This is a bit of a common theme that has emerged throughout the debate on this legislation, which we saw last time we debated this legislation. There was a difference of opinion very much between the Labor opposition and the Liberal government and based on the very consistent feedback that we received through the consultation process, but also over many years, and has been particularly well articulated in this place over many years by many members from various parties, not just the Liberal Party, in that the natural resources management system as established by the former government's legislation has led to unnecessarily prescriptive processes, and we see this in the same vein.

If I can address the amendments as a group: it reintroduces unnecessary complexity into regional landscape planning. What we heard during the consultation process was that people who are involved in natural resources management are sick of repetitive and lengthy planning processes and lengthy regional plans running to multiple volumes. Going forward, the intent is for plans to be simple, high-level documents that drive a focus of effort. Boards will be focused on delivering five strategic priorities for the region that have been identified in consultation with their communities, as well as taking into account scientific and other expert information. Identifying strategic priorities does not negate appropriate analysis of the broad range of matters, which will remain the focus of regional landscape boards. This is part of delivering a simpler approach to regional planning to refocus effort and resources on delivering outcomes on ground for the benefit of the community.

The four amendments filed in the name of the Leader of the Opposition on regional planning will require regional plans to include issue descriptions of the landscape rather than focusing on what the board is going to deliver and why. Plans including more than five strategic priorities will dilute the

focus and resources of landscape boards, as will introducing circular overlapping concepts that misunderstand the role of integrated landscape management in managing our natural resources.

Finally, prevalence will be given to one type of knowledge above others, rather than a considered understanding of the interrelationship of all natural sciences together with traditional and local knowledge. In short, these amendments add unnecessary complexity to the work of boards in developing regional plans. I ask members to look at these amendments and to ask themselves what practical improvements will this additional complexity and prescription deliver. I also ask members to consider: is a focus on description of landscape issues the right approach to achieving outcomes when appropriate reporting of outcomes is already provided for?

The Hon. M.C. PARNELL: I agree with the minister to the extent that she said that these are themes that have been repeated a few times in the debate so far. At its most basic feature, what we are looking at in clause 45 is effectively the terms of reference for the regional landscape board when they are preparing their plan. We could debate uphill and down dale what to include and what not to include, but it seems to me that the opposition's position has been fairly consistent in relation to the four amendments to this clause.

There will be additional references to conservation use and management of natural resources. There will be additional references to taking the best available climate science into account. It is pretty difficult to not fail to understand the importance of climate when it comes to landscapes. As we see in the first and second week of September, half of New South Wales and Queensland are on fire, with unseasonal dry conditions and bushfires. Climate science is going to be integral to the work of these landscape boards, I have no doubt.

The particular amendment that is before us at the moment relates to a statement or information around the issues that exist in South Australia at the landscape regional or local level. I would have thought that most boards would probably have a few statements in there in relation to that anyway, but I do not think these amendments cause any harm. We all know that with terms of reference for inquiries or committees people will write and report on what they write and report on.

The bill is to give them guidance. I expect any other matters will often feature, as they do. But honestly—and it is up to the minister, of course—I do not think it is die in the ditch. I do not think it adds to the complexity a great deal. It just makes it clear the range of things that the parliament wants the regional landscape board to look at, so the Greens will be supporting the inclusions into clause 45 proposed by the opposition in this and the subsequent three amendments.

The Hon. C. BONAROS: I indicate for the record that SA-Best will be supporting this particular amendment for reasons similar to those just outlined by the Hon. Mark Parnell. I do take the minister's point, though, in relation to the next amendment in terms of the limit of five high-level priorities in the strategic plan.

For the reasons that have been alluded to again by the Hon. Mark Parnell, we think that it is important to outline those further issues in amendment No. 19 [Maher-1] and, as such, we will be supporting that particular amendment, but I indicate now for the record that we will not be supporting the next amendment which seeks to alter the limit of five high-level priorities in the strategic plan to potentially more than five.

The Hon. J.A. DARLEY: For the record, I indicate that I will not be supporting the opposition's amendments.

The committee divided on the amendment:

Ayes 11
Noes 8
Majority 3

AYES

Bonaros, C.	Bourke, E.S.	Franks, T.A.
Hanson, J.E.	Hunter, I.K.	Maher, K.J. (teller)
Ngo, T.T.	Parnell, M.C.	Pnevmatikos, I.

AYES

Scriven, C.M.	Wortley, R.P.

NOES

Darley, J.A.	Dawkins, J.S.L.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A. (teller)	Ridgway, D.W.
Stephens, T.J.	Wade, S.G.	

PAIRS

Pangallo, F.	Lucas, R.I.

Amendment thus carried.

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

Amendment No 20 [Maher–1]—

Page 55, line 13 [clause 45(1)(a)(ii)]—Delete 'its 5' and substitute 'at least 5'

I know that members have expressed some views on this as we considered amendment No. 19; however, I might try to persuade them with one last roll of the dice. I think this is particularly important, and we as the Labor opposition think it is particularly important. The bill in its present form requires regional landscape boards to have no more than exactly five strategic priorities. This amendment would enable them to have more than five priorities but sets a minimum of five to ensure the board's work is not too narrow in focus.

As I said, the opposition views this is as particularly important because of the huge diversity of priorities likely to be set by our regional landscape boards as they vary across the state. The huge geographic regions in the state's Far North are likely to have a range of priorities that they may wish to focus on that may be different but also may be more varied or less varied than other regions. Similarly, the experience in the Kangaroo Island region may be substantially different and there may be different priorities that are more or less varied than different areas.

The bill in its current form requires exactly no more than five, so that variance in the huge geographical differences across the state cannot be properly recognised by containing it so greatly. For example, the threat posed by climate change presents a unique set of challenges for the regional landscape boards, which will need to address these changes in our state landscapes. This amendment seeks to give the boards the flexibility to do this by focusing on further priorities when that board requires it.

Ultimately, we want to ensure the regional plans are useful documents that accurately reflect the challenge of that particular region without being constrained by some sort of arbitrary limit but without being too narrow to adequately address those issues.

The Hon. J.M.A. LENSINK: The government opposes this amendment. The Leader of the Opposition has been arguing in favour of diversity of plans and that is something that certainly the government supports, but his amendment does not impact on that. What we have heard—and I can only repeat myself time and again—is that these amendments to this legislation are based on very strong community feedback that we received through the consultation process and is consistent with advice that we have received from many people who have been involved in the natural resources management process over many years, and that is that natural resources management attempts to be, driven by the legislation because it is so long and prescriptive, all things to all people.

We have seen the situation where boards feel obliged to have policies on everything, and because they cannot do everything they do not end up particularly focusing on things that should be priorities. There is nothing in the existing legislation that prevents the South-East Natural Resources Management Board from having different priorities to the Arid Lands Natural Resources Management

Board, and I stand to be corrected. Sorry, I keep saying 'NRM board'—I have been dealing with this legislation for so many years that I feel like Pavlov's dog sometimes—I should say 'landscape boards'.

There is nothing in the government's legislation that prevents each distinctive board, with its distinctive environmental characteristics, from focusing on those things that they determine are the most appropriate priorities.

The Hon. C. BONAROS: I am sorry to disappoint the opposition, but I am convinced in this instance by the arguments that have been put by the government: one, in terms of the strong community feedback, but also in terms of ensuring that we get right the five priorities that are listed as the most important priorities, as opposed to stretching ourselves across a number of different priorities and achieving little in terms of any meaningful outcomes. In this instance, when it comes to the five high-level priorities, we will be supporting the government's position.

The Hon. M.C. PARNELL: This debate reminds me a little bit of *The 12 Days of Christmas*, and there will be a partridge in a pear tree, I think, because we have the seven key priorities and the five strategic priorities, and that adds up to 12. I think we are sweating the small stuff a little bit here. As I said before, we are happy to support the opposition in relation to this, but if it does not get up it does not get up. I do not think it will cause great harm to the legislation, but the Greens nearly always support flexibility where we can. But, honestly, there will be no shortage of opportunities for the boards to slot the things that they think are important into one of their seven key priorities or their five strategic priorities.

Unless I have that wrong—I am looking at paragraph (a)(i)—sorry, that is the Green Adelaide board. It is not 12; that is a separate organisation. The Green Adelaide board is the favourite, they get seven key priorities, but the regional boards only get their five strategic priorities. By the clever use of the English language and words like 'and', I am sure that if they have more than five things as their strategic priorities they will combine them into one, but if it does not get up, it does not get up. The Greens are supporting it, but I do not think it will be the end of the world if it does not survive this chamber.

The Hon. J.A. DARLEY: I support the opposition's amendment.

The Hon. J.M.A. LENSINK: Without wanting to delay debate, I wish to take up the argument of the Hon. Mr Parnell. I will be paraphrasing him, so he will pull me up if he thinks I am incorrect. In terms of sweating the small stuff, yes, but these are important things because the regional landscape boards are effectively led by legislation. Effectively, he has been arguing that they will do what they want to do anyway or they will work out what it is that is important to them, so it is neither here nor there whether or not it is in the act.

In fact, what we have seen is that the existing legislation has driven a lot of the processes in terms of how natural resources management boards have gone about organising their planning processes. Therefore, what we put into the act is actually incredibly important because the regional landscape boards will be guided by what is in the act. I think it is a bit cute for anybody in this chamber to insinuate that these things are not insignificant. Just to repeat myself, the consultation was very, very clear that people who have been involved in this process are sick and tired of this legislation being prescriptive.

Amendment negatived.

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

Amendment No 21 [Maher–1]—

Page 55, line 21 [clause 45(1)(c)]—After 'level' insert:

, with particular reference to the conservation, use and management of natural resources,

This amendment seeks to ensure that sufficient focus is given to natural resources and the goals of conservation use and management in regional landscape plans. Very much like earlier Labor opposition amendments, this seeks to ensure that these outcomes are not lost in the change of language from natural resources management to landscape management.

The Hon. J.M.A. LENSINK: If I can be blunt, I think this amendment is telling the regional landscape boards how to suck eggs. What we have is a term that is defined in the legislation: 'landscape' includes natural resources as well as 'natural and physical features, including coasts and seas', and 'human values and uses'. I think it is somewhat patronising to remind the boards of what their duties are. I think they will well understand that, and I think we ought to place a bit of trust in the people whom we appoint to undertake this incredibly important work.

The Hon. M.C. PARNELL: We support the amendment.

The Hon. C. BONAROS: We support this amendment.

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

Amendment carried.

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

Amendment No 22 [Maher–1]—

Page 55, after line 34 [clause 45]—Insert:

(1a) A regional landscape plan must take into account the best available climate science information.

In the same way that earlier amendments have sought to ensure the use of the best available climate science in the landscape strategy, this amendment seeks to ensure that the same occurs in each regional landscape plan. Again, the urgency and unique threat of the climate emergency demands that we pay specific attention to it when planning for the future management of our state's landscapes. This amendment seeks to ensure that this is occurring at a regional level as well as at a statewide level. I commend the amendment to the chamber.

The Hon. J.M.A. LENSINK: Once again, we oppose this amendment, not because climate change is not important; in fact, it is one of the key areas in the legislation in the appropriate section. However, once again, this is patronising and unnecessary. If we break down what is in the wording of this particular amendment, that is, 'the best available climate science', does the honourable member seriously think—and this is a rhetorical question—that the regional landscape boards are going to be using the worst possible climate science?

What about best available coastal erosion science, which is very important in parts of the South-East and along the metropolitan coast? Why don't we include that in the legislation? We could look at the most appropriate soil science for areas where soil erosion has been an issue.

The Hon. K.J. Maher interjecting:

The CHAIR: Leader of the Opposition, we are in committee. You had plenty of opportunity to have your say. Let the minister answer.

The Hon. J.M.A. LENSINK: I would expect these sorts of amendments to perhaps come from groups that are seeking to make a particular political point but not from a major party which has held office and which would understand that clauses such as this are not necessary and really are quite patronising to people who will be appointed to these boards and whom we expect to undertake their duties in the best interests of the environment.

The Hon. K.J. MAHER: I will take this opportunity to place on record—and be guided by you, Mr Chairman, to not interject. I think that the minister's assertions are ridiculous in the extreme. She might think that in this utopian world everyone accepts the best available climate science—they do not, Mr Chairman, they just do not.

We have seen members of her own party at a federal level throwing around lumps of coal in the federal parliamentary chamber. They are not guided by the best available climate science. In fact, they choose the worst available climate science. We saw the former prime minister, the federal leader of the minister's federal party, talk about climate science as 'crap'—I think that was the exact word he used—so for the minister to stand here with a straight face and say that of course everyone uses the best available climate science is just devoid entirely from reality and that is why we need these sorts of amendments.

The Hon. J.M.A. LENSINK: Touché, Mr Chairman. The Leader of the Opposition has belled himself in betraying that this is merely a political point that he wishes to make.

The Hon. K.J. Maher: No, not at all.

The Hon. J.M.A. LENSINK: Entirely.

The Hon. M.C. PARNELL: As tempting as it is to weigh into this I am not going to, other than to say that the Greens support the amendment. We believe that the best available climate science is a key input into the work of the boards and we think it does no harm. In fact, we think it does good to insert it into their marching orders under clause 45.

The Hon. C. BONAROS: I indicate our support for this amendment.

Amendment carried; clause as amended passed.

Clauses 46 to 48 passed.

Clause 49.

The CHAIR: We have amendments Nos 2, 3, 4, 5 and 6 [Pangello-3]. The Hon. Ms Bonaros, are you going to speak to these amendments?

The Hon. C. BONAROS: I am going to attempt to speak to these amendments. My understanding was that we were going to move amendment No. 2 [Pangello-3], which is in effect a consequential amendment on [Pangello-6]. Does the Chair prefer that I speak to them all at once?

The CHAIR: I understand that it is consequential on a subsequent amendment but we have had a vote to test the committee's view on this clause and it was in the affirmative. We will do amendment No. 2 [Pangello-3] first.

The Hon. C. BONAROS: On behalf of the Hon. Frank Pangallo, I move:

Amendment No 2 [Pangallo–3]—

Page 58, lines 27 to 41 and page 59, line 1 [clause 49(4)(a) to (g)]—Delete paragraphs (a) to (g) (inclusive) and substitute:

(a) for a levy to be imposed under Part 5 Division 1 where a levy has not been imposed by the board in relation to the financial year immediately preceding the relevant financial year; or

(b) to impose a levy under Part 5 Division 1 which will require the approval of the Minister under section 65(4) or 69(10); or

(c) to change the basis of a levy under section 66(1) or 69(4); or

The Hon. J.M.A. LENSINK: For reasons outlined in the previous committee stage of the debate, the government remains opposed to these proposals.

The Hon. M.C. PARNELL: It has been complicated because there have been a number of amendments on the same clauses. Before the winter break, various negotiations were held. The Greens had some amendments in relation to this issue of levy collection, which we are not pursuing, and instead we are supporting the Hon. Frank Pangallo's amendments. As this is consequential, we started the levy discussion earlier, before the winter break, so the Greens will be supporting all of the amendments in the set [Pangallo-3].

Amendment carried.

The Hon. C. BONAROS: On behalf of the Hon. Frank Pangallo, I move:

Amendment No 3 [Pangallo–3]—

Page 59, lines 12 to 18 [clause 49(5)(b) and (c)]—Delete paragraphs (b) and (c) and substitute:

(b) at the conclusion of the processes and consultation required under paragraph (a)—prepare a report to the Minister on the outcome of those processes and that consultation.

Amendment No 4 [Pangallo–3]—

Page 59, line 23 [clause 49(7)]—Delete '(5)(c)' and substitute '(5)(b)'

Amendment No 5 [Pangallo–3]—

Page 59, line 31 [clause 49(9)(a)(ii)]—Delete '64(5)' and substitute '65(4)'

Amendment No 6 [Pangallo–3]—

Page 60, line 18 [clause 49(14)(b)]—Delete '64(4)' and substitute '65(3)'

Amendments carried; clause as amended passed.

Clauses 50 to 63 passed.

Clauses 64 to 68 and new clauses 68A, 68B and 68C.

The Hon. C. BONAROS: I move:

Amendment No 1 [Pangallo–6]—

Page 71, line 4 to page 74, line 13—Delete clauses 64 to 68 (inclusive) and substitute:

64—Interpretation

In this Subdivision, unless the contrary intention appears—

rateable land means rateable land under the Local Government Act 1999;

ratepayer means a ratepayer under the Local Government Act 1999.

65—Board may declare levy

(1) If the annual business plan for a regional landscape board specifies an amount to be contributed by ratepayers in respect of rateable land within the region of the board towards the costs of the board performing its functions under this Act in a particular financial year, the board may, by notice in the Gazette, declare a levy (a *regional landscape levy*) under this Subdivision.

(2) The amount specified by a regional landscape board in an annual business plan under subsection (1) in respect of a particular financial year should not exceed—

(a) unless paragraph (b) or (c) applies—the amount imposed by the board under this Subdivision for the immediately preceding financial year adjusted by the percentage applying under subsection (3); or

(b) an amount allowed by the Minister under subsection (4); or

(c) an amount approved by the Minister under subsection (6).

(3) The percentage applying under this subsection in respect of a particular financial year is the percentage change in the CPI (expressed to 1 decimal place) when comparing the CPI for the September quarter of the immediately preceding financial year with the CPI for the September quarter of the financial year immediately before that preceding financial year, being this percentage change published by the Australian Bureau of Statistics.

(4) The Minister may allow a regional landscape board to specify an amount under this section that exceeds the amount that would otherwise be payable under subsection (2)(a) if the Minister is satisfied that exceptional circumstances exist that justify the principle established by subsection (2)(a) not applying in relation to the board for a particular financial year.

(5) For the purposes of subsection (4), exceptional circumstances must fall into 1 of the following cases:

(a) that there is an urgent need to address an issue with existing infrastructure located within the board's region that cannot reasonably be dealt with through other funding sources or over a longer period;

(b) that there has been a natural or environmental disaster that has resulted in extraordinary measures being proposed by the board;

(c) that some other major event with an adverse impact on a significant part of the community within the board's region has occurred and the board considers that it should take immediate action in relation to the matter;

(d) that some other situation exists that is exceptional and that the benefits in allowing the board to impose an amount under subsection (4) in a particular financial year outweigh the fact that additional costs are to be imposed on the relevant community in a particular financial year.

(6) In a case where a regional landscape board did not declare a levy under this Subdivision in relation to the immediately preceding financial year, the Minister may approve an amount under this subsection for the relevant financial year after taking into account such matters as the Minister thinks fit.

66—Basis of levy

(1) A levy declared under this Subdivision may be based on 1 of the following factors, as specified in the relevant annual business plan:

(a) the capital value of rateable land;

(b) a fixed charge of the same amount on all rateable land within the relevant region;

(c) a fixed charge of an amount that depends on the purpose for which rateable land is used;

(d) the area of rateable land;

(e) any other factor prescribed by the regulations.

(2) Differential levies may be declared on any basis prescribed by the regulations.

(3) The purposes for which land may be used that may be the basis of a regional landscape levy under subsection (1)(c) may be prescribed by the regulations.

(4) A regional landscape board may, in declaring a regional landscape levy, fix a minimum amount payable by way of a levy under this Subdivision (despite a preceding subsection).

67—Liability for levy

(1) The person who is the ratepayer in respect of rateable land at 12.01 a.m. on 1 July of the financial year for which a regional landscape levy is declared is liable to pay the levy to the regional landscape board.

(2) Two or more persons who are ratepayers for the same land are jointly and severally liable for the regional landscape levy in respect of that land and are entitled to contribution between each other in proportion to the value of their respective interests in the land.

(3) A subsequent ratepayer of land is liable for a regional landscape levy, in respect of that land, that has not been paid by the person or persons liable under subsection (1) or (2).

(4) A subsequent ratepayer who has paid the whole or any part of a regional landscape levy is entitled to recover—

(a) the amount paid from the person primarily liable or, if there are 2 or more such persons, from any 1 or more of them;

(b) a part of the amount paid from another ratepayer (if any) in respect of the land that is in proportion to the value of their respective interests in the land.

(5) The Governor may, by regulation, grant remissions in respect of the levy, or part of the levy.

(6) In this section—

subsequent ratepayer includes a person who has ceased to be a ratepayer in respect of rateable land.

68—Constituent councils to provide information

(1) In connection with the operation of section 67, each constituent council for the region of the regional landscape board must, in accordance with the regulations, provide to the board—

(a) a full copy of its assessment record under section 172 of the *Local Government Act 1999*, as it is up-to-date for 1 July of the financial year in respect of which the regional landscape levy is to be imposed; and

(b) such other information prescribed by the regulations.

(2) The relevant regional landscape board is liable to pay a fee, determined by the Minister after consultation with the LGA, to a council in connection with the council providing an assessment record or other information under subsection (1).

68A—Notice and collection of levy

(1) The relevant regional landscape board must as soon as is reasonably practicable after the declaration of a regional landscape levy cause notices of the amount of the levy that must be paid in respect of any land for the relevant financial year to be prepared.

(2) A notice must state—

(a) the amount of the levy payable; and

(b) the factor on which the levy is based and, if it is a differential levy, the differential basis; and

(c) the date on or before which the levy must be paid or, if the regional landscape board is prepared for payments to be made in instalments, the amount of each instalment and the date on or before which it must be paid.

(3) The regional landscape board must provide the notices that have been prepared under this section to the Commissioner of State Taxation.

(4) The Commissioner of State Taxation will be responsible for—

(a) serving the notices on the persons who are liable to pay the levy; and

(b) collecting the levy under this Subdivision on behalf of the regional landscape board.

(5) The notices may be served with any notice served under the *Emergency Services Funding Act 1998*.

(6) The Commissioner of State of Taxation will be responsible for the costs of—

(a) serving any notice under this section; and

(b) collecting the levy under this Subdivision.

(7) If there are 2 or more persons liable to pay a levy, service of a notice on 1 of them will be taken to be service on both or all of them.

(8) The Governor may, by regulation, make any other provisions for the collection of the levy.

68B—Funds may be expended in subsequent years

To avoid doubt, if an amount due or paid to a regional landscape board under this Subdivision is not received or spent by the regional landscape board in the relevant financial year, it may be spent by the board in a subsequent financial year.

68C—Regulations

The Governor may, by regulation, provide for such other matters relating to the operation or administration of this Subdivision as the Governor thinks fit.

I move that it be a suggestion to the House of Assembly to amend the bill by leaving out clauses 64 to 68 and inserting new clauses 64 to 68C.

The CHAIR: Does any honourable member have a contribution on the suggested amendments that have been moved?

The Hon. C. BONAROS: Perhaps if I could confirm for the minister's benefit, these are substantive amendments in terms of the consequential amendments that we have been moving. The Hon. Frank Pangallo, during the previous session, did speak to these amendments in terms of what they are trying to achieve, and that is in relation to the board levies, so in effect we have the landscape board setting and declaring levies in their annual business plans and those levies are to be gazetted. The amendment sets out the parameters regarding what the levy amount can be and how it can be set, but it is the minister who ultimately has to approve those levies.

The amendment goes on to provide for CPI-capped increases as per the government bill and it also provides that the levies can be higher if the minister approves as much in exceptional circumstances, and then the amendment goes on to outline those criteria for exceptional circumstances. It is a lengthy provision. If the board does not set a levy and declare it, then the minister can set the amount that is to apply and then there is a formula, if you like, in terms of how the levy can be calculated.

The amendment then goes on to outline who is liable for the levy. If there is more than one ratepayer, they are jointly and severally liable. A subsequent ratepayer is liable for the original

ratepayer's debt. They can be recovered by the subsequent ratepayer's—does the minister wish me to go on in terms of the amendment? I can. It then outlines the regulation powers with the Governor in terms of making concessions and so forth for pensioners.

The amendment then goes on to outline constituent information to be provided by councils. They have to provide the Landscape SA board with the information, that is, the assessment record and any other information as per the regs that the landscape boards will need to serve the levy and they will also give the Landscape SA board their database with the assessment records.

The Landscape SA board is liable to the council to pay a fee for the council providing this information to them but this is done after consultation with the LGA and, again, the minister sets the fee. Then there are regulations which control the detail of the information that is to be provided by the council so that issues of privacy are maintained. The amendment then goes on to provide clarification around the issue of notices and collection of levies, what has to be in the levy notice, and it provides that the levy notices must be given to the Commissioner of State Taxation. The Commissioner of State Taxation then serves the levy notices and collects the levies.

The levy notice may go out with ESL levy notices, if that is what the commissioner so chooses to do. The Commissioner of State Taxation is responsible for the costs of serving the levy notices and collecting the levy fees, and I think that is pretty much getting to the crux of the issue. Then there are further provisions in relation to funds that may be expended in subsequent years and regulation-making powers, all related to the provisions which I have very briefly outlined.

The Hon. J.M.A. LENSINK: This issue was prosecuted previously in the committee stage, so my comments will be brief and I will refer detailed explanation to that discussion. The government's position remains that councils should continue to collect the land levy as it is the most cost-effective way to collect the levy and maximises the funding available for on-ground delivery. This new clause proposed replaces the existing model with new arrangements that introduce double handling at each stage of the collection process.

I spoke to that in some detail previously and unfortunately was not successful in convincing our colleagues in this place of the difficulties in their proposal going forward, given that the frameworks, technology, etc., do not exist at the moment. It is much more complicated than people would, at first blush, like to believe that it is, and therefore we remain opposed to this proposal.

The Hon. K.J. MAHER: I know we are discussing amendments, but can I direct a question to the minister in relation to the clause generally and collection of levies?

The CHAIR: Sure.

The Hon. K.J. MAHER: Thank you, Mr Chairman. I note there are many amendments and issues being raised in this clause, but a general question is: is it possible that in the changes from the NRM legislation to this bill, particularly in changes to boundaries, there could be a net loss in overall levy revenue or in the levy revenue for an individual board?

The Hon. J.M.A. LENSINK: While we are getting some more detailed information, can the member perhaps clarify whether it is just in relation to boundary changes or in relation to this particular proposal?

The Hon. K.J. MAHER: It is not just in relation to boundary changes. I am interested in the change in legislation but particularly in relation to boundary changes. Could it result in less revenue?

The Hon. J.M.A. LENSINK: If I can deal with the boundary issue separately, perhaps, the government has committed to there being no increase to land levies beyond CPI. Where some ratepayers are moved into a different regional board, they will have a reduced land levy because, as you know, some rates are higher and some are lower; therefore, by extension, that means that the overall rating will be reduced.

The bill enshrines a permanent CPI cap for water and land levies. Transitional arrangements will also apply in affected regions to cap any land levy rate increases by CPI for those ratepayers who would otherwise have paid a higher levy rate as a result of boundary changes. Currently, different levy rates apply in different regions. Moving to a common levy rate would have resulted in some paying a lower rate and some paying a higher rate. That is why that has been applied.

Transitional arrangements are proposed. These arrangements will result in significant reductions to the land levy rate paid for some ratepayers in the proposed Hills and Fleurieu, and Northern and Yorke regions. That is just in relation to boundaries. In relation to other matters, I think it is fair to say that, on the cost side, shifting to the proposed restructuring of how levies are collected will lead to increased costs. As I outlined in the previous committee stage, we believe that there will be significant costs involved in changing the collection, which will mean that there will be less money available for the boards for on-ground activities.

The Hon. K.J. MAHER: I have been left a little confused. Is the minister saying that no landowner will pay an increased levy, none at all, even if they change from the area they are in?

The Hon. J.M.A. LENSINK: The advice that I have received is that that is correct. The only increases will be as a result of CPI increases.

The Hon. K.J. MAHER: However, if a landowner, as a result of boundary changes, changes from a region that has higher levies into lower levies, they will get the benefit of the lower levies; is that correct?

The Hon. J.M.A. LENSINK: Yes, that is correct.

The Hon. K.J. MAHER: But if a landowner changes from a region that has lower levies into a region of higher levies as a result of a boundary change, they are going to be immune from that rise; is that correct?

The Hon. J.M.A. LENSINK: The advice I have received is that they will still be paying the lower rate.

The Hon. K.J. MAHER: For how long will they be paying that lower rate? Does that mean that forevermore they are going to be paying that lower rate or is it a certain amount of time and then, as a result of the bill and the boundary changes, they will be paying a higher rate at some stage in the future?

The Hon. J.M.A. LENSINK: Yes. There are transitional arrangements that will mean that the levy rate will be adjusted over several financial years; the final financial year in that scheme being 2022-23. If there are exceptional circumstances, those boards can seek to increase levies above CPI if there is some particular issue that means the cap is not going to allow for them and they can apply to the minister for exceptional circumstances.

The Hon. K.J. MAHER: I understand that part of it, but the context that we were talking about is a landowner who, as a result of boundary changes, goes from a region where they were paying less to a region where they ought to be paying higher. I think the minister has informed the chamber that they are going to be protected and they will be a landowner paying less than everyone else in that region when it is the result of a boundary change. Is that what the minister is saying?

The Hon. J.M.A. LENSINK: I hope that I did not misunderstand the advice that I received previously. The advice that I have received is that a ratepayer who moves from a higher paying rate to a lower paying area will be adjusted through transitional arrangements to the lower rate of levy, and if the ratepayer is currently in an area where they are paying a lower rate and moves into a higher paying rate they will be protected forever from that higher rate, subject to exceptional circumstances, should they apply.

The Hon. K.J. MAHER: So the amount of levies that are paid will reduce overall around the state, if for nothing else as a result of boundary changes?

The Hon. J.M.A. LENSINK: We anticipate that the total overall take will be reduced but, based on the current boundary changes, we believe that will only be impacted in the Northern and Yorke region and the Hills and Fleurieu region.

The Hon. K.J. MAHER: Does the minister have an estimate of how many people it affects in the way that they are forever protected with the lower rate than other people in that particular region?

The Hon. J.M.A. LENSINK: We do not have the exact information and, if I can put the caveat on that, it would be subject to the proposed boundaries being as they are. We can get back

to the honourable member with the number of people or the number of rateable properties that would be affected in those regions where we anticipate that there will be some movement between regions.

The Hon. K.J. MAHER: Is it anticipated that the boundaries that will be created under this new legislation will remain in force for an extraordinarily long time, or is it anticipated that they might change over time? If so, for how long is it anticipated that the initial boundaries will be in force?

The Hon. J.M.A. LENSINK: There is a capacity for boundaries to be changed over time. The instrument is by gazettal, so it would depend on the willingness of the government of the day. I guess there are a range of variables in that: whether there is a change of policy, whether there is a change of government and all those sorts of things. There are lots of what-ifs in responding to that one, but that is a little bit difficult to answer.

The Hon. K.J. MAHER: The policy of someone coming from a lower paying region into a higher paying region being protected in perpetuity—that is, they will forever be paying the lower amount—does that survive further boundary changes, or is this a once only boundary change proposition?

The Hon. J.M.A. LENSINK: The advice I have received is that that is the policy position of the current government.

The Hon. K.J. Maher: Does it apply for one boundary change or for multiple boundary changes?

The Hon. J.M.A. LENSINK: It is not legislated, so it depends on government policy.

The Hon. K.J. MAHER: What is this government's policy? If there were further changes, would that lower rate apply for subsequent changes or only for this first change?

The Hon. J.M.A. LENSINK: I think that is a very hypothetical question, which is quite difficult to answer. I might be putting myself out on a limb here, but I think the minister believes that the boundaries that have been published are well accepted by the community and does not anticipate that there would be any need for change.

The Hon. K.J. MAHER: Getting back to an issue that the minister raised earlier, the circumstances in which a board could impose a levy rise above the cap, what sort of circumstances would come into play? What might those exceptional circumstances be that would allow a board to raise above the cap?

The Hon. J.M.A. LENSINK: The advice I have is that the types of exceptional circumstances may potentially involve environmental or natural disasters, significant impacts where the costs of addressing them are above what is currently available, to provide for flexibility. One example may be where a groundwater region determined that salinity was such a major issue that they were happy to accept that levy increases were necessary to address that particular matter. So it would be very much driven by the community.

The Hon. J.A. DARLEY: I indicate for the record that I will not be supporting this. I am of the view that the current bill provides the most efficient and cost-effective solution to the problem.

The CHAIR: The Hon. Mr Parnell may have expressed a view, but—

The Hon. M.C. PARNELL: I thought I had expressed my view that we were supporting the amendment.

The Hon. K.J. MAHER: I will express my view: I will be supporting this.

Suggested amendment carried; new clauses as suggested inserted.

Clauses 69 to 79 passed.

Clause 80.

The Hon. C. BONAROS: I move the following suggested amendment:

Amendment No 2 [Pangallo–6]—

Page 85, after line 5 [clause 80]—Insert:

(aa) a regional landscape levy; and

This is a suggested amendment to the House of Assembly.

The Hon. M.C. PARNELL: My understanding is that it is pretty well consequential to the issues that we have been discussing, so the Greens will continue to support this suite of amendments.

The Hon. J.M.A. LENSINK: For the same reason, the government continues to oppose them.

Suggested amendment carried; clause as suggested to be amended passed.

Clauses 81 and 82 passed.

Clause 83.

The Hon. C. BONAROS: On behalf of the Hon. Frank Pangallo, I move:

Amendment No 3 [Pangallo–6]—

Page 85, line 22 [clause 83(1)]—Delete 'In the case of an OC levy,' and substitute:

In the case of a regional landscape levy or an OC levy,

I have moved that it be a suggestion to the House of Assembly to move clause 80 on page 85, line 22, by deleting 'In the case of an OC levy' and inserting 'In the case of a regional landscape levy or an OC levy'.

The CHAIR: You mentioned clause 80, but it is in fact clause 83. Could I ask you to confirm that correction to the motion you have moved?

The Hon. C. BONAROS: My apologies; I confirm that that is to clause 83.

The CHAIR: If my understanding is correct, this is virtually consequential.

Suggested amendment carried; clause as suggested to be amended passed.

Clauses 84 to 90 passed.

Clause 91.

The Hon. K.J. MAHER: Can the minister confirm whether or not the bulk of the money in the landscape priorities fund is expected to come from the Green Adelaide board's levy revenue? I think it is the expectation that the majority of the funding for the landscape priorities fund will indeed come from the 91(2)(e) provision.

The Hon. J.M.A. LENSINK: I can indicate to the honourable member that that is the case. The new landscape priorities fund will enable investment in large-scale integrated landscape restoration projects to address subregional, cross-regional and statewide priorities. A percentage of Green Adelaide's land and water levies, determined by the minister, will be dedicated to the fund. Investment from the fund will be guided by high-level principles in the state landscape strategy. There was overwhelming support for this particular proposal.

In relation to safeguards on the use of the landscape priorities fund, the fund can only be applied for limited purposes. The bill provides that the fund may be applied to address priorities for managing, improving or enhancing the state's landscapes, or for other purposes authorised by law.

The Hon. K.J. MAHER: I thank the member for her answers, which were not actually to the question asked.

The Hon. J.M.A. LENSINK: My answer at the start was yes.

The Hon. K.J. MAHER: So is it expected that the bulk of the money will come from the percentage levy? Is that correct?

The Hon. J.M.A. LENSINK: Yes.

The Hon. K.J. MAHER: What else does the government anticipate will make up sources of funding? I note that gifts and other things are contemplated in the act, but, realistically, what else does the government expect will flow as revenue into this fund?

The Hon. J.M.A. LENSINK: The advice I have received is that at this stage we are not anticipating that there will be other sources of funding.

The Hon. K.J. MAHER: In her answer a couple of questions ago, the minister mentioned the application of this fund. Will the minister responsible personally sign off on all grants under this fund?

The Hon. J.M.A. LENSINK: If the honourable member turns to clause 9(5), the advice is that the minister may apply any part, or the minister sets the criteria and priorities for the fund. As with most legislation, these matters can be delegated to particular officers and the like.

The Hon. K.J. MAHER: I take it from the answer then that it is envisaged that the minister will personally sign off on these grants unless it has been delegated to someone else?

The Hon. J.M.A. LENSINK: The advice is that that is what is in the bill.

The Hon. K.J. MAHER: Has the minister mentioned the criteria that will be used to assess grants? I think that is under clause 91(7) of the bill. Has the minister responsible drafted those criteria and processes under clause 91(7) of the bill?

The Hon. J.M.A. LENSINK: The advice I have received is, no, not at this stage.

The Hon. K.J. MAHER: Has the government given any consideration to what criteria might be set for that?

The Hon. J.M.A. LENSINK: The advice I have received is that preliminary work is being done by the department, but I cannot provide more detail.

Clause passed.

Clauses 92 to 97 passed.

Progress reported; committee to sit again.

ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO. 2) BILL

Final Stages

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

At 17:59 the council adjourned until Wednesday 11 September 2019 at 14:15.

Answers to Questions

BRAND SOUTH AUSTRALIA

142 The Hon. K.J. MAHER (Leader of the Opposition) (18 June 2019).

1. When was the minister first made aware of funding being cut from BrandSA, and whose idea was it to cut funding from BrandSA?

2. Was there a conversation between the minister and the Chief Executive of BrandSA on 15 May 2019, and what was the nature of that conversation?

3. Were any records kept of the conversation between the minister and the Chief Executive of BrandSA on 15 May 2019, and if not, why not?

4. Can the minister explain why he only scheduled a meeting with the Premier on 16 May 2019, a week after the discussion between the Chief Executive of the Department of Premier and the Cabinet, Mr Jim McDowell, and the Chief Executive of BrandSA?

5. When did the minister first discuss cuts to BrandSA with the Premier?

6. What communication did the minister or his staff have with the Speaker in the other place or the Premier with regard to the decision that Mr Joy had disseminated a copy of the Premier's correspondence?

7. Is the minister aware of any evidence that Mr Joy disseminated a copy of correspondence from the Premier informing BrandSA that their funding had been cut?

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

1. I refer the member to the answer provided to this question in parliament on 5 June 2019.

2. I refer the member to the answer provided to this question in parliament on 5 June 2019.

3. No.

4. I meet regularly with the Premier on a range of issues, as I did on 16 May 2019.

5. I have regular discussions with the Premier regarding how government resources can be best utilised to promote SA interstate and overseas. Changes to Brand SA funding agreements were communicated to Brand SA on 15 May 2019.

6. None.

7. No.

NEW WAVE AEROSPACE

146 The Hon. F. PANGALLO (31 July 2019). Can the Minister for Transport, Infrastructure and Local Government advise—

1. When will the lease with New Wave Aerospace, to operate the Wirrina Cove Marina, expire?

2. Is the lessee currently complying with all conditions of the current lease?

3. If the lessee is not complying with all conditions of the current lease, with which condition or conditions has the lessee not complied, is not complying with and/or satisfying?

4. If the lessee has not complied with and/or is not complying with one or more of the conditions of the lease, what action is the state government taking to ensure that the lessee satisfies and or complies with any conditions with which it has not complied and/or is not complying?

5. Is a copy of the current lease available to members of the public? If so, where can members of the public access a copy of that lease?

6. Does the government intend to renew the lease with New Wave Aerospace when the current lease expires? If not, what action does the government intend to take in relation to the future leasing and/or operation of the Wirrina Cove Marina?

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. 30 June 2048.

2. The lessee is currently complying with all conditions of the lease with the exception of the requirement to dredge.

3. The lessee had not undertaken dredging by 30 September 2015 that was required under the lease and the deed of consent to assignment of the lease.

4. The Department of Planning Transport and Infrastructure, as lessor, has been addressing all breaches of the lease using the appropriate mechanisms under the lease and deed of assignment, including the issuing of default notices to New Wave Aerospace (NWA).

Numerous reminders were sent to the lessee to dredge the marina to the required depth of minus 4.3 AHD. Multiple notices were issued to the lessee and its guarantor. The notices formally dealt with NWA's failure to undertake the dredging and informed of the minister's intent to take action under the lease and deed of consent to assignment. A meeting was held with the tenant who was advised the cost of dredging to be charged back to the lessee in accordance with the lease.

The first stage of dredging for the shallowest section within the marina is expected to be completed by mid-September 2019.

5. A copy of the registered lease is publicly available through a Land Services SA SAILIS search.

6. The lessee, not later than two years before the expiration of the lease, can make written request for the renewal term of 30 years. If both at that time and at the expiration of the initial term there shall not be any existing breach or non-observance of any of the covenants and stipulations, the lessor has to grant the extension. Should the government terminate the agreement with NWA at any time, a strategy for the interim management of the marina will be put in place until a new operator can be procured.

TRADE, TOURISM AND INVESTMENT DEPARTMENT

In reply to **the Hon. J.E. HANSON** (20 June 2019).

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

1. The new Department for Trade, Tourism and Investment (DTTI) organisational structure has reduced by eight executive roles and fourteen non-executive roles at various classification levels.

No employees from DTTI have had their hours cut or been made to work as contractors.

DTTI is currently implementing its organisational structure as published on 2 July 2019. The associated departmental FTE cap as at 30 June 2019 was 136, with the department having vacancies of five FTE pending the implementation of the new organisational structure. This excludes ministerial office staff and the Office of the State Coordinator-General.

PUBLIC TRANSPORT PRIVATISATION

In reply to **the Hon. T.A. FRANKS** (2 July 2019).

The Hon. R.I. LUCAS (Treasurer): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

The Entertainment Centre park-and-ride is not within the scope of the procurement processes to outsource the operation of the Adelaide metro light and heavy rail network. The government will retain ownership of this park-and-ride.

PUBLIC TRANSPORT PRIVATISATION

In reply to **the Hon. I. PNEVMATIKOS** (3 July 2019).

The Hon. R.I. LUCAS (Treasurer): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

The consultation obligations prescribed by the enterprise agreements relate to the implementation of the South Australian government's decision and not the decision itself. Public sector employees directly impacted by the decision to issue a tender for outsourcing the operation of bus and light rail are employed by the Rail Commissioner or the Chief Executive, Department of Planning, Transport and Infrastructure (DPTI) (for the Chief Executive, Department of Treasury and Finance).

Representatives of DPTI and the Rail Commissioner have advised that the decision impacts upon employees covered by six enterprise agreements, which contain specific consultation obligations upon the employer. DPTI and the Rail Commissioner have formally written to each employee representative association and provided notice to all impacted employees regarding the decision and enabling the commencement of the consultation process. The consultation process is continuing between the employer, employees and their representative associations.

SCISSOR LIFTS

In reply to **the Hon. T.A. FRANKS** (3 July 2019).

The Hon. R.I. LUCAS (Treasurer): I have been advised the following:

A position on all recommendations has not yet been finalised. It is important to consider the consequences of accepting all the recommendations in full.

SafeWork SA has consulted with and sought comment from a broad range of groups on how the recommendations may impact operating practices and impact or improve safety on worksites. This feedback and the results from the recent elevating work platforms audit is being considered.

MOBILE PHONE BLACKSPOT FUNDING

In reply to **the Hon. F. PANGALLO** (3 July 2019).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Primary Industries and Regional Development has advised:

1. The outcome of the federal election and confirmation of round 5 was required.

2. The proposition in the question is false.

3. This initiative gives communities a stronger sense of ownership and improved likelihood of success in nominating mobile blackspots for the commonwealth program.

4. No.

5. No.

There is a national database of mobile blackspots and minister Whetstone is willing to refer any sites the Hon. Pangallo may wish to raise for inclusion on the database.

SHACK LEASES

In reply to **the Hon. J.A. DARLEY** (3 July 2019).

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

1. I am advised that Department for Environment and Water (DEW) released a preliminary discussion paper in relation to the retaining shacks election commitment, which was available for public consultation until 15 July 2019. I am advised that we have received feedback from over 260 individual sources, including from shack lessees, local councils, traditional owners and other government agencies.

Once all feedback to the preliminary discussion paper is received, I am advised that DEW will finalise the retaining shacks policy to deliver this important commitment, including the assessment framework, funding considerations and clear time line for delivery of specific elements.

Another factor which influences the ability of DEW to commence assessment of individual shack settlements is the introduction to parliament of legislation to amend the Crown Land Management Act 2009. The proposed amendments were also the subject of public consultation and this consultation remains ongoing with local councils, who will play an active role in seeing the policy implemented.

I am advised that the retaining shacks project is expected to be completed by the end of 2021.

2. The government is currently progressing a program for the shack settlement areas. Once this information is compiled a copy can be made available.

3. Refer to question 2.

4. The government is regularly tracking the progress of this important commitment.

AFFORDABLE HOUSING

In reply to **the Hon. M.C. PARNELL** (4 July 2019).

The Hon. R.I. LUCAS (Treasurer): The Minister for Human Services has advised the following:

Information regarding the 15 per cent affordable housing new build policy is publicly available at https://www.sa.gov.au/topics/planning-and-property/land-and-property-development/planning-professionals/developer-responsibilities-for-affordable-housing

The South Australian Housing Authority has advised that developers are meeting their affordable housing obligations under the current planning system

The minister for planning holds a register of all land management agreements that have been entered for the purpose of mandating the delivery of affordable housing.

The content of these land management agreements is confidential and not available publicly.

SCISSOR LIFTS

In reply to **the Hon. T.A. FRANKS** (23 July 2019).

The Hon. R.I. LUCAS (Treasurer): I have been advised the following:

The following persons were invited by SafeWork SA to attend the discussion session on elevating work platform safety on 5 July 2019.

- Ms Pam Gurner-Hall and her legal representative or support person
- Mr Angas Story, Secretary, SA Unions

- Mr Ian Markos, Chief Executive Officer, Master Builders Association
- Mr James Oxenham, Chief Executive Officer, Elevating Work Platform Association
- Mr Lex Hanegraff, HSEQ Manager, Built Environs
- Mr Sumesh Singh, HSEQ Manager, McConnell Dowell Constructors (Aust.) Pty Ltd

Of the six persons invited, no persons were subsequently disinvited.

In considering the format of the discussion session and the attendee list, SafeWork SA gave consideration to also inviting representatives from the Construction, Forestry, Mining and Energy Union (CFMEU), the Communications, Electrical and Plumbing Union (CEPU), the Housing Industry Association, the Civil Contractors Federation of South Australia, Voice of Industrial Death and the Access Training Centre.

However, to ensure the discussion was kept at a manageable size and noting the time allocated for the session SafeWork SA ultimately decided that the meeting would be more productive with fewer attendees. Mr Story as the secretary of SA Unions was invited to the meeting to represent all unions.

Prior to the meeting, SafeWork SA received an email from the national office of the CFMEU advising SafeWork SA that the invitation to attend the session was provided to officials at the CFMEU by SA Unions and representatives from the CFMEU would be attending the meeting.

SafeWork SA advised the CFMEU that it was SafeWork SA's intention for SA Unions to attend the discussion session and represent their unions including the CFMEU. CFMEU representatives did not attend the meeting.

Mr John Adley, branch secretary CEPU, arrived at the meeting without providing any notice to, or having received an invitation from SafeWork SA. Although Mr Adley was not invited, he was permitted to attend the meeting.

SONY INTERACTIVE ENTERTAINMENT

In reply to **the Hon. E.S. BOURKE** (31 July 2019).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): I last met with representatives of Sony Interactive during a site visit on 3 July 2019.

LAND TAX

In reply to **the Hon. F. PANGALLO** (31 July 2019).

The Hon. R.I. LUCAS (Treasurer): I have been advised the following:

1. The estimated implementation costs associated with the proposed land tax aggregation measure are presented on page 13 of the 2019-20 Budget Measures Statement. The information presented has been summarised below for your reference. The final costs will ultimately depend on the form of the proposal approved by parliament.

Land tax—aggregation

Budget implications ($000)

	2018-19 Estimate	2019-20 Budget	2020-21 Estimate	2021-22 Estimate	2022-23 Estimate
Operating expenses	—	-1 275	-1 735	-1 607	—
Investing payments	—	-2 623	-875	—	—
Full time equivalents	—	13	14	13	—

The initiative provides additional administration costs of $4.6 million and systems development costs of $3.5 million for RevenueSA to implement the necessary changes and assist taxpayers' transition to the new arrangements.

2. An objection to a property valuation may only be made by the owner or occupier within 60 days of receiving the first rate notice from any rating authority for the financial year. An outcome on the objection decision will be determined as soon as practicable as per section 25 of the Valuation of Land Act 1977. The length of time an objection decision may take depends on various factors relating to the property and its attributes.

Applicants are currently advised by the Valuer-General that every effort is made to determine an outcome within 12 weeks. In 2018-19 on average, objections were completed in around eight weeks with 80 per cent completed within 10 weeks of being lodged.

There is no fee charged to lodge an objection.

GLOBELINK

In reply to **the Hon. C.M. SCRIVEN** (1 August 2019).

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. Stages 1 and 2 of the development of a business case for GlobeLink are expected to be completed by October 2019.

Stages 1 and 2 are assessing the issues, opportunities and potential options for GlobeLink, and will enable the government to consider the next steps for this initiative.

The state government will continue to be transparent in its approach to this important initiative, and will consider the release of the relevant reports following these processes.

CONFUCIUS INSTITUTE

In reply to **the Hon. I.K. HUNTER** (1 August 2019).

The Hon. J.S. LEE: I have written to the Office of the Vice-Chancellor and President at the University of Adelaide. Subsequently, the University of Adelaide acted cooperatively and provided me with a copy of the contract. This is given to me in confidence from the University of Adelaide and not for public disclosure.

I have been advised that the Confucius Institute is a small unit that sits in the School of Social Sciences in the Faculty of Arts. Furthermore, the Confucius Institute director is a full-time employee of the University of Adelaide, who reports to the Head of Social Sciences.

The University of Adelaide advised me that unlike the Confucius Institute model operating at some Australian universities, South Australian students are not enrolled in or taught through the Confucius Institute. Instead, students who are studying Chinese language at the University of Adelaide do so through courses offered by the Department of Asian Studies within the University. Teaching content and quality are determined solely by the University of Adelaide.

In addition, I have been advised that under the contractual agreement, the director of the Confucius Institute is responsible for all activities and events of the Confucius Institute, and academic control of all approved activities of the Confucius Institute sits with the University of Adelaide.

CONFUCIUS INSTITUTE

In reply to **the Hon. T.A. FRANKS** (1 August 2019).

The Hon. J.S. LEE: As a first-generation migrant to Australia, it's a great honour to be elected to represent all South Australians. I am passionate about supporting an inclusive society and will continue to advocate for all communities.

When I agreed to be the parliamentary ambassador for Confucius Institute (Adelaide) along with other parliamentary colleagues, it is based on the understanding that the establishment of the Confucius Institute arose from the University of Adelaide's longstanding ties to Shandong University and the sister state relationship between Shandong Province and South Australia.

The University of Adelaide has advised me that the main role of the Confucius Institute remained unchanged—it is to engage in the promotion of Chinese language and cultural awareness.

As South Australia is home to migrants from over 200 countries, I understand the continuous importance of foreign languages and the cultural significance for building a vibrant intercultural society. In Australia, language studies are embraced by governments of all persuasions.

I have been advised that the Confucius Institute is a small unit that sits in the School of Social Sciences in the Faculty of Arts. Furthermore, the Confucius Institute director is a full-time employee of the University of Adelaide, who reports to the Head of Social Sciences.

In addition, I have been advised that under the contractual agreement, the director of the Confucius Institute is responsible for all activities and events of the Confucius Institute, and academic control of all approved activities of the Confucius Institute sits with the University of Adelaide. Lastly, I have been advised that the University of Adelaide has always complied with all FOI requests concerning the Confucius Institute.

CONFUCIUS INSTITUTE

In reply to **the Hon. T.A. FRANKS** (1 August 2019).

The Hon. J.S. LEE: I have written to the Office of the Vice-Chancellor and President at the University of Adelaide. Subsequently, the University of Adelaide acted cooperatively and provided me with a copy of the contract. This is given to me in confidence from the University of Adelaide and not for public disclosure.

I have been advised that the Confucius Institute is a small unit that sits in the School of Social Sciences in the Faculty of Arts. Furthermore, the Confucius Institute director is a full-time employee of the University of Adelaide, who reports to the Head of Social Sciences.

In addition, I have been advised that under the contractual agreement, the director of the Confucius Institute is responsible for all activities and events of the Confucius Institute, and academic control of all approved activities of the Confucius Institute sits with the University of Adelaide.

CONFUCIUS INSTITUTE

In reply to **the Hon. T.A. FRANKS** (1 August 2019).

The Hon. J.S. LEE: As stated in my previous answers, I am a strong advocate for building a vibrant and inclusive multicultural community in South Australia. In my capacity serving in the portfolio of multicultural affairs and my personal passion to encourage migrant communities to preserve their cultures and languages—I am a great supporter of language studies in South Australia. South Australia is proud to have 100 ethnic schools with the teaching of 49 languages—it's wonderful to see so many children and students become linguistically competent and more connected to their cultures through language studies.

The University of Adelaide advised me that unlike the Confucius Institute model operating at some Australian universities, South Australian students are not enrolled in or taught through the Confucius Institute. Instead, students who are studying Chinese language at the University of Adelaide do so through courses offered by the Department of Asian Studies within the university. Teaching content and quality are determined solely by the University of Adelaide.

CONFUCIUS INSTITUTE

In reply to **the Hon. T.A. FRANKS** (1 August 2019).

The Hon. J.S. LEE: I have been advised by the University of Adelaide that the Confucius Institute is widely known and highly regarded as a centre for the learning of Chinese language and culture. The information about Confucius Institute is readily available on the University of Adelaide's website and their activities are widely published and communicated to the public.