

LEGISLATIVE COUNCIL

Tuesday, 24 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

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

Assent

Her Excellency the Governor's Deputy assented to the bill.

APPROPRIATION BILL 2019

Assent

Her Excellency the Governor's Deputy assented to the bill.

Parliamentary Procedure

LANDSCAPE SOUTH AUSTRALIA BILL

The PRESIDENT (14:18): Members, I have a short statement in relation to a procedural matter. When the council last met, it agreed to the Landscape South Australia Bill with amendments and suggested amendments. The bill was returned to the House of Assembly together with the schedule of amendments and suggested amendments. One of the suggested amendments printed in the schedule transmitted with the bill contained a clerical error that included an earlier version of the amendment that had been placed on file by the Hon. Mr Pangallo and not the correct version. The reprinted bill incorporated the correct version; however, the printed schedule annexed to the bill did not. As such, a message will be sent to the House of Assembly transmitting the correct schedule.

PAPERS

The following papers were laid on the table:

By the President—

Report of the Ombudsman

By the Treasurer (Hon. R.I. Lucas)—

Criminal Investigation (Covert Operations) Act 2009, by the Australian Criminal Intelligence Commission—Report, 2017-18

Reports, 2018-19—

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

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

Surveillance Devices Act 2016, by the Commissioner of Police

Surveillance Devices Act 2016, by the Independent Commissioner Against Corruption

Annual Review of Section 34(1) of the Serious and Organised Crime (Unexplained Wealth) Act 2009, dated 2018-19

Operation and Administration of South Australia's Funding, Expenditure and Disclosure Legislation—Corrigendum of page 44 in the Report by the

Electoral Commission dated July 2019

Regulations under Acts—

Fees Regulation Act 1927
 Rules of Court—
 Magistrates Court—Magistrates Court Act 1991—
 Civil—Amendment No. 25
 Criminal—Amendment No. 79
 Rules under Acts—
 Legal Practitioners Act 1981—Non-compliance
 Notaries Public Act 2016

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

District Council By-laws—
 Mount Barker—
 No. 6—Cats
 Regulations under Acts—
 Electricity Act 1996—Principles of Vegetation Clearance

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

Regulations under Acts—
 Adoption Act 1988—Cancellation of Registration
 Adelaide Youth Training Centre, Term 4, 2018—Visiting Program and Review of Records
 dated August 2019

Parliamentary Committees

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:19): I bring up the report of the committee on an inquiry into the State Procurement Board.

Report received and ordered to be published.

Ministerial Statement

OATEY, MR R.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): I table a copy of ministerial statement on the passing of football legend, Mr Robert Oatey, OAM, for the Minister for Recreation, Sport and Racing from another place.

ADELAIDE YOUTH TRAINING CENTRE

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:22): Today, two reports are being tabled on the operations of the Adelaide Youth Training Centre. The first report by the Ombudsman is an investigation into the use of spit hoods at the Adelaide Youth Training Centre from October 2016 to June 2019. The report notes that there were 57 reported uses of spit hoods from October 2016 to June 2019. Changes to practices have seen the training centre significantly reduce the use of spit hoods since that time to only five uses in the 2018-19 12-month period and none so far since 31 March this year.

While this reduction is to be commended, it remains that South Australia is the only jurisdiction in Australia that authorises the use of spit hoods in its youth centres, a dubious honour that we should not be proud of. This is why the Department of Human Services will cease the use of spit hoods within 12 months, accepting all three spit hood recommendations made by the Ombudsman. This transition time is necessary to identify, source and implement appropriate alternative options, including training staff in new techniques to ensure a smooth and safe transition.

A fourth recommendation by the Ombudsman relates to the provisions in the Youth Justice Administration Act regarding the use of force in the AYTC. The department has advised me that removing this clause from the act would significantly compromise the chief executive's ability to provide a safe and secure facility for residents, staff, visitors and the community of South Australia.

We need to remember that the centre houses a very diverse group of young people, many with significant histories of trauma and violence, who have been found guilty of very serious crimes. Not surprisingly, management of these young people can be challenging, and even with the best strategies incidents do occur.

The goal, of course, is to minimise these incidents and to ensure that the use of force is only ever used as a last resort. To this end, the use of force and restraint is being fully reviewed by the department.

The second report being tabled today is by the Training Centre Visitor. The report makes recommendations regarding searches of residents, the use of safe rooms, complaints by residents, dignity and privacy. I am advised that the department has taken on board many of these recommendations and has already addressed some of the issues raised by the TCV, which include:

- The department is implementing improvements to reduce the use of partially clothed searches, noting that searches are an important part of security measures to support the safety of residents and staff and to prevent contraband or weapons in the centre. Searches are partially clothed, which means the young person is never naked.
- The department is reviewing its practices with regard to isolation and safe rooms, particularly for young people with disability and complex characteristics, again noting that the use of such rooms is designed to keep young people safe and to de-escalate situations.
- Young women now have access to an adequate supply of sanitary products, in a private and sensitive manner.
- The department is also reviewing other procedures that support individual dignity and privacy, including the potential to turn off monitoring cameras in bedrooms (dependent on an individual risk assessment). CCTV monitoring is, however, essential when an individual is presenting as a high or extreme risk.

Independent scrutiny is important in an area as complex and sensitive as the detention of young people. The government welcomes both reports, and I thank both the Ombudsman and the Training Centre Visitor for their careful attention to these issues.

As I have outlined, a range of improvements have already occurred or are being investigated by the department in response to the recommendations. I thank the department for their approach to continuous improvement in what can be a very challenging environment.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:31): My question is to the Minister for Health and Wellbeing. What is the minister's response to the serious concerns and allegations raised by Mr Stewart Johnston about the CCTV steering committee that led to his resignation this week, and has the minister discussed with Mr Stewart Johnston concerns that the health department is a 'bureaucratic sewer' with 'blatant nepotism, self-serving, snouts in the trough corruption'?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31): I thank the honourable member for the question. The Oakden saga, which left many South Australians vulnerable to harm, was a stain on the history of this state. The Marshall Liberal government is absolutely committed to providing the right protections for people in aged care and our support for a pilot CCTV surveillance program remains resolute. I appreciate that Mr Johnson is disappointed with the progress of the steering committee and has chosen to resign. The government is continuing to work with Care Protect, our preferred—

The Hon. K.J. Maher: 'Care Protect, our preferred technology partner, to operationalise'—

The Hon. S.G. WADE: Issues have arisen on a range of technical and security issues. We will continue—

The Hon. K.J. MAHER: Point of order, Mr President: the honourable member is not contributing anything new to the debate and merely reading from a prepared media statement.

The PRESIDENT: I haven't seen the media statement—

The Hon. K.J. Maher: It's already on the public record.

The PRESIDENT: —but the point is well made. Minister, if you are reading from a media release, it is not appropriate.

The Hon. K.J. Maher: I am reading out exactly what's printed in the media.

The Hon. S.G. WADE: Be assured, I am not reading from a media—

The PRESIDENT: I haven't got it. I have upheld your point of order—rarely—and I have warned the minister that he can't just read out a media statement.

The Hon. S.G. WADE: I make the point, I have referred to Mr Stewart Johnston and his disappointment. That is well recognised. I regret his resignation, but respect it. The fact of the matter is that this government, through steering committees that engage the community and elsewhere, needs to diligently go through processes to make sure that the security requirements, the technical and security issues are resolved so that we protect our most vulnerable. First and foremost, the CCTV pilot must guarantee the privacy of our residents and the security of data.

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:34): Supplementary arising from the answer: has the minister personally spoken to Mr Johnson?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): Out of an assumption that the member is asking me since his resignation, I will say I have spoken to him on two occasions: yesterday and today.

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:34): Supplementary: what were the specific concerns Mr Johnson raised with the minister on the two occasions, yesterday and today?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): The honourable member indicated his frustrations with the progress of the committee, and also with his concerns about SA Health and its management of this issue. I will continue to have discussions with Mr Johnson; we have a positive working relationship. He has chosen not to be part of this committee—that is his choice. I imagine that there is more than one member of this house who has resigned from a committee because they have decided they have other priorities.

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:35): Supplementary arising from the original answer in relation to Mr Johnson's comments: has the minister specifically discussed with Mr Johnson his attacks on the health bureaucracy as a 'bureaucratic sewer'?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35): I certainly do not recall Mr Johnson using the word 'sewer'.

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:35): Further supplementary arising from the original answer in relation to the delivery of a CCTV program trial: minister, will that trial be delivered this year, as you promised?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35): The CCTV pilot will take as much time as necessary to get it right.

AGED CARE CCTV STEERING COMMITTEE

The Hon. K.J. MAHER (Leader of the Opposition) (14:35): Supplementary arising from the original answer: does the minister recall promising that that CCTV trial will be delivered this year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36): I do not recall a particular statement, but let us put it this way: not all of my expectations in terms of time frames are met.

LAND TAX

The Hon. C.M. SCRIVEN (14:36): I seek leave to make a brief explanation before asking a question of the Treasurer regarding land tax aggregation.

Leave granted.

The Hon. C.M. SCRIVEN: Last night, Louie Stevens told a land tax forum that the Marshall government's land tax policy will force him to sell all his holdings and that he would have to consider investing interstate. Seventy-six-year-old Neil from Golden Grove told the forum that the Liberal government's land tax policy would destroy his future. David Schammel told the forum that the Liberal government's land tax policy would force him to pass the significant increases in his land tax bills on to his tenants. Sam Schirripa told the forum that the building industry is too scared to invest in property developments because of the threat posed by the Liberal government's land tax policy.

Marco Formato told the forum that the Liberal government's land tax policy would force him to scale back developments and make redundancies in his business. Athan Zagotsis told the forum that he no longer has the confidence to build his future in South Australia and will most likely now move interstate because of the Liberal government's land tax policy. My question to the Treasurer is: how does the Treasurer respond to all of these South Australians who are rightly concerned about the impact of the Marshall Liberal government's land tax policy on them, their lives and our economy?

The Hon. R.I. LUCAS (Treasurer) (14:37): Very strongly and forcefully. While the honourable member quotes five or six individuals, I will quote the fact that 92 per cent of all individuals will pay less land tax as a result of the government's land tax reform package and 8 per cent will pay more land tax; 75 per cent of company groups in South Australia will pay less land tax under the land tax reform package and 25 per cent will pay more.

So whilst I acknowledge that the member may well have quoted five or six individuals, potentially those five or six individuals may well be in the 8 per cent of individuals who will end up paying more as a result of the government's land tax reform package. But there are literally thousands and thousands of mum-and-dad investors who will be paying less land tax as a result of the land tax reform package.

The only other thing I would say is that some of the individuals (and I have no direct knowledge of the five individuals that the member has quoted), when there is closer investigation of their land tax arrangements, find that they have either been advised poorly in relation to what the impacts might be or, when they do get considered final advice, find that they do not pay nearly as much as they are contemplating.

Another thing I would say in relation to the government's land tax reform package is that many quite extraordinary claims have been made. In relation to 'The whole world is going to fall in', I refer the honourable members to last week's business pages of *The Advertiser*, the Business Journal, where the national property market advisers Colliers said that the property market in South Australia during this quarter post the budget was extraordinarily buoyant, that there were people lining up—this is a colloquial description of what they said—people in the Eastern States lining up to invest in the property market in South Australia.

There was a separate article from Quintessential Equity, who have just recently bought a major property in the CBD, or near the CBD, who said they had \$150 million in funds and they were looking at the Adelaide property market as a very prospective market in terms of property investment.

The cataclysmic 'The sky is going to fall in' view of the world that the Labor Party, and indeed some in the Property Council, seek to promulgate is certainly disputed, and disputed strongly, by individuals in the Eastern States who are looking at the South Australian property market as a very prospective place to invest.

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

LAND TAX

The Hon. C. BONAROS (14:41): Can the Leader of the Opposition explain, for the purposes of a property developer who was present last night who said that 36 New South Wales investors, 12 investors from China, two investors from India and one investor from Europe had all pulled out of the South Australian market investments since the announcement made by the government, and for our purposes, why it is that they would pull out if they did not have anything to fear?

The PRESIDENT: I think that was directed towards you, Treasurer.

The Hon. R.I. LUCAS (Treasurer) (14:41): Mr President, I thought the question was being directed to the Leader of the Opposition. I think the *Hansard* record will show that. I am not aware of the detail of those particular claims. All sorts of claims have been made, but the honourable member should be referred again, as I said, to the articles in the *Financial Review* last week and in the property market sections of *The Advertiser*, which I have just quoted—and I will not quote them again—where people with real money in the Eastern States who are quite happy to be quoted publicly have indicated that the South Australian property market—this is post the budget—is a very prospective place and they are looking to invest large sums of money in South Australia.

These are people who have identified themselves publicly, put their names to the particular position. This was Colliers, a very reputable property market advisory firm, Quintessential Equity, again who identified themselves, and there are any number of other property investors as well. In relation to the mum-and-dad investors, when one is looking at individuals, when 92 per cent of individuals will be paying less land tax, then that has to be an encouragement for further investment in the property market in South Australia. If you are actually paying less land tax, that is certainly an incentive in relation to further investment in the property market in South Australia.

The PRESIDENT: The Hon. Mr Pangallo, a supplementary?

LAND TAX

The Hon. F. PANGALLO (14:43): Yes, it is. Can the Treasurer, or the Leader of the Government, please advise if his spies at the meeting last night also told him that lenders are now asking for advice on the exposure to land tax before they will sign off on loans to prospective investors?

The Hon. R.I. LUCAS (Treasurer) (14:43): I didn't have to worry about having spies at the meeting; I didn't have any.

The PRESIDENT: The Hon. Ms Bourke, a supplementary.

LAND TAX

The Hon. E.S. BOURKE (14:44): My question is to the Treasurer. Does the Treasurer think it was appropriate for the member for Adelaide to lock the media out of her land tax forum?

The Hon. R.I. LUCAS (Treasurer) (14:44): Yes.

LAND TAX

The Hon. E.S. BOURKE (14:44): Supplementary, Mr President—

Members interjecting:

The PRESIDENT: It's going to be very hard, but I am happy to hear it.

The Hon. E.S. BOURKE: Considering the Treasurer's support for locking the media out of the forum, was it the advice of the Treasurer or his staff to lock them out of the forum?

The PRESIDENT: It's close. I am going to allow it, actually.

The Hon. R.I. LUCAS (Treasurer) (14:44): The member for Adelaide was conducting her own land tax forum. It's entirely her prerogative whom she wishes to invite or not. I certainly support the view that this was intended to be for her constituents, although in the end I think—and I am not sure of the exact number—a majority, probably close to three-quarters, were not her constituents. They were people who had been organised to come to the particular forum that—

Members interjecting:

The Hon. R.I. LUCAS: No, by opponents of the legislation.

Members interjecting:

The Hon. R.I. LUCAS: The Property Council.

Members interjecting:

The Hon. R.I. LUCAS: Yes. I don't have a problem of naming names—the Property Council.

Members interjecting:

The Hon. R.I. LUCAS: Could I finish? Thank you.

The PRESIDENT: Just remember the Treasurer's first answer was yes, so you can't ask a question on what the Treasurer is saying now.

The Hon. R.I. LUCAS: In relation to whether I support it, I do support the member's prerogative, the member for Adelaide's prerogative, as a local member to choose the people she wishes to go. I think it's fair, and I certainly support the view that, given other members of the media, for example, were not invited to attend, any individual member of the media shouldn't have been allowed to attend either. I do note we were quite happy to let—sorry, we weren't. The member for Adelaide was quite happy to let a serial Labor candidate, Ms Chapley, into the meeting as a constituent.

Members interjecting:

The Hon. R.I. LUCAS: I just said, as a resident, just highlighting the fact that a Labor Party candidate was entitled to attend, and she was allowed to attend. Some members of the media who sought to attend were not even local residents or constituents.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: Don't push it. That would be pushing your luck, the Hon. Ms Bourke. The Hon. Mr Stephens, what are you doing?

The Hon. T.J. STEPHENS: Can I ask a question?

The PRESIDENT: I haven't given you the call yet.

The Hon. T.J. STEPHENS: I haven't spoken. I am on my feet, looking for the call.

Members interjecting:

The PRESIDENT: We're ready to go. I just wanted to know whether you were asking a supplementary or going for a question.

The Hon. T.J. STEPHENS: I jumped to my feet to try to get the call.

The PRESIDENT: The Hon. Mr Stephens, please ask your question.

WORLD ROUTES CONFERENCE

The Hon. T.J. STEPHENS (14:47): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council on the recent World Routes conference?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:47): I thank the honourable member for the question and his ongoing interest in our tourism sector. World Routes is the world's largest aviation route development forum and the global meeting place for international airlines, airports and aviation stakeholders. It was held over 23,000 square metres of exhibition space at the Adelaide Showground. It was opened on Saturday 21 September and is concluding later today,

before handing over the silver R that I collected in Guangzhou from the Guangzhou hosts to Milan for them to host it next year.

This is the first time World Routes has been held in Australasia and only the second time it has been held in the Southern Hemisphere. World Routes is the global meeting place for airlines, airports and aviation stakeholders, receiving up to 3,000 delegates with over 10,000 meetings taking place. It has an estimated economic impact of hosting the event in Adelaide of some \$20 million injected into our economy.

It is a closed industry event but it made me particularly proud, when I was there with the federal Minister for Trade, Tourism and Investment, the Hon. Simon Birmingham, and the Premier for the opening on Sunday, to look around the Adelaide Showground pavilion. It made us very proud to have a world-class event put together by a South Australian team.

The attendees were from 130 countries across the globe from as broad as Mexico, Tahiti, the Canary Islands, Norway and, of course, all the other big airports we have around the world, across Europe and the United States. There are more than 400 World Routes delegates who are also participating in familiarisation visits to our regions, including the Adelaide Hills, Barossa Valley, Fleurieu Peninsula and Kangaroo Island. This will further spread the economic benefit and the understanding of the tourism offering of South Australia to these influential decision-makers.

World Routes has given South Australia the opportunity to showcase what makes us so special. We already welcome 47 regular international flights to Adelaide each week, with both international and domestic seat numbers up since we came into government. Of course, during the summer China Southern will go to daily flights, so that figure goes well over 47—in fact, into the 50s.

By hosting World Routes, Adelaide has benefited from the exposure to key airline partners and a significant local spend from delegates, and has also demonstrated that Adelaide is capable of hosting large-scale international business events.

INTERNATIONAL DIRECT FLIGHTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:50): A supplementary arising from the answer: is the minister aware of how many direct international flights have been either cancelled or scaled back since the minister became responsible for this area of government?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:50): I will respond to that by just outlining that we have 47 flights that come into Adelaide each week. There are always some slight tweaks and changes, but the changes I'm aware of include Cathay Pacific actually increasing by one flight a week from October 2018 and, as I said, during the peak season China Southern Airlines increased daily flights to go to seven days a week.

Malaysia Airlines increased one flight a week from Kuala Lumpur in July 2018, and since April 2018 Malindo Air has commenced flights between Adelaide and Bali. The only decrease is that Fiji Airways announced it would cease its operations due to issues with the B737 MAX aircraft.

INTERNATIONAL DIRECT FLIGHTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:51): A further supplementary arising from the answer in relation to international flights: is the minister aware of whether either Emirates or Singapore Airlines have closed or announced the closure of offices in Adelaide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:51): Both those organisations have indicated they are closing offices, and that is somewhat disappointing. However, they have not decreased their number of flights; in fact, Singapore Airlines chose Adelaide as the city to bring the first of their fleet of A350s with extra seats and extra capacity. There are also some discussions with Singapore Airlines about having more than one flight a day coming into Adelaide. It is a little disappointing that their offices have closed, but the actual level of service from aircraft and seats into and out of Adelaide hasn't changed: in fact, it is increasing, with aircraft like the A350.

INTERNATIONAL DIRECT FLIGHTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:52): A further supplementary arising from the original answer: which government department or authority is primarily responsible for direct flight attraction?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:52): As the honourable member would know, that is a combination of activities between the South Australian Tourism Commission and Adelaide Airport. I suspect he would recall from the time he was a minister; I think it was with China Southern, and I suspect it was a separate cabinet submission that cabinet considered.

Some years ago, there may have been a dedicated airline attraction fund but we don't have that anymore; I think that was scrapped under the former government. What we do have is a very hardworking Tourism Commission, some industry development people there, and a very good team at Adelaide Airport Limited, which, as members would know, is expanding the international terminal and doing some great work down there. They have made it very clear that one of their goals is to attract more international airlines.

So it is a combination. We don't just have a fund sitting idle. The actual government department that does the work is the Tourism Commission in partnership with Adelaide Airport. Then, of course, when we have a proposition I am sure it will be the subject of a cabinet submission.

The PRESIDENT: One more, Leader of the Opposition.

INTERNATIONAL DIRECT FLIGHTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:53): A supplementary arising from the original answer: from the minister's answers, does his own department, DTTI, play any role in airline attraction, and, if so, what role?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:53): I explained in my previous answer that the work is done by Adelaide Airport and the South Australian Tourism Commission.

Members interjecting:

The Hon. D.W. RIDGWAY: Honourable members are making a noise on my right, but it is Adelaide Airport Limited and the Tourism Commission that actually focus on attracting airlines to South Australia.

GAYLE'S LAW

The Hon. C. BONAROS (14:54): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing questions regarding Gayle's Law.

Leave granted.

The Hon. C. BONAROS: On the last sitting day of parliament, 12 September, the minister made a ministerial statement outlining the government's position on Gayle's Law recommendations currently under review by the Legislative Review Committee. During that statement, he said:

Yesterday, the Legislative Review Committee withdrew its holding motion on regulations made under the Health Practitioner Regulation National Law (South Australia) Act 2010, more commonly known as Gayle's Law.

He went on to say, 'I look forward to reviewing the committee's report in due course.' My question to the minister is: has the minister, any member of his staff or anyone else in the Marshall Liberal government had discussions with the Chair of the Legislative Review Committee, or any other member of that committee, regarding its deliberations to date? Has the minister, any member of his staff or any other staff member of the Marshall Liberal government been made aware of the draft recommendations of the committee?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): Of course I have discussions with members about matters of public concern, and Gayle's Law is one of those. I have not seen the final report of the committee and neither have any of my staff.

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

GAYLE'S LAW

The Hon. C. BONAROS (14:55): My specific question was whether the minister, his staff or any member of the Marshall Liberal government have had any discussions with the Chair or any other member of that committee regarding its deliberations.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I stand by my answer. Of course I have discussions with honourable members about matters of public interest. The fact that a committee is looking at a particular issue does not mean that other members are banned from having discussions.

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

GAYLE'S LAW

The Hon. C. BONAROS (14:56): Do those discussions extend to the deliberations of the committee, and does the minister accept that it is appropriate to have discussions about the committee's deliberations prior to them being finalised?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): I never interfere with the internal deliberations of a parliamentary committee.

The PRESIDENT: Supplementary.

GAYLE'S LAW

The Hon. C. BONAROS (14:56): My question again is: has the minister, or any of his staff or any other member of the Marshall Liberal government had discussions with the Chair or any other member of the committee regarding the deliberations of the draft report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): I have already answered that question.

The PRESIDENT: The Hon. Mr Hanson.

The Hon. C. BONAROS: I have a supplementary, Mr President.

The PRESIDENT: Yes, one further supplementary.

GAYLE'S LAW

The Hon. C. BONAROS (14:56): Does the minister have any knowledge of whether the Chair of the Legislative Review Committee used his casting and deliberative vote to have the committee's disallowance motion withdrawn? If so, how did he find out and from whom? Did he know that prior to making his statement in this place last week?

The PRESIDENT: The Hon. Ms Bonaros, I am not going to allow that because it's asking the minister to give a response on behalf of another individual. The minister can't possibly be aware of what's in their mind.

The Hon. C. BONAROS: Mr President, I am asking a question based on whether he had discussions with the member.

The PRESIDENT: That wasn't the actual question, as far as I heard it. The Hon. Mr Hanson.

LAND TAX

The Hon. J.E. HANSON (14:57): My question is to the Treasurer. What or who gave the Treasurer the impression that builder Scott Salisbury supported the Marshall Liberal government's land tax policy?

The Hon. R.I. LUCAS (Treasurer) (14:57): It wasn't a what; it was a who. It was a member of my staff, and it wasn't that Mr Salisbury supported the proposition but that he may well have warmed to the government's revised package. He has subsequently made publicly known that he hasn't warmed; he remains cool. I think that's a fair description. I accept Mr Salisbury's position.

Can I also place on the public record, as I did to *The Advertiser*—and it was fairly reported—that the only discussion I have had with anyone was actually a private briefing with the Master Builders Association, within which I indicated three builders who I believe had previously been strong opponents but who may well have warmed to the government's new position, one of whom was Mr Salisbury. I have had no other discussion about Mr Salisbury's position, correct or otherwise, with any other individual, other than a private discussion, or briefing, with the Master Builders Association.

LAND TAX

The Hon. J.E. HANSON (14:58): Supplementary: given the Treasurer's answer just now, would he like to now take the opportunity to apologise to Mr Salisbury?

The Hon. R.I. LUCAS (Treasurer) (14:58): I already did that in *The Advertiser* two days ago.

LAND TAX

The Hon. J.E. HANSON (14:58): Further supplementary: would the Treasurer now like to take the somewhat courageous option of naming those who do support the Liberal government's land tax policy?

The Hon. R.I. LUCAS (Treasurer) (14:59): There are far too many people to list during question time. Ninety-two per cent of all individuals who pay less land tax—

Members interjecting:

The Hon. R.I. LUCAS: The Deguglielmo family from Paradise last week sat down with the Premier, the minister and the member for Hartley. They are a mum-and-dad family of investors who work hard. They have put together a portfolio of residential properties, and they sat down with the Premier and the member for Hartley and they said, 'Good on you, Premier, because we are going to be paying thousands of dollars less land tax as a result of this new policy.' There are thousands and thousands of people like that who will be delighted at the government's land tax reform package. There are 92 per cent of them, 75 per cent of company groups, in that particular category; the minority of 8 per cent and 25 per cent one would assume would remain opposed.

LAND TAX

The Hon. E.S. BOURKE (15:00): Supplementary: can the Treasurer confirm that all of his parliamentary colleagues from his side of the parliament, the Liberal Party, support the land tax policy?

The Hon. R.I. LUCAS (Treasurer) (15:00): We are as one on this side of the chamber.

ABORIGINAL HEALTH

The Hon. J.S.L. DAWKINS (15:00): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on Aboriginal health initiatives?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:00): I thank the honourable member for his question. Unfortunately, we know that around Australia the health outcomes of the Aboriginal community are significantly worse—

Members interjecting:

The Hon. S.G. WADE: So that honourable members might listen, I might repeat my answer: unfortunately, we know that around Australia the health outcomes of the Aboriginal community are significantly worse than the general population. The Marshall Liberal government is committed to supporting initiatives which can improve Aboriginal health outcomes.

Before last year's election, the Marshall Liberal team committed \$50,000 towards the establishment of a permanent dialysis facility at Pukatja on the APY lands that will be operated by Purple House. Purple House is an Aboriginal-controlled organisation that operates more than a dozen permanent dialysis units in remote Aboriginal communities across the Northern Territory and Western Australia, as well as in Alice Springs, Darwin and through a mobile dialysis bus, the Purple Truck.

Until recently, renal patients on the APY lands who required regular dialysis had no option but to relocate to Adelaide, Alice Springs and other regional centres for treatment. Those relocations came at a significant personal, social and cultural cost to the patient, their family and their home communities. The establishment of a permanent facility on the APY lands is something Anangu communities had been calling for for more than a decade. They have raised funds and advocated in partnership with Purple House and other key organisations, including the NPY Women's Council. The federal Coalition government was committed to the project for many years and provided most of the funding for the project. Progress was slowed by the lack of support of the former Labor government.

The first patients received dialysis at the Pukatja centre on 16 August this year. The new centre is named after Kinyin McKenzie, an Anangu man and pastor who advocated for many years for a dialysis centre in his home community of Pukatja. Kinyin himself had to relocate to Alice Springs to receive dialysis and, sadly, did not live to see the facility open in Pukatja. Demonstrating the importance of Aboriginal health for the Marshall Liberal government, the Premier visited the Purple House Kinyin McKenzie Dialysis Centre on 6 September with the federal Minister for Communications, Paul Fletcher.

Last Wednesday, I had the privilege of visiting the centre. I was given a tour of the facility by the dialysis nurses Sandii and Bob, who introduced me to three patients receiving dialysis at the time of my visit. One of them, Tjunkaya, was one of the first patients to receive dialysis at the centre and has also been an advocate for the centre. In 2017, she wrote these powerful words:

Anangu need to live in their own community, on our country.

Anangu need to live on their own country together with their family.

They need to be close to what is important to them—family, country and Tjukurpa.

These powerful dialysis machines and the Purple House nurses will live here in our community, we will look after them.

Anangu who have sick kidneys will come home to their country.

They will be happy to be home with their family but they will also remember the old people who didn't get to see this day.

We thank you for your support in bringing our family home.

The Kinyin McKenzie centre has now been providing dialysis in Pukatja for over a month and will have its official opening on 7 November. I thank and congratulate the members of the Aboriginal community and the broader community who have worked to make the dialysis centre a reality. I wish all of the dialysis patients all the best for their future health.

SUGARY DRINKS

The Hon. M.C. PARNELL (15:04): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about sugary drinks.

Leave granted.

The Hon. M.C. PARNELL: Today's *Advertiser* reports on the latest results from the Cancer Council Australia's National Secondary Students' Diet and Activity Survey. The survey looked at the habits of more than 9,000 students across the country and found that boys were the biggest consumers of sugary drinks, with 22 per cent having a litre or more per week, compared to 11 per cent of girls.

The survey also showed that teens living in low socio-economic areas were more likely to consume high amounts of sugary drinks each week compared to those living in more affluent areas. According to the Cancer Council Australia nutrition expert, Clare Hughes:

Sugary drinks contribute the most added sugar to Australians' diet and the news that one in six teens consumes more than 5 kg of sugar each year, through sugar-sweetened beverages alone, is alarming.

On the back of this survey, and other research over many years, the Cancer Council is calling for a 20 per cent health levy on sugary drinks. They are backed by the Australian Medical Association, which also supports a sugar tax. Around the world, 28 jurisdictions have introduced or are planning

to introduce sugar taxes, including many European countries, Pacific Island nations and a number of US cities and counties.

However, *The Advertiser* also reports that the Australian federal government has ruled out a sugar tax, claiming that it is a simplistic solution to a complex health problem. My question to the minister is: given the federal government's lack of leadership and refusal to heed expert advice, will the state government step up to the challenge by introducing a state health levy on sugary drinks, as called for by health experts?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): The Marshall Liberal government was elected with a firm commitment for no new taxes, and that includes sugar.

SUGARY DRINKS

The Hon. M.C. PARNELL (15:06): Supplementary.

Members interjecting:

The PRESIDENT: Can we have some order for the Hon. Mr Parnell's supplementary.

The Hon. M.C. PARNELL: When the minister said there was a commitment to no new taxes, did he make a specific commitment as well that there would be no new health levies?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): This is a great ploy of the left: redefine every tax with a moral imperative. Let me also make another point, now that the honourable member has given me an opportunity to add dot point 2. Dot point 2 is that I think it would be very unwise for any state to act alone. I appreciate the decision of the federal government. These decisions would have to be made at the national level.

LAND TAX

The Hon. T.T. NGO (15:07): My question is to the Treasurer. Has the Treasurer now apologised to Dr Timothy Goh, a critic of the government's land tax policy, for the way in which he was attacked?

The Hon. R.I. LUCAS (Treasurer) (15:07): No, Mr President.

LAND TAX

The Hon. T.T. NGO (15:07): Supplementary question: will the Treasurer now rule out that any government employees were responsible for providing information on Dr Timothy Goh to the media?

The PRESIDENT: It is not necessarily within standing orders but I will allow it. Do you wish to answer it, Treasurer, or not? You don't have to. I'm not giving you the call.

The Hon. R.I. LUCAS: Are you ruling it a supplementary?

The PRESIDENT: The supplementary is not within standing orders but if you wish to answer it I will give you the option.

The Hon. R.I. LUCAS: If it is ruled out of order—

Members interjecting:

The PRESIDENT: The Hon. Ms Lee.

HOMELESSNESS

The Hon. J.S. LEE (15:08): My question is to the Minister for Human Services regarding the state government's work to address homelessness in South Australia. Can the minister please provide an update to the council about the appointment of the new head of Homelessness Sector Integration in the South Australian Housing Authority?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:08): I thank the honourable member for her question. It gives me great pleasure to advise that Mr Ian Cox, who is the CEO of the Hutt St Centre, is being appointed to a new role from 21 October in the Office of Homelessness

Sector Integration, which will work closely with the non-government sector to implement homelessness reforms.

Mr Cox is well known to many South Australians. I acknowledge that there are members of this chamber and the other who attend the annual Walk a Mile in My Boots fundraising event to raise vital funds for the Hutt St Centre. He has worked at that centre for some 16 years and in the homelessness sector for 25 years. He has had a very key role in driving for reform in South Australia in terms of the Adelaide Zero Project, which is focused on the CBD and North Adelaide, where the goal is for functional zero homelessness by 2020.

In that, he was instrumental in bringing Dame Louise Casey from the Institute of Global Homelessness to South Australia, which really started the kick-off for the Zero Project, the rather incredible partnership that exists between the non-government sector providers and the South Australian government. He has also been responsible for the Aspire project, which is the first social impact bond in South Australia, which focuses on a 'housing first' intervention model, which gives them stable accommodation as well as access to education and training to help them get a job and maintain employment. It is in its second year of operation and it has seen 297 participants enrolled.

What we know through our engagement in terms of the development of our Housing and Homelessness Strategy is that, while there are resources in the system, we think that there can be much better coordination. There hasn't been a reform of the homelessness sector for what I understand is over 10 years. There are improved ways of looking at homelessness. I recently attended the Institute of Global Homelessness conference in Glasgow with stakeholders from South Australia, including Louise Miller Frost from Catherine House, Mr Cox, staff of the Zero Project, and some Housing Authority staff, and I also spoke to providers in the City of London.

The institute's experience is that people have capacity. We are interested in looking at rapid rehousing for people, ensuring that those who have vulnerabilities have access to appropriate wraparound services, but acknowledging that people can use their capacity in many ways. A number can be employed, and I have certainly met people, young people particularly, who are going to school and in university.

We need to work on people's strengths. I am very pleased that Mr Cox is talking about engaging people with lived experience to guide our services forward because they understand what works and what doesn't and will be very useful in shaping services as they go forward.

HOMELESSNESS

The Hon. K.J. MAHER (Leader of the Opposition) (15:12): Supplementary to the minister arising from the answer to the question: do staff working in this particular area of the minister's department, or in fact any other area, require a working with children check or police checks?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:12): My understanding is that those who work in the youth sector certainly will. I can double-check as to the other staff as well, but, generally speaking, it is those people who specifically work with children and young people who need working with children checks. I will seek a response from the department in relation to other parts of the sector. Also, just while I am thinking on my feet, more than likely people in the domestic violence sector will require them as well, because that often involves children. I will double-check what the situation is and provide a more detailed response for the member.

HOMELESSNESS

The Hon. K.J. MAHER (Leader of the Opposition) (15:13): Final and further supplementary arising from the answer from the homelessness strategy and the minister's department: if people in this area of the department or any other area do not have the required working with children checks, what is the response of the department? Do people lose their job? How is it remedied?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:13): I am not quite sure that I understood what the supplementary was, whether the member is intimating that they should have a check and they don't have one. I will try to get some more details from the honourable member and try to respond to what I think he has asked.

HOMELESSNESS

The Hon. I.K. HUNTER (15:14): Supplementary arising from the minister's original answer: who was responsible for selecting Mr Cox for this role?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): As I outlined on radio last week, there was a competitive process which was, I think, undertaken by the department. Whether there was a recruitment agency or not involved, I am not 100 per cent sure, but it was a competitive process and I understand it was advertised in the usual processes.

The PRESIDENT: Supplementary, the Hon. Mr Hunter.

HOMELESSNESS

The Hon. I.K. HUNTER (15:14): The minister might not have this information so I am happy for her to bring it back: how many applicants were considered for this process, how many applicants applied for the position, and how many were shortlisted and considered in the final decision-making?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): I will get those details for the honourable member and bring that back.

LAND TAX

The Hon. J.A. DARLEY (15:14): I seek leave to make a brief explanation before asking the Treasurer a question on land tax.

Leave granted.

The Hon. J.A. DARLEY: I was contacted by a constituent today regarding the changes to land tax. The constituent is elderly and purchased their properties decades ago and advised that they do not have access to the internet to be able to give feedback on the consultation. Can the minister advise how people in these situations are meant to provide feedback, given everything is online and many of the changes will affect those who do not have access to the internet?

The Hon. R.I. LUCAS (Treasurer) (15:15): I can check, but I would be surprised if we were so red tape bound that if someone wrote a letter to me as the Treasurer in relation to their views on the land tax legislation that we wouldn't take that into consideration. I can think immediately of quite a number of pieces of correspondence that I have received via mail as opposed to the online submissions.

The Hon. E.S. Bourke: Have you checked your junk file?

The Hon. R.I. LUCAS: I am told it is still religiously checked just to see whether my little mates in the shoppies union have been sending me stuff that they shouldn't be sending. I will check for the honourable member but I think he can take it that if a constituent or indeed others wish to write to me as the Treasurer I can assure the honourable member and his constituent that we will give due consideration to the constituent's submissions.

LAND TAX

The Hon. I. PNEVMATIKOS (15:16): My question is to the Treasurer. Why is the Treasurer continuing to refuse to release the Treasury modelling the Marshall Liberal government relied upon to formulate the latest land tax policy?

The Hon. R.I. LUCAS (Treasurer) (15:17): That's not correct. We released, last week, some detailed modelling methodology that PricewaterhouseCoopers (PwC) had been commissioned to provide, an independent set of eyes in relation to the Treasury modelling. That particular document outlines in excruciating detail the methodology that has been utilised by Treasury and makes the judgement in the end that it was a reasonable methodology that has been used by Treasury, and PwC couldn't think of any alternative databases that might have been used to construct the estimates in any better way. That is, I think, a layperson's summary of the PwC report.

I refer the honourable member to the PwC report, which was made publicly available a week or so ago on the YourSAy website for the honourable member and indeed for anybody else who

wants to take the trouble to have a detailed look at the methodology that Treasury used and the independent assessment that PwC did of that.

LAND TAX

The Hon. I. PNEVMATIKOS (15:18): Supplementary question arising from the original answer: whilst I appreciate some details have been provided, when and how are full details going to be provided about the modelling?

The Hon. R.I. LUCAS (Treasurer) (15:18): The details have been provided. It is simply impossible—the only way the precise nature of the calculations in terms of the modelling can be released would be to release the full confidential taxpayer database of RevenueSA because the modelling necessarily requires individual consideration of the confidential tax information of individuals, companies and trusts in South Australia. What the honourable member is asking for is to release all of that sort of detail and that's unlawful, but it would also be improper and wrong to release that sort of information.

The modelling and the methodology that the Treasury has used has been stress tested by a reputable, independent group such as PwC and, as I said, in excruciating detail they have outlined how that methodology was conducted. But it is unlawful to release confidential details about the individual taxpayer information that has to be used by Treasury, or RevenueSA in particular, in terms of doing the precise calculations of the impacts on individuals and particular groups.

FOOD, WINE AND AGRIBUSINESS DISCUSSION PAPER

The Hon. D.G.E. HOOD (15:20): My question is to the Minister for Trade, Tourism and Investment. Will the minister update the council on the release of the Growth State—Food, Wine and Agribusiness Discussion Paper, aimed at accelerating growth in this crucial sector for South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:20): I thank the honourable member for his question and his ongoing interest in growing the state's economy. It is true that earlier this month the Minister for Primary Industries, the Hon. Tim Whetstone, and I released the Food, Wine and Agribusiness Discussion Paper, which kicks off the next stage of consultation on the priority sectors for our growth state plan. The Marshall Liberal government is dedicated to promoting industry growth by responding to industry needs and leveraging South Australia's competitive advantage to ultimately achieve 3 per cent annual GSP growth.

The priority sectors we are focusing on initially to drive this growth are energy and mining; creative industries; hi-tech; defence; space; health and medical industries; food, wine and agribusiness; and, of course, tourism and international education. As I previously outlined to the council, we recently released the industry-backed sector plans in the tourism and international education sectors, and this discussion paper begins the process of industry consultation with one of our key priority sectors.

In the creation of the discussion paper, the government consulted closely with the peak industry bodies, such as Primary Producers SA, Food SA and the South Australian Wine Industry Association, which sets the scene for the sector and its contribution to the South Australian economy. The paper covers food and beverage, field crops, meat and livestock, wine, seafood, horticulture and forestry sectors, and the current growth statistics and measures for each industry.

Last year, the food, wine and agribusiness sector generated \$14.8 billion in revenue and directly contributed over \$8 billion to our gross state product and produced over half the state's merchandise exports. We want to hear from industry about the opportunity to accelerate their growth and how the government can unlock investment and remove barriers. It is important our food, beverage and agribusiness industries have an input to help shape the future policy. This feedback will inform the development of an industry-owned sector plan for food, wine and agribusiness, and the government cannot and should not do this sort of work in isolation.

I urge everyone in this sector to read the discussion paper and provide feedback. It is essential for the final sector plan for food, wine and agribusiness that the industry's voice is behind it. Both PIRSA and my department are running a comprehensive series of meetings across the state to seek input into growing this vitally important sector.

Meetings will be held in the Barossa Valley, Bordertown, Clare, Kangaroo Island, Langhorne Creek, Loxton, McLaren Vale, Mount Gambier, Murray Bridge, Orroroo, Port Lincoln, Wudinna, Yorke Peninsula and Adelaide. Feedback via public meeting, online survey and email or written response is open until Friday 25 October this year, and the paper is available on the YourSAy website, and I urge everyone interested in growing this sector to take a look and provide their feedback.

LAND TAX

The Hon. F. PANGALLO (15:23): I seek leave to make a brief explanation before asking the Treasurer a question about land tax.

Leave granted.

The Hon. F. PANGALLO: Last night, my colleague Connie Bonaros and I, along with about 250 other people, attended a land tax forum organised by the Labor opposition at Paradise. I never thought I would see the day when hundreds of dyed-in-the-wool Liberal voters would applaud a Labor leader numerous times in a Liberal-held seat. The room was full of decent, law-abiding people, who have spent their adult lives working hard to invest in properties, with the aim of giving themselves and their families a financially secure future, many of them being self-funded retirees who don't put out their hand for government support.

Some of the personal stories we heard were very moving and strike at the heart of the issue. But there is more pain to come, with property owners whose investment properties will be hit with land tax for the first time due to the revaluation process currently underway. My questions to the Treasurer are:

1. Given that the full impact of the creeping effect of revaluations is not yet known, will you delay the introduction of your land tax legislation until the Valuer-General has completed its entire revaluation process?

2. Do you agree that introducing retrospective land tax reforms sets an unwise and, from a global investment prospective, an ugly precedent for all future tax reforms?

3. Will self-managed superannuation funds with properties held in trust be fully exempt from your reform package, as you have declared?

4. Given that you have already threatened South Australians by saying the government will need to introduce other new taxes if your controversial land tax proposals aren't successful, can you categorically rule out introducing death and/or inheritance taxes?

The Hon. R.I. LUCAS (Treasurer) (15:25): The honourable member has been sadly misinformed. I have never at any stage threatened new taxes, because, as my colleague the Minister for Health has indicated, we were elected on a pledge of no new taxes. So I can exactly rule out no death duties or whatever the other—what was the other one?

Members interjecting:

The Hon. R.I. LUCAS: No death taxes or inheritance taxes. The notion of new taxes is the province of the Labor Party. Whether it was a car park tax or whether it was a bank tax, anything that moved, the Labor Party were wont to try to introduce a new tax. The Marshall Liberal government was elected on a program and a platform of no new taxes and we will abide by that particular measure. I never at any stage have threatened new taxes of any particular form or another. In relation to—

Members interjecting:

The Hon. R.I. LUCAS: The Leader of the Opposition was not at the meeting and therefore is not in a position to indicate what I said or didn't say, and I can assure him there will be no record at that meeting, or indeed anywhere else, where I threaten new taxes in relation to a government measure. The Leader of the Opposition will not be able to find—and neither will the Hon. Mr Pangallo—any reference where I have indicated that we will be introducing new taxes should the measure not go through.

In relation to some of the other questions that the Hon. Mr Pangallo raised in relation to self-managed superannuation funds—I think it was his second or third question—we have made it quite clear that the proposition in relation to a 0.5 per cent surcharge in certain circumstances won't apply to certain trusts and arrangements, such as charitable trusts and guardianship trusts and the like.

We have also indicated that self-managed superannuation funds will not be covered by the 0.5 per cent surcharge arrangement, so we made that quite clear. There have been some erroneous claims made by the Property Council in some advertising that has frightened some people into believing that the government was going to move down that particular path. It was never the government's policy, never the government's intention. We have never indicated we would, and we have made it quite clear that the imposition of the surcharge won't be applied to self-managed superannuation funds.

There was another question that the honourable member raised—the first one—which was in relation to—

The Hon. F. PANGALLO: Do you agree that introducing retrospective—

Members interjecting:

The PRESIDENT: It has an all encompassing characterisation. The Hon. Mr Pangallo, ask the question and give the Treasurer some guidance.

The Hon. F. PANGALLO: The first part of the question was that, given the full impact of the creeping effect of the revaluations, will you delay the introduction of your land tax legislation until the Valuer-General has completed its entire revaluation process?

The Hon. R.I. LUCAS: The simple answer to that is no. I have indicated that publicly on a number of occasions. I think the honourable member might have said in either his explanation or part of his question that the revaluation might mean that people who had previously not paid land tax might end up having to pay land tax. One of the reasons for the very significant increase in the threshold from 390,000 to 450,000 will mean that a significant number of South Australians who currently pay land tax will no longer have to pay land tax.

The only other cautionary note I would give is that it has become urban folklore that in some way the average property increases as a result of the revaluation are going to be of the order of some of the individual claims that have been made on talkback radio by individuals. I am not disputing the individual revaluations some people might have received from the Valuer-General, but the error is to assume that that is therefore going to be the average.

I have just provided some answers to the Hon. Mr Darley in relation to the average site value increases in the three council areas where the Valuer-General has currently conducted them. I think from recollection Unley, which was the biggest, was 11 per cent on average. I think Walkerville was 10 per cent. I think Adelaide Plains was 5 per cent or 7 per cent; it was much, much lower. The position that some people have put on talkback radio, 'I have just had an 80 per cent or 120 per cent or 60 per cent increase,' is not the average.

According to the Valuer-General, who is independent from the government, the average in those three areas in terms of site value has been much less. If one looks at the capital value increase, which of course is important for other tax and levy measures, it is significantly lower than the site value increases in relation to that. But I refer the honourable member to the answer that I provided today to the question from the Hon. Mr Darley in relation to the early information of the Valuer-General in relation to the three council areas that are being revalued.

The only other point I would make is that the Valuer-General, in a briefing to me a couple of weeks ago, indicated that the revaluation was only going to cover around about 17 of the 68 or 69 council areas in South Australia, and I think all of them were in the metropolitan area. So I think all of the regional councils and a number of the metropolitan councils are not actually going to be going through the revaluation exercise. They will be valued in the current way, which is computer modelling and various algorithms which are used by the Valuer-General, and it will only be around about a quarter of the councils which are going to be subject to the revaluation. That is because they have made the judgement that they are the particular areas where there may well have been significant undervaluing of properties in those council areas.

*Bills***LABOUR HIRE LICENSING REPEAL BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 16 May 2019.)

The Hon. R.I. LUCAS (Treasurer) (15:33): I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

STATUTES AMENDMENT (BUDGET MEASURES) BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 12 September 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:34): Today I rise to indicate that I will be the lead Labor speaker on this bill and that Labor will not prevent this bill from passing this council. The brevity of this bill understates the mess that the Liberal government have created for themselves in the last budget.

The bill contains only two revenue measures, a series of changes to the Mining Act to enable a very significant increase to fees levelled under the Mining Act, and new taxes, which this government is wont to bring in—

An honourable member: Revenue measures.

The Hon. K.J. MAHER: Revenue measures, as I think the Treasurer is fond of calling them, when he is quoted in the media as saying 'additional new revenue measures' but then claims that there will be no new taxes. It appears we need to call these 'revenue measures', not increased or new taxes. Similarly, they will enable an increase in the maximum expiation fees levied under the Road Traffic Act—new revenue measures.

That there are very few measures in this bill is, unfortunately, not surprising, given that the state budget contains \$513 million in higher or new taxes, fees and charges over the budget forward estimates period—\$513 million in what the Treasurer likes to call 'revenue measures'. Those additional charges include the Liberal government's land tax aggregation, which has caused a huge rift in the Liberal Party both inside parliament and out.

The legislation on land tax aggregation is still out for consultation but it is a fake and hollow consultation, with the Treasurer himself admitting in this place that there are non-negotiable aspects to it. When pressed on what those aspects were, they were pretty much all of it. That is the sort of consultation this government follows.

However, it is possible that the land tax aggregation policy might never have come to what it was if the Premier himself had bothered to turn up to budget cabinet committee meetings. We have heard time and time again, at a forum in which departments turn up to give evidence, that the Premier does not turn up to these meetings; the person in charge of the state does not turn up to meetings that decide what will be spent, what services will be provided, and what capital projects will go ahead.

As I said, this particular bill contains only two revenue-raising measures from a state budget that contains \$513 million in higher or new taxes, fees and charges over the forward estimates. Those measures will touch every South Australian: a new police rent tax; a beer tax; a tradies tax; a new mining tax, a revenue measure that is a new mining tax; a wildlife park tax—and that is before we start talking about the increase in fees and charges.

We are talking about things like driver's licence renewals up by almost 5 per cent, car registration for some vehicles up over 5 per cent, public transport up, trailer registration up. This is a Treasurer who is addicted to increased and new taxes despite promises to the opposite before the

election. We have heard promises to the opposite before an election before: 'We won't sell ETSA.' We can only assume that the pen is poised to increase taxes even more.

As the Treasurer has said, he intends to increase taxes more if he does not get his land tax aggregation policy through this chamber next month. With that, I indicate that we will not be obstructing this bill.

The Hon. R.I. LUCAS (Treasurer) (15:38): I thank the Leader of the Opposition for his wholehearted and warm support for the second reading of the bill.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (15:40): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 September 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:41): I rise today to indicate that Labor supports the large majority of the bill but that it will also be supporting amendments that have been filed that give effect to the Law Foundation continuing to receive contributions and some guidance about where those contributions will go.

We have received advice that, if passed into law, section 5 of the bill will change the formula set out in section 57A(2) of the act, which governs the allocation of interest accruing on solicitor trust accounts. As the bill is currently constructed, the practical effect of the amendment will be to reduce the amount paid to the Law Foundation of South Australia from 10 per cent to only 5 per cent, with a further option to reduce it to zero at the Attorney-General's discretion. We understand that this would equate to a very substantial cut to the Law Foundation, which likely means therefore that things that the Law Foundation fund are in danger.

It means that organisations like JusticeNet, which receives funding through the Law Foundation, may no longer be there or only be there in a greatly reduced form. For many years now, JusticeNet has operated in South Australia, funding itself on the donations of other generous organisations and individuals. In opposition, the Liberal Party spoke in support of JusticeNet. The current Attorney-General—the member for Bragg, Vickie Chapman—talked at length about the good work that JusticeNet does to support those most in need.

However, once in government, those sentiments strangely disappeared, and the Liberal government have refused to provide funding to JusticeNet, whereas the Labor government had done so, from time to time. This latest attack on funding to the Law Foundation further places in jeopardy the work that JusticeNet does.

As I have said, we will be supporting amendments filed by the Hon. Mark Parnell and the Hon. Connie Bonaros that have the effect of not allowing funding to the Law Foundation to cease or reduce, to make sure that part of that funding goes to organisations like JusticeNet to continue their good work.

The Hon. M.C. PARNELL (15:43): I, too, rise to speak briefly on this bill. The only clause of the bill that we are engaging with is clause 5. Clause 5 relates to the issue of how moneys that derive from the interest on trust accounts are distributed.

Under the current act, the distribution of interest on solicitors' trust accounts goes exactly as follows: 50 per cent to the Legal Services Commission or one or more community legal centres in such shares and subject to such conditions as the Attorney-General directs; 40 per cent of the money must be paid to the Fidelity Fund; and 10 per cent of the money must be paid to a person nominated by the Attorney-General subject to such conditions as the Attorney-General directs.

That final 10 per cent has historically always gone to the Law Foundation. The Law Foundation, members would be familiar, advertises, I think, twice a year. You see their ads in *The Advertiser* inviting people to make application for funding for various legal projects such as the provision of legal services or community legal education. The way it is worded in the current act, my understanding is that that 10 per cent is paid to a person nominated by the Attorney-General.

My understanding is that the only reason the Law Foundation of South Australia Incorporated was not included in the legislation is that they were not in fact incorporated when this legislation went through. Now, they are a longstanding recognised organisation. It is chaired by a senior member of the judiciary. They are part of the legal establishment in South Australia. So there is now no reason not to name them as the recipient of that final 10 per cent of the funds that come from interest on solicitors' trust accounts.

The current law is also deficient, and the Hon. Kyam Maher alluded to this. There is also provision in the current act which basically allows the Attorney-General to vary or revoke the conditions on which money is paid from time to time but also to vary the shares in which the money is allocated. In other words, the legislation sets out 50 per cent, 40 per cent and 10 per cent, but the Attorney-General has the ability to change those amounts. That does not lead to any degree of certainty because organisations rely on being able to adequately budget for their futures. They know roughly how much money is going to be coming in each year, so the idea that the Attorney-General can unilaterally, because it says in the act, without the approval of the Law Society, vary those shares I think is unacceptable.

The amendments that the Greens are proposing, and which I understand the majority of the chamber will support, basically lock in that final 10 per cent and name the Law Foundation of South Australia Incorporated as the beneficiary. I should say that the bill before us proposes to reduce that share from 10 per cent down to 5 per cent. The Greens' amendment puts it back to 10 per cent, where it always has been. Also, we are proposing to delete the power of the Attorney-General to unilaterally change those percentages. I just think that is not appropriate. The parliament saw fit to put the percentages in in the first place; the parliament, if it sees fit, can change those percentages. It should not be up to the unilateral discretion of the Attorney-General of the day.

The Greens' amendment proposed that the money going to the Law Foundation would be spent on the things that it has historically spent money on, namely, provision of legal services, legal research, education. That brings us to the further amendment that has been filed by the Hon. Connie Bonaros, which seeks to ensure that, of that 10 per cent going to the Law Foundation, at least half will go to the provision of legal services for the community; in other words, to fund important community justice organisations such as JusticeNet and other community legal centres.

I think what this parliament is doing, if it does indeed pass the Greens' amendment and the SA-Best amendment to that amendment, is that we will have put in place a lot more certainty. The Legal Services Commission will know exactly how much they are getting, the Law Foundation will know what they are getting, and the Fidelity Fund will continue to get 40 per cent of the pool. Organisations such as JusticeNet, whilst not named in the legislation, have traditionally been supported by the Law Foundation, and it would be my hope that the Law Foundation would continue to see value in supporting a service such as that. The parliament is telling the Law Foundation that, 'We so value the provision of community legal services that we would like you to spend at least half of the money that you get on that.'

I think these are sensible amendments. They effectively give effect to the status quo as it exists on the ground, and we do that by changing the law, removing the loophole and providing that the community will continue to have access to legal services and that they will be funded in part by interest on solicitors' trust accounts.

The Hon. C. BONAROS (15:49): I, too, rise to speak in reference to the Legal Practitioners (Miscellaneous) Amendment Bill 2019, and to echo the sentiments just expressed by the Hon. Kyam Maher and the Hon. Mark Parnell. As we know, the bill amends the Legal Practitioners Act and makes various amendments that purportedly improve the efficiency and operation of the Legal Profession Conduct Commissioner, as well as certain amendments aimed to improve and preserve the ongoing viability of the Fidelity Fund.

In addition, the amendments filed by the government to clauses 8 and 9 of the bill were passed which, in turn, amended sections 80 and 82 of the act. Those amendments dealt specifically with an issue raised by the South Australian Bar Association where the bill has a retrospective effect that extends the time in which a charge made against the lawyer or legal practitioner could be laid before the Legal Practitioners Disciplinary Tribunal. The effect of the amendments allow the issues raised by the commissioner in relation to extensions of time and the time period to lay charges to be addressed in the future but preserve the operation of the current Legal Practitioners Act for those matters already underway, thereby giving certainty to those practitioners who are the subject of current complaints and charges.

For the record, I indicate that SA-Best is supportive of the majority of the bill but, like my honourable colleagues, we will be opposing clause 5 of the bill for reasons already outlined by the Hon. Kyam Maher and the Hon. Mark Parnell. If passed into law, clause 5 of this bill, as drafted, will change the formula set out at section 57A(2) of the act which governs the allocation of the interest occurring on solicitor trust accounts.

The practical effect of the amendment will be to reduce the amount paid to the Law Foundation of South Australia from 10 per cent of the funds to only 5 per cent, with an option, of course, as has already been highlighted, to reduce it to zero at the Attorney-General's discretion. We simply cannot allow this to proceed in this manner. Again, we say so on similar grounds as those expressed by members opposite.

As I understand it, 10 per cent of the funds payable under section 57A(2)(c) of the act have been paid to the Law Foundation of SA every year since its creation in 1983, almost 40 years ago. The reduction in funds currently allocated to the Law Foundation of SA would represent a cut of approximately \$180,000 a year, or around 16 per cent of its revenue.

Of course, we know the Law Foundation of SA, through its grants, provides vital funding for the promotion and development of legal research, law reform, education and training of legal practitioners and their employees, education in law and the legal system for the broader community, including programs in schools and universities, and of course, vitally, assistance for legal services to the community.

Ripping \$180,000 from the Law Foundation to prop up the Fidelity Fund, because that is what we will be doing—propping up the Fidelity Fund—will have negative flow-on effects for funding for JusticeNet, through the Law Foundation, with it likely to be cut or significantly reduced should clause 5 pass as drafted. As we know, the government recently cut recurrent funding to JusticeNet which already runs on the smell of an oily rag and has to rely on grants from the Law Foundation and fundraising to eke out its existence.

The Law Foundation supports a number of organisations, not just JusticeNet, but the money it does receive from the foundation is absolutely critical. The Law Foundation has granted just \$20,000 to JusticeNet, a small but much-needed amount. My colleague the Hon. Frank Pangallo and I have long advocated for funding for JusticeNet, as have other members in this place, including the Hon. Mark Parnell and the Hon. Kyam Maher. Only in the last week of sitting, I spoke once again about JusticeNet in the context of the Appropriation Bill and the Marshall government's Ebenezer Scrooge budget that could not even provide a meagre \$120,000 a year to fund their operating costs.

I will keep repeating myself until JusticeNet is adequately funded because they provide such a vital service. They are a vital organisation that provides free legal services for civil claims to the poorest in our community and they fill the chasm left by the Legal Services Commission, which itself is severely underfunded and not able to provide assistance in civil law disputes.

As a result of these cuts to their funding, JusticeNet was recently forced to make the very difficult decision to close its state courts self-representation service later this month as it diverts its

self-raised funds into maintaining its core business. The self-representation service, which was run by volunteers from some of Adelaide's most prominent law firms, has operated for the past six years, providing free legal advice and task assistance to thousands of individuals facing serious civil law problems but who cannot afford a lawyer.

JusticeNet executive director, Tim Graham, estimated the service provided around \$241,500 in annual savings to government through reduced court operating costs, not to mention the more than \$400,000 that volunteer lawyers contributed pro bono, providing more than 1,200 hours of free legal help to the service in the last financial year. I have to say that, with respect to the Treasurer and the Attorney-General, they should do the maths on that one in terms of what it is not costing them and their bottom line, but they should do so while hanging their heads in shame.

I find it very disingenuous of the government and the Attorney to claim that the hours of free work offered by lawyers who also work at the Crown Solicitor's Office can somehow be attributed to the government's contribution to JusticeNet. Our Attorney-General knows only too well that unrepresented litigants are a heavy burden on the legal system, and adequate public funding ought to be a key priority, if for nothing else than to increase court efficiency. But not for this government.

The Marshall Liberal government has prioritised that short-term cost cutting takes precedence over long-term investment in improvements to court efficiency. And, wow, hasn't the Attorney-General's view changed on this very issue now that her party is in government. In opposition she said, 'We have no intention of cutting them off,' and that is precisely what this government has done.

The passage of clause 5 of the bill, unamended, will only serve to further imperil JusticeNet. I, on behalf of SA-Best, am not prepared to do that. To that end, as the Hon. Mark Parnell has already explained, I note that he has an amendment filed to enshrine the percentage paid to the Law Foundation as it currently operates in practice. We, too, are supportive of that amendment.

In addition, I have filed an amendment which tweaks the Hon. Mark Parnell's amendment to ensure that, of the 10 per cent paid to the Law Foundation, at least 50 per cent of that money must be applied to the provision of legal services to the community. I trust that these amendments combined will see JusticeNet and other organisations that undertake the thankless but crucial task of providing free legal advice in difficult circumstances to our most vulnerable South Australians receive adequate funding—not just dribs and drabs but adequate funding—to continue their valuable work.

I should say that originally I had intended to move two amendments—one that would name JusticeNet in the bill itself. I intended to do that because I think it was reflective of how vital that service is to South Australia, but I accept that this is a better compromise and that it will also result in, potentially, more contributions going to other community legal services as well. To that end, I indicate our support for the bill in general, subject, of course, to the amendments and the changes that I have just outlined.

The Hon. R.I. LUCAS (Treasurer) (15:59): I thank the honourable members for their contribution to the second reading.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 4 passed.

Clause 5.

The Hon. M.C. PARNELL: I move:

Amendment No 1 [Parnell-1]—

Page 3, lines 1 to 13—Delete clause 5 and substitute:

5—Amendment of section 57A—Payment of interest accruing on trust accounts

(1) Section 57A(2)—delete 'Subject to subsection (3), the' and substitute 'The'

- (2) Section 57A(2)(c)—delete paragraph (c) and substitute:
 - (c) 10% of the money must be paid to the Law Foundation of South Australia Incorporated subject to such conditions as the Attorney-General directs.
- (3) Section 57A(3)—delete 'and may, from time to time, with the approval of the Society, vary the portion of the money allocated for payment pursuant to each paragraph of that subsection'
- (4) Section 57A(5)—delete subsection (5) and substitute:
- (5) Money paid to the Law Foundation of South Australia Incorporated pursuant to subsection (2)(c) must be applied in, or in relation to, the provision of legal services to the community, or to a section of the community, or must be applied for the purposes of legal research and education.

The amendment seeks to delete clause 5 and substitute a new clause 5. I pretty much elaborated on the contents of my amendment in my second reading contribution. As I have said, it effectively maintains the status quo as it exists on the ground and that is with 10 per cent of the money going to the Law Foundation of South Australia and removing the ability of the minister to unilaterally alter the percentages that are set out in clause 5 of the bill. As I also said in my second reading contribution, I have discussed with the Hon. Connie Bonaros her amendment to my amendment and I am supportive of that. I will be supporting my amendment and the Hon. Connie Bonaros's amendment to my amendment.

The Hon. R.I. LUCAS: I am advised by the Attorney-General that the government will be opposing this particular amendment and subsequently the amendment to the amendment; however, I acknowledge from the second reading contributions that we are unlikely to be successful no matter how persuasive the Attorney's arguments may be in this particular chamber.

This amendment locks into the Legal Practitioners Act the current proportions of funding that are allocated to trust account interest under section 57A, but, not only that, it locks in the Law Foundation as the body that receives the 10 per cent portion of funding. This amendment is deeply flawed and would be hugely problematic in a practical sense if enacted. Firstly, it undoes the government's attempt to secure the future of the Fidelity Fund by retaining the third portion of funding at 10 per cent. The government's bill reduces this portion of the allocation from 10 per cent to 5 per cent, with that extra 5 per cent redirected to the Fidelity Fund and with the option of also directing the remaining 5 per cent to the fund as well.

As has been outlined in the second reading, the government's amendments as contained in the bill are aimed at ensuring the Fidelity Fund is financially viable into the future. The Attorney-General has already indicated in the other place just how quickly the level of the fund is being depleted and its vital importance in not only funding the regulation of the profession, including the Legal Profession Conduct Commissioner and disciplinary tribunal, but acting as a compensation fund for those who have suffered losses due to the misconduct of their legal practitioner. Without the measures being introduced by the government's bill, there is a risk that the fund will no longer be able to fulfil all its legislative purposes, which is why it is so important for additional trust account interest to be channelled into the fund.

Secondly, enshrining the name of an organisation, in this case the Law Foundation, into the act presents a number of difficulties. Generally, naming specific organisations in legislation should be avoided, in the government's view, as the organisation may change its name, merge with another organisation or change its focus or purpose, meaning it is no longer the right organisation to receive the particular funding, or even cease to exist.

If any one of these events should happen, there would be a need to come back to parliament to amend the act. Obviously, coming back to parliament with a bill to amend an act is a considerable undertaking, a much lengthier process than using regulations or a ministerial discretion, as per the current provision. It is simply not practical to name an organisation in the act in this way.

An amendment of this kind also means that funding cannot be directed to any other organisation that might be a worthy recipient of the trust account interest funding. The flexibility in the provisions is present to ensure that the money is directed to the most appropriate organisation, and introducing a rigid requirement is not conducive to ensuring that the best possible organisation

receives those funds. It is for these reasons that the government is opposing the amendment being moved by the honourable member.

The Hon. C. BONAROS: I move:

Amendment No 1 [Bonaros-1]—

Amendment to Amendment No 1 [Parnell-1]—Delete inserted clause 5(4) and substitute:

- (4) Section 57A(5)—delete subsection (5) and substitute:
- (5) At least 50 per cent of the money paid to the Law Foundation of South Australia Incorporated pursuant to subsection (2)(c) must be applied in, or in relation to, the provision of legal services to the community.

The reasons for that amendment I think have already been highlighted, but essentially they seek to amend the Hon. Mark Parnell's amendment to provide that at least 50 per cent of the money paid into the Law Foundation of South Australia Incorporated, pursuant to section 2C, must be applied in or in relation to the provision of legal services to the community.

The Hon. R.I. LUCAS: I rise on behalf of the Attorney-General to offer further explanation as to why the government, and the Attorney in particular, are opposing the amendment to the amendment as it does raise other issues as well. I indicate that the government will oppose this amendment since we are also opposing the Hon. Mr Parnell's amendment, and this amendment is obviously contingent on that amendment. This amendment deletes clause 5(4) inserted by the Hon. Mr Parnell's amendment, and inserts what would be a new section 57A(5) into the Legal Practitioners Act.

This amendment provides that 50 per cent of the allocation to the Law Foundation must be applied in or in relation to the provision of legal services to the community. It is an interesting choice to amend the Hon. Mr Parnell's amendment in this way, as the Hon. Mr Parnell's amendment retained the existing wording of the Legal Practitioners Act, aside from naming the Law Foundation itself, and is a much broader set of requirements for the trust account interest than this amendment from the Hon. Ms Bonaros.

The requirements for the application of the trust account moneys makes sense when the legislation reads 'a person nominated by the Attorney-General'. Obviously, this ensures that the interest money only goes to appropriate organisations. However, the requirements make much less sense when the Law Foundation is specified in the legislation, as the activities of that organisation are already known.

The difficulty that arises as a result of this amendment from the Hon. Ms Bonaros is that the Law Foundation does not in fact directly provide legal services to the community. The Law Foundation is a body that solely provides grants to other organisations. This means that the first part of the honourable member's requirement is a practical impossibility.

Some of the activities of the Law Foundation could be described as being in relation to the provision of legal services to the community, and so fulfilling the second part of the requirement. But this amendment still has the effect of restricting the ways in which the trust account money is applied unnecessarily.

It is the government's view, of course, that the Law Foundation should not be named in the legislation at all, and that it will cause all sorts of practical issues, as I previously outlined on behalf of the Attorney. But we also say that this amendment makes the original amendment even more problematic: firstly, by trying to get the Law Foundation to do something it cannot do—provide legal services; secondly, by unnecessarily restricting the way in which it allocates grants; and, lastly, by leaving out any requirement for the funding to go towards legal research and education.

This clearly has the potential to short-change organisations that are not in the sphere of community legal services but are involved in legal education and research, both of which are also worthy causes. It also makes the job of the Law Foundation in awarding grants much more complicated, having to calculate that at least 50 per cent of the interest moneys are applied in relation to community legal services.

It is for these reasons that the government is opposing the amendment. As I indicated earlier, the government acknowledges that at least in this chamber it does not appear to have the numbers for its view to prevail and it will need to be an issue further explored by the Attorney-General when the bill is potentially returned in an amended form to the House of Assembly.

The Hon. M.C. PARNELL: I cannot let the minister's comments go without remarking that lawyers love to play with words. I think the words that the minister has tried to play around with do not actually hold any water. The fact that the Law Foundation itself does not hang its shingle and have someone with a suit directly giving legal services to the community is neither here nor there, and the amendments as drafted do not anticipate that that is how the money has to be spent.

The words of the amendment are that the Law Foundation has to ensure that the money must be applied in or in relation to the provision of legal services. A pretty simple legal interpretation is that if they then give that money to an organisation that does in fact do that on-the-ground work and does have a shingle hung and provide directly those services, then they are satisfying the act as it will be in that regard.

In relation to the complexity of handing out money and how difficult it would be to work out whether they have spent half on the provision of legal services to the community, what we have to remember is that many more organisations ask for money than are able to be provided with money, and it is entirely a matter for the Law Foundation. Someone might ask for \$100,000 for a grandiose project; they might end up getting only \$5,000 or \$10,000.

The Law Foundation can quite simply determine into which category an applicant fits, whether it is the provision of legal services or education or whatever else, and it can allocate the money accordingly. I have every confidence that when I read their next annual report they will have applied the law diligently and accurately, and I do not think that any problems are likely to result. I think the minister's objections to the amendments do not in fact hold any water at all. I am more resolved than ever to see this bill amended in the way proposed by the Greens and by SA-Best.

The Hon. K.J. MAHER: I indicate for the benefit of the chamber that the Labor opposition will be supporting both the Hon. Mark Parnell's amendment and the Hon. Connie Bonaros's amendment to the amendment, and I agree with many of the comments that have been made: the arguments just do not hold water. They do not hold much common sense either, that just because the Law Foundation is going to keep doing what it always has been doing that that is some reason not to support it. It just defies logic.

I also want to place on record, as I have done before in this place, the appreciation of the excellent work the Law Foundation does. I appreciated being shown their headquarters at Adelaide University, which is kind enough to host the Law Foundation, and how they go about their work. I pay tribute to Mr Tim Graham at the Law Foundation, who works tirelessly to make—

The Hon. M.C. PARNELL: JusticeNet.

The Hon. K.J. MAHER: Sorry, not the Law Foundation—at JusticeNet, who works tirelessly to make sure that people who probably otherwise would not have proper representation in the legal system do have that representation. It is a curious thing that before the election JusticeNet is good and after the election JusticeNet is not worth funding. We do not agree with that, and we will be supporting the amendments as put forward.

The CHAIR: Does any honourable member have a further contribution on these amendments? Both amendments have been moved, so the first question I am going to put is that the amendment moved by the Hon. C. Bonaros to clause 5 as proposed to be inserted by the Hon. M.C. Parnell be agreed to. I think that will find favour with the committee. Then, if it does find favour, I will put a subsequent question that clause 5 stand as printed, and those who are supporting the amendments vote no to that. I think that question will not find favour. Then I will put a question that the new clause 5 as proposed to be inserted by the Hon. M.C. Parnell and as amended by the Hon. C. Bonaros be so inserted. My understanding of what honourable members have said is that that question will find favour with the committee.

The Hon. C. Bonaros's amendment to amendment carried; the Hon. M.C. Parnell's amendment as amended carried; clause as amended passed.

Remaining clauses (6 to 11), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:17): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 September 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:18): I rise today to speak briefly on this bill and indicate that Labor will support this legislation. As I understand, this bill seeks to modernise the administration of the Associations Incorporation Act by removing the need for a statutory declaration when lodging an application for the incorporation of an association and when applying for registration of a change in the rules of an incorporated association.

We have been advised by the Attorney-General's Department that this change brings South Australia into line with other jurisdictions and will also allow Consumer and Business Services more flexibility to allow these applications to be made through online forms and email. This bill also seeks to modernise service upon incorporated associations by allowing service via email. Currently, the legislation only allows service of physical documents, which in 2019 is somewhat outdated. We have been advised by the government that there is no specific problem with the current traditional method of service; however, we agree that service should also be possible through email.

My colleague in the other place the member for Kaurana has put on notice a series of questions that we would appreciate answers to in relation to consultation on this bill. Additionally, in terms of what protections there will be, is there any risk of someone fraudulently emailing Consumer and Business Services and requesting details they otherwise would not have been entitled to and that would have been secure in previous legislation? The Treasurer, representing the Attorney-General, possibly has some answers to those questions in his summing-up. With those words, once again we indicate support for the bill.

The Hon. R.I. LUCAS (Treasurer) (16:20): I thank the honourable member for his question. I do have some answers, I think, but if there are any subsequent ones, assuming I have an officer available, we will see whether we will be able to provide any further answers if that is required. I thank the honourable member for his contribution to the bill, and I thank the opposition for its support of the swift passage of these amendments through the parliament.

This will enable Consumer and Business Services to take full advantage of its IT upgrade to the benefit of some 20,000 not-for-profit organisations in South Australia. While these amendments are rather minor in nature, they will relieve these organisations of unnecessary red tape. This is especially important when one considers that most of the organisations are run by volunteers or have a charitable purpose.

I note that the majority of the questions posed by the opposition, with answers supplied to the Leader of the Opposition in the Legislative Council, concern the position of stakeholders. For the benefit of the council, no stakeholders were consulted as these reforms were considered of a technical nature for the benefit of these associations. This government supports these associations in more contemporary ways of doing business.

As I said, I am advised that some of the answers have been provided to the Leader of the Opposition in the council; however, if there are other issues he wishes to pursue, to the extent I might be able to I will endeavour to provide answers during the committee stage. If not I am happy to take further questions on notice on behalf of the Attorney and the government.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:24): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**CRIMINAL LAW CONSOLIDATION (CHILD-LIKE SEX DOLLS PROHIBITION) AMENDMENT
BILL**

Final Stages

The House of Assembly agreed to the bill without any amendment.

RETAIL AND COMMERCIAL LEASES (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

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

At 16:38 the council adjourned until Wednesday 25 September 2019 at 14:15.

*Answers to Questions***GAME DEVELOPMENT INDUSTRY**

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (31 July 2019).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): For 1. & 2. I refer the honourable member to a response the treasurer tabled on 2 July 2019.

3. The Department for Innovation and Skills has recently commissioned research to identify the economic contribution of the game development industry in South Australia. The findings will be released in the near future.

LAND TAX

In reply to **the Hon. J.A. DARLEY** (1 August 2019).

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

The average % increase for site values in Unley:	+11.2%
The average % increase for site values in Walkerville:	+10.1%
The average % increase for site values in Adelaide Plains:	+7.1%
The average % increase for capital values in Unley:	+5.4%
The average % increase for capital values in Walkerville:	+4.8%
The average % increase for capital values in Adelaide Plains:	+11.0%

To arrive at the above percentage figures the following calculation was undertaken:

- the percentage change of each property was determined and the average of those changes was calculated for the three local government areas requested;
- the valuations that have been used were in force in the 2018-19 financial year compared to the 2019-20 financial year (2019-20 data was as at 8 July 2019);
- where the owner of land was entitled to a concessional notional value, these were ignored in the calculations and the regular substantive values for the property were used in their place; and
- the calculation also included the uplift in value associated with new improvements, such as houses being valued for the first time resulting in valuation changes much greater than regular market movement.

GLOBELINK

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

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

A state government agency steering committee chaired by the Chief Executive of the Department of Planning, Transport and Infrastructure (DPTI) is overseeing the development of a business case for GlobeLink.

The process is led by DPTI and involves extensive engagement with key industry stakeholders.

I have been advised that Adelaide Airport Limited has been directly engaged as part of this process to understand the potential implications for the airport. Engagement with industry is critical in obtaining and validating data to ensure a rigorous and evidence-driven process to explore a range of potential options for GlobeLink.