LEGISLATIVE COUNCIL

Thursday, 2 July 2020

The PRESIDENT (Hon. T.J. Stephens) 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.

Parliamentary Committees

NATURAL RESOURCES COMMITTEE

The Hon. N.J. CENTOFANTI (14:17): I bring up the report of the committee on the fact finding visit, Alinytjara Wilurara natural resources management region.

Report received.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

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

Report of the Guardian for Children and Young people on Children and Young People in State Care in South Australian Government Schools 2009-19— dated June 2020

ANSWERS TABLED

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

Question Time

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): My question is to you, sir, regarding allowances. Is there anything that prevents you from immediately tabling your correspondence with the Auditor-General and Commissioner for State Taxation regarding an investigation into your use of allowance claims and land tax payments? If there is nothing that prevents the tabling of those documents, will you do so today?

The PRESIDENT (14:21): I refer the honourable member to the statement I made Tuesday; I have nothing further to add.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): I seek leave to make a brief explanation before asking you, sir, a question about allowances.

Leave granted.

The Hon. K.J. MAHER: According to reports and records and statements to this place, you originally lived at a home in Stonyfell that was your usual place of residence. During this time you purchased two units in the Breeze Apartments in Victor Harbor in 2008 and 2009. In 2011 you changed your usual place of residence to unit No. 10, Victor Harbor, despite retaining the home in Stonyfell. From this time you started to claim the country member accommodation allowance. You sold the Stonyfell home in 2012, and on exactly the same day settled on a new home in Norwood.

You claim that you used unit 10 at Victor Harbor as your usual place of residence until 2017, at which time you commenced renting another apartment in the same complex. At a time after that, while you owned two apartments in the Breeze Apartment complex, you opted to lease a third apartment in that complex and pay, according to what you told parliament on Tuesday, above market rent.

The home in Norwood, for which records show you paid no land tax, is apparently not your usual place of residence for the country members' accommodation allowance. For the purposes of correspondence with the Electoral Commissioner your Norwood home is listed as your contact address, and this Norwood address is also the only address listed for you in the White Pages.

Noting that your statements to this chamber do not cover all this information, and noting that you have ruled that you are responsible to this chamber for your use of the country members' accommodation allowance, is there any part of this explanation that is not correct and on which you would like to correct the record?

The PRESIDENT (14:23): I refer the honourable member to the statement I made on Tuesday, and I have nothing further to add.

REGISTER OF MEMBERS' INTERESTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Sir, my question is to you regarding members' register of interests. Given that at least one of your Victor Harbor apartments was shown in media reports as advertised for rent by Unwind Holidays, why doesn't your declaration of interest show income from Unwind Holidays, like previous declarations of the Minister for Trade and Investment?

The PRESIDENT (14:23): I refer the honourable member to the statement I made on Tuesday, and I have nothing further to add.

HOMEBUILDER PROGRAM

The Hon. D.G.E. HOOD (14:23): My question is to the Treasurer. Can the Treasurer update the chamber on the progress with the commonwealth on eligibility conditions for the new HomeBuilder scheme?

The Hon. R.I. LUCAS (Treasurer) (14:23): I am pleased to be able to report that there has been some progress made at officer level in terms of trying to clarify the terms and conditions of the very important HomeBuilder grant that the commonwealth government has offered. I might note, by way of update to the chamber, that as of 9am this morning we were advised that there have been 6,205 registrations—

The Hon. D.W. Ridgway: How many?

The Hon. R.I. LUCAS: —6,205 registrations of interest in the HomeBuilder package, together with, clearly, some of those would also be eligible for the $15,000 state first home builder grant. I hasten to say that not all those people who have expressed interest will eventually be deemed to be eligible; nevertheless, there is a huge degree of interest in the scheme, bearing in mind that in the commonwealth government's original estimations of the number of grants that might be paid nationally, South Australia's share of that national total was estimated to be just under 2,000. So the registrations of interest are more than three times the number that was estimated to be our share of the total number of grants that might be payable under the scheme. Again, not all of the 6,205 registrations may be eligible.

There have been a number of issues raised; I think the Hon. Mr Pangallo and others have raised issues in the chamber, but stakeholders such as the MBA, the HIA and other industry stakeholders have raised a series of questions in relation to the eligibility conditions and the interpretation of those conditions. I indicated to the chamber earlier this week or last sitting week that we were pleased to report that the commonwealth had indicated a degree of flexibility in the three-month provision between the signing of the contract and the commencement of construction.

Industry stakeholders have raised the question of the definition of commencement of construction. In relation to the First Home Owner Grant, it has traditionally been the laying of the slab, in terms of the foundation, but there has been discussion with the commonwealth and I am

pleased to report that, as of a discussion held yesterday, at this stage the commonwealth is prepared to leave it to the states to be a little bit flexible (my words, not theirs) in relation to the commencement date.

It is our intention, in accordance with some of the submissions industry stakeholders have put to us, that rather than the laying of the slab we will broadly look at the commencement of excavation. Clearly, that is an earlier stage than the laying of the slab, and it is something industry stakeholders have been lobbying for in terms of greater flexibility. We welcome that acknowledgement from the commonwealth in relation to the additional flexibility that will apply to the many people queueing up to apply.

Furthermore, it would appear that at this stage, although there is still a little bit of work to be done, the commonwealth is prepared, in terms of unforeseen events—as I have reported to the house before—that we, the states, are able to extend the three-month period for unforeseen events. Clearly, we need to get guidance from the commonwealth as to what is deemed to be an unforeseen event or not, and what flexibility we have.

Again, although there is a little bit more work to be done, it would appear there is likely to be an agreement, in relation to significant planning issues, that a number of those may be accepted by the commonwealth as an unforeseen event. That is very important in terms of being able to provide some degree of comfort to those who might be held up by planning issues, in particular with local government.

I will also say, very quickly, that my very hardworking and competent ministerial colleague the Hon. Stephan Knoll has convened a meeting with the seven biggest metropolitan councils in terms of this issue to see whether or not there is a capacity to fast-track planning approvals and consideration that might otherwise hinder the HomeBuilder grant applications. I commend him on his and his department's initiative on that, and hope that may speed up consideration by the seven biggest metropolitan councils in terms of planning applications.

The one remaining area where we have not yet been able to make progress and where we continue to talk to federal officers is the issue of building finance; that is, bank approvals, etc. We have not yet got to a landing on that that we are entirely comfortable with, and will continue to negotiate with commonwealth officers to see whether or not we can get some greater degree of flexibility for state officers in interpreting what is or is not an unforeseen event.

With that, can I conclude by saying state officers are continuing to work with the commonwealth in terms of trying to get the greatest degree of flexibility in terms of this HomeBuilder scheme so that we can see the maximum value for the housing construction industry in South Australia from what is a commendable federal government initiative.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:30): My question is to the Minister for Health and Wellbeing regarding the tender awarded to Sturdie Trade Services for CCTV cameras in aged-care facilities. Minister, in one of your replies yesterday you said that the Sturdie proposal was, and I quote, 'the best proposal put forward'. Why then is the trial only going to involve two sites and not the original five sites that were mentioned in the press announcement made by you and the Premier in April last year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): The trial was initially planned to start across five sites; however, responses to the tender have led to the project initially focusing on the two pilot sites. Sturdie, as I said, was one of a number of tender bids. Obviously, they all put their own estimate of cost, and the evaluation panel identified Sturdie's bid as the best bid. I am confident that these two sites will help us to unpack the issues and fulfil the mission of the pilot.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:31): Supplementary: can the minister give us details of the cost of the trial of the two sites? Will it be less than the $500,000 that has been given to the state government by the commonwealth?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31): I am certainly happy to take that on notice. My understanding is that not only will it go above and beyond the money put in by the commonwealth but there is a significant investment by the state government as well.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:32): Given your reply, which I just referred to, does it mean that no other company with specialised experience in the aged healthcare sector in delivering the type of live 24/7 monitoring services required for the program submitted to the tender process? Were there other tenders?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32): I can assure you there was more than one tender; in fact, I am advised there were nine tenders.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. C.M. SCRIVEN (14:32): My question is to the Minister for Health and Wellbeing regarding hospitals. What caused the latest blackout at the Women's and Children's Hospital last night, which I understand is the third blackout in two years? What happened during the 45-minute power interruption? Did any generator kick in as required? Were all hospital lights, medical equipment, lifts and appliances operational during the blackout or were there interruptions?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33): I thank the honourable member for her series of questions. Last night, there was a temporary loss of non-essential lighting at the Women's and Children's Hospital. I am advised that was as a result of a circuit tripping. Engineers were on site within 20 minutes, and the fault was rectified and full operations were restored within 45 minutes. I am advised that it was not a blackout as such; it was a temporary dimming of lights in parts of the Rogerson Building. Accordingly, generators were not required, as all essential areas remained lit and there were no adverse patient outcomes.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. C.M. SCRIVEN (14:33): Supplementary: for clarity, is the minister therefore saying there were no interruptions whatsoever to medical equipment, lifts or appliances?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): What I am saying is the lights dimmed and there were no adverse patient outcomes.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. C.M. SCRIVEN (14:34): Further supplementary: will the minister assure the council that this time he will ensure that this problem is fixed and that it won't happen again in yet another few months?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): If the honourable member is asking me to guarantee that no circuit will trip and no fuse will blow, no, I can't.

INTERNATIONAL TRADE

The Hon. N.J. CENTOFANTI (14:34): My question is to the Minister for Trade and Investment. Can the minister share with the council trade opportunities for South Australia with the United Kingdom?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:34): I thank the honourable member for her ongoing interest in great opportunities that exist in the United Kingdom. We all know that exports play a critical role in supporting our economy, with South Australian goods and services exports estimated to support over 79,000 jobs (11 per cent) of the state's workforce. I welcomed, on 17 June, the announcements by prime ministers Scott Morrison and Boris Johnson confirming the commencement of negotiations for a free trade agreement between the United Kingdom and Australia.

We all know Britain was traditionally Australia's go-to partner for trade and investment until recent decades, when Britain began looking more towards Europe and, of course, we began looking more towards economies in our region, in South-East Asia and Asia. The UK now represents just 3.1 per cent, or $342 million, of Australia's total exports as of 2019. With the UK formally scheduled

to exit the European Union on 31 December this year, there are exciting opportunities for South Australia. As our former foreign minister, immediate past high commissioner to the United Kingdom and proud South Australian, the Hon. Alexander Downer, puts it:

> Brexit will free Britain up and allow it to do bilateral trade deals with partners around the world instead of having to negotiate with 28 other countries via the EU.

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter and the honourable Leader of the Opposition!

The Hon. D.W. RIDGWAY: I met with Alexander two weeks ago and agree with him that South Australia is a great place for British investment—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —and we have an open economy with good growth prospects and close connections to third markets in Asia and China.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: In fact, UK companies already represent the second highest number of foreign headquartered companies in South Australia.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter!

The Hon. D.W. RIDGWAY: It's disappointing that the members opposite are not interested in growing our economy. It's the third source of nations for foreign direct—

The Hon. R.P. Wortley: You look like Elmer Fudd.

The PRESIDENT: The Hon. Mr Wortley, that's a bit personal. I think you can withdraw that.

The Hon. R.P. WORTLEY: I withdraw that, Mr President.

The PRESIDENT: Thank you, the Hon. Mr Wortley. Minister, please continue. Can we please listen in silence. Minister.

The Hon. D.W. RIDGWAY: I will repeat, the UK consistently ranks in the top three source nations of foreign direct investment to Australia. I spoke to minister Birmingham earlier this week, and we discussed the likely benefits of a free trade agreement between the UK and South Australia. Truly, there are some obvious opportunities in South Australia, which include the services sector, which is different to most other markets currently—

Members interjecting:

The Hon. D.W. RIDGWAY: Mr President, I will repeat that for the members opposite. Our services—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The honourable leader! Minister, sit down.

Members interjecting:

The PRESIDENT: Order! I want to be able to hear the minister. Minister, continue, please.

The Hon. D.W. RIDGWAY: Thank you for your protection, Mr President. Unlike most other markets, the service sector—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: The Hon. Mr Hanson!

The Hon. D.W. RIDGWAY: —our exports in the service sector exceed other merchandise exports to the United Kingdom. Service opportunities include those within the health and medical sector—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The honourable Leader of the Opposition: courtesy, please.

The Hon. D.W. RIDGWAY: —and within tourism, post-COVID. Agribusiness is also a clear opportunity for South Australia, and I share the example of beef exports. Prior to the UK joining the EU in 1973, Australia exported 102,000 tonnes of beef to that market. In 2018-19, the figure was just 4,000 tonnes. Wine could be another winner, with an FTA with the UK. Wine already makes up 60 per cent of our state's exports to the UK, and so a reduction in tariffs will really open up that market to our wineries.

I also discussed with Senator Birmingham our burgeoning craft distilling sector in regard to the opportunities within the UK and Europe. I am grateful for minister Birmingham's insight and the strong support the federal government will give to our burgeoning South Australian exporters.

Of course, South Australia is fortunate to have the Office of the Agent General in London, headed up by Bill Muirhead. Following the Joyce review, the Marshall Liberal government revised the role of the UK office to be much more focused on trade and investment. The Agent General's office has been very active during this time; for example, engaging with and supporting South Australian businesses. They have hosted four in-market webinars, with over 100 businesses participating to date.

I encourage South Australian exporters to reconsider the UK market in light of the free trade negotiations in Brexit and I can assure them that the Marshall Liberal government will continue to support our businesses to expand into that market to grow our economy, create jobs and make South Australia stronger than before.

COMMUNITY VOLUNTEERS

The Hon. M.C. PARNELL (14:39): I seek leave to make a brief explanation before asking the Minister for Human Services, representing the Minister for Environment and Water, a question about support for community volunteers under the new Landscape South Australia Act?

Leave granted.

The Hon. M.C. PARNELL: I have been advised that, as at the end of June, two days ago, the NRM volunteer support program was disbanded in the transition to the new NRM arrangements under the Landscape South Australia Act 2019. Of the eight volunteer support officers, who were employed with the Adelaide and Mount Lofty Ranges Natural Resources Management Board, only four have jobs under the new arrangements. One of the volunteer Friends of Parks groups advised their members recently as follows:

> The upshot of this is that the support we've been accustomed to receive from the Volunteer Support Officers will no longer be there and nor will the funding for tools, herbicide, personal protective equipment and trailer registration and insurance. It is not clear what, if any, of this will be replaced under the new arrangements when we come under the Green Adelaide Landscape Board.

One of the Friends groups that I am a member of reports that their annual grant income under the program was the massive sum of $700 per year plus a separate grant of about $2,000 per year to help pay for contractors. For whatever else they need, they have to raise the funds themselves.

It is also clear that since COVID-19, visitation of our parks and reserves is at an all time high, so clearly there is a new appreciation in the community of the beauty and importance of our natural environment. My question of the minister is: can the minister assure the hundreds of loyal conservation volunteers, working to protect and enhance our natural environment, that equivalent or better services and funding will be provided under the new landscape regime as existed under the previous NRM regime?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41): I thank the honourable member for his question. I do recall that when we debated the legislation for the new landscape act, as it is now, last year that the recognition of the volunteers and on-ground works that they do was

something that was of importance to all members. I will take those specific questions on notice and seek a response from the minister responsible and bring it back to the chamber.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. E.S. BOURKE (14:42): My question is to you, sir, regarding eligibility for entitlements. What are your contact addresses for banking and insurance purposes? Are these Norwood or Victor Harbor? Where are your utility bills mailed to? What address appears on your driver's licence and passport?

The PRESIDENT (14:43): I refer the honourable member to the statement I made on Tuesday and I have nothing further to add.

CORONAVIRUS VACCINE

The Hon. J.S.L. DAWKINS (14:43): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on the progress of the development of a vaccine for COVID-19?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): I would like to thank the honourable member for his question. It has now been 152 days since the first cases of COVID-19 were identified in South Australia. Since that time, South Australia has successfully flattened the curve and suppressed the virus to this point. The high levels of compliance by individuals, businesses and communities with public health advice have enabled us to ease business and community restrictions earlier than originally expected.

Today we marked yet another important milestone in the South Australian response to the pandemic with the beginning of the first trial of an Australian-made vaccine in Adelaide. Today human trials of a COVID-19 vaccine commenced at PARC Clinical Research at the Royal Adelaide Hospital. PARC is a University of Adelaide research group conducting specialised research into multiple disciplines. This national project has brought together some of South Australia's best and brightest researchers and scientists to tackle the challenge of finding a vaccine head on. Significantly, this trial is being supported by the Central Adelaide Local Health Network and SA Pathology.

Stage 1 of the trials will involve 40 pre-screened participants. These participants will receive two doses of vaccine over the trial, with a three-week gap between the doses. So far, the vaccine has shown promising results during animal trials. Two weeks after the final dose of the vaccine, development of immune responses and antibodies will be identified. This should allow results of the first trial to become available in approximately two months' time.

Once again, during this pandemic South Australians are stepping up to assist in the mission to find a vaccine, which could find the permanent solution the world so desperately needs. This government is supporting the research teams. We are determined to build South Australia's capacity for clinical research. We believe there is great potential for our biomedical precincts to attract national and international researchers, making our state an economic and health hub. Trials such as the one that began today are yet another example of South Australian medical research, which is world leading.

AGED-CARE CCTV TRIAL

The Hon. C. BONAROS (14:45): I seek leave to ask a question of the Minister for Health and Wellbeing regarding the tender awarded to Sturdie Trade Services.

Leave granted.

The Hon. C. BONAROS: Can the minister advise if the two senior SA Health public servants, Bret Morris and Chad Khoury, were part of the current procurement team assessing due diligence and system capability of Sturdie for the pilot program's terms and conditions?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46): My understanding is that neither of the officers referred to were involved in the procurement process that resulted in the appointment of Sturdie, but I will certainly take that on notice and confirm that in writing.

REGISTER OF MEMBERS' INTERESTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Sir, my question is to you regarding members' interests. In relation to members' register of interests, who is responsible for their keeping and enforcement and also for monitoring any false statements or omissions from the members' register of interests, and what possible sanction is there for false statements or omissions?

The PRESIDENT (14:47): I will take that question on notice.

HOMELESSNESS

The Hon. J.S. LEE (14:47): My question is to the Minister for Human Services regarding homelessness in South Australia. Can the minister please provide an update to the council about the progress of the Marshall Liberal government's reforms to the homelessness sector?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:47): I thank the honourable member for her ongoing interest in this area. I think I might have been asked a question earlier this year in relation to the tenders for new homelessness services and some of the recommissioning, which we are very keen on, as is the sector, particularly in terms of those people with lived experience, the customers, ensuring that we are providing a much better service going forward.

I am very pleased that the South Australian Housing Authority has undertaken and completed a tender for one of the first reforms for this sector, which is a new partnership to provide better access to homelessness services and information. A new partnership between Uniting Communities (which has provided the Homelessness Gateway) and Service to Youth Council (formerly the Youth Gateway) commenced on 1 July to help South Australians who are homeless or at risk of homelessness more easily access services and information.

The new partnership will enable a new homelessness access point service model to be codesigned over the coming months to better streamline access for customers to ensure that vital services and information are available to those people who need them most. This new service model will be an integral part of the broader homelessness system and is in response to feedback received from people with lived experience during development of Our Housing Future 2020-2030, who said that the homelessness support system could be difficult to navigate and it is often hard to find information.

Under the new arrangements, the current Homelessness Gateway and the Youth Gateway will continue to operate as usual for clients. While referral processes will remain the same, there will be a new agency listed on the H2H database to represent the new merged service, and this will be communicated to all providers via the usual communications channels.

Over the coming months, the homelessness access point service model will be designed to ensure it achieves the best possible outcomes and aligns with broader sector reform. These improvements will be based on evidence, including outcomes data. The codesign will include service users and stakeholders from specialist homelessness services and other key organisations.

It will provide the community with a clear and accessible point of contact to seek information and gain access to homelessness and related services. It will strengthen relationships and align closely with other specialist access points, including the Domestic Violence and Aboriginal Family Violence Gateway service and the national sexual assault and domestic and family violence counselling service 1800RESPECT.

I would like to join with the Office for Homelessness Sector Integration in congratulating Uniting Communities and Service to Youth for their commitment to this partnership approach to developing a new service model, which will deliver better services for people experiencing homelessness.

CORONAVIRUS RESTRICTIONS

The Hon. T.A. FRANKS (14:50): I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the health regulation and protection policies for COVID management plans and dancing in licensed venues.

Leave granted.

The Hon. T.A. FRANKS: According to the COVID-19 fact sheet distributed by Health Regulation and Protection, Department for Health and Wellbeing, those licensed premises where both dancing and the consumption of liquor occurs or which have gatherings and activities of more than 1,000 people will need a COVID management plan. Further, this COVID management plan must be approved, and they are informed by the fact sheet that it will take approximately two weeks to do so.

Never fear, if a licensed premises or a venue of over 1,000 wishes to hold their activity before that approval is given, they are informed that, yes, they can operate, but with strict conditions. One, is that no more than 1,000 people attend, and the second is, either liquor is served or there is dancing, both activities cannot occur together without having an approved COVID management plan. If dancing is not planned to occur, venues must demonstrate they are taking all reasonable steps to prevent it from occurring. My questions for the minister are:

1. Why is it taking two weeks to approve COVID management plans for venues?
2. How will SAPOL be advised to police what is dancing?
3. Who approves the plans and on what criteria?
4. Will venues be fined if they can't stop people dancing?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): I thank the honourable member for her question. I think it is important to stress that no part of Australia is COVID free. That was demonstrated very starkly earlier today when the Northern Territory recorded its first COVID-19 case for 60 days. My recollection is that that might be the longest time since the last COVID case.

So even in jurisdictions which have been relatively successful in suppressing cases, we cannot assume we are COVID free. That is why we still have myriad restrictions. We still have restrictions in relation to nursing homes. We still have restrictions in relation to mass gatherings, and we made it clear when we did our most recent and most significant easing of restrictions that there would continue to be restrictions in relation to high-risk activities.

I think it would be helpful for the council to be mindful that the high-risk nature of nightclubs is not merely the view of SA Health clinicians. Let's remember that South Korea, one of the best jurisdictions in flattening the curve in relation to COVID, experienced a second wave specifically because of outbreaks related to nightclubs. We are also not the only jurisdiction which is limiting the easing of restrictions in relation to nightclubs.

For example, Spain in Europe reopened nightclubs on 8 June, but they specifically said no dancing. They are not even letting you do management plans. They are insisting that all dance floors be repurposed for seated patrons. The UK is not even going to try. They are opening pubs this weekend; they are not opening nightclubs. Italy, likewise, is not reopening nightclubs, except for limited exceptions. Right around the world we are seeing nightclubs identified as a high-risk activity. Why wouldn't they be? You have a congregation of adults involved in a vigorous activity—

The Hon. J.M.A. Lensink: Not for all.

The Hon. S.G. WADE: Depending on how you dance, I suppose. Apparently, dancers who are better at dancing than me break out a sweat. It's very difficult in a nightclub to maintain social distancing. Shall we say, the disinhibiting nature of alcohol also increases the risk, so I accept the advice of the public health clinicians that this is a high-risk activity that needs to be regulated.

I appreciate that there will be some frustration as we roll out the compliance, but we just need to look at how dynamic the restrictions have been over the last month. It's a huge task for a group of public health clinicians to both maintain the suppression strategy and also provide advice and oversight of the easing of restrictions.

They have done a marvellous job in terms of coordinating with schools, with businesses, with religious communities and all manner of organisations they have had to engage with. I appreciate the frustration for those who are in high-risk activities, but we need to do this for the sake of the public health of South Australians.

CORONAVIRUS RESTRICTIONS

The Hon. T.A. FRANKS (14:57): Supplementary: given that in two weeks, with a COVID management plan approved, these very same venues will be allowed to let people dance, what is it that the government will decide will make it safe to dance?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:57): The honourable member is asking me to table a COVID management plan. I don't have one.

MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (14:57): My question is to the Minister for Health and Wellbeing regarding mental health. Minister, when were you first made aware of the referral from ICAC to the Chief Psychiatrist of three mental health sites, as has been publicly revealed today? Have you, as minister, seen the ICAC referral, and have you, as minister, been made aware of any request for additional funding for the now four mental health sites that intervention has occurred in?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58): I am briefed from time to time by the Chief Psychiatrist, and he has certainly briefed me in relation to his ongoing work in relation to southern mental health services. I will certainly consult my diary and identify the answer to the honourable member's question.

MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (14:58): Supplementary: can the minister outline if he has received any requests for additional funding?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58): I will certainly take that on notice too, but I don't recall any requests for additional funding. In that regard, I would remind the honourable member that the statement by the Chief Psychiatrist today indicates that the issues of concern that he looked at predominantly related to a period between 2016 and early 2018. I was not the minister.

VIDEO GAME INDUSTRY

The Hon. D.G.E. HOOD (14:59): My question is to the Minister for Trade and Investment. Can the minister please inform the chamber how industry has reacted to the government extending the PDV rebate to the video game sector?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:59): I thank the member for his ongoing interest in this great announcement. As members in the chamber would recall, on Tuesday I updated this chamber regarding the government's decision to extend the post-production and visual effects rebate to video game development to drive jobs and investment in a sector that is enormous on the global stage.

The Marshall government is proud of its record of consulting with industry and working in unison with them to identify ways to grow our economy, particularly in the priority sectors that we have identified. We have been consulting for an extensive period with the creative industries sector as part of the creation of our industry-owned sector plan.

During that consultation with industry, one of the areas that was consistently identified as an opportunity for growth was broadening the PDV rebate to the video game sector. I am happy to again say that the government heard industry loud and clear, and as of yesterday, 1 July, the PDV has been extended to video game development.

Since our announcement many businesses and industry figures have been vocal in their support of our move, which, of course, members would know is a national first. Local company Monkeystack said, 'The extension of the South Australian PDV will give Monkeystack, and the South Australian games industry, a significant, tangible advantage in attracting significant overseas projects.'

Ben Marsh, Managing Director of ODD Games said, 'By expanding the existing VFX PDV to Video Game Development South Australia is quickly cementing itself as one of the leading Creative hubs globally for Entertainment properties.' Ron Curry, Chief Executive of the Interactive Games and

Entertainment Association has said, 'The future is bright for those studios working and looking to establish a base in South Australia.'

But it isn't just the video game and visual effects industry supporting this policy decision. Businesses in many different industries are also onboard, highlighting how gaming and 3D visualisation technology is now used by industries across the economy.

Mr Dan Calacci, Researcher at MIT Media Lab and Media Artist at NASA Jet Propulsion Lab said, 'Engines used for game development are also crucial tools used in data visualisation and storytelling. They allow urban planners, industry researchers, and academics to visualise, explore, and communicate data in ways that just aren't possible with other tools.' Robotics company SE4 said, 'Game engines are an essential technology for us at SE4, because a game engine and what would traditionally be called a "simulator" are one and the same these days.'

It has been a no-brainer to extend the PDV rebate to the games sector. The decision has been supported across the board. We believe this change will drive jobs and investment into this growth industry and turn South Australia into a global creative industries hub. I look forward to providing the chamber with further updates on the video game industry as we look to bounce back stronger than before.

VIDEO GAME INDUSTRY

The Hon. T.A. FRANKS (15:02): Supplementary: what is the Marshall government doing to ensure that the intellectual property of those who develop the games is respected and its integrity is maintained?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:02): My understanding is that games developers own the IP that they develop themselves. I am sure that under the existing IP protection regime they will be protected. If it makes the member happy, I will bring back a more detailed response for the honourable member.

VIDEO GAME INDUSTRY

The Hon. K.J. MAHER (Leader of the Opposition) (15:03): Supplementary: minister, which minister of the Marshall government is responsible for the post-production and digital and video effects games rebate?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:03): As I mentioned yesterday, that will be administered by the South Australian Film Corporation, but as the lead minister for growth state and our growth agenda, I am delighted that it will be administered by the Film Corporation. We are a cabinet government. We are all in this together, all of the cabinet ministers, to support this important sector.

Members interjecting:

The PRESIDENT: Order!

VIDEO GAME INDUSTRY

The Hon. K.J. MAHER (Leader of the Opposition) (15:03): Further supplementary arising from the answer: minister, is the member for Unley, the Hon. David Pisoni, the lead minister on this initiative?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:04): I thank the honourable member for his supplementary. I am not sure it is really relevant to my original answer, but we have a creative—

Members interjecting:

The PRESIDENT: Order! Minister, I agree that the supplementary question was not from the original answer: you can choose to answer it if you wish, otherwise we will move on.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! The Hon. Mr Pangallo.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. F. PANGALLO (15:04): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding security arrangements at hotels accommodating expatriates in quarantine during the pandemic.

Leave granted.

The Hon. F. PANGALLO: It was revealed today that in Victoria three private security companies—Wilson, MSS and Unified—were given contracts without the formal tender process being followed with the Victorian government, and have also been blamed for indirectly spreading the COVID-19 virus by not following stringent non-contact requirements, as well as allegations of rorting by claiming payments for non-existent workers with fake names, and also having direct contact with guests.

Given that South Australia is now welcoming hundreds more overseas expatriates, can the minister tell us whether private contractors are being used in maintaining security at the hotels in Adelaide, and which companies are being engaged if that is the case?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): I thank the honourable member for his question. The mandatory hotel quarantine put in place as a result of a national cabinet decision is maintained in South Australia under the direct coordination of SA Police. My understanding is that SA Police do engage private security staff to support them, but that there is a 24/7 police presence at every managed hotel quarantine site. They provide oversight of the private security personnel they are using.

In relation to the health aspect, which I believe is just as much a part of the security, because we are talking fundamentally about quarantine, the health services at South Australian sites are coordinated by SA Health staff. My understanding is that there is in reach medical support provided by GPs, but the primary oversight of the residents or the mandatory hotel quarantine is by SA Health.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. F. PANGALLO (15:07): Supplementary question: can the minister tell the chamber which are these companies that are being used by SAPOL, and have there been any reports of any breaches by these security companies?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I will certainly take on notice and bring back details of which private firms are involved. There certainly has been one incident I am aware of where the PPE policies were not followed. That person was sent home straightaway.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. F. PANGALLO (15:08): Supplementary question: can the minister provide more details about that incident?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): No, I can't.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. F. PANGALLO (15:08): Supplementary question: is the minister concerned at the allegations that have been made against those companies in Victoria, and what actions will now be taken here to ensure that the companies being used with SAPOL are carrying out their duties under the COVID-19 restrictions guidelines?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): There seems to be an underlying thought in the honourable member's questions that, if it is not a public sector employee, then we cannot get a useful service from them. If that was the case, then we would have to have a government hotel. We have lots of private partners in this project, from the people who helped put up the fences to the hotel, which has done a superb job. The Pullman, both in terms of its hospitality and its support for both police and SA Health staff, has been extraordinary.

In terms of whether or not I have concerns yes, I do, of course, when I hear of a sister state like Victoria having, last week, a quadrupling of community transmissions in one week. Since then,

thankfully, we haven't seen an exponential growth this week, but we have still seen figures of, I think, 64 on Tuesday, yesterday 73, today 77. Not a single case today was from hotel quarantine.

The figures from Victoria continue to be very concerning so of course, when I was hearing reports of poor processes in Victoria, I engaged both the police and SA Health staff to ask if there were lessons we could learn, what were the things we needed to do in our processes to make mandatory hotel quarantine safer and more secure, and I am assured that both SA Health and the police looked again and double-checked what they were doing. I believe our processes were significantly stronger than Victoria's from day one, and that both SA Health and SAPOL will take every opportunity for continuous improvement.

The Hon. F. PANGALLO: Can I seek a point of order, Mr President, in relation to the response I received from the minister? I wasn't casting aspersions on those companies; I was merely asking him questions about which companies were being used there. I made no assessment of their capabilities or whatever they were doing.

The PRESIDENT: That is not actually a point of order. I think we should move on. The Leader of the Opposition.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. K.J. MAHER (Leader of the Opposition) (15:11): A supplementary to the question: was the security staff member who was sent home allowed to return to work or dismissed?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11): They certainly were not allowed to return. Beyond that I don't have any details.

CORONAVIRUS, HOTEL QUARANTINE SECURITY

The Hon. K.J. MAHER (Leader of the Opposition) (15:12): A further supplementary: will the minister seek details and bring back an answer in relation to the previous supplementary?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): I am happy to do that.

MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (15:12): My question is to the Minister for Health and Wellbeing. Is the minister satisfied that safe and appropriate mental health care is being provided at all four sites in which the Chief Psychiatrist has now seen a need to intervene?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): The Chief Psychiatrist is responsible to both set the standards within mental health care in South Australia and enforce them. We have seen today three gazettals in relation to his preliminary report. Let's not get ahead of ourselves. He has prepared a preliminary report, and in the context of completing his preliminary report he has decided to put in place gazettals that he believes are necessary to support the quality of mental health services in the southern area. I have absolute confidence that if the Chief Psychiatrist needed to do more he would have done more.

INTERNATIONAL STUDENTS

The Hon. J.S. LEE (15:13): My question is to the Minister for Trade and Investment about international students. Can the minister update the council about the return of international students to South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:13): I thank the very honourable member for her ongoing interest in the very important sector of international education. As we know, it is South Australia's largest export industry, bringing in $2 billion last year and employing some 11,000 South Australians, creating a global pipeline of talent for international students, who we value as very important members of our community.

With the onset of COVID-19 our education providers and students have met with numerous unexpected challenges. An interesting statistic from the Department of Home Affairs from around 24 May is that there were 6,778 international students who were studying in South Australia who were still offshore—from markets such as China, India, South Korea, Vietnam and interestingly 72 other markets—and facing difficulties in returning to South Australia for their study.

Interestingly, I think at about the election time we had about 43 per cent of our international students from China, and all the other countries were obviously somewhat smaller than that. Even though we have seen significant growth in the numbers, China now represents about 30 per cent. India is in second position at 24 per cent and we have seen significant growth from other countries.

I have been working very closely with my Ministerial Advisory Council for International Education (MACIE) since about February to try to work out a way that we can bring these students back to study at our three public universities, who have been unable to return. The successful repatriation of over 800 citizens from India in April demonstrated to my MACIE group and the team working on this particular project that we do have the capability to responsibly welcome and manage groups of people from overseas. The Minister for Health and Wellbeing has just been talking about the great work that was done there.

In recent weeks, we have seen commercial flights being announced to return to Adelaide: Singapore Airlines, Cathay Pacific and Malaysia Airlines. It is an expectation, if we get a pilot established, that it would most likely be four planes of 200 passengers per plane, totalling 800, a similar number of Australians we have repatriated from India.

A lot of work has been done, together with SA Health and minister Wade's team, South Australia Police (minister Wingard's team), StudyAdelaide and my team in the Department for Trade and Investment to put together a pilot program that can be implemented in a controlled environment to ensure the health and safety of South Australians as well as the health and safety of the returning students.

We have also been working closely with the three public universities on various study and public safety protocols, so they can be as well prepared as possible. My understanding is they will soon reach out to their student cohorts overseas to then work out how we can get those students to the various airports. I suspect the most likely ones will be Singapore, which is Changi Airport, which has now opened up to South Korea, Japan and I think, from my recollection, China, and of course local students, and the airport in Kuala Lumpur, the Malaysian airport, has opened up as well.

We are working together with the airlines, SAPOL and Health, all the stakeholders and our federal colleagues to make sure that, when we are given the green light by the federal government, we have everything in place. While there is still more work to be done to welcome back the students in a safe and responsible way, it is a priority for the Marshall Liberal government to support our industry, particularly this one, our largest export industry, and continue to support the jobs, grow more jobs, and of course help South Australia return back stronger than before.

INTERNATIONAL STUDENTS

The Hon. T.A. FRANKS (15:17): Supplementary question: how many of these students are from Hong Kong? Given Australia is now drafting a safe haven plan for those students in Australia, from Hong Kong, what is the state government doing to support that?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:17): I thank the honourable member for her question. I don't have the figures of the number of students from Hong Kong. As I said, the most likely originating airports are Singapore and Kuala Lumpur. I will provide the member with a response in relation to our plan around students from Hong Kong.

HIGHGATE PARK

The Hon. M.C. PARNELL (15:18): I seek leave to make a brief explanation before asking the Minister for Human Services a question about the future of Highgate Park, formerly known as the Julia Farr Centre in Fullarton.

Leave granted.

The Hon. M.C. PARNELL: The last residents of Highgate Park moved out I think in April, and the YourSAy website today has launched a consultation on the future of those sites. According to the website, it says:

> The Minister for Human Services Michelle Lensink MLC is the sole trustee of the trust.

This is the old Home for Incurables trust. It might still be called that. The website goes on:

The future of the site, and the trust as a financial entity, is the trustee's personal decision, to be made in the best interests of trust beneficiaries.

The issue it seems the minister can perhaps address in answering this question is: if the object of the exercise is to maximise the benefits to the beneficiaries of the trust, then the land would be rezoned to its highest possible value in the event that the land was to be sold.

The government has said that any sale of the land will be a separate process from the decision about the future of the land, but it would seem to me that there is a dilemma between good town planning principles, which take a holistic view of an area, and the minister's obligation to act in the best interests of the beneficiaries of the trust.

So my question of the minister is: if the land is sold, would it be rezoned to maximise its value and therefore benefit the beneficiaries of the trust, or would it be rezoned consistent with its surrounding residential area?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:20): The honourable member, in asking his particular question, demonstrates his superior knowledge in planning principles, which certainly outshine my own. The Treasurer often quotes that he's not a lawyer, and I confess not to suffer from that affliction either.

In terms of the future role of the Highgate Park site, honourable members would be aware that it is a multistorey site; it has particular issues because of asbestos, which affects its value as well. We did have the last resident happily move from that site in April. In the past, it has been home for up to hundreds of people in a time when people with disabilities were cared for in a very different manner from the way they are today, which is very much about people living in the community with supports, for which, through the NDIS, the funding is now available.

I am very conscious of the fact of the weight of this particular role, which is why we are consulting extensively, as the honourable member would appreciate, with ministers who have sites that are in fairly highly valued areas. I get all sorts of suggestions about what should happen with that site, to most of which I have chosen to say, 'Thank you for your suggestions, but my obligations are very much'—as he has described—'for the benefit of people with disabilities, and that's why we are undertaking this consultation.'

So I think it's probably premature to go to how the zoning of that site should look, because we want to make sure that it's maximised for the benefit of people with disabilities. That's very much at the forefront of my mind. I think it's probably premature to pre-empt what the consultation might say, but obviously that will be a matter for the public record going forward.

Bills

FIRST HOME AND HOUSING CONSTRUCTION GRANTS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:22): I rise to speak on this bill and indicate that I will be the lead speaker for the opposition. Labor will be supporting this bill and understands its urgency. This bill seeks to implement the National Partnership Agreement on HomeBuilder, the federal government's $25,000 HomeBuilder grant designed to stimulate the building and construction industry.

The bill ensures that there are appropriate compliance measures and an appeal process for applicants in line with that available for the existing First Home Owner Grant. Whilst the federal government's HomeBuilder scheme is welcome, without any new supplementary state government assistance offered by the Marshall government it may leave our building and construction industry here in real trouble, compared to other states.

The federal HomeBuilder scheme provides a $25,000 grant towards a new home build of up to $700,000, including land, or significant renovations valued between $150,000 and $750,000 where

the value of the property does not exceed $1.5 million. The program is expected to provide around 27,000 grants at a total cost of around $680 million, with the scheme expected to add only 10,000 properties out of 27,000 projects.

In South Australia, a first-home buyer may be eligible for a $40,000 grant; that is, $25,000 under this scheme and $15,000 under the First Home Owner Grant scheme. Unfortunately, other states have put together a much more expansive and thorough package to support their residential construction industries.

In South Australia, we were told of 1,000 new homes over a 10-year period, on average 100 homes per year, and the repackaging of already budgeted for housing maintenance money to be spent to stimulate the housing industry—hardly adequate support for an industry crying out for it. Western Australia has led the way with their stimulus package. In Western Australia, $444 million of housing stimulus consisted of:

- $117 million for $20,000 building bonus grants to homebuyers who sign up before 31 December 2020 to build new houses or purchase new property in a single tier development prior to construction finishing;
- $8.2 million to expand the 75 per cent off-the-plan duty rebate;
- $97 million to construct social housing;
- $142 million to refurbish 1,500 existing social housing dwellings; and
- $80 million for targeted maintenance programs for 3,800 regional social housing properties.

The views of the industry are telling and explain the need for better and more well thought out state government support. The Master Builders Association has forecast a 40 per cent decline in home construction activity in 2020-21 which would result in roughly 60,000 fewer dwellings to be built.

The Housing Industry Association forecast that building numbers will be down by 65,000 homes this year and notes that the HomeBuilder grant only provides enough funds for around 27,000 homes. You only had to listen to the views of those two industry bodies at a forum in which they talked about the issues which are facing South Australia. Ian Markos from the Master Builders Association of South Australia said on Monday, and I quote:

> We have been saying for some time that obviously in particular the housing and commercial sectors were being severely challenged, and that was before COVID-19 even hit this country. We are off a low base already, let alone the economic impacts and the effect on the economy that the current situation has caused. When you come off a low base already and the predictions were that we weren't going to be doing that well this year and next year, this has just compounded the situation even further.

In relation to dwelling commencements, the Master Builders Association of South Australia expect a decline of about 38 per cent, and whilst HomeBuilder may plug some of the decline it certainly will not cover it all. Mr Markos went on to say that in relation to the response of the state government, and I quote:

> We have put plenty of submissions in to the government. We have had conversations, obviously, with the Treasurer around this, coupled with eliminating stamp duty for first-home buyers, and increasing the First Home Owner Grant for country people in particular. That would help country employment. More tradies would be out there building more homes. But, at this stage, it's the government's policy that there will be no reduction to stamp duty whatsoever and there would be no increase to the First Home Owner Grant or any increase specifically for country regions, which is disappointing.

The opposition has called for the government to temporarily suspend stamp duty for first-home buyers to try to encourage them to make a decision to enter the housing market now, particularly when we have the lowest interest rates on record.

The Master Builders Association of South Australia believes that, if the state government matched the HomeBuilder scheme, it would enable 2,000 to 3,000 further homes to be built which would help start to fill the gap left by COVID-19. The Housing Industry Association has also stressed the urgency of housing stimulus by stating that the pipeline of current work is predicted to begin to

dry up in August, with some smaller builders reporting that they only have four to six weeks of work ahead of them.

Stephen Knight, from the Housing Industry Association, stated that they expected a further 30 per cent downturn in the next few months. We know from figures released from the National Housing Finance and Investment Corporation that home construction has the second largest economic multiplier of all 114 industries that make up the Australian economy and that, for every $1 million spent on residential construction, nine jobs are supported, while three new ones are created.

Hopefully, the Marshall Liberal government will soon realise this and see the need to support the building industry as many other states have. With that, we support this bill and hope that the government provides further relief.

The Hon. R.I. LUCAS (Treasurer) (15:29): I thank the honourable member for his indication of support for the second reading. Just briefly, because I have addressed a number of these issues in question time this week, whilst we noted comments that the industry's stakeholders made some time ago and repeated over recent weeks about the potentially pessimistic nature of the housing and construction industry market in South Australia—and the member has just quoted a number of those figures—the state government's position has been quite clear on this, and it remains the same. We have not and will not be providing further first-home owner grant assistance in this particular area, no matter how much the pleadings of industry stakeholders might be.

It is important that governments are prepared to stand up to the pleadings of industry stakeholders if they have evidence to the contrary that it would not be good public policy. Bear in mind that we are spending taxpayers' money, potentially tens if not hundreds of millions of dollars of taxpayers' money, which, in the current environment, clearly we do not have because we are going to have to borrow it to fund any of the commitments that we make.

The state government has publicly acknowledged and was pleased to note that the federal government introduced its $25,000 HomeBuilder grant. The Leader of the Opposition is now indicating that the state government, like the Western Australian government, should add to that particular grant in South Australia; that is, instead of $40,000 for a first new home builder, it should be more than that, whether that be $50,000, $60,000 or $70,000—I guess that will be a commitment the Labor opposition will have to make—and for a new home build but not by a first-home builder, instead of $25,000 it goes up to some higher sum, $35,000, $45,000 or $55,000.

We believe the evidence now shows the accuracy of the government's judgement. There are a range of offerings that both the state government has made in last year's housing stimulus package and the federal government has now made in relation to the HomeBuilder grant of $25,000, and the government is contemplating a range of other initiatives, not by way of first-home owner grants but in relation to some potentially further stimulatory policy for the housing construction industry generally.

As I indicated in question time today, the fact that we have now had 6,205 expressions of interest from new home builders with the current structure of the scheme—that is, the state grant of $15,000 and the federal grant of $25,000—is a fair indication that, in the South Australian housing market, a grant of $40,000 maximum is very generous in terms of providing assistance to encourage people who are contemplating new or first home construction to express interest and potentially to receive such a significant grant.

As I said in question time earlier this week, a $40,000 grant from the taxpayers in South Australia's housing market is much more significant than a $40,000 grant in the Sydney housing market. The brutal reality of the costs of homes and land packages in Sydney compared with Adelaide should be self-evident to everyone. It is always easy for political parties to say the taxpayer should just pay more and more—'Why doesn't the government just give more and more taxpayers' money in relation to this area?'—when the evidence demonstrates, as I said, that we now have 6,205 expressions of interest in a scheme for which the federal government originally estimated the share of the national total in South Australia to be fewer than 2,000 potential grants.

Treasury in South Australia did not have as pessimistic a view of the South Australian housing construction market as industry stakeholders did in South Australia. Yesterday, I placed on the record recent figures, which I think were from the MBA quoting the ABS, which showed that from the lowest point of the COVID pandemic in terms of housing construction jobs to the most recent figures of about a week or so ago, I think it was 13 June, the growth in the number of housing construction jobs in South Australia had been over 600 jobs, or about 1 per cent growth, which was three times the growth rate of the equivalent national figure during that same period.

So the decline in housing and construction jobs in South Australia was not as significant as the national decline, and as we emerge from the trough of the lowest point of the impact on the housing and construction industry, our growth, at least on the most recent figure the MBA has sent to us from the ABS figures, shows treble the growth rate in terms of housing and construction jobs.

Also, I note that the MBA today has acknowledged what they refer to as a pleasant surprise—again, it was not inconsistent with the view that some within Treasury had—that new detached housing approvals in May, so the most recent figures in South Australia, were up 11.7 per cent. They were also up 4.1 per cent on the same time last year. So the new detached houses market, which is the important sector that we are talking about—a very significant growth of 11.7 per cent in May but, importantly, 4.1 per cent up on the same time last year, the May on May comparison.

The evidence all indicates that, yes, the housing and construction industry, as with every other industry, has suffered because of COVID-19. It has not suffered as badly as retail and hospitality and tourism because, frankly, government edict just closed those industry sectors down, whereas the construction industry was allowed to continue, albeit it was nevertheless significantly impacted.

In South Australia it is emerging—there are some optimistic signs in relation to the housing and construction industry, but the very optimistic sign is the fact that the current structure of HomeBuilder and the First Home Owner Grant scheme in South Australia has seen very significant interest, and we are likely to see very significant activity as a result of that.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

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

That this bill be now read a third time.

Bill read a third time and passed.

STATE PROCUREMENT REPEAL BILL

Introduction and First Reading

The Hon. R.I. LUCAS (Treasurer) (15:40): Obtained leave and introduced a bill for an act to repeal the State Procurement Act 2004. Read a first time.

Second Reading

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

That this bill be now read a second time.

The South Australian government spends over $11 billion a year on purchasing goods, services and construction projects. This spending underpins the provision of critical public services and has a significant impact on employment, business activity and investment in the state. The government is committed to enhancing the efficiency and effectiveness of our policies and practices for procurement, maximising value for money and improving local industry and social outcomes.

To this end, in late 2018, the government tasked the South Australian Productivity Commission with undertaking an inquiry into public sector procurement. One of the key recommendations made by the commission was to repeal the State Procurement Act 2004, abolish

the State Procurement Board and replace the board's policies and guidelines. In parallel, the Statutory Authorities Review Committee conducted an inquiry into the State Procurement Board and made similar recommendations.

The government has accepted a majority of the recommendations made by the commission and the Statutory Authorities Review Committee, including those relating to the State Procurement Act 2004. The State Procurement Repeal Bill has been introduced to act on the government's commitment to implement these recommendations. To give effect to the government's decision, this bill repeals the State Procurement Act 2004 and the State Procurement Regulations 2005 and dissolves the State Procurement Board and its relevant policies and guidelines.

The passage of this bill through parliament is a key enabler to progress implementation of a range of other important recommendations made by the commission and the Statutory Authorities Review Committee. Pursuing this program of work will represent the most substantive reform of the state's procurement system in more than a decade. I commend the bill to members and I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Repeal of State Procurement Act 2004

3—Repeal of Act

This clause repeals the State Procurement Act 2004.

4—Transitional provisions

This clause sets out transitional provisions for the purposes of the repeal of the *State Procurement Act 2004*.

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

LEGAL PRACTITIONERS (SENIOR AND QUEEN'S COUNSEL) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (15:43): I move:

That this bill be now read a second time.

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

Leave granted.

Mr President, I am pleased to introduce the Legal Practitioners (Senior and Queen's Counsel) Amendment Bill 2020. The Bill sets out the process by which legal practitioners who have been appointed as Senior Counsel by the Supreme Court can be appointed as Queen's Counsel.

Mr President, the title of Senior Counsel is awarded to those members of the South Australian legal profession who have demonstrated outstanding ability as Counsel as well as leadership within the profession.

The title came into use in South Australia in 2008 after the Government of the day ceased the appointment of QC in line with a consistent trend across other states and territories to discontinue its use.

However in recent years a number of jurisdictions have reinstated the optional use of the QC title following strong support amongst the legal profession.

The South Australian Bar Association has requested that the QC title be reinstated in South Australia so that its members who have been appointed by the Supreme Court as SC have the option of seeking appointment as QC, further aligning with other jurisdictions.

I commend further work undertaken by the Law Society of South Australia who provided a survey to all members of the legal profession. In response to the question of whether there should be option for an SC to become

a QC, 67.26% of respondents answered in favour. I am advised by the Law Society that there were 843 respondents of the 3444 admitted Members of the profession.

These respondents see the clear merit in South Australia having a system of choice for those SCs appointed by the Supreme Court to be appointed as a QC by the Governor.

The title of QC, or KC as it may well be in the future, is a universally recognised title around Commonwealth nations. For South Australia, it is a key tenet of my Justice Agenda to build capacity in our legal sector in this state. This includes the promotion of SA as a fantastic place for businesses to operate and to arbitrate, particularly with our world class legal profession.

I acknowledge that many of our senior bar travel interstate and international to undertake work – a clear pat on the back for our profession.

Mr President, I will now turn to the clauses of the Bill.

Clause 4 of the Bill introduces a number of new sections to the *Legal Practitioners Act 1981*. New section 91 provides that the Chief Justice may, on behalf of the Supreme Court and in accordance with the Rules of the Court, appoint any legal practitioner as a Senior Counsel and that appointment must be published in the Gazette as soon as reasonably practicable.

This retains the ability of the Bench to appoint those barristers whom they think fit to hold the SC title, and whom they see working on a daily basis.

New section 92 provides that the Attorney-General of the day, at the request of the legal practitioner who is appointed a Senior Counsel, must recommend to the Governor that he or she be appointed as Queen's Counsel (or King's Counsel as the case may require). Upon that appointment by the Governor in the Gazette the legal practitioner ceases to be a Senior Counsel but will still take precedence in accordance with his or her former precedence as Senior Counsel.

New section 93 provides that the Chief Justice can, on behalf of the Supreme Court in accordance with the Rules of the Court, revoke the legal practitioner's appointment as Senior Counsel or as Queen's Counsel. New section 93 sets out how the legal practitioner can resign that appointment by written notice to the Chief Justice. The Chief Justice must ensure that revocations and resignations are published in the Gazette as soon as practicable.

Schedule 1 of the Bill contains transitional provisions which provide that new section 92 will apply to Senior Counsel appointed before or after the commencement of that section. New section 93 will apply to Senior and Queen's Counsel who are appointed before or after the commencement of that section.

Mr President, this Bill offers choice. It reflects a clear position of a majority of the legal profession in South Australia and aligns opportunities for senior advocates with other jurisdictions already making this change. I do not seek to curtail the choice and objectives of the bar, and simply wish to allow, through this Bill, greater flexibility to those appointed as SC to either retain that SC title, or become a QC depending on their own personal wishes.

I commend the Bill to Members and I seek leave to insert a copy of the Explanation of Clauses.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Legal Practitioners Act 1981*

4—Insertion of Part 7

This clause inserts a new Part 7 as follows:

Part 7—Appointment of Senior Counsel, Queen's Counsel etc

91—Appointment of Senior Counsel

Proposed section 91 provides for the appointment of Senior Counsel by the Chief Justice of the Supreme Court.

92—Appointment of Queen's Counsel etc

Proposed section 92 allows a Senior Counsel to request that the Governor appoint them as a Queen's Counsel (in which case the Attorney-General must recommend the making of such an appointment by the Governor and the person will, on appointment, become a Queen's Counsel rather than a Senior Counsel).

93—Revocation and resignation of appointments

This proposed section allows for the revocation, by the Chief Justice, of an appointment as a Senior Counsel or as a Queen's Counsel and also allows for resignations from such appointments.

Schedule 1—Transitional provision

1—Application of section 92

Section 92 extends to persons appointed as Senior Counsel before commencement of the measure.

2—Application of section 93

Section 93 extends to persons appointed as Senior Counsel or as Queen's Counsel before commencement of the measure.

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

WAITE TRUST (VESTING OF LAND) BILL

Second Reading

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:44): I move:

That this bill be now read a second time.

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

Leave granted.

The Department of Planning, Transport, and Infrastructure is upgrading a number of intersections in Adelaide. The Fullarton Road and Cross Road Intersection Upgrade Project (Project) is jointly funded by the Commonwealth Government (as part of the Commonwealth Urban Congestion Fund) and State Government.

Cross Road and Fullarton Road are both major traffic commuter routes and freight route, serving traffic to and from the Mitcham Hills area and the South Eastern Freeway. The upgrade will improve travel times, safety, network reliability and productivity.

It has been identified that land acquisition will be required to accommodate the Project with every effort being made to minimise the extent of the land required in order to contain costs and limit the impact on the property involved.

By a transfer dated 26 February 1914 certain land at Urrbrae owned by Peter Waite being a portion of the land subsequently contained in Certificate of Title Register Book Volume 5352 Folio 559 (relevantly and now CT Volume 5540 Folio 952) was transferred to the Crown. The Land was a gift for the purposes of the establishment of an agricultural high school and is therefore subject to a charitable trust for that purpose. The Minister for Education as the registered proprietor in fee simple holds the Land subject to the Waite Trust.

As trustee, the Minister for Education is bound to adhere to the terms of the Trust. Failure to do so amounts to breach of trust and is actionable under the *Trustees Act 1936*.

The Minister for Education is unable to authorise use of the Urrbrae Agricultural High School land that is inconsistent with the charitable trust. The Commissioner of Highways is also unable to acquire the land under the Highways Act 1926 and therefore, an amendment to the Waite Trust is required to take land for roadwork purposes.

The Waite Trust (Vesting of Land) Bill 2020 operates to vary the Waite Trust to free a portion of land contained in Certificate of Title Register Book Volume 5540 Folio 952, of which the Minister for Education is the registered proprietor in fee simple, to be vested in the Commissioner of Highways for the purpose of carrying out roadwork. Accordingly, the Bill is targeted, specific and limited in nature and will not impact upon any other charitable trust land, nor the remaining portions of the Waite Trust Land.

The project is also an important part of economic stimulus activity in response to the COVID-19 pandemic and this Bill will assist in ensuring the project can proceed with the required speed and efficiency.

I commend the Bill to the House.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause is formal.

3—Interpretation

This clause is formal.

4—Variation of Waite Trust

This clause varies the trust of Peter Waite to allow the Minister for Education to vest a portion of land the subject of the trust in the Commissioner of Highways. Once land is vested in the Commissioner of Highways, it is freed from the terms of the trust and any other relevant interests.

This clause also provides for the regulations to prescribe a scheme by which land vested in the Commissioner of Highways must be revested in the Minister for Education in the event that the land is no longer required. Any land revested in the Minister for Education will once again become subject to the terms of the trust, and other interests prescribed by the regulations.

5—Immunity from liability

This clause provides an immunity from liability for any person who acts in good faith and without negligence in accordance with this Act.

6—Regulations

This clause provides a regulation making power.

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

EQUAL OPPORTUNITY (PARLIAMENT AND COURTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 June 2020.)

The Hon. C. BONAROS (15:45): I rise to speak in support of the second reading of the Equal Opportunity (Parliament) Amendment Bill 2020. Firstly, can I thank the government for bringing this important issue to the parliament for debate. It has been a long time coming and is certainly long overdue. Those members who have been here long enough or have informed themselves of the original debates on this bill some 24 years ago would know this is, sadly, a case of the more things change, the more they remain the same.

The historical background of this bill is as follows: in 1996 it became unlawful for MPs to sexually harass their staff, the staff of other MPs, officers or members of the staff of the parliament or any other person who, in the course of their employment, performed duties in parliament. Those provisions came into effect following the enactment of the Equal Opportunity (Sexual Harassment) Amendment Bill 1996.

The bill was introduced in the Legislative Council by the Hon. Trevor Griffin MLC, the attorney-general at the time, in response to recommendations made in the *Legislative Review of Equal Opportunity Act 1984*, commonly known as the Martin review. The bill took eight months to pass both houses of parliament and only after a deadlock conference. Disgracefully, this was after it took 12 years for the government to implement the recommendations of the Martin review. I will say it again: the more things change, the more they remain the same.

The main point of contention was whether the legislation should apply to sexual harassment between MPs, local councillors and judges. By all accounts, if you have read the transcripts of the time, it was a heated debate. There are amendments moved by the Hon. Carolyn Pickles, the leader of the opposition in the chamber at the time, who argued, among other things, for the total prohibition of sexual harassment in parliament.

This was to accord with the unanimous recommendations of the Joint Committee on Women in Parliament, which highlighted that the uncertainty about whether sexual harassment provisions of the act encompassed conduct between MPs left open continued intimidation and harassment of female MPs by their male counterparts in a workplace where, historically, male attitudes and behaviours prevailed.

The Pickles clause was later removed in the House of Assembly, and a deadlock conference ensued for a number of reasons, including:

- MPs are frequently adversary and enacting such a law would open up the possibility of complaints being raised frivolously for political purposes, and;
- applying the law in this way would raise too many questions of parliamentary privilege and impede on the sovereignty of parliament.

Hansard indicated the attorney-general at the time committed to reviewing the legislation after two years. A recent search of *Hansard* discovered this review never took place.

I have since sought confirmation of all of this from the equal opportunity commissioner, Dr Niki Vincent, who has substantiated this as factual in her advice both to me and, as I understand it, to the Attorney. Here we are 24 years later and nothing, absolutely nothing has changed. As I said earlier, the more things change, the more they remain the same.

In her advice to the Attorney-General about the act, the commissioner outlined her concerns, and they included some very important concerns. They included:

- the act does not reflect current community standards around sexual harassment in the workplace and the expected conduct of MPs as leaders in the community;
- the act does not take into consideration the disparity in power that may exist between MPs and therefore is omitting to afford MPs with appropriate obligations and protections regarding sexual harassment; and
- concerns regarding parliamentary privilege are overcome by the existence of section 87(6d) (i.e. that section 87(6c) does not apply in relation to anything said or done in the course of parliamentary proceedings) and by section 93AA, which requires that a complaint alleging that an MP has acted in contravention of section 87 lodged with the Commissioner for Equal Opportunity must be referred to the Presiding Officer of the relevant house to determine whether dealing with the complaint under the EO Act could impinge on parliamentary privilege.

Herein lies the next problem with this legislation. Section 87(6d) provides that:

> Subsection (6c)—

that is, the one we are amending today dealing with sexual harassment—

> does not apply in relation to anything said or done by a member…in the course of parliamentary proceedings.

'Parliamentary proceedings' is defined in the Equal Opportunity Act in section 5 as:

> …proceedings before—
>
> (a) the House of Assembly or the Legislative Council; or
>
> (b) a committee of either House or of both Houses;

Leading academic Emeritus Professor Enid Campbell, in her paper on Parliamentary Privilege and Judicial Review and Administrative Action, highlights just how grey this area of the law really is. Where does parliamentary privilege end and where does subsection (6d) begin? Who is the arbiter of that process? Is it the President or is it the equal opportunity commissioner?

Where would one go as an aggrieved member? If a member who has been sexually harassed or racially vilified went to the equal opportunity commissioner, would the commissioner be prevented from investigating the matter, from making further inquiries or making recommendations regarding the conduct of another member if it occurred on these premises or during parliamentary proceedings?

Who is privy to the advice of the Crown in relation to all such matters given to the government or the President or the Clerk's office? If a member was to obtain their own legal advice, how would they judge the veracity of that advice when they have not been privy to the Crown advice?

I think it is worth noting at this point that, in relation to this specific bill, one of the conversations I did have with the Attorney was whether input had been sought from our clerks and from the President and Speaker in relation to this bill. The advice was, no, they were provided with

correspondence post-fact, letting them know that this bill would be coming up for debate in the chamber.

So where is the government's policy on these important issues and, more importantly, where are the parliament's policies, where are the parliament's guidelines and where are the parliament's procedures on these issues? Does one come to you, Mr Acting President, in this case, and what would your response be? Do you know? Is it in the standing orders? Will the President tell me or any other member that it is not within their responsibility, because we have heard that before? As a member of parliament, how on earth is one supposed to know what to do, when clearly this parliament does not?

In a paper dated 2001, Professor Campbell highlighted the extent of the ambiguity that exists within our current legislative and parliamentary framework. What is clear is that this is far from a black and white issue. Here are some examples to back that up. If a member was to call someone by derogatory, insulting, racist, sexually-charged names during a sitting of parliament—and I am not going to grace the chamber with any of these disgusting sorts of names, as they are all wrong—what would be the consequences of that and who would be the arbiter?

If one member was to walk past another member while in the chamber and call him or her a similar name, but not while on their feet, would that be considered to have occurred in the course of parliamentary proceedings, what would be the consequences and who would be the arbiter? Does it end with a point of order? What if the MP wanted to take the matter further? Where would they go?

If one was to walk past a member during a sitting and verbally harass them or grope them, what would be the consequences and who would be the arbiter? What about committees? If an MP was to do the same—any of those things I have just mentioned—during committee proceedings, what would be the consequences and who would be the arbiter?

What about during a tea break of a committee? If a member walked up to a person and placed their hands on him or her in an unwelcome way, sexually harassed them or racially vilified them, what would be the consequences and who would be the arbiter? What if a member texted them or called them after work in the privacy of their own home and sent them inappropriate messages? Who would be the arbiter, and what would be the consequences?

What if a member did the same at a briefing, at an information session organised by the government, at a parliamentary function in the dining room, at parliamentary proceedings that see us visit Government House, during estimates? What about a library information session? Where does parliamentary privilege end and where does section 87(6e) begin?

The work of leading academics like Emeritus Professor Campbell and case law suggest that none of this is black and white. Indeed, the circumstances leading to the recent case involving Senator Hanson-Young and former senator David Leyonhjelm suggests that none of this is black and white. The circumstances leading up the introduction of this very bill suggests that none of this is black and white.

The community has every right to expect its lawmakers to be subject to the very same laws they make for everybody else. There should not be one law for the common person and another for politicians, or judges, or councillors. As a female who has suffered from the impact of no protection, I see it as my duty, I owe it to all the women sitting in this place and, more broadly, to all the women and girls in the community who aspire to follow in our footsteps. I owe it to the men who stand with us. I, for one, will not be silenced because I have named someone in this building for their foul conduct.

Let me be clear, let me be extremely clear: every single day I get to feel the humiliation of what he did to me, and to others in this place, and the very decent people who work in this place. But every day I also feel anger, and I feel disappointment that legislative protections did not exist for me and people like me.

Like many, I entered parliament to make the unheard heard. I entered parliament to give a voice—

The ACTING PRESIDENT (Hon. D.G.E. Hood): Feel free to take a moment, Hon. Ms Bonaros, if you would like to.

The Hon. C. BONAROS: Thank you. I entered parliament to give a voice to people who might not necessarily have one otherwise, to go into bat for the underdog, for vulnerable people in our community who need our protection. That includes, in particular, anyone deprived of their rights. That includes men and women in this building who have been subjected to unacceptable behaviour but have chosen not to stand up for themselves because they know that doing so may result in them losing their job, or worse.

Do not think for a second that this is not happening. Sadly, this is not the first time I have suffered humiliation in this place, and I suspect it will not be the last in my capacity as a member of parliament. As I have said before, my skin has thickened a lot since becoming a member of parliament but I am still a person, and I have the privilege that others in this building do not. As difficult as it may be I can stand up in this place today and call out this behaviour for what it is. It is difficult, it is humiliating, and it is hurtful—not just for me but also for family members and others impacted by this sort of behaviour.

All too often we have become so consumed by the political pointscoring in this place, obsessed, absolutely obsessed and incensed with protecting our own political patch, that we fail to acknowledge the impact our behaviour has on others. All too often there is no regard for our families, our loved ones and our children. There was absolutely no regard for the fact that day in and day out for weeks on end my husband, my father, my siblings, my family, my four-year-old son got to see my face splashed across their TV and papers and social media headlines for all the wrong reasons in what became a media frenzy.

There was no regard for the fact that those same people got to read the comments of keyboard warriors and social media trolls; although, overwhelmingly, members of the community were very supportive. There was no regard for what I or we or others in this place impacted may have been going through personally in our lives that that time. There was no regard for the fact that attending functions to which I was invited in my capacity as a member of this place became absolutely impossible for the very same reasons.

There was no regard—absolutely no regard—for the fact that fronting up to my workplace, the place where I work, was humiliating and distressing, especially when, for a long time, so many members of the government treated me like I was to blame for everything that had happened in their own political party. In fact, it was worse than that: they just ignored me, and many of them continue to do so today. This is victimising 101. Was I okay? No, I was not. Am I okay? Clearly, no, I am not.

As terrible as it is, I am probably the only person in this place who drew a breath of relief when COVID-19 first hit the news cycles because, finally, there was some reprieve, at least from the media. And can I say I do not blame the media for what they did, for their level of interest in this issue. I did not ask for this matter to be made public. I did not ask for my face to be strewn across the page of the paper on the day that the story broke, with no mention of any other member involved, but that is what transpired.

But I have to say genuinely, there were a number of journalists in Adelaide who could not comprehend how it is that this parliament could be exempt from laws that in their own workplaces would have resulted in the immediate dismissal of an employee. Can I say also, of course there are those members, and not just members, but people who work here, decent people who work here, who we all work with, who reached out to me with wonderful words of support and, frankly, without whom I do not know how I would have dealt with things at the time. To them I am extremely grateful for their ongoing support.

Mr Acting President, with all due respect to our President and to his predecessors, it is entirely unacceptable that up until now conduct such as that, which this bill seeks to address, albeit not in an entirely satisfactory way, is left for you to deal with. As for the Speaker of the house, let me make it abundantly clear for the record: at no point, not once, has he bothered to approach me and speak to me personally about the conduct of one of his members. These are not disparaging remarks; this is fact. He has spoken about me, but he has not spoken to me. Again, these are not disparaging remarks; they are fact, and it goes to the heart of the bill that we are dealing with today.

He has made decisions that significantly impact me and others in this place without once thinking to pick up the phone and/or speak to me and them directly. He has addressed concerns by

other members of this place—presumably by other members of this place—about the physical location of the offending member's office in Parliament House without a single thought that I and that other people in this place now have to walk past that member's office each and every day not once but several times a day to get our offices, to get to our meetings, to get to our lunch breaks, to get to our cars.

We have to walk directly past the member's office, and not once did the Speaker think, 'Maybe I should talk to them about this before I make this decision.' It never occurred to him to pick up the phone and say, 'Connie, do you think this might impact you at all?' It never occurred to him to make inquiries with other staff in this place before accommodating the need of a member of his chamber and formerly of his own party.

Given the member's public statements about not returning to parliament, I would have thought it appropriate, in the circumstances, that perhaps you, Mr President, perhaps the Speaker or perhaps somebody from either of the Clerks' offices—anybody, anybody at all in this place, in this parliament—would have thought it appropriate to notify those who have been impacted by another member's actions in this place. This is where we work. We spend the majority of our time here, and not one person in this place thought it appropriate to come to talk to us about the physical location of a member post the events that resulted in him being moved.

I do not know all the details about others impacted, but I do know what they have said to me personally. To those members in here or in the other place who might think that this is all a load of rubbish, I have one question for you: if it were your daughter, would you be happy for them to be working in this often toxic environment day in and day out? If it were your child, let alone your daughter, would you be encouraging them to get into politics? I know that I am not encouraging my son to get into politics. Yet this is how we choose to treat victims of harassment in this place. The last time I checked, members of this place breathe the same air as everybody else—perhaps other than the legal profession, where some of this behaviour is still deemed okay.

I do thank the Attorney for her commitment to date, not just on behalf of myself but on behalf of all the current and future politicians who should expect to go to work without being subjected to unwanted and inappropriate behaviour. It is not a compliment to be sexually harassed at work, it is offensive. As I have detailed, more needs to be done.

Putting aside the question of parliamentary privilege, a recent media report highlighting ongoing allegations of sexual harassment by a former High Court judge, who was until recent days still practising, demonstrates clearly that there is no justification for exempting the judiciary, or indeed local councillors, from these laws. I acknowledge that there is a review into how local councils will deal with these issues, but frankly it is not good enough.

As with members of parliament, the Equal Opportunity Act makes no provision for complaints of sexual harassment between members of the judiciary and councillors. It begs the question, the very same question: why should judges and councillors be held to a different set of rules for their conduct? The reputation of the legal profession is in absolute tatters following revelations that former High Court justice Dyson Haydon subjected six of his associates to sexual harassment. The Chief Justice of the High Court, Susan Kiefel, last week took the unprecedented and bold step of issuing a public statement on behalf of the High Court, following an inquiry. She said:

> The findings are of extreme concern to me, my fellow Justices, our Chief Executive and the staff of the Court. We're ashamed that this could have happened at the High Court of Australia.
>
> We have made a sincere apology to the six women whose complaints were borne out. We know it would have been difficult to come forward. Their accounts of their experiences at the time have been believed.

The leadership shown by the Chief Justice is admirable. She has acknowledged one of the worst-kept secrets: that the legal profession is rife with sexual harassment. The profession is competitive and it is hierarchical. There are strong power imbalances in the workplace, which is traditionally a male-dominated profession, although the majority of graduates coming through the ranks now are female.

In South Australia, we know only too well that when a member of the legal profession chooses to speak out against sexual harassment, they run the very real risk of being dragged through disciplinary proceedings for bringing their profession into disrepute—again, victimising 101. It taints

their reputation forever for something they did not ask for and they are not to blame for. They are the victims. Let's not forget that.

We cannot afford to continue to provide excuses for certain people occupying positions of power and we certainly cannot continue to tell members of the political profession or the legal profession, or any other profession for that matter, not to rock the boat because it may be detrimental to their professional progression plan. We cannot continue to sit idly by as it happens. None of us should be above the law but those laws must meet community expectations.

I foreshadow today during this bill, because it is relevant to this bill, that in the next sitting week I will move a motion that deals precisely with sexual harassment in the legal profession. I will be asking the Attorney-General to undertake an investigation into claims of sexual harassment or the extent of sexual harassment throughout the legal profession. Again, I acknowledge the Attorney taking the time to personally brief me on this issue and provide the rationale for leaving out the judiciary from the proposed bill. I have given the matter long consideration but do not believe it is appropriate. I will speak to this further during the committee stage. I note for the record my discussions with the opposition and their in-principle support for those amendments.

Today, more than ever, there is no question that an investigation into the legal profession is absolutely required. I am going to end with this. I was not raised to back away from uncomfortable, difficult situations and, as tempting as it might be sometimes, I am not about to start now. The standard you walk past is the standard you accept. Sometimes, as I have said, it seems easier to walk past it and do nothing, mainly because it comes at great personal cost. But the more we do that, the more things stay the same.

I, for one, am done with accepting inappropriate behaviour and I am certainly done with accepting that sort of behaviour in the place where I work. We should all be done with accepting inappropriate, bad, offensive behaviour in the place we work. I will call it out when I see it, and we should all do the same.

With those words, I indicate my support for the second reading of the bill and note that I have at least two amendments on file and still seek to have some clarification from our Attorney in relation to the issues that I have pointed out with section 87(6d). I raised those with her at the briefing. I have not had a response yet but I look forward to getting some clarification from her, and perhaps from you, sir, and perhaps from our Clerks on their understanding of those provisions and how they interact with issues of parliamentary privilege.

Debate adjourned on motion of Hon. D.G.E. Hood.

SINGLE-USE AND OTHER PLASTIC PRODUCTS (WASTE AVOIDANCE) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 June 2020.)

The Hon. D.G.E. HOOD (16:13): I rise to speak to the Single-Use and Other Plastic Products (Waste Avoidance) Bill. South Australia is a global leader in waste management and resource recovery and we should be enormously proud of the way that our state continues to implement best practice policies, procedures, programs and initiatives in the area of waste management and resource recovery.

The South Australian community has an expectation that we, as a government, will continue to promote this culture by pushing the boundaries when it comes to world-leading waste management and resource recovery. Single-use plastic legislation forms a key part of what the South Australian community expects of their government and of their political leaders and representatives in this place. I am encouraged by the broad level of support for this legislation across all sides of politics in South Australia.

In 1977, South Australia was the first state to introduce the world-leading container deposit legislation. It has taken other jurisdictions literally decades to catch up, and in some cases they are only just getting there now. The Victorian government only announced earlier this year that they are

moving down the path of a container deposit legislation scheme. Some might say Victoria is 43 years behind South Australia.

It is not just the Victorians who are taking inspiration from South Australia. The Scottish government is also going down this path in the coming months, and it is no coincidence that a delegation from Scotland visited a couple of years ago and was apparently very impressed by what South Australia has achieved in this area over several decades.

This bill marks another historic moment for our state. We know other jurisdictions are looking at us as an example, and they will follow. As they follow us by adopting their own container deposit schemes, they will also follow us in acting against the unnecessary consumption of single-use plastics. The Minister for Environment and Water, the Hon. David Speirs, has worked hard on this legislation. The minister has detailed the message received from the South Australian community during consultation, and it is exceptionally clear.

Put simply, South Australians are committed to the environment and they want action on single-use plastic products. It is the message coming from the community members. It is the message we have heard from many businesses hearing that their customers are seeking alternative products to single-use plastics, and that is coming at the point of sale at cafes, restaurants, events organisations and others. It is almost unanimous.

It is important to understand that plastic itself is not a bad thing, of course. It is a product that has led to greater hygiene and is used in the preservation of food and other essentials. It is essential to draw the line between plastic as an incredible invention of the 20th century and plastic that is a great environmental problem. When dealt with in unsuitable ways, when discarded into the environment, when used in a way that sees it become overabundant and unnecessary, plastic can be detrimental in that regard.

This legislation has been introduced by the Marshall Liberal government to deal with the serious consequences of the preventable environmental impacts from excessive plastic use. We want South Australia to continue to lead the country, and indeed the world, in dealing with this important issue. This bill seeks to restrict and prohibit harmful products such as single-use plastic drinking straws; single-use plastic cutlery; single-use plastic beverage stirrers; expanded polystyrene cups, bowls, plates and clamshell containers; as well as oxo-degradable plastic products.

Most businesses in South Australia that supply these types of products source them from various producers and manufacturers, and many are imported from overseas. It is expected that suppliers will quickly adapt to the changing market to meet the growing demand for equivalent environmentally friendly alternatives. We are already seeing this in many cases, for instance in cafes, restaurants and events-based organisations, as well as households across the state. People are adapting.

There is a consumer-driven push to see that adaptation, which is driving a greater availability of alternative products to single-use plastics. There is now a growing opportunity for South Australia to position itself as the place where these products are manufactured. Importantly, this will create jobs in South Australia. Alternatives will drive growth. When the other states catch up and when demand for these alternative products increases in those states, the manufacturers of these alternative products will already be in South Australia, and they will no doubt have willing purchasers in the other states.

Although sales associated with the ban on prohibited plastic products will cease, legislation such as this provides businesses with the opportunity to know that there is a pathway, that government is really aligning itself with an environment that is freer of single-use plastics and that community sentiment and expectations are backing that up. The emergence of a wide range of alternative products to single-use plastics is testimony to how the market can and does respond.

Before adding other items to the list of prohibited plastic products via regulation, the consultation process outlined in the bill must be undertaken. In early 2019, the Marshall Liberal government released a discussion paper seeking the views of the community and businesses on reducing the impacts of single-use plastic products on the environment. The discussion paper received overwhelming support from the community, industry, local government, business and interest groups for government intervention on single-use plastics.

A stakeholder task force group comprising relevant businesses, industry, local government and relevant interest groups was established to assist with the development of legislation and to consider matters associated with implementation. Additionally, voluntary Plastic Free Precincts were established to trial the removal of single-use plastics and to inform the development of legislation. These precincts have been well publicised, and positive feedback has been received from businesses and consumers.

It is the government's clear intention that the regulatory approach will focus on education and communication about prohibited products and that efforts will be made to support businesses in their transition to alternative products. However, as outlined in this bill, expiations and penalties can be applied and certainly will be if required. Nevertheless, the success of this legislation will be a shift in consumer behaviour and a transition to other products, not necessarily in the number of expiations issued or the number of penalties applied.

As mentioned earlier, communication activities will help businesses and suppliers to understand the requirements of the legislation and to find appropriate alternative products, including the replacement of any oxo-degradable products. A big part of this, clearly, will be education and raising awareness amongst retailers and consumers about what is degradable and what is not, and what is good packaging and what is not.

If businesses are seeking products that can be legitimately composted, the government strongly recommends these products have the appropriate certification to Australian standards. If not, they should be seeking appropriate reusable and recyclable alternatives.

We believe that we will have substantial conservation benefits in our outdoor areas, in our parks, along our coastline and in our marine environments, and we strongly believe that this is something South Australians will support and be proud of. Indeed, the consultation process has indicated just that. I strongly support the bill.

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

STATUTES AMENDMENT (ELECTRICITY AND GAS) (ENERGY PRODUCTIVITY) BILL

Second Reading

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (16:21): I move:

That this bill be now read a second time.

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

Leave granted.

The Retailer Energy Efficiency Scheme (REES) is a South Australian Government energy efficiency scheme that provides incentives for South Australian households and businesses to save energy. It does this through establishing energy efficiency targets to be met by electricity and gas retailers. The retailers meet these targets by delivering eligible energy efficiency activities to households and businesses.

The REES underwent a review in 2019. The review recommended that the scheme be expanded from 2021 to include energy demand management and energy demand response (DR) activities.

Modelling of future options for the REES has found that expanding the scheme to include certain productivity activities while maintaining current retailer targets would provide a scheme with a benefit cost ratio of 3.7:1 and energy bill savings for households and businesses in the order of $1.5 billion to 2050.

Energy productivity activities include energy efficiency and other activities that shift the periods when energy is being used. Activities that shift when energy is used do not necessarily reduce the total amount of energy being consumed. They may result in an overall increase in energy consumption but a lower energy bill.

I commend this Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electricity Act 1996*

4—Amendment of section 63AB—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

The changes made to the principal Act by this measure are to change references from energy efficiency to energy productivity.

5—Amendment of section 94B—Energy productivity shortfalls

Part 3—Amendment of *Gas Act 1997*

6—Amendment of section 59A—Compliance with certain code provisions under *Essential Services Commission Act 2002* and requirements of regulations

The changes made to the principal Act by this measure are to change references from energy efficiency to energy productivity.

7—Amendment of section 91A—Energy productivity shortfalls

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

DANGEROUS SUBSTANCES (LPG CYLINDER LABELLING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:22): I rise to speak on this bill on behalf of the opposition. It is always a tragedy when a young person loses their life. It is even more heartbreaking when that death is preventable. Suicide, car accidents, one-punch attacks and the inhalation of toxic substances all take a toll on our community. While we as legislators cannot prevent every possible preventable death, we have a responsibility to act where we possibly can.

I understand this bill arises from the tragic death of a 16-year-old boy in Port Lincoln during February this year. His name is Paddy Ryan. His tragic death occurred after inhaling liquefied petroleum gas (LPG) from a barbecue gas cylinder. This is known as 'huffing'. Inhaling LPG is not safe. Even in very small amounts, highly concentrated LPG from a barbecue gas bottle can cause irreparable damage and can lead to death. After a man died in New Zealand of asphyxiation while huffing LPG, the coroner found that 'LPG in the lungs is incompatible with life'.

I met with the family of Paddy Ryan in Port Lincoln last week, along with my colleagues from the other place, the member for Wright, the member for Mawson and the member for Cheltenham. Paddy Ryan's father spoke of the tragic death of his son and highlighted the need for governments to do whatever they can to prevent possible future deaths.

In the past, governments have sought to address similar issues, such as chroming, petrol sniffing and inhaling solvents, to improve public health. The inhaling of LPG should be no different. In her second reading explanation, the Hon. Connie Bonaros acknowledged that this bill will not stop all young people from the dangerous practice of inhaling LPG, but she expressed a hope that it may plant a seed of doubt in the mind of someone who may be about to try.

This bill will be worth supporting even if it saves one life, let alone a handful, let alone many lives. Our parliament has spent much greater time dealing with matters of much less importance. This is by no means the only measure that should be taken to reduce this risk. There needs to be education and awareness alongside legislation for labelling.

In technical terms, this bill adds a new part 4A into the Dangerous Substances Act 1979. The new part 4A creates an offence for selling LPG cylinders without a label that states that the cylinder contains LPG and that LPG may cause injury or death if inhaled. These cylinders are fairly common around the home for things like barbeques, hot water or heating. The penalties for not having this label under this bill are $50,000 for a body corporate and, in any other case, $10,000 or imprisonment for one year. The bill also specifies the size and colour requirements for labels.

Ultimately, the federal parliament should be dealing with this issue. A nationally consistent approach would reduce the burden of businesses having to comply with different rules in different states. But the federal parliament has not acted, despite reports in the media that it may inquire into this matter. Any possible legislation, if it eventuates federally, could be years away and we cannot wait.

There are numerous precedents for states or territories to legislate where the commonwealth has failed to do so. One recent example was when the current state government passed changes to the Fair Trading Act around gift cards in 2018. After a federal solution was put in place in November 2019, the state government moved to repeal the law.

There is also precedent under container deposit legislation that requires labelling for recyclables. South Australia was the only jurisdiction that required this for decades and we faced criticism that it increased costs for producers, but we kept doing it because it was the right thing to do. The Attorney-General in another place herself made a grievance debate speech about payday lenders on 28 April this year. She said:

> The national Assistant Treasurer had said that he was hopeful that a draft bill would be released for consultation by the end of last year but was not willing to commit to that time frame. I understood that. However, my office has contacted his office to request an update or clarification as to timeliness, regrettably without any success. Indeed, I received a letter from [the] minister…in March that was a response to one I had sent him nine months earlier. So things still move at a glacial pace in Canberra, let me say.

The Attorney went on to say:

> I foreshadowed, at the Consumer Affairs Forum in New Zealand and in this house, that I would act if the commonwealth did not. It is not my preference, in fact, for the state to operate outside a nationally consistent model; however, urgent action was already required long before COVID-19 hit, and none is forthcoming from the commonwealth.
>
> I have therefore instructed Consumer and Business Services to provide me with advice on state-based legislation, about which I have already had legal advice, as to the protections to include a cap on the total repayment amount, amending the affordability provisions based on gross earnings to net earnings, requiring that there be equal amounts paid at equal intervals, not charging additional fees for the ordinary life of the loan in cases of early repayment and preventing these lenders from making unsolicited invitations to current or former customers to apply for credit.

As such, this current government has on numerous occasions legislated in areas where it would be better for the commonwealth to act and asked its agencies to research approaches in these areas. This government has acted where the commonwealth has failed to do so, and that has been warranted on those couple of occasions.

This bill is ultimately designed to reduce the risk of harm, especially to young people. It is a commonsense measure that is not likely to be overly burdensome on businesses. The opposition commends the bill to the chamber and indicates our strong support.

The Hon. T.A. FRANKS (16:28): I rise on behalf of the Greens to support the Dangerous Substances (LPG Cylinder Labelling) Amendment Bill 2020 and commend the Hon. Connie Bonaros for bringing it before this place. I note that this bill would require a person who sells or supplies liquefied petroleum gas in our state to ensure the cylinder in which the gas is sold or supplied or which is transferred at the point of sale or supply is labelled with a warning label stating that the gas is LPG and that LPG may cause injury or death if inhaled.

We know that this bill has its genesis in the death of a young man, a young man who took a risk, who did not know the dangers and should have had that warning. It is a simple precaution and warning that we can give to ensure that South Australians are kept safe by ensuring a warning label on these cylinders is applied.

I am disappointed to hear, although I would be delighted to be wrong, that the government is not supporting this bill. They say that this should be legislated federally: perhaps I will be proven wrong in a minute. We cannot wait for the federal parliament to legislate on this matter. It is a simple piece of legislation that will prove to be life saving and that will provide timely information to prevent deaths. I cannot see a more compelling reason to support a bill than that.

The Hon. R.I. LUCAS (Treasurer) (16:30): I rise to speak on behalf of government members to this bill, and I join with other members in this debate and other debates to express

sympathy to any family who loses a family member as a result of the issues canvassed in this legislation. I place that on the record on behalf of government members. Secondly, the government acknowledges that this legislation will pass the Legislative Council with the support of crossbenchers and the Labor opposition, but the government will not be supporting the legislation for the reasons that I will outline.

First, on all issues that have been canvassed in this debate, one thing that is certainly agreed is that better education in relation to the dangers of undertaking these sorts of practices would certainly be one element of any response. I think all members in this debate—and I am sure there would be broad support in the community—would support better education programs, particularly through our schools on the sometimes dangerous behaviours engaged in by young persons through, in particular, our secondary school system. However, young people leave our secondary school system at the age of 17 or 18, and that is not the end of their sometimes willingness to engage in dangerous behaviours, which places them at risk. So any education program clearly needs to be broader than just what is provided at secondary school level.

Perhaps if I can move to what is clearly, I think, the light on the horizon in relation to tackling this problem, and that is to find a solution. Everyone acknowledges that any form of warning—and even the Hon. Ms Bonaros in her contribution acknowledged it—against dangerous behaviours in and of itself does not solve the problem and is not a solution. We have seen for decades, in relation to anti-smoking campaigns, illicit drug campaigns, anti-drinking alcohol whilst you are pregnant campaigns and a variety of other education campaigns, that they can be useful, but in the end do not always influence behaviour in the ways that people who propose the campaigns would wish.

What I want place on the record, as I said, is I think potentially the light at the end of the tunnel in terms of a solution rather than just an education program. In the hurried discussions we have had to have because this bill was only introduced in the last sitting week and it has been brought to a vote today, we have consulted as quickly as we can with the industry sectors, all of which have indicated that they were not consulted in relation to the legislation, and in fact some were unaware that the bill was even being moved in the parliament.

Whilst I accept on occasions, with some justification, criticism the government has had when it has not consulted as widely on bills, all I can say is that in the discussions we had with a number of important industry sectors and players, they all so far indicated that they had not been consulted in relation to the bill.

As I said, what I do want to place on the record is the potential solution to the problem rather than labels and education programs. Gas Energy Australia, the national peak body for all downstream LPG companies in Australia, as well as the Australian Gas Association, both provided us with the information that, for different reasons which will nevertheless have an important benefit in relation to this particular issue, Gas Energy Australia members, and the Australian Gas Association as well, I am told, have, for a period of time, been working with state and territory government gas technical regulators.

The committee is called the Gas Technical Regulators Committee, and includes the South Australian Office of the Technical Regulator. What is being implemented is the introduction of a new LPG cylinder valve into the Australian leisure cylinder market. This introduction is currently progressing through the Australian Standards approval process.

This new valve, known as the leisure cylinder connect type 27 valve, or LCC27 for short, incorporates significant improved safety features, including a check valve that requires a positive connection with the gas appliance hose in order for gas to be released. The purpose of this is that you cannot have an LPG gas cylinder which, by mistake, you leave open and therefore create a dangerous situation in the home or workplace with gas leaking and all the inherent dangers that might incur, or someone maliciously turning on a gas cylinder to blow something up.

In relation to this particular set of circumstances, the current cylinders do allow somebody to turn on the cylinder and sniff the LPG with potentially dangerous consequences. The LCC27 valve will prevent that. It will mean that a young person will not be able to turn on the cylinder valve and inhale the LPG when the new valve is implemented. As I said, whilst the purpose of this is for broader

industrial and home safety reasons as opposed to the issue of inhalation of LPG, it is nevertheless a solution to the problem we are seeking to address by putting a label onto an LPG cylinder.

The advice from Gas Energy Australia is that approval is meant to be through the Australian Standards Association in October this year, with the commencement of the rollout of the new valves in April next year. Anyone who has been involved with new standards and new valves will know that these are very lengthy processes. Clearly, this has been worked on for a long period of time, and I assume there has been an acknowledgement of the need for greater safety in relation to this broad issue for a number of years. Thankfully, we are at the end of the process rather than the start.

I understand that one of the issues in relation to LPG cylinders is that they are imported into Australia to national centres and then distributed from there to all markets. One has to remember that these LPG cylinders are not simply isolated in South Australia; that is, if you are in a caravan, for example, or something like that that these grey nomads drive, you can start in Queensland or Western Australia with your LPG cylinder and arrive in South Australia, so any labelling law that applies just to South Australian cylinders will not cover the length and breadth of the problem. Cylinders will be coming into the market from other jurisdictions. There is no blockage at the border, and any young person can go to a caravan park and, if they are so inclined, pinch an LPG cylinder and inhale the gas, if that is what they wanted to do.

I think, as other members have acknowledged in this debate, if you are going to institute a labelling system as part of an education program, then it clearly needs to be done at the national level. I think members have said the only solution to that is national legislation. That is one solution. The view of some people is that the only solution to a problem is that the government at some stage has to legislate. I am advised that Gas Energy Australia members have been discussing this for some time and have agreed, as an association, to voluntarily incorporate a consistent warning on the dangers of inhaling LPG into the current label which is on an LPG cylinder.

If that is going to occur—and Gas Energy Australia have indicated they have already agreed to do that voluntarily—that is a much better solution than an individual state seeking to take action within that particular jurisdiction. As I said, the cylinders come into a central location, where these importers and, ultimately, distributors of the cylinders throughout Australia, and if it is at that particular stage the label is affixed to the bottle—and there is already a label affixed to the bottle—and if that incorporates this particular warning, that is a more sensible solution to this particular issue whilst we await the implementation of this valve, which is the real solution for preventing anyone inhaling LPG.

All of this we have only ascertained in the last few days as a result of consulting with the industry to find out what is going on. Is there a recognition of issues in this industry sector and what if anything is being done in relation to it? As I said, the valve issue is clearly being discussed for a much broader range of safety issues but the labelling issue is clearly addressed this particular issue. Given that there is already a label, if Gas Energy Australia members are going to do this nationally, then that indeed would make more sense.

Should this legislation pass both houses of parliament, we may well have a situation where, at the national level, there will be a warning on inhalation as part of the national labelling process, and there will be this law, if it was to have passed, requiring another label to be affixed in South Australia as well. So I am pleased to report that the industry, at least on the basis of the advice provided to us at very short notice, is already taking action in these important areas to address some of the concerns that industry sectors have raised.

We consulted the national association that represents the service stations and the other retail outlets which will be caught up in this legislation. Whilst I am not an expert on this, as I understand it there are two options in relation to your LPG bottles at home. You either have a swap-and-go scheme, where you go to your service station or outlet and you just dump your bottle there and you pick up a new bottle and obviously pay for it. The second option is what is called decanting, where you go to a retail outlet with your own bottle and you plug it into a bigger bottle, I assume, and it gets filled up with gas, and you return home with your existing bottle.

I was surprised to learn from the industry association that in South Australia more than half of the bottled LPG dispensed at service stations is of the decanted type as opposed to the swap-and-go type. I must admit that the staff in my office thought that the swap-and-go would be the

overwhelming one—and I suspect that is because that is what they may well have used—but the official advice from the industry group is that that is not the case: more than half of the bottled LPG dispensed in South Australia is actually the decanted model. That is, the home owner goes to the retail outlet, plugs it in, fills the bottle up and then pays for it and leaves.

The Australasian Convenience and Petroleum Marketers Association, a national association, said, 'We haven't been consulted on this bill at all, but does the parliament realise what the implications of this legislation would be?' They said that clearly the swap-and-go would place an onus on some of them, and the responsibility would be that all the new bottles would have to have the label on them—that is relatively clear as to what the responsibilities would be—and they would have to affix the label to the new bottles, or someone would have to, whether it is them or someone else.

Their argument is that the national distributor is not going to do it because you cannot tell whether the bottles are going to be sent from a national distribution arm in Sydney to South Australia or to Western Australia. If there are different labelling laws in each state, they are not in a position to be able to distinguish, so it would have to be, potentially, the local retail outlet that would have to do that.

The issue then is: who is liable for the penalty in relation to the returned bottle? Is it the local service station outlet that will be penalised if they do not put a label on the one they send back to the distributor in Sydney? Is it a penalty for the national distributor or, as I said, the local retail service station who receives that bottle, and what is the requirement going to be for them under this particular law?

The Australasian Convenience and Petroleum Marketers Association say, in their quick email to us, that they are extremely concerned about the timetable proposed for the introduction, the potential costs involved in the industry and the practical implications of the introduction of the scheme. They also say:

> …service station operators who use decanting techniques [in their view] will effectively be unable to sell LPG under the proposed legislation unless a reasonable and zero consumer cost solution is developed [for them]…

They are saying that more than half of the LPG is sold through the decanted model, and their argument—and I can only place on the record their argument because of the short time we have had to consult—is that those service station operators would effectively be unable to sell LPG under this particular model.

Finally, we have only had a chance to conduct urgent consultation with a small group of people. We consulted with Origin in South Australia. They raised some questions in relation to section 26A of the act. They said they had not been consulted, even though they are in the LPG business. They say, on their quick reading, that section 26A:

> …would have an impact on every aerosol (LPG) product sold in supermarkets/hardware stores (ie the butane cans) in addition to larger LPG cylinders and tanks and Autogas cannisters for LPG vehicles.

That was their quick reading of the legislation: that it is not just the cylinder, which has attracted the most publicity in relation to this, but that on their reading of the legislation it would apply to a much broader range of products, along the lines that they have suggested.

As I said at the outset, whilst government members obviously share the sympathy of any family that loses a family member in these tragic circumstances, we are encouraged that there may well be a permanent solution, as opposed to labelling—at least it would appear at this stage anyway—to be implemented from April next year. That would be, on the surface of it, a medium-term solution as opposed to best endeavours in terms of education and labelling.

We accept the fact that, whilst that is going on and prior to that, there is a role to be played in terms of education and labelling. In relation to labelling, for the reasons we have outlined, our position is that Gas Energy Australia members at the national level should be encouraged to expedite what they have already said they are doing, which is to have a national labelling system which would make much more sense than a state-based labelling system, and thirdly, in all these areas, greater education, particularly at the secondary school level. But how you tackle it at the post-school level, I guess is a challenge for all who are trying to discourage young people who are not at school anymore from undertaking dangerous behaviours.

Governments have to make decisions. Drug and Alcohol Services present at the committee I chair, which is the Government Communications Advisory Committee (GCAC), and they make judgements about why they choose anti-smoking campaigns and a variety of other things. They have to make a judgement call in terms of spending taxpayer dollars where they devote the maximum resources. Clearly, in the end, they make difficult judgements as to the predominance of a particular dangerous behaviour, such as smoking, which is clearly one of the top of the pops in terms of dangerous behaviours impacting on large numbers of people, and they target their taxpayer-funded dollars to discouraging that sort of behaviour.

Ultimately, agencies like that would need to look at the prevalence of this sort of behaviour and whether or not broader campaigns in the community target in some way ought to be pursued by that particular agency, and they would be the best agency in terms of making judgements as to the need for campaigns, and then, if that is established, the best way of getting that education message out beyond the school years stage, but nevertheless, trying to cover young people who are still wanting to experiment and wanting to engage in destructive behaviours which may well, in the end, lead to the loss of their own lives. With that, we acknowledge that the bill will pass the Legislative Council but the government will not be supporting the legislation.

The Hon. C. BONAROS (16:52): I thank those speakers who have spoken in support of this bill and I thank the opposition for their support of this proposal. I am disappointed with the government's response—and I acknowledge some of the points the Treasurer has made today—for what I can only refer to as a stonewalling of a very effective and simple measure designed entirely to save lives.

When I read about the recent and tragic death of Paddy Ryan, I said at the time that none of us want to be in that position. I put myself in Paddy's parents' shoes and thought, 'There but for the grace of God go I.' Nobody wants to be in that position. Paddy made a stupid mistake and it cost him his life. He is not here anymore because of it. This bill, as I said at the time, is designed to deal with precisely that. If it only saves one life, then that is one life worth being saved. I know that it is his parents' dearest wish that no other young person will suffer the same tragedy that Paddy suffered and that nobody will have to deal with the unspeakable pain that they are dealing with.

If a simple sticker on a gas bottle causes a single kid to think about huffing or inhaling LPG or leads one parent to have that conversation with their kids, then this bill will fulfil that purpose. I think we would be absolutely kidding ourselves if we thought that having a label on a bottle that parents saw would not result in them having conversations with their kids about the dangers of huffing.

As I said during my second reading explanation on this bill, when I read about Paddy's death in the media, the first thing I did was reach out to all the young people in my family and say to them, 'I don't care what party you're at. I don't care what peers you're with. I don't care what group of friends you're with. Don't go near an LPG bottle and do anything stupid because it could result in you not coming home.' There is no question that labels like this can have that impact. If our education system cannot provide the education, then parents can do so by having the full knowledge, and that could be achieved by having a simple sticker on a gas bottle.

I do not know who I have been speaking to in the industry who the Treasurer has not, but my very clear advice from them is that they support labelling. I will say that again: they have made it very clear to me that they support labelling. Do they want to see a voluntary scheme? Do they want to see a mandatory scheme? I think they all acknowledge that a labelling scheme is a perfectly reasonable requirement on a gas bottle. I have not heard concerns about having labelling.

As for a national scheme, Paddy died in South Australia, and we are South Australian politicians. We have the ability in here to make laws that protect our communities, and that is precisely what this bill is attempting to do. I do not want to wait for a federal scheme. I do not want to wait for the consultation and everything else that goes with that, for the feds to consult with all the other jurisdictions and decide whether or not they want to go down the path of a labelling scheme across all jurisdictions, and I do not want it to be a voluntary scheme, frankly.

I know there is already support for a voluntary scheme. I know that there are already providers of these products who have indicated to us that they intend to implement effectively what

we have outlined in this bill even if we do not press ahead with this legislation, but that does not undo the requirement for this bill. It will serve a very important purpose. I have said it before and I will say it again: the task force into petrol sniffing, cigarette labelling, alcohol warning labels—these all serve a purpose. The benefit that they provide us far outweighs any negative.

We have labels on bottles of water and every drink that you can purchase in this jurisdiction, which up until recently was only a South Australian initiative, and that did not have implications for other jurisdictions. If you want to buy a drink in South Australia, you pay a 10¢ levy. That is the way our system works. So there is nothing preventing us from doing things differently here. There is nothing preventing us from leading the way in South Australia and letting other jurisdictions follow suit in time.

I acknowledge the Treasurer's comments about the valve itself. Obviously, we have made inquiries about that. Adrian, Paddy's dad, is really keen to see the valve changed on all these bottles. I do not know if I agree with the Treasurer's assessment, based on my discussions with industry, of when that is likely to come in. Certainly, the indication given to me is that it will take longer than next year; I stand to be corrected. With or without that, there is absolutely no reason why we should not press ahead with a label now.

I want to make this clear to anyone who is considering their support for this bill: by all accounts, my discussions with industry have been overwhelmingly supportive of a labelling scheme. There are those who prefer a voluntary scheme, there are those who are not fussed either way and there are those who have said, 'You know what, we are going to press ahead. We are going to start printing labels and we are going to start putting them on our bottles, irrespective of what happens to your bill.' But it is nice to know that we have some consistency across the board in this jurisdiction in terms of what the requirement is for those labels, and that is what this bill is trying to achieve.

Again, I thank those members who have indicated their support for this bill. I look forward to speaking to any industry representative, to any association, to anyone who the Treasurer has referred to today, to the Treasurer himself and to the government and putting across some of the information that we have received in relation to the support. I have not heard anyone opposing this scheme. That is not the information that is coming to me. It has been overwhelmingly in support.

I am happy to have those discussions with the government. I sincerely hope, in Paddy's memory, that every other kid out there who is going out to a party this weekend or next, or the weekend after, or is getting together with a group of mates on Friday night, especially teenage boys, who thinks, 'Let's have a bit of fun. Let's get mum and dad's LPG gas bottle from out the back. Let's have a huff,' that none of those kids end up in the same tragic circumstances that Paddy ended up in.

I am not suggesting by any stretch that a label and a label in and of itself will save everyone but, as I said during my second reading, if it saves just one—just one kid like Paddy—then it is absolutely incumbent on us to support this bill today. I do look forward to further conversations with the industry about the timing of the valve. I think that is absolutely critical, because if you take away the problem in terms of being able to huff, then this problem effectively disappears, prospectively but of course not retrospectively, because we still have hundreds of thousands of these bottles in backyard sheds and attached to backyard barbecues all around South Australia and, indeed, Australia.

Again, I am really hopeful that the government is at least willing to engage between the houses, if this bill passes today, on the benefits and the positives that this bill aims to achieve. Again, if it saves one life then that is one life worth saving.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. C. BONAROS (17:03): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Personal Explanation

AGED-CARE CCTV TRIAL

The Hon. S.G. WADE (Minister for Health and Wellbeing) (17:03): I seek leave to add to an earlier answer.

Leave granted.

The Hon. S.G. WADE: I refer to my answer to a question without notice earlier today, which I took on notice, in relation to the involvement of Mr Khoury and Mr Morris in the CCTV pilot project procurement. I have been advised that Mr Chad Khoury was a member of the evaluation panel to select the technology provider.

At 17:04 the council adjourned until Tuesday 21 July 2020 at 14:15.

Answers to Questions

CORONAVIRUS

In reply to **the Hon. T.A. FRANKS** (12 May 2020).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

The molecular tests for SARS-CoV-2, the virus causing COVID-19 infections, are the 'gold standard' tests for detecting SARS-CoV-2. The 'gold standard' method is the optimal investigation against which all other tests are compared. The SA Pathology in-house, Cobas and Xpert nucleic acid tests (NATs) have performed comparably in a Quality Assurance Program.

SA Pathology is now confirming all positive SARS-CoV-2 results by two different NAT assays.

As of 24 June 2020 SA Pathology has performed over 136,131 SARS-CoV-2 NAT tests, effectively testing 7.1 per cent of the total SA population.

I am advised that none of our reported positive cases have subsequently been found to be false positive.

The accuracy and volume of SARS-CoV-2 NAT testing at SA Pathology has been one of the key contributors to the low rates of COVID-19 infections in the state.

PATHOLOGY SERVICES

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (13 May 2020).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

1. I do not recall holding discussions at a Liberal Party fundraiser, FutureSA event or other Liberal Party event with any representative from Clinpath or Sonic Healthcare.

2. To the best of my knowledge I have not hosted a table at a FutureSA or Liberal Party fundraising event that included representatives of Clinpath or Sonic Healthcare.

3. Since being appointed Minister for Health and Wellbeing I have not held any meetings with Clinpath or Sonic Healthcare. I have responded to correspondence received from Clinpath.

SAFEGUARDING TASKFORCE

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (2 June 2020).

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

These matters are all a matter of the public record.

DISABILITY SERVICES

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (2 June 2020).

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

Since March 2018, I have received two reports from the Department of Human Services of the deaths of accommodation services clients that were assessed as Critical Client Incidents. The first incident occurred in October 2018 when a client choked when eating. The second incident is currently under investigation.

DISABILITY SERVICES

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (2 June 2020).

The Hon. J.M.A. LENSINK (Minister for Human Services):

I refer the honourable member to the response provided to the previous question on this matter.

ALCOHOL WARNING LABELS

In reply to **the Hon. I.K. HUNTER** (3 June 2020).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

Minister Whetstone attended the meeting as my proxy. I did not vote on the FSANZ motion.

FLINDERS MEDICAL CENTRE

In reply to **the Hon. C.M. SCRIVEN** (4 June 2020).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I am advised:

Open disclosure occurred with parents prior to the public announcement.