

## LEGISLATIVE COUNCIL

Wednesday, 3 March 2021

The **PRESIDENT (Hon. J.S.L. Dawkins)** 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*

#### LEGISLATIVE REVIEW COMMITTEE

**The Hon. N.J. CENTOFANTI (14:17):** I bring up the 24<sup>th</sup> report of the committee.

Report received.

**The Hon. N.J. CENTOFANTI:** I bring up the 25<sup>th</sup> report of the committee.

Report received and read.

### *Question Time*

#### INDUSTRIAL RELATIONS

**The Hon. K.J. MAHER (Leader of the Opposition) (14:20):** I seek leave to make a brief explanation before asking a question of the Treasurer regarding industrial relations.

Leave granted.

**The Hon. K.J. MAHER:** In recent months, the Treasurer has often described various employee representatives as being unreasonable or not being sensible when they stand up for their members. The Liberal government's undermining of those representing frontline emergency services workers continued yesterday as the Minister for Health and Wellbeing doubled down on his attacks on ambulance officers when he said that union bosses do their members a disservice.

My questions to the Treasurer are: does the Treasurer consider the hardworking representatives of firefighters to be sensible and reasonable? What has the Treasurer's dispute with the MFS cost in terms of revenue? Exactly where is this industrial relation dispute up to? Would the Treasurer consider delegating his responsibilities if he can't resolve it?

**The Hon. R.I. LUCAS (Treasurer) (14:21):** In relation to the last question no. The government, and I on behalf of the government, have made it quite clear in relation to the enterprise bargaining negotiations and industrial relations issues that have ensued that no amount of industrial action taken and led by union bosses gives me, on behalf of the taxpayers, one extra dollar to solve the particular claims or issues that union bosses may well ask in relation to various disputes.

As proof positive of that, the teachers' union led industrial action, we had protest marches in the streets, we had Johnny Farnham songs being sung loud and clear by thousands of protesting AEU members—

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Wortley is out of order.

**The Hon. R.I. LUCAS:** Even the powerful singing of Johnny Farnham songs in the streets of Adelaide didn't give me one extra dollar to resolve the particular issues. Pleasingly—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —in relation to that particular dispute, and similarly with the nurses' union dispute when industrial action was engaged, we took the position quite clearly on behalf of the

taxpayers of South Australia that we were prepared to offer sensible and reasonable salary settlements and wage and condition settlements, but we wouldn't respond to industrial action.

We have adopted the same position in relation to the MFS-related issues and the industrial action that has been utilised by the union there. We have adopted exactly the same position in relation to that, and that has been a consistent position of the government. If we were in the wonderful situation of having unlimited money and unlimited resources, and we could give everybody everything they wanted, what a wonderful world we would live in. We would all love that world, says he looking at his ministerial colleagues. But we don't live in that sort of world.

We are already running a \$2½ billion deficit this year. We are being criticised by the opposition and others for massive increases in public sector infrastructure being funded by debt and borrowings. So on behalf of the taxpayers we have to be frugal, and we will call out those union bosses who are unreasonable in terms of some of their claims. We will not respond to threats of industrial action to in essence try to force the government into positions which we believe the taxpayers just cannot afford in relation to a union dispute or an enterprise bargaining arrangement.

In relation to the second or third question in relation to the indicative costs of protest actions taken in relation to the MFS, I think we have previously provided to sections of the media early estimates of what that cost might be. I am happy to pull out those or have those numbers pulled out and provide them on notice to the leader.

#### **METROPOLITAN FIRE SERVICE**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:24):** A supplementary arising from the original answer: can the Treasurer outline what specific parts of any of the requests or claims from the union representing the Metropolitan Fire Service he or the government consider to be unreasonable?

**The Hon. R.I. LUCAS (Treasurer) (14:25):** We don't propose to conduct our enterprise bargaining negotiations in a public forum like this. We will treat the union and its hardworking members with respect. I have met with Max and the gang representing the union, who are employees, as I have always done. I have never refused a meeting with a union leader representing his or her union representatives or union members and we have frank discussions. We don't always agree—in fact, we might often disagree—but nevertheless, we treat them with respect.

Part of that respect is we don't conduct these negotiations in the public forum, as the Leader of the Opposition may wish them to be. We will continue to conduct the negotiations in a hard but fair and sensible manner, respecting the hard work of all of those employees within that particular section of the public sector. As I have said all along, particularly as we have managed COVID right across the public sector, all of those hardworking employees deserve our respect as indeed they get from me as the Treasurer.

#### **METROPOLITAN FIRE SERVICE**

**The Hon. T.A. FRANKS (14:26):** A supplementary: who authorised and paid for the removal of the UFU signage from South Australian fire stations, and did you have any prior knowledge or did your office have any prior knowledge of or involvement in their removal?

**The Hon. R.I. LUCAS (Treasurer) (14:26):** I hope so. We don't want unlawful banners prosecuting positions on public property. That has been a consistent position that the government has adopted. In relation to who issued the instruction, I suspect it had to be the head of the MFS, whatever his official title happens to be. Certainly, my long held view, both public and private, was that it was inappropriate to be using public resources in the way they were being used. That has been a consistent view and I think it's a view that most people in the community would accept.

You can prosecute your case, if you wish to, but you don't run around with slogans or signs on government property prosecuting your particular point of view in relation to an industrial dispute. We are the government. We have management of the people's assets. They are not the assets of the union, the union bosses and their representatives.

**METROPOLITAN FIRE SERVICE**

**The Hon. T.A. FRANKS (14:28):** A supplementary: did you have or did your office have prior knowledge of their removal?

**The Hon. R.I. LUCAS (Treasurer) (14:28):** I just said I hope so. I certainly expressed the view, both privately and publicly, that it was inappropriate for those particular signs to be on fire engines or fire trucks and on fire stations. Ultimately, the member's first question was: who directed them? That would have been a direction, I assume, that would have had to have come in the first instance from the head of the MFS.

**SA AMBULANCE SERVICE**

**The Hon. C.M. SCRIVEN (14:28):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding ambulances.

Leave granted.

**The Hon. C.M. SCRIVEN:** In 2017, in response to the death of a patient, the now Premier said, and I quote:

There's no doubt that we now need an independent inquiry into this issue. If it turns out that ramping at hospitals meant that an ambulance wasn't available, then Jack Snelling has some very serious questions to answer.

My question to the minister is: does the minister maintain the standard the Liberal Party set in opposition that an independent inquiry should be held into every ambulance-related death?

*Members interjecting:*

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

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** This government has a strong commitment to quality and safety, and that is why I, in this place and publicly—

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Wortley is out of order, as is the leader.

**The Hon. S.G. WADE:** —have welcomed the Chief Executive Officer of the Ambulance Service—

*Members interjecting:*

**The PRESIDENT:** Order! The minister has the call and will be heard in silence.

**The Hon. S.G. WADE:** Thank you, Mr President. This government has a very strong commitment to quality and safety and that is—

*The Hon. R.P. Wortley interjecting:*

**The Hon. S.G. WADE:** Sorry, Mr President, am I allowed to give an answer or aren't I?

**The PRESIDENT:** The Hon. Mr Wortley—

**The Hon. E.S. Bourke:** And what's your track record?

**The PRESIDENT:** —and the Hon. Ms Bourke are not helping. The opposition has asked a question and I would like to hear the answer, even if the opposition doesn't. The minister has the call.

**The Hon. S.G. WADE:** As I said, this government is committed to quality and safety in ambulance service, and that is why I, in this place and publicly, have welcomed the internal review that the South Australian Ambulance Service undertook at the end of last year in relation to a case of delayed responses for lower acuity cases.

The calls of the then Leader of the Opposition of course are consistent with the former government's failure in a whole series of domains, most notably in relation to Oakden, to maintain quality and safety.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Scriven has a supplementary.

#### **SA AMBULANCE SERVICE**

**The Hon. C.M. SCRIVEN (14:30):** Can the minister answer whether he will ensure there is an independent inquiry into every ambulance-related death?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** As I indicated, the Ambulance Service has a strong commitment to quality and safety, has an independent incident—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —an incident reporting system—

*The Hon. C.M. Scriven interjecting:*

**The PRESIDENT:** Order! The deputy leader is out of order.

**The Hon. S.G. WADE:** —and a process to look at every adverse event.

*Members interjecting:*

**The PRESIDENT:** Order on my right!

#### **SA AMBULANCE SERVICE**

**The Hon. E.S. BOURKE (14:31):** My question is to the Minister for Health and Wellbeing regarding integrity. Minister, what does it say about your leadership when the Commissioner for Public Sector Employment, the Independent Commissioner Against Corruption and the independent reviewers have all raised concerns about the conduct and leadership of SA Health and the SA Ambulance Service since you took over?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32):** I have addressed each of those. I have the confidence of the Premier of the state.

*Members interjecting:*

**The PRESIDENT:** Order! If the opposition doesn't wish to listen to this answer, then we will move on to the next question. The minister has the call.

**The Hon. S.G. WADE:** I have the confidence of the Premier of the state and I am happy to continue to serve.

#### **SINGLE TOUCH PAYROLL**

**The Hon. D.G.E. HOOD (14:32):** My question is to the Treasurer. Can the Treasurer update the chamber on the single-touch payroll figures for South Australia as released today by the Australian Bureau of Statistics?

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Wortley and other colleagues should remain silent. The Treasurer has the call.

**The Hon. R.I. LUCAS (Treasurer) (14:33):** These figures are hot off the press, hot to touch. I only just received them prior to question time, so I thank the hardworking public servants in Treasury. We always acknowledge the hardworking public servants, particularly those in Treasury. I am delighted to be able to report that—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The Leader of the Opposition is out of order.

**The Hon. R.I. LUCAS:** —on the key issues of jobs and wages, that is, incomes going into households, the sorts of issues that people in the Myer food court can relate to, the people who are out there—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —can relate to, jobs and wages, the sorts of things they want to talk about—I am delighted to see that—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —single-touch payroll figures—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition is out of order.

**The Hon. R.I. LUCAS:** —from the lowest point of the pandemic, which was 18 April—

*Members interjecting:*

**The PRESIDENT:** The deputy leader is not helping and neither is the Hon. Mr Hanson.

**The Hon. R.I. LUCAS:** —the increase in employee jobs in South Australia was a massive 10.5 per cent.

**The Hon. D.W. Ridgway:** How big?

**The Hon. R.I. LUCAS:** 10.5 per cent. The Australian figure was a mere—but still impressive—7.9 per cent. It does not reach the 'massive' descriptor. The next highest was Western Australia at 9.2 and, sadly, for understandable reasons, declining to an increase of 6.3 per cent in the Labor-managed state of Victoria.

I am delighted that in terms of jobs growth, from the pits of the pandemic, the middle of April, when we were most impacted, through to the most recent figures in February—a 10.5 per cent increase in jobs. The other important indicator, which I have indicated before—

*The Hon. J.E. Hanson interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson is out of order.

**The Hon. R.I. LUCAS:** —where both South Australia and Western Australia jostle with each other for the most impressive performance, is actually the change in employee wages. That is important, because wages are in essence a measure of the available income that households have got to spend or not to spend. Impressively, the two clubhouse leaders are again Western Australia and South Australia.

Australia's growth in employee wages since the bottom of the pandemic, the pits of the pandemic in mid April last year, was a 6.3 per cent increase, which is still quite impressive. South Australia's increase was 8.5 per cent, Western Australia at 9.5 per cent, so the two clubhouse leaders are South Australia and our comrades in the west, in Western Australia. The laggards in this particular measure, which is a critical measure in terms of what income households have got—

*Members interjecting:*

**The PRESIDENT:** The Treasurer is not being helped by loud conversations on his own bench. The Treasurer should continue.

**The Hon. R.I. LUCAS:** —was that Victoria, New South Wales and Tasmania all have increases less than the national average, with a 5 in front of it, and Queensland at 6.4, which is in and around about the national average. So wrapping that up, as I said, the issues that people outside this bubble that we inhabit for a number of days in a year—

*Members interjecting:*

**The PRESIDENT:** Order! The continuing conversations between the crossbench and the government backbench are not helping the Treasurer.

**The Hon. R.I. LUCAS:** Mr President—

*The Hon. C. Bonaros interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** The important issues of both employee jobs growth and wages growth show that on the most recent figures, talking about February this year—not going back into last year and historical records—the recent figures, the contemporaneous figures in terms of how the economy is going, show a very healthy South Australian recovery.

#### **STATE FINAL DEMAND**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:37):** Supplementary arising from the answer, talking about contemporaneous economic figures: is the Treasurer able to outline to the chamber, as of the figures released today, which state in Australia had the lowest growth in terms of state final demand, the figure that the now Premier used to use as the measure of economic activity?

**The Hon. R.I. LUCAS (Treasurer) (14:37):** Mr President—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** This is the point that I am making. The Labor Party likes to look back at the figures from last year, in the middle of the coronavirus pandemic. They are referring to state final demand figures from the December quarter, which are obviously from October, November, December last year. What we are talking about are in the last fortnight: February 2021. We will let the Labor Party live on the historical figures of last year. Good luck to them. They can luxuriate in the problems of the past but this government is all about the confidence and vision for the future. We are looking at what is happening now, not what happened last year. We are talking about the here and the now and the future and where this state is going to head, and under this government it has got an optimistic future.

#### **UNEMPLOYMENT FIGURES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:38):** Supplementary arising from the original answer: talking about the exact here and now—in fact in the last fortnight—can the Premier outline which state had the highest—

**The PRESIDENT:** The Premier?

**The Hon. K.J. MAHER:** Can the Treasurer outline which state had the highest unemployment in the nation, at 7.1 per cent, with the dubious honour of also having the lowest participation rate?

**The PRESIDENT:** That is really drawing a very long bow.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order, the Leader of the Opposition!

**The Hon. R.I. LUCAS (Treasurer) (14:39):** Mr President, the poor leader, he is so flustered he has referred to me as the Premier. As much as I might have perhaps been interested in the position 40 years ago, I can assure the Leader of the Opposition that I am not the Premier, and if he wants to direct a question to the Premier he should refer it to a colleague in the lower house.

#### **SUSTAINABLE AGRICULTURE**

**The Hon. M.C. PARNELL (14:39):** I seek leave to make a brief explanation before addressing a question to the Treasurer, representing the Minister for Primary Industries and Regional Development, about sustainable agriculture.

Leave granted.

**The Hon. M.C. PARNELL:** There was an issue that was largely missed, I think, by most media last month—although the *Victor Harbor Times* did pick it up—and that was the European Union's decision to impose a carbon price of potentially \$65 to \$140 per tonne on various Australian exports, which may include agriculture. The European Union has endorsed a carbon border adjustment mechanism which will basically penalise exports from countries that are not doing enough on climate change. My questions to the minister are:

1. What steps will the government take to ensure that South Australian farmers are not left behind because of the recalcitrance of the federal government in taking meaningful action on climate change?

2. Will the state government commit to supporting South Australian farmers in all sectors to transition to environmentally sustainable farming in order to help them avoid European Union and other jurisdictions' carbon adjustment fees?

**The Hon. R.I. LUCAS (Treasurer) (14:41):** I will be delighted to refer those questions to my colleague in another place and bring back a reply, but I'm sure, very quickly, the honourable member would acknowledge that his questions are being directed to the federal jurisdiction. I'm sure he would be quick to acknowledge the trailblazing work of this government in terms of acknowledging climate change and the many innovative policies our ministers are developing in recognition of that fact.

#### SA AMBULANCE SERVICE

**The Hon. T.T. NGO (14:41):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about ambulances.

Leave granted.

**The Hon. T.T. NGO:** The Ambulance Employees Association has said in recent days, and I quote:

There have been no additional ambulances deployed under the Marshall Liberal Government.

Despite Government claims, the last additional ambulances were deployed over 3 years ago back in 2018...funded by the previous Labor Government. The only staff hired since have replaced ambos leaving the service and topped up existing rosters.

My question to the minister is: how can the minister stand by claims from the Premier that the Liberal government has boosted the paramedic workforce?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** I am not sure how the explanation was linked to the question; perhaps I could assume that you meant to ask another question and answer that. In relation to whether this government stands by its commitment that we are investing in the—

*The Hon. E.S. Bourke interjecting:*

**The PRESIDENT:** The Hon. Ms Bourke!

**The Hon. S.G. WADE:** —Ambulance Service, let me remind you of some facts. In Labor's last budget, Labor budgeted a cut in the Ambulance Service, a cut in the SAAS FTE from 2016-17 and 2017-18: it was going to go down from 1,332 to 1,321. In the dying days of the Labor government a letter was written by the previous CEO of the South Australian Ambulance Service, Mr Jason Killens, dated 29 September 2017. He wrote:

We do not currently have the ability to provide sufficient capacity to meet demand and growing demand, and deliver the specified response times and quality standards.

So what did the former Labor government do? That was September and, a couple of months later, getting closer and closer to the election, they committed to funding 100 FTEs. That is pretty impressive, except that by the time the election came around only five of those positions had been filled. We do not take lectures from the members opposite in terms of resourcing the Ambulance Service.

But what I will admit—I want to be fair to those members opposite—is that the former Labor government did find enough money to fund 12 FTEs for the Ambulance Service so that when they

downgraded the Modbury Hospital, under their failed Transforming Health experiment, they were able to have an interhospital transfer service from the Modbury Hospital to the Lyell McEwin Hospital. If you want to brag about your record, go for your life. What I can tell you is that the—

**The PRESIDENT:** I am not bragging about my record. I am sure you are referring—

**The Hon. S.G. WADE:** But your record is more braggable than theirs. Let's not take the Hon. Tung Ngo's explanations as any source of authority; let's go to the Auditor-General's Report. The Auditor-General's Report says that from the beginning of July 2018 to June 2020 there was a net increase of 187 FTEs. Unlike the Labor budgets of 2016-17 and 2017-18, in the current financial year this government is budgeting for a 5.1 per cent increase in staffing.

We will continue to invest in the Ambulance Service, including in resources, but, as the Treasurer said, we have a sacred duty to make sure that taxpayers' money is deployed effectively. That means we make sure that every dollar that is currently being spent is being spent as effectively as possible and that every new dollar is also spent as effectively as possible. That is why we insist that all public sector employee organisations representing public sector employees work with us, to make sure that we deliver both quality services and sustainable services.

#### SA AMBULANCE SERVICE

**The Hon. K.J. MAHER (Leader of the Opposition) (14:45):** Supplementary arising from the answer: in terms of the budget for ambulance services, is it more correct to say that there has been a \$23 million decrease or an \$11.5 million decrease over the last two years for SA Ambulance?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46):** I would be interested to know your sources. What my sources tell me is that the Marshall Liberal government has increased the SAAS budget by 25 per cent since Labor's last budget.

#### YOUTH JUSTICE SERVICES

**The Hon. N.J. CENTOFANTI (14:47):** My question is to the Minister for Human Services about youth justice. How is the Marshall Liberal government providing culturally responsive services for Aboriginal young people in custody?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:47):** I thank the honourable member for her question. There is indeed a lot of work going on through the youth justice programs, particularly the Kurlana Tapa Youth Training Centre at Goldsborough Road. To outline in general terms some of the works and changes to our service delivery taking place there, we had a trial of combining all the young people onto the Goldsborough site, and that has now concluded.

We did that because the Jonal Drive campus is outdated and makes it difficult to deliver a therapeutic service. We believe that expanding the Kurlana Tapa Goldsborough Road campus will improve services for all young people on that campus. Honourable members may be aware that in the last budget we allocated \$18.7 million over three years to consolidate the youth services.

We will be delivering a new 12-bed accommodation unit, a new eight-bed police custody unit to ensure that children and young people awaiting court appearances will be accommodated separately from children and young people during periods of remand or sentence detention, a new classroom space to enable education requirements to be met with all population cohorts on site, and an extended visiting space to support children and young people having time with families and visitors. During this period, the Jonal Drive campus will continue to remain active. That will support all the young people at the training centre.

It was my great pleasure last week to be able to be present for the unveiling of the new Aboriginal Cultural Trail and Connection Space, which was something that was part of our youth justice plan. The design was developed in very close consultation with Aboriginal elders. It includes a range of natural elements and totem poles and the water space. It will be a place that we know will be greatly valued by all people who are using that site. We are also anticipating that it will be a place where the Aboriginal elders can get together with young people to connect with them.

We were very grateful for Major Sumner, also known as Uncle Moogy, who did his Welcome to Country, followed by a smoking ceremony and dance. I had the opportunity to speak. Nobody laughed at my joke when I said I wasn't about to audition for *So You Think You Can Dance*, because



I knew that I couldn't, but we did enjoy participating in the dances we were invited to, including with some of the young people who are in the training centre.

There is also going to be an outdoor theatre, which will make it a much more welcoming space—much more normalised for young people there. As we go forward, we look forward to further works that will improve the amenity for the people, both resident there and working there.

#### AGED-CARE CCTV

**The Hon. F. PANGALLO (14:50):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about CCTV cameras in aged-care facilities.

Leave granted.

**The Hon. F. PANGALLO:** On Monday, the federal government released the final report on the Royal Commission into Aged Care Quality and Safety. After three years of hearing harrowing and deeply disturbing evidence of abuse and neglect in aged-care homes across the country and receiving thousands of submissions, it came up with 148 recommendations.

While we welcome many of the recommendations, we are staggered that the role that CCTV cameras could play in protecting aged-care residents was virtually ignored, and we are not alone. Noleen Hausler—who covertly filmed the horrifying assault of her father, Clarence, aged 89, in an aged-care facility—is also deeply disappointed, along with Oakden whistleblower and prominent aged-care advocate, Stewart Johnston.

The commission's very foundations were made on the back of disturbing vision taken from hidden cameras of aged-care residents being abused and assaulted in their bedrooms by people who thought they weren't being watched—yet not one mention in the royal commission's final report. My question to the minister is:

1. Are you surprised by the royal commissioners' decision to virtually ignore CCTV technology and the role it can play in not only protecting aged-care residents but also improving the general safety of residents and lifting the standard of care?

2. Does this give the government an out with not proceeding with having CCTV cameras installed for the residents of state government-operated aged-care facilities?

3. Can the minister give us an update on the latest in the trial of CCTV cameras?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53):** I thank the honourable member for his question. With all due respect, I am not going to comment on what the aged-care royal commission should or shouldn't have included in its report. Certainly, the observation that the honourable member makes is consistent with my advice, which is that whilst there is some mention of CCTV through the volumes of the report, there is no specific reference to the SA Health CCTV pilot.

In response to the honourable member's particular question, this government is not looking for an out. We are committed to the CCTV pilot, and in that regard my understanding is that the pilot is progressing and that it will be a value-add in accordance with the government's commitment. There will be two SA Health-operated residential aged-care facilities that will be involved, and we are working closely with residents and their support networks throughout the project because it is particularly focused on assessing the trial from both the staff's point of view and also that of the residents and their families.

In terms of things the commission did refer to, it was noteworthy in their final report, volume 1, page 27, that they said:

After years of critical reviews, it took the Oakden catastrophe in South Australia to expose again the cracks in the aged care system. Over the two years of our inquiry, we have catalogued the failures of the system, shining a light on the egregious abuse, mistreatment and neglect that we discovered.

In that regard, it was my privilege last week to be present at the opening of the neurobehavioural unit at the Repat hospital. The neurobehavioural unit at the Repat hospital is a repurposed facility which, as an aside, was to be demolished under the former Labor government's proposal to sell off the Repat. That former ward 18 has been secured as the base for the neurobehavioural unit. I was

delighted to see the fruit of the labour of the SA Health design team working in a co-design way to deliver a facility that would support older South Australians with mental health issues, particularly with the most severe behavioural and psychological symptoms of dementia.

It was a privilege to catch up again with Barb Spriggs and her son and also with Stewart Johnston. I refer honourable members to comments that Mrs Spriggs made on 2 March. She said:

I think already a lot has changed with the royal commission from when it started. Things have started to improve in aged-care facilities and I think the government are listening to what needs to be done, and maybe I can say I was privileged to go to the opening of the Repat last week and it comes across quite clearly that the government has been listening to what needs to be done in taking care of vulnerable people, because they are putting a lot of things already in place at the Repat, so I am hoping all of these things can be implemented right through our aged-care facilities.

We need to be clear that the task before us is huge. The royal commission has given us a substantial body of work. It will be a responsibility not merely of the federal government but also of the state government and our partners in the not-for-profit sector and the wider aged-care sector to step up to the challenge.

In that regard, I let the house know that the national cabinet has already indicated to the national cabinet health reform committee that one of its areas of focus that it wants the health reform committee of national cabinet to focus on this calendar year is aged care, and my understanding is particularly the response to the royal commission report.

I note the observations that the honourable member has made in relation to CCTV. I've got no doubt that the pilot this government has underway and is committed to will provide valuable insights that we hope will play their part in promoting quality and safety for the residents of aged-care facilities.

**The PRESIDENT:** The Hon. Mr Pangallo has a supplementary.

#### **AGED-CARE CCTV**

**The Hon. F. PANGALLO (14:58):** In relation to that response, minister, can you tell me: has the actual pilot started, have the cameras been installed, have the providers also selected a group or an organisation that will monitor the vision, and who is that organisation?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58):** I will certainly come back on notice with details, particularly if I am not up to date with the latest information. My understanding is that the cameras, the infrastructure, if you like, is installed. If it is not finally fully installed, it is not far off. In terms of the remote monitoring of the devices, my understanding is that our partner does have that entity engaged. I will certainly take on notice the details and provide them to the honourable member.

#### **SA AMBULANCE SERVICE**

**The Hon. R.P. WORTLEY (14:59):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding ambulances.

Leave granted.

**The Hon. R.P. WORTLEY:** When questioned yesterday about the ICAC commissioner and the Commissioner for Public Sector Employment not taking further action on public comments by ambulance officers, the minister launched into an alarming tirade, yelling, and I quote, 'It's a breach of the law.' It was quite a disturbing rant. My questions to the minister are:

1. Has any ambulance officer been referred to SAPOL for investigation linked to their public comments about ramping?
2. Why is the minister throwing such vitriol at frontline health workers and mocking them under the protection of parliamentary privilege?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:00):** I thank the honourable member for his question. My comments were clearly in relation to a breach of patient confidentiality, which is a breach of legislation. If the Labor Party wants to say that their union mates, the Ambulance

Employees Association, and for that matter any member of the Ambulance Service, are free to ignore the law and breach patient confidentiality, I would ask them to think again.

#### **PATIENT ASSISTANCE TRANSPORT SCHEME**

**The Hon. T.J. STEPHENS (15:00):** My question is to the Minister for Health and Wellbeing.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order!

**The Hon. T.J. STEPHENS:** Can the minister update the council on what the government is doing—

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the Hon. Mr Stephens. Please start again.

**The Hon. T.J. STEPHENS:** My question is to the Minister for Health and Wellbeing. Can the minister update the council on what the government is doing to support South Australians in the regions to access health services beyond their region?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** I thank the honourable member for his question. The Marshall Liberal government is committed to ensuring that all South Australians can access the health care they need. We are delivering on that commitment by strengthening the way we assist regional people who have to travel away from their local community for specialist medical services.

Through the Patient Assistance Transport Scheme, subsidies are provided to assist South Australians who must travel more than 100 kilometres each way to access a medical specialist service not available locally. PATS subsidies contribute to the cost of a patient's accommodation and travel. This government has introduced several important changes to PATS over recent years to make it both more flexible and more accessible for regional patients. Those changes were made in direct response to feedback received from country South Australians and often through their local members of parliament.

The changes have been made in response to feedback we received about the difficulties people were experiencing in applying for a subsidy and the overly complicated guidelines that determine someone's eligibility to receive support. As a result, a range of information materials has been uploaded to a new, refreshed PATS website. These resources include a direct link to an online portal, which allows users to easily submit their claims and find essential information about accommodation providers and transport options.

There is a new online calculator tool, which allows patients to calculate the distance they travel to their treatment site and displays the amount of fuel subsidy they will be eligible for. Instructional videos explain the scheme and provide an overview on how to lodge a claim online. Improvements such as these are making it quicker and easier for thousands of eligible patients, patients such as Waikerie man Barry Harden, who was unexpectedly diagnosed with stage 4 cancer two years ago. Barry and his wife travel about 270 kilometres to Adelaide each fortnight for specialist care. They say PATS has been very helpful to them and that it has taken the pressure off them financially. For them, it is easy to apply for subsidies, which has taken away some of the stress involved in the logistics of travelling for medical treatment.

The website complements other recent improvements to PATS, including the broadening of the scheme so that a patient's family or carer is eligible for subsidies in the case of an emergency retrieval. Patients can now use Airbnb and similar platforms for their accommodation and patient carers or escorts can work interstate and still receive subsidies if the patient has had to travel for treatment.

It is important that patients and their loved ones are able to easily access travel support and receive subsidies in their time of need, and these latest improvements provide better care and a more streamlined system for patients travelling for treatment. I look forward to updating parliament further as we continue to improve PATS for regional South Australians.

### KEITH AND DISTRICT HOSPITAL

**The Hon. C.M. SCRIVEN (15:04):** Supplementary arising from the minister's answer where he talked about people having to travel long distances for care: has the minister now provided the funding needed by the Keith hospital so that they can provide emergency department care close to people's homes in Keith?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04):** That question, I suspect, has absolutely nothing to do with PATS because I doubt if anybody travelling to Keith is travelling more than 100 kilometres, and for that matter it's not a public hospital. I think it's important to make that point: it's a community hospital—a much treasured community hospital. This government is continuing to have positive discussions with both the local health network and the Keith hospital board. The funding for the Keith hospital is committed right through to the middle of this year, and we will make further announcements in terms of the strategy going forward in due course.

### KEITH AND DISTRICT HOSPITAL

**The Hon. C.M. SCRIVEN (15:05):** Supplementary: when will the emergency department reopen at the Keith hospital?

**The PRESIDENT:** I think the minister was very generous. I won't allow that supplementary. Unless the minister badly wants to answer it, I'm going to move to the Hon. Ms Franks.

### REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE

**The Hon. T.A. FRANKS (15:05):** I seek leave to make a brief explanation before addressing a question to the Treasurer as Leader of the Government in this place on the topic of the Review of Harassment in the South Australian Parliament Workplace.

Leave granted.

**The Hon. T.A. FRANKS:** It is a very brief explanation. We all know that the report has now been given to the presiding members. We all know that this Review of Harassment in the South Australian Parliament Workplace will involve not just the parliament but indeed leadership from political parties, so my question to the Treasurer is what leadership will he now enact to ensure that crossbenchers and other members of political parties other than the government are involved in fixing the mess that we find ourselves in?

**The Hon. R.I. LUCAS (Treasurer) (15:06):** I'm sure I join with all members in saying that there were some distressing claims outlined in the report that we all received yesterday. I think the Premier and the Deputy Premier, in terms of leadership from the government, are taking (have taken and are taking) the lead in relation to the government's response to the report. They have certainly outlined this morning, as I understand it, a clear path—that the government will consider those decisions for which it has responsibility.

There are some that the parliament has some responsibility for in terms of its responsibilities, and there is I think one particular recommendation which is actually a responsibility for the political parties. So that's a responsibility for the Greens and SA-Best, and the Labor and Liberal parties in terms of a political response. I'm delighted to be able to indicate that I believe, whilst it's not referred to, that the party which has demonstrated through its organisation that it has already established procedures for distressing claims such as those outlined is indeed the Liberal Party.

There were significant changes instituted nationally last year, and they were instituted in South Australia during last year for the Liberal Party organisation as a result of other concerns that had been expressed initially at the federal level I think, but in other states and territories as well. So I think there is a collective shared responsibility for a range of groups, organisations and political parties.

I will join with my leaders—the Premier and the Deputy Premier, and indeed my ministerial colleagues and others—in participating in the government response and also being a party to the parliamentary response. There are one or two areas where, as Treasurer, Minister for Industrial Relations and Minister for the Public Sector, I have—specific responsibilities may be too strong a word—certainly a very specific involvement.

One recommendation was in relation to SafeWork SA, so I have had a meeting this morning with the leadership of Treasury outlining the various recommendations which might impact on units or divisions within my portfolio of responsibilities. Each of those divisions or units need to read the report and provide advice to me as Treasurer in relation to options to respond.

Clearly, Electorate Services is a division within Treasury currently. I think previously it was within the Department of the Premier and Cabinet at one stage under the former government. It's now within Treasury and therefore there are a range of recommendations that relate to practices they engage in on behalf of members and staff in electorate offices, and also staff in the Legislative Council offices in Parliament House.

Also, the Commissioner for Public Sector Employment will potentially have a role. She reports through to me, although she is obviously an independent officer, in relation to issues that might relate to the Public Sector Management Act or the Public Sector Code of Ethics. Those types of issues are areas that she is actively engaged in as well.

I can assure the honourable member that I, as one member of the government, and collectively, as the Premier speaks on behalf of us all, we take the report seriously. In relation to the recommendations, we will need to see the practicality of how some of the recommendations, if they are agreed by government and/or the parliament, might be implemented.

That will be a challenge, but it is ultimately a decision, as I said, firstly for the government in relation to a small number of the recommendations, and then the parliament, which will obviously involve a government view but also the views of the opposition and crossbench parties in terms of coming to a landing on those areas which are the responsibility of either house of parliament or collectively of the parliament as a whole.

#### HOUSING SAFETY AUTHORITY

**The Hon. J.E. HANSON (15:11):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding housing improvements.

Leave granted.

**The Hon. J.E. HANSON:** On 17 February 2021, the Housing Safety Authority issued an order for the owner of a private rental property to deal with 'high levels of methamphetamine' and 'dangerous levels of phosphorous'. The order gives the landlord six months, until 17 August, to comply with the order. The home is currently being rented by a retiree couple who have contacted the minister's office and many other government agencies seeking help. My questions to the minister are:

1. Why haven't you exercised your powers under the act, powers that only the minister holds, to issue a rent control order so that the tenants aren't required to pay rent on a home that they can't live in and that your own agency has declared to be dangerously contaminated with drugs and chemicals?

2. Have you even issued a preliminary notice under section 25 of the act?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:12):** I thank the honourable member for his question. The particular case that he has outlined to me is not one that I am familiar with, so I will take that on notice and seek a response from my agency and bring it back.

**The PRESIDENT:** The Hon. Mr Hanson, a supplementary. It's a bit tough to get one out of that but I will listen to you.

#### HOUSING SAFETY AUTHORITY

**The Hon. J.E. HANSON (15:13):** Will immediate steps be taken to issue a rent control order and ensure that no rent is payable until the issue is resolved?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:13):** I appreciate the level of seriousness that the member has outlined in his original question as something that will get my office's urgent attention, and any appropriate steps will follow on from there.

### HOUSING SAFETY AUTHORITY

**The Hon. K.J. MAHER (Leader of the Opposition) (15:13):** A further supplementary: will the minister also bring back to the house very quickly an answer as to if, and if so on what date, the minister has been written to about these matters?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:13):** I am not sure that that's particularly relevant but I will bring back a response of some sort.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Maher is out of order.

**The Hon. J.M.A. LENSINK:** The Leader of the Opposition infers and makes slurs on the staff who work for me, who are very diligent—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order!

**The Hon. J.M.A. LENSINK:** —and I am sure that they would have taken urgent steps. I know that on a range of occasions, as soon as we receive correspondence, we action things immediately. I have undertaken that I will take this question on notice and bring back a response.

### REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE

**The Hon. C. BONAROS (15:14):** I seek leave to ask you a question, sir, in relation to the report handed down yesterday by the Equal Opportunity Commissioner.

Leave granted.

**The Hon. C. BONAROS:** My question is: will you confirm whether you are intending to postpone the findings of your review into the standing orders in light of the review handed down yesterday by the Equal Opportunity Commissioner, in order to give due consideration to the findings in that report?

**The PRESIDENT (15:15):** I will respond to the honourable member by saying that there is a meeting of the Standing Orders Committee scheduled for, I think it is, 12 March. That meeting is in response to the submissions that were sought from members of parliament late last year, if members would remember that. That meeting will continue.

Obviously, the matters you have raised—and I think the Treasurer has raised—are matters for all of us to consider in various forms. There are a number of recommendations that relate particularly to the parliament, and I will be working with the Clerk and with the Speaker and the Clerk of the House of Assembly in those areas that are pertinent to the workings of the parliament, and obviously the government is taking up some issues.

However, if there are matters specifically relating to standing orders that the member would like the next meeting of the Standing Orders Committee to consider, then I would appreciate if she would provide them to me in due course.

### REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE

**The Hon. C. BONAROS (15:16):** Supplementary: there are indeed questions or issues that I would like you, Mr President, to consider, but more specifically I would like consideration of the issues that were raised by the commissioner in relation to the standing orders and have been highlighted in the report that was handed down yesterday.

**The PRESIDENT (15:16):** I really have nothing to add, other than what I have just said, but I am happy to have a conversation further with the member before the meeting of the Standing Orders Committee.

### SHOP TRADING HOURS

**The Hon. D.W. RIDGWAY (15:17):** My question is to the Treasurer. Will the Treasurer please explain why retailers at some centres, like Harbour Town, are calling for greater freedom of retail trading hours on public holidays?

**The Hon. R.I. LUCAS (Treasurer) (15:17):** I am delighted to be able to respond to that question.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition is out of order.

*The Hon. E.S. Bourke interjecting:*

**The PRESIDENT:** And so is the newly promoted frontbencher. The Hon. Ms Bourke needs to be quiet. The Treasurer has the call.

**The Hon. R.I. LUCAS:** Thank you, Mr President. The debate in relation to greater freedom of choice in retail trading hours has been dominated for the most part by claims and counterclaims in relation to the operation of supermarkets in South Australia. That is an important—

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. E.S. Bourke interjecting:*

**The PRESIDENT:** Order, the Hon. Ms Bourke!

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The Leader of the Opposition! We will move on to the next question if you don't want to listen to the answer. The Treasurer has the call.

*Members interjecting:*

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! The Treasurer will resume his seat.

*The Hon. R.P. Wortley interjecting:*

**The PRESIDENT:** I do not need any assistance from the former President, the Hon. Mr Wortley. The Treasurer, I am sure, is going to address the topic, knowing that the time is running out for questions. I call the Treasurer.

**The Hon. R.I. LUCAS:** There is another important element of the greater freedom of choice in terms of retail trading hours, which is not often highlighted and it should be, and that is that there is a significant element of the retail community that are not supermarkets but are retail trading outlets which, because of our antiquated, dog's breakfast shop trading laws, if they happen to be greater than—

*The Hon. E.S. Bourke interjecting:*

**The PRESIDENT:** Order, the Hon. Ms Bourke!

**The Hon. R.I. LUCAS:** —200 square metres in terms of their shop trading space, they are not entitled to trade on public holidays.

**The Hon. E.S. Bourke:** How many people have actually asked you?

**The PRESIDENT:** Order, the Hon. Ms Bourke!

**The Hon. R.I. LUCAS:** For example, if you are a Cotton On or if you are a Sheridan (linen) or if you are a sports outlet and you happen to be 210 square metres in terms of shop trading space, the laws say that you can't trade on a public holiday—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —in places like Harbour Town. If you go down to Harbour Town, as indeed I have over past years, there are in some of the outlets signs which say, 'Due to state

government restrictions we can't trade today,' because in some of these cases they happen to have committed the sin of being 210 square metres, and they can't trade.

The decision the government has taken for this coming Monday, Adelaide Cup holiday, will mean that some of these outlets, if they choose to do so and if the workers are prepared to work—I can assure you there are shoppers who want to shop—will be able to open on Monday for the first time ever probably on a public holiday to be able to trade and to allow people to shop and to spend the money that they might have sitting in their pockets as a result of their ongoing employment because of the economic recovery here in South Australia.

*Matters of Interest*

**CROATIAN EARTHQUAKE APPEAL**

**The Hon. D.W. RIDGWAY (15:21):** Today, I rise to speak about the generosity of South Australia's Croatian community and its fundraising efforts to assist with Croatia's recent earthquake and its recovery. In late March 2020, a 5.5 magnitude earthquake hit Croatia's capital city, Zagreb, and it has since been followed by persistent waves of other dangerous earthquakes over the last year.

Nine months after the March shockwave, on 29 December 2020, an earthquake reaching 6.4 on the Richter scale destroyed the towns of Petrinja, Glina and Sisak. These earthquakes have devastated Croatia's already floundering post-COVID economy, and the city has never really fully recovered from the first quake, let alone those that followed.

The Croatian earthquake appeal supports the three towns left in rubble by providing generous monetary donations to the thousands left homeless, the dozens wounded and the friends and families of the seven people who were killed. The donations are helping rebuild hospitals, homes and schools from scratch. The Croatian government has opened a state treasury account with the advice for all donations to be organised via the European civil protection operation to avoid generous donors being scammed by fake accounts.

UNICEF is one of the largest hands-on contributors to the earthquake recovery in Croatia; however, a report released in February of this year announced that there is still at least a 60 per cent shortfall in resources required, and it estimates that over \$1 million still needs to be raised in order to give basic assistance to these communities.

In our state, from the first records of Croatians settling in South Australia in 1854 to the current total of about 10,000 Croatians now living here, the Croatian community has become an integral part of our state, building our economy and our state's rich cultural heritage.

The Croatian South Australian community has become well known for its successful impacts, such as its nationally successful soccer team, the South Australian Raiders; the huge cultural impact of the Croatian Ethnic School, which is the oldest Croatian school in Australia; the Lenek folkloric dancers; the world-leading Croatian-led tuna industry in Port Lincoln; and of course the annual Croatian Festa, which raises thousands of dollars each year for the local community. Croatian South Australians have played a visible, substantial role in South Australia's society, cuisine and economy.

South Australians have traditionally been generous with donations and, despite the recent coronavirus pandemic, South Australians have been rightly recognised for their commendable community spirit and generous public consideration. This was demonstrated at an event held on Sunday 14 February at the Croatian Sports Centre, which was attended by the Croatian ambassador, Ms Betty Pavelich, and also two of my Legislative Council colleagues, the Hon. Jing Lee and the Hon. Terry Stephens. It was lovely to see that the Mount Gambier Croatian community contributed some \$25,000 to the local Croatian effort.

I want to thank the Hon. Terry Stephens and the Hon. Jing Lee for their effort in making that fundraiser successful. These funds will go to rebuilding a country that is now home to 10 UNESCO World Heritage sites and whose immigrants have helped build this state. I would also like to thank those who have already donated, no matter how great or small, as each donation contributes to the rebuild, ranging from basic items such as toothbrushes to rebuilding roads and infrastructure. These individual donations have kept Croatia surviving not only through a year-long



array of violent earthquakes but through the global pandemic. I can only imagine how tough the reality is for people waking up every day who have lost their homes and their loved ones.

For this reason, I cannot stress enough the importance of the Croatian Earthquake Appeal, as we in South Australia are lucky to be in a position to provide and not ask. This appeal is close to my home and my heart, as one of the very first functions I attended as a member of parliament some 19 years ago—I think with the Leader of the Opposition at the time, the Hon. Rob Kerin—was a Croatian community event. Therefore, I really do think that I have made some great friends in the Croatian community, and I encourage members to support this appeal.

I would like to extend my condolences to the Croatian community of South Australia who have surely been affected in one way or another by these devastating earthquakes and to reaffirm the support of the Marshall Liberal government to all South Australians who may be experiencing a state of disaster in their countries of origin.

### COUNTRY PRESS SA AWARDS

**The Hon. K.J. MAHER (Leader of the Opposition) (15:25):** I rise today to speak about the Country Press SA Awards held in Clare last Friday—and, sir, when you have been here for a very long time you have heard a few of these speeches about the Country Press Awards over the years.

The awards were hosted in Clare last Friday by the Country Press SA President Mr Darren Robinson, and the MC for the evening was Ian Osterman from *The Courier*. It was an excellent evening and I was delighted to be joined at the awards by other members of this chamber: my colleagues the Hon. Clare Scriven and the Hon. Emily Bourke—fellow shadow ministers in this place—and of course you, sir. You are a fixture at these awards and have been for many years. It is pleasing to have colleagues like the Hon. Clare Scriven, who has a long association with the South-East and who appears regularly in country newspapers in that area, and also the Hon. Emily Bourke, who previously, I think in her earlier days, had a budding young career at the *Yorke Peninsula Country Times*.

Of course, you, sir, have sponsored awards and have attended at these awards many times and have spoken in this chamber on numerous occasions about these awards and their importance. It was also pleasing to be joined by a few members from the other chamber. I do not think there were as many from the House of Assembly as there were representing this chamber at the awards, but of note was the Leader of the Opposition in the other place, the member for Croydon, Peter Malinauskas. The Leader of the Opposition has for a couple of years now sponsored an award, the Best Front Page Award, which this year was won by *The Courier* from the Adelaide Hills.

I note, Mr President, that you have sponsored an award—since 2002 perhaps—the Best Community Profile, which this year was won by *The Leader* from the Barossa. *The Courier* also won three other awards: Best Advertisement (Image/Branding), Best Sports Photograph, and Best Sports Story. *The Leader* also won the Best Supplement, backing up its win in 2019; Best Advertisement (Priced Product); Best Advertising Feature; and Best Photograph and Excellence in Journalism, to bring their total to six awards for the night.

The *Yorke Peninsula Country Times* won Best In-house Ad. The major awards of Best Newspaper over 4,000 circulation and Best Newspaper under 4,000 circulation were won by the *Murray Pioneer* and the *Plains Producer* respectively. The *Plains Producer* also picked up Best News Photograph. *The Bunyip* from Gawler won the rest of the awards that night, as you well know having been one of the representatives, along with three Labor members, who were there from this chamber.

The awards were: Winning Editorial Writing; Best Headline, for the second year in a row for *The Bunyip* after winning it last year; Best Road Safety Reporting; and the Young Journalist of the Year, Sara Gilligan from *The Bunyip*, after being runner-up in 2019. As was noted on the night, it has been a particularly difficult year for many in society but particularly for country newspapers. The global pandemic that has caused so much uncertainty has meant tough times in many regional areas, and that has also been reflected in regional newspapers.

In Mount Gambier, *The Border Watch*, which was 159 years old last year and took out many awards that year, shut down in August, but fortunately the paper was saved and reopened a few months later. I might pay tribute to *The Border Watch*, having grown up in Mount Gambier. My first

paid employment was riding my bike around the City of Mount Gambier a couple of times a week throwing out rolled up *Border Watches* from my backpack as a paper delivery person.

It was also pleasing to see the Deputy Prime Minister, Michael McCormack, in attendance at the Country Press Awards. He grew up in Wagga Wagga in regional New South Wales, and after leaving school started at their local paper, *The Daily Advertiser*, where at the age of 27 he was one of the youngest newspaper editors in Australia.

Interestingly—the Deputy Prime Minister mentioned it—he was sacked in 2002. The Deputy Prime Minister showed the power of organised labour when he was sacked at *The Daily Advertiser* in Wagga, after organised labour saw more than 20 journalists and photographers and other editorial staff stage a walkout in protest at the dismissal. It ultimately resulted in the Riverina Media Group settling an unfair dismissal claim. The power of organised labour was shown by none other than our Deputy Prime Minister. In closing, I would like to congratulate all those in the country press and the Country Press Awards.

### SUPERLOOP ADELAIDE 500

**The Hon. T.A. FRANKS (15:30):** I rise to speak about the Adelaide 500. I rise, noting that Adelaide has long had a car race. The Formula One car race, which as we know was stolen by the Victorians, was last held in 1995. The then state government struck a deal to stage a Supercars race in 1999, and indeed in 1999 the sensational Adelaide 500 was held. That first race meeting on the Adelaide street circuit since the Grand Prix was something to be welcomed, but it seems that some parties in this parliament want us to party like it is 1999. I have news for you: it is no longer 1999 for the Adelaide 500.

It does seem to me that this is more about politics than it is about practicality. In the budget bill debate, the member for Hurtle Vale, I believe, exposed Labor's commitment to bringing back the Adelaide 500 to our streets when, noting that there were 300-odd people out on the front of the Parliament House steps on a previous Saturday, she said:

Having run a marginal seat on nine votes whose constituents are front and centre and in love with the Clipsal, I just want to give bit of advice to the member for King. I know your electorate is front and centre, top of the tree in love with the Clipsal as well. King is a seat that loves its car racing. I think you need to do some work behind the scenes—

said the member for Hurtle Vale to the member for King—

otherwise your people are going to let you know all about it. We love our cars in the deep south, and I know that King is the same. I think we need to see a bit of work there—otherwise it will be a gift, thank you very much.

That is it. That is Labor's strategy for the seats in the north-east. They believe that bringing back a car race that has had its heyday—and, as Ian Horne from the AHA has said, has certainly 'come off the boil'—is going to win them north-eastern seats. What it will do is lose them the seat that the Labor Party say they need to win to take government, and that is the seat of Adelaide. I note that, while the member for Hurtle Vale may think that the residents of King want to see a car race in the city, the residents of the city sure as hell do not want it back.

Indeed, Zoe Bettison's, the shadow minister for tourism's, own FOIs could tell the Labor Party that, because that actually revealed that the south-east city residents have long lobbied for the car race to be removed from the City of Adelaide. When I came to this place, I campaigned on a platform of moving the car race down to Gillman. Indeed, a Port Adelaide street race would create far fewer traffic hassles in the city and have far less disadvantage for the other events that we currently have and have previously had on at the same time, such as the Fringe and the Festival.

Who cannot remember that Jay Weatherill, as Premier, had to get on the phone to stop the noise of the car race drowning out the opening night of the Festival, our premier event Why are we having events clash with each other, to the detriment of both?

My other warning to those Labor aficionados who have gone off and signed an MOU and signed away our rights on this—saying that they will bring back the car race to the streets of Adelaide, no matter what—is in the words of the YWCA, which spoke about its ongoing work when the car race was held, with the sexual harassment and the rise in violence against women on our streets during the Adelaide 500 events, whether they were sponsored by Clipsal or whether they were sponsored by the Superloop or whether, as we know, they could not find a sponsor at all.

I also remind members of the Labor Party about their own former minister, minister Bignell, who noted that the car race was dying and invested all his efforts in attracting Robbie Williams to save it, throwing away tens of thousands of free tickets each year, year in year out, to volunteers from the CFS and the like and bringing in bigger and bigger acts, all at an expense to the South Australian public, to save what has had its day. It is no longer 1999. We do not party like it is 1999. We need a car race that suits the times. Indeed, we need a Labor Party that is honest—if they are trying to capture votes in King, that they will not do so to the detriment of the citizens of Adelaide.

### **COUNTRY FIRE SERVICE VOLUNTEERS**

**The Hon. N.J. CENTOFANTI (15:36):** I rise today to discuss the invaluable role CFS volunteers have in protecting the lives and livelihoods of people in this state. There is no single body that commands from the top down in Australia when it comes to bushfire prevention and response. The lowest form of government that can deal with the issue should do so—that is the way things are organised, with a large degree of success.

There are many local variables in a bushfire emergency, knowledge of which is indispensable. Fire behaviour can change considerably, depending on the surrounds. This is where the local CFS prove their worth many times over. Having a response team that lives, trains and works in the area is a clear example of the phrase 'home ground advantage'. They know where the dwellings and outbuildings are, where the fire is best fought and where it can get out of control. There is no hyperbole when it is said that our system of bushfire response and prevention cannot function without them.

This brings me to speak of the Black Summer fire season of 2019-20. Simultaneous fires in extreme conditions caused a summer that rattled our nation. In South Australia, we tragically lost the lives of three of our own. As we know, nearly 279,000 hectares were burnt, affecting both our economic and natural prosperity. While it is right to grieve and feel anger over these losses, we should take time to be grateful for the work of our CFS and their vital role in preventing further losses. Over 1,300 properties were saved with their intervention. Their full value to our community could only ever be understood in their absence, which we are thankful we do not know.

As a government, we have committed \$97.5 million to bushfire preparedness. With that funding, volunteers will see new equipment and better technology in battling future fire dangers. As noted in the Keelty report commissioned by this government last year, the relationship between volunteers, salaried staff and state agencies is central to success in managing bushfires.

This horizontal, whole society approach also includes preventative measures taken by private land managers. The most common preventative measures are collectively known as hazard reduction, which includes prescribed burns or mechanical clearing of vegetation. Vegetation build-up poses obvious risks of readily available stores of fuel, allowing for spotting and increased intensity of fires. In the report, hazard reduction was first in the top 10 themes mentioned in submissions.

The second most raised theme was community education, but public awareness and education about fuel management is also a noted issue. This comes up in the royal commission into natural disasters, also created following the 2019-20 fire season. It is unsurprising that the subject has a polarising tendency and misconceptions follow. Much of the public would like to see more done by the government in terms of fuel management, and we are delivering on that.

We have committed \$37 million to the Department for Environment and Water to further manage hazard reduction, the aim being to increase the number of prescribed burns by 50 per cent in the coming years. However, that is only one part of what needs to be a wider response.

Whilst the public has the reasonable expectation that the government manages its land in accordance with bushfire preparedness principles, less is known about how much land is privately owned. In the Mount Lofty Ranges area, for example, only 39 per cent is government managed, with the remaining 61 per cent managed by private landowners. To fully embrace the whole society approach to prevention, preparedness and battling of bushfires, more needs to be done to raise awareness about people's rights to fuel management procedures on their property.

Adopting an approach like that of the New South Wales Rural Fire Service and their 10/50 vegetation clearing scheme would go a long way to simplifying hazard reduction on private

property. There, land managers can clear trees within 10 metres of their home and underlying shrubs and vegetation within 50 metres without the need for approval. While exceptions to this are outlined in the code, land managers in New South Wales are now generally able to take some unilateral action to safeguard their property.

Having a like code in South Australia, underpinned by community education, would go the distance in adding to our fire preparedness and safety. The vast number of private land managers would be enabled to further secure their property and, in doing so, assist in what is a shared effort when reducing bushfire risks in Australia.

### **AGED-CARE CCTV**

**The Hon. F. PANGALLO (15:40):** The Royal Commission into Aged Care Quality and Safety has failed the very people it was meant to protect: vulnerable elderly people in aged care. While I welcome many of the commission's divided recommendations, I am staggered it ignored the use, or even a trial, of CCTV cameras in the bedrooms of aged-care residents, and I am not alone.

Noleen Hausler, who covertly filmed the horrifying assault of her father, Clarence, in an aged-care facility, is bitterly disappointed. Noleen said in 2015 that a royal commission was not needed. Here is Noleen's response to the commission's findings. I quote:

I said the billions that would be spent on the Commission would be better spent on employing nurses and installing CCTV cameras in residents' bedrooms.

Six years later I stand by my answer.

The recommendations leave the high-end dependency resident with no transparent means to be heard.

Oakden whistleblower and respected aged-care safety advocate, Stewart Johnston, is equally stunned. To quote him:

Independent, professionally-monitored CCTV needs to be part of the conversation.

Quality care and safety is a right for all that require it—lives literally depend on it.

Then there are these comments I received last night in an email from David Kennedy, whose mother died in an aged-care facility earlier this year. Again, I quote:

Around halfway through last year, somebody broke four bones in my Mother's foot which left her bed-bound.

In January this year, she passed away from an unstageable pressure wound. Unstageable because it has surpassed Stage 1, 2, 3 & 4 and turned into a rotting black hole the size of a fifty cent piece exposing her bone. As a result of immobility, no longer eating, muscle wastage and weighing only 43kgs, she died as a result of the wound on 21 January 2021.

I am currently reading one of the very many articles dedicated at the moment to the findings of the Royal Commission into Aged Care and it disturbs me that NOT ONE of the articles or even the findings in the report talk or support the use of CCTV Cameras in Aged Care facilities.

The commission's very foundations were made on the back of disturbing vision, taken from hidden cameras, of aged-care residents being abused and assaulted in their bedrooms by people who thought they were not being watched. As a journalist, I conducted hidden camera investigations that caught out abuse and neglect going back 20 years. This conduct continues unchecked to this very day.

The Oakden scandal was a tragic and disgraceful blight on aged care, but only revealed by whistleblowers. We know residents in aged care continue to be abused and assaulted because of the lack of supervision in these places. One of the strongest tools to reduce these types of assaults as well as improving the general safety of residents and lifting the standard of care is installing CCTV cameras that are monitored independently off site.

Aged-care facilities in other parts of the world that have them are achieving outstanding results, yet in Australia we are still reluctant to go down that road while wanting to throw billions of dollars into the sector. Why? It is because the operators fear them as it will put a spotlight on their facilities and their practices. I introduced a private member's bill into parliament two years ago that would have allowed CCTV cameras to be installed in state government-run facilities.

Shamefully, both parties refused to support the groundbreaking legislation, with the state government instead announcing plans for its own trial of the technology in a small number of its facilities. Even that was bungled and watered down from what was originally planned. Instead of fearing what the cameras will reveal, why do these operators not see it as a powerful tool that offers their residents and their families a sense of increased security and safety while also maintaining privacy?

For \$25 per week per room, monitoring is undertaken 24/7 by an independent third party using trained observers, qualified nurses and social workers with full security clearances to monitor and document activities of staff and residents, incidents and performance. They also act as a deterrent and detection of criminal activity, like the theft of personal property or exposing exercise of dominion patterns by persons known to them.

These issues are far more prevalent than people realise. This technology puts personal safety and the wellbeing of vulnerable residents first. Is that not what the royal commission was all about? Yet, blinded by the vast majority of complaints about abuse in the system, the commissioners still did not see it.

### GREAT STATE VOUCHER SCHEME

**The Hon. R.P. WORTLEY (15:45):** During this COVID pandemic, there have been a number of occasions when Labor has congratulated the federal and state governments on the jobs they are doing. Of course, the government has had the benefit of Labor making the decision to work on a bipartisan basis, in the interests of making sure that South Australians and Australians get through this COVID pandemic as well as possible.

Unfortunately, though, the state government has dropped the ball on too many occasions and recently we saw a classic case with the accommodation vouchers. The program was poorly planned and, even worse, it was poorly implemented. I have heard many stories of people who simply could not get through to claim vouchers when they went online.

The day after the latest release of the travel vouchers they were unavailable, and if people were unsuccessful the first time and thought they would try again in January, well, bad luck, in too many cases they missed out again. How did the authorities handing out these vouchers tell people that they missed out? Let me quote word for word the message received by those who missed out:

Wow, that was popular! There are no more Great State Vouchers available; we're sorry you missed out.

For many, that rather ordinary piece of writing may as well have said, 'Bad luck, you missed out again,' because for too many people that was the case.

If we want to create a sense of community and support each other, this is not the way to implement this sort of scheme. You do not release vouchers for those quick or lucky enough to get them. You offer them to every single South Australian who wants to use them—just once—to visit a region and support the local tourism industry. It is the way we ensure goodwill of local businesses and towards our fellow South Australians.

Perhaps the government should have worked harder with the tourism and accommodation industries to ensure that a resolution could be reached to make sure that everyone got to take advantage of the \$100 discount for city areas and \$50 for suburban and regional areas. The reason we needed to make the regional and suburban discounts only 50 per cent of the city vouchers is another issue. In many cases, the regions are doing it tough and need the greatest support.

Those figures are also worth reviewing. The discounts of \$50 for a stay in regional South Australia and \$100 for city stays relate to the rack rate. Let's use regional accommodation as an example. Often when you visit Wotif or Lastminute or Hotels.com, you get a room for \$30 to \$40 less than the rack rate. By the time you pay the standard fee, the rack rate, and then get your \$50 discount, you could be getting no more than a \$10 discount on your night's accommodation.

I think the accommodation vouchers issued here and in other states are a commendable idea, but they are only as good as the mechanics of how they are rolled out. When most South Australians cannot get hold of a voucher in the first place, and then others gain very little benefit from using them, it is worse than not offering them at all. Why? Because at this time particularly, we should

be encouraging people to stay local and making every part of the night away, from booking the accommodation to the arrival and the stay, a very positive experience. Unfortunately, the shabby way this has been handled makes people less likely to travel and stay local. If it costs just as much to stay locally as it does to stay somewhere interstate, how do we expect this to play out and how will this all work out now that we are free to travel across the borders?

The idea of vouchers is not just to allow South Australians to stay here when they have very little alternative: it is to encourage them to stay local regardless of their travel opportunities and take advantage of all this state has to offer. I would also like to know how many of the vouchers that were given were not used, because there are a lot of people who would have been given these vouchers who just did not use them.

There must be some process by which we can ensure, as much as we can, that the people who get these vouchers use them. Can people apply for a number of vouchers? If so, there should be some sort of method by which we can see how many are actually used. Let's hope the next time the state government comes up with an idea of backing local businesses and communities they spare a thought for the local people they are supposed to be supporting.

### RECONCILIATION SA

**The Hon. T.J. STEPHENS (15:50):** I rise today to speak on the recent annual Apology Breakfast, hosted by Reconciliation SA at the Adelaide Convention Centre on 12 February. This breakfast was held to commemorate the 13<sup>th</sup> anniversary of the National Apology by the Australian parliament on 13 February 2008 to Australia's First Nations people and, in particular, the stolen generations.

The breakfast was an extraordinary event attended by approximately 1,300 people. It provided an opportunity to reflect on the period of the stolen generations, to honour the survivors and to learn and understand the current issues that still impact families to this day. I acknowledge that in attendance was the Premier, the Leader of the Opposition, the member for Colton, the Hon. Kyam Maher, the Hon. Tammy Franks and myself representing the parliament.

Opening the breakfast was a Welcome to Country by Major (Moogy) Sumner AM, a Kurna and Ngarrindjeri elder. Mr Sumner is a renowned artist, performer and cultural ambassador who formed the Talkindjeri Dance Group and has performed around the world. He became a Member of the Order of Australia (AM) in 2014 after dedicating his life to promoting Aboriginal health and welfare, and youth and cultural heritage.

The celebrated singer Frank Yamma then entertained the attendees with a moving performance at both the commencement and conclusion of the function. Frank is a Pitjantjatjara man from Central Australia and is regarded as one of Australia's most important Indigenous songwriters.

Of special significance at the event was the preview of a soon to be released special feature documentary titled *Unbreakable*. This documentary by Nharla Photography's Colleen Raven-Strangways was commissioned by Reconciliation SA and tells a story of five members of the stolen generations as they recount their stories of trauma—from their darkest days to their triumphs—their tales of success and their reconnecting with family, community and country. Featured in the documentary are the stories of Alex Houthuysen, Jenni Caruso, Jacob Stengle, Aunty Martha Watts and Sonny Morey. Their stories are from two worlds.

At the breakfast, these survivors joined in a panel discussion, led by Colleen, about the documentary and how they felt as they shared their accounts in the making of the documentary. Arabuna elder Aunty Martha Watts, Aboriginal culture broker Alex Houthuysen, Jenni, Jacob and Sonny told of the enduring impact that policies of forced child removal have had on their connection to culture and identity.

Dr Jenni Caruso is an Eastern Arrernte woman who has built an academic career with a commitment to Indigenous education, with the fundamental principle that all Australians should share in the knowledge of Aboriginal history and understand an Aboriginal perspective of Australian history. Jacob Stengle is a highly acclaimed artist who captures images of his Aboriginal heritage, and some of his works were on display at the Apology Breakfast.

Sonny Morey's life is very moving and has also been captured in his own biography, *Sonny*. As he was playing in the Todd River as a seven year old in 1952, he was taken and became a member of the stolen generation. Sonny lived in difficult situations in different missionary homes. He was adopted into a family but, unfortunately, personal issues prevailed and it was not until his mother moved with her adopted son to Gawler that Sonny's life undertook a positive change.

Sonny, a proud Arrernte man, built his own remarkable life and became a legendary footballer in the South Australian National Football League with the Central Districts Football Club. He was a member of the very first team that Central Districts fielded in the SANFL in 1964 and had the honour of being the very first Bulldog footballer to win a kick for that club, going on to play 213 games over a 13-year career.

However, there were still many unanswered questions that lingered for Sonny, predominantly, 'Why didn't my mother come looking for me?' At the time of his abduction as a young child, he felt ignored and abandoned. He was never reunited with his natural mother again. In the writing of his biography, he and his co-authors undertook extensive travel and research into his heritage and his family over a considerable time frame.

This culminated in meeting an elderly retired French nun who, as a missionary, arrived in Central Australia in the 1950s to care for the wellbeing and to provide guidance to the Indigenous population. It was through this meeting with Sister Megali, six decades after he had been taken away, that Sonny got the answer he was hoping for. His mother never stopped looking for him until the day she died. She never gave up. This revelation that his mother had been searching for him her entire life sparked a flood of relief for Sonny, who had struggled for more than 60 years with the belief that he had been abandoned.

While I am yet to witness a full screening of *Unbreakable*, it will be a documentary that I look forward to with great anticipation. *Unbreakable* is in the post-production stage and it will be a while until its release and screenings will be determined. The annual Apology Breakfast is a very respectful acknowledgement of the stolen generations. I commend Reconciliation SA for this special event—it was incredibly well done—but more so the participants for demonstrating their courage. I thank them for sharing their stories.

#### *Parliamentary Committees*

### **SELECT COMMITTEE ON POVERTY IN SOUTH AUSTRALIA: SECOND INTERIM REPORT**

**The Hon. T.A. FRANKS (15:55):** I move:

That the report be noted.

I am very pleased to bring forward this report. It is the second interim report of the Select Committee on Poverty, which I chair. I want to start by acknowledging the work of other members of the committee. It has been a very bipartisan and consensus-driven committee. I thank a newer member, the Hon. Nicola Centofanti, who was appointed on 7 April 2020. I note that the Minister for Human Services served on the committee between February 2020 and April 2020. I thank the Hon. Frank Pangallo for his service ongoing on the committee, the Hon. Irene Pnevmatikos as well, and previous member the Hon. Terry Stephens, as well as newer member the Hon. Russell Wortley.

The secretary to the committee is Emma Johnston. She has done some superb work in keeping us on track, despite the pressures of COVID, which have thrown somewhat of a spanner in the works, not just for this committee but for many of the parliamentary processes. In particular, I commend the research officer to the committee. We are very fortunate to have Ms Sue Markotic as our researcher. She has produced yet another fine report.

This particular part of this committee's work on the poverty inquiry has focused on the Hutt St Centre. Previous work of the committee has looked more broadly at poverty but this looked at the attacks on those who support those who are in poverty in our state. The Hutt St Centre, it will come as no surprise to people in this council, has indeed been the subject of some unprecedented and unusual attacks in both the media and elsewhere on its work.

The committee finds, notes and supports the Hutt St Centre in remaining in its current location. It commends the important work that it does towards reducing homelessness and providing

a broad range of essential services to assist the most vulnerable members of our community. The committee supports the approved redevelopment of the Hutt St Centre and considers that this will improve the operation of the facility and enable better flow-through of clients.

I know the Hon. Frank Pangallo has had a tour. The President, the Minister for Human Services and I attended the opening of the refurbished centre on the weekend. It certainly is—

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

**The Hon. T.A. FRANKS:** Indeed, Uncle Moogy again did the welcome and did a wonderful smoking ceremony in the courtyard. Other members of parliament, the Leader of the Opposition and others, were also there in attendance. It is a tribute to the fine work of the Hutt St Centre that it has such cross-party and cross-sector support. It was a very good day.

I was very pleased to see in the refurbished centre the gorgeous little children's play space, but I note that that play space is currently overlooked by CCTV, which I assume will now be removed from the St Andrew's Hospital because it is overlooking a child's play space. I will no doubt reflect somewhat more on that as I make some further observations on this report.

The committee notes the independent review commissioned by the Adelaide City Council, which examined the planning laws as they relate to the Hutt St Centre, and it noted the review of the council's conclusion that the centre has not contravened any planning laws or land use regulations. The committee has recognised that, while the Hutt St Centre provides an important service, it does not and cannot address the complex range of social problems confronting many individuals, such as those experiencing severe mental illness and drug and alcohol addiction. Yet, often the blame for anything that happened near Hutt Street was placed at the feet of the Hutt St Centre.

The committee heard from SAPOL, and accepts the evidence of SAPOL, that the precinct around Hutt Street represents a very low and steady rate of crime in the area, compared with other inner city retail and dining precincts. It also recognises that comparing crime data between local areas can be difficult and is not necessarily helpful in addressing community concerns. The committee accepts that the crime data can be affected by changes in policing activity, crime recording practices and the willingness of the community to report crimes.

The committee also absolutely endorses the evidence from SAPOL, through which we heard that the Hutt St Centre is not responsible for causing any increased criminal activity in its precinct. To quote the Assistant Commissioner of Police, Paul Dickson:

The effects of poverty are seen on our streets every day. We see people walking and sleeping rough in doorways, car parks and in our Parklands. These impacts don't only occur within the CBD. Within the Adelaide CBD this experience is not contained to any one particular location—it can be seen in many areas, such as West Terrace, North Terrace, Rundle Street, Whitmore Square, Hutt Street and the South Parklands.

As he goes on to say (and I concur):

To be honest, we have analysed this issue to death. There clearly hasn't been an increase in crime rates or an increase in behavioural issues in that part of the CBD.

'That part' being the Hutt Street precinct. The data showed that the claims made through media, social media and other avenues were erroneous.

The committee also notes that there may be incidents of antisocial behaviour that are of significant concern to residents and retailers, but they are not always responded to or recorded by police, and there is further ongoing effort to be done by SAPOL, the Adelaide City Council and the Hutt St Centre to engage local residents and retailers to appropriately address complaints and issues as they happen. Improved dialogue is the way forward.

It is of concern, I believe, that the Adelaide City Council saw fit to employ a private security officer for some 71 days or so. Despite the expense that put on the ratepayers of the City of Adelaide, it certainly did not find any significant issues of criminality being caused by the Hutt St Centre. I would have suggested that a better investment of that money would have been to create and support community efforts to engage with the centre itself.

Some of the refurbishments that have now been done at the Hutt St Centre in and of themselves will alleviate some of the problems of people out the front of the centre, because now



they have more space out the back. The centre has been gussied up, if you like, and it is a beautiful centre now, where it was a collection of a range of somewhat ageing buildings that had been there for many decades.

The architects and designers have done an outstanding job of bringing the Hutt St Centre into a new era, where I hope that the 'hug street' part of Hutt Street will prevail over some of the hateful and hurtful representations we have seen of Hutt Street in these past years. With those words, I commend the report to this council and I look forward to the further work of this committee as we investigate other areas of poverty in this state.

Debate adjourned on motion of Hon. J. E. Hanson.

### *Motions*

#### **REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE**

**The Hon. T.A. FRANKS (16:05):** I move:

That the report by the Equal Opportunity Commission to the houses of the South Australian parliament, entitled Review of Harassment in the South Australian Parliament Workplace, dated February 2021, be noted.

I will be brief today. I have moved to note this report because we know that it has taken motion after motion in this place and the other to get these issues reviewed by the EO Commissioner. There are some significant recommendations here that I think we all should be involved in progressing.

I do hope the crossbenchers and Independents in this place will have as much involvement in creating some of the solutions as members of the major parties. I move this motion today so that we do not forget this issue, this report, and that the recommendations have a place where we can hold not just the government to account but indeed the parliament to account.

I will not go through some of the contents of this report today. Indeed, we have seen them played out in the pages of the media already, and I am sure that most members of the council have already taken a look at this report. I will seek leave to conclude my comments today, because this is an issue that will not go away and that we need to address, and this place certainly needs many of the recommendations made in this report to be enacted and implemented and for that to be done in an inclusive way that involves all members of this parliament and those who work in this building.

Leave granted; debate adjourned.

#### **PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT REGULATIONS**

**The Hon. M.C. PARNELL (16:07):** I move:

That the general regulations under the Planning, Development and Infrastructure Act 2016 concerning the Planning and Development Fund (No. 4), made on 18 February 2021 and laid on the table of this council on 2 March 2021, be disallowed.

An honourable member yesterday urged me to make the same short speech I made last time, which consisted of the words, 'Members, you know what this is, and you know what to do.' But I will say a tiny bit more than that, because there is something else I want to put on the record.

I have almost run out of fingers—in fact, on one hand I have run out of fingers—to count the number of times we have disallowed these regulations. These are the regulations that allow the government to pilfer from the open space fund for the purposes of administration. Every other time we have voted on this, every member of this chamber, other than the government members, has voted to disallow these regs, and I fully expect that there will be the same result again in two weeks' time when we vote on this motion.

I want to point something out to members. The regulations have been almost identical each time they have been introduced, but sometimes there are a few little changes, and I just want to bring people up to date with what the regulations currently allow, the regulations I am seeking to disallow. It basically says that the 'Planning and Development Fund may be applied for the following purposes', and there is a very short list.

The first item on the list is what we all expect the money to be spent on: public works, public purposes. That is the origin of the open space fund—that it is money paid by developers in lieu of

providing open space so that local councils and the state government can provide those facilities on behalf of the community. But the bit that members of this chamber have objected to consistently is the following: the establishment of a system that enables people who use or interact with the planning system to access planning information and to undertake processes and transactions by digital means. That is the planning portal.

The planning portal, in theory, is a wonderful tool, but in practice it is entirely a tool for developers and councils. It is not a tool for the public. My evidence for that assertion is pretty simple. The planning portal has a public register of development applications. When you look at that public register, you will find that it only includes subdivisions and some government works—maybe a school is building a new verandah—a very limited number.

I did a brief survey of one council. I just picked Mitcham council randomly, and I went on to the state government's planning portal. I looked at their register of development applications over the last two months and there were 12, apparently—12 developments in the whole of the City of Mitcham for the months of January and February. Nine of these were subdivisions and three were public works.

If I go to the City of Mitcham's own website, where they maintain their own register of applications, I find that there were in fact 270 applications lodged in the City of Mitcham in January and February, and that includes all the things that we know are being applied for on a daily basis. They are things like carports, swimming pools, rumpus rooms, demolitions and significant tree removals—all of these you cannot get from the government's planning portal.

Some people might say, 'Well, therefore, you should support these regulations because it allows money to be taken from the open space fund to help provide this information.' I do not trust that the government would do that. When I asked the planning department some time ago why they were not complying with the act that this parliament passed, their answer was less than satisfactory. I have mentioned this before in this chamber but I will just repeat it again: this parliament decided that the planning department should provide a facility for members of the public to be directly notified about matters that concern them in relation to planning.

What that means is a system of direct notification of: is some land being rezoned in my neighbourhood? Have development applications been lodged in my neighbourhood? It is not rocket science. Basically, you sign up and say, 'Please let me know when any of these things happen in my area.' It is technology that has been around for 30 years.

We put it in the bill. It was my amendment. The parliament agreed, 'Yes, let's put that in the bill,' but of course it had some caveats around it and it was subject to the government deciding that it was appropriate and they had the money and whatever. So when I put to the government, 'Why aren't you doing what the parliament asked you to do?' the response that came back was, 'No, we don't think we will. The best we can do is to let you sign up for a newsletter.' Great, you can sign up for a monthly newsletter—terrific!

The other thing is you can use the existing search function on the planning portal. As I have said, I used the existing search function and I found out that fewer than 5 per cent of applications are on it, which means that 95 per cent are a mystery unless you happen to know that you can actually go through the council's website rather than this central planning portal that was supposed to be the bells and whistles of the new planning system.

I just thought I would put that extra information on the agenda, and I fully expect that honourable members know what this is and they know what to do when we resume next Wednesday.

Debate adjourned on motion of Hon. I. Pnevmatikos.

#### *Bills*

### **STATUTES AMENDMENT (LIGHT POLLUTION AND NUISANCE) BILL**

#### *Introduction and First Reading*

**The Hon. M.C. PARNELL (16:13):** Obtained leave and introduced a bill for an act to amend the Environment Protection Act 1993 and the Local Nuisance and Litter Control Act 2016. Read a first time.

*Second Reading*

**The Hon. M.C. PARNELL (16:14):** I move:

That this bill be now read a second time.

This bill deals with a longstanding problem that for too long has been languishing in the dark at the bottom of the too hard basket. It relates to the problem of artificial light pollution and the nuisance that is created by misdirected floodlights whose beams spill into the homes and eyeballs of unhappy neighbours.

In introducing this bill, let me say at the outset what it is not. It is not a sinister plot to take us back to the Dark Ages. Also, it is not an attack on the legacy of Thomas Edison. A world without artificial light is unimaginable. It would be gloomy, unproductive and unsafe. Life as we know it would be impossible. But, for all the benefits, there is a downside to the uncontrolled use of outdoor lighting. In fact, there are many: there are environmental, economic and social downsides.

When I first canvassed the idea of a bill like this on my Facebook page, I was inundated with illuminating anecdotes about the nuisance and disturbance that is created by unwanted spillage of artificial light. Most people who had experienced this problem complained that their local council was not interested in helping them resolve their problems. There were complaints about excessively bright LED billboards that could be seen half a kilometre away, many complaints about security lights that flooded into living areas and also complaints about wayward spotlights that were disturbing backyard poultry, including the roosters.

These social problems are very easy to identify. One person's light can easily become another person's annoyance. One constituent copied me into her letter to the previous planning minister, Stephan Knoll, expressing her frustration with trying to get someone to take her concern seriously. She wrote to the minister:

I am writing in regard to nuisance caused by outside lighting in residential areas and a lack of legislation to address it.

Recently I have had reason to call police because of a neighbouring property whose owners have put a floodlight positioned high up pointing towards my backyard.

As the owners already have numerous outside lights to illuminate the yard surrounding their house, the owners may have taken this step with the intention to cause nuisance.

She then outlines her interactions with both the local council and the police. I have redacted the officials that she names, but in redacted form she says:

[The council] informs me that there is no legislation to prevent the owners from putting up the floodlight. Police attended from [the local] Police Station. They cannot compel the owners to remove the light.

[The council] informed me that the neighbours can put up as many floodlights as they wish as there is no law to address nuisance caused by outside lights.

I have spoken to the neighbours about causing nuisance with their lights. The response has been to agree politely, not change their behaviour and continue to cause nuisance with their outside lights.

I request that legislation be introduced to deal with such problems of exterior residential lighting. If the police and council cannot act upon this kind of nuisance, the fault is with an absence of legislation that covers nuisance lights.

Would you please contact me regarding what steps you can take to address this problem.

That was addressed to a former minister for planning. These types of disputes no doubt occur right across our society, particularly in our towns and suburbs yet, in the absence of neighbourly agreement, there is not much that can be done.

Before I get to the regulatory regime, I want to touch on some of the other impacts of artificial light pollution. The environmental impacts are very easy to understand. We have probably all seen reports about coastal communities in Queensland where residents and the council have modified, and in some cases switched off, certain lights at certain times of the year so as not to disorient the sea turtles that are coming in to lay their eggs on the beach.

We also know the impact of artificial lights on insects. Woe betide the household in Adelaide that fails to identify that particular warm evening known as 'flying ant night' when insect swarms

invade the homes of those who accidentally leave windows open or whose insect screens are not 100 per cent secure. Apparently, about half of the millions of insect species on earth are nocturnal, meaning artificial light can have a big impact on their nocturnal lifecycles.

According to some estimates, currently artificial light can cover about a quarter of the Earth's surface. In fact, according to a report published in the journal *Biological Conservation*, along with habitat loss, chemical pollution, invasive species and climate change, the impact of artificial light is driving insect declines—the so-called insect apocalypse.

However, if the galloping hooves of the four horsemen of the insect apocalypse do not move you, *National Geographic* has some ominous news about the impact of light pollution on human health. Nadia Drake, in an article in April 2019, reported:

The connection between light and biology starts with photons striking our retinas, triggering signals that reach a knot of neurons known as the suprachiasmatic nucleus. That knot is a crucial regulator of the brain's pineal gland, which produces the hormone melatonin. Through this pathway, melatonin normally begins rising at sundown and peaks around midnight, unleashing a cascade of reactions that regulates the sleep-wake cycles, lowers body temperature, slows metabolism, and increases leptin, a hormone that reduces appetite.

Whether it's a computer screen, bright bathroom light, or intense street lights shining in our windows, indoor and outdoor electric lights interfere with those circadian rhythms by stunting the normal ebb and flow of melatonin.

Obesity is one consequence of light messing with our nighttime physiology, as it is likely linked to persistently low levels of leptin. Based on a number of studies, low melatonin levels and circadian disruption are also thought to play a role in heart disease, diabetes, depression, and cancer.

That is very depressing, and some members might think it is a load of rubbish—that excess food and not enough exercise are what cause obesity. But it turns out that there is, at least in part, an element to blame in relation to artificial light. It seems that we are less inclined to eat when it is dark.

Another oft-cited impact of artificial light is on the astronomical community. At the most basic level, we all know that you cannot see as many stars from the city as you can from the country, and the difference is artificial light. I have a friend whose hobby is photographing the skies, and his photos from the countryside are much better than his ones from the city.

Going back to the bill, it is a very simple measure. It identifies that excessive, unnecessary or misdirected artificial light is potentially a genuine problem that should be able to attract the interest of regulators or those responsible for resolving disputes. The bill is very simple. It recognises that, just like noise or vibration, excessive light can be a form of pollution; therefore, it can also be a source of nuisance.

The first act amended is the Environment Protection Act 1993. It is a simple amendment that lists artificial light as a potential pollutant. However, we do need to carve out some exemptions to make it clear that essential uses of artificial light are not regarded as pollution. It does not mean that those light sources cannot still be problematic, but any complaints will not be dealt with as pollution.

The bill excludes the following light sources from the definition of pollution: public street lighting; light from a traffic control device or a navigational aid; light from a prescribed major entertainment, sporting or other venue or facility; light emitted in the course of a prescribed activity or event, or a prescribed class of activity or event; or light of a kind declared by regulation or an environment protection policy not to be light for the purpose of the act. In other words, there will be as many exemptions as we need to apply.

Secondly, my bill amends the Local Nuisance and Litter Control Act to include artificial light as a category of local nuisance. This is not a new idea. The review of the Local Nuisance and Litter Control Act 2016 discussion paper, which was published in July 2019 by the EPA, noted that one of the original objects of that bill introduced into parliament was to classify light as a form of local nuisance. It was part of the plan all along.

The original iteration of the Local Nuisance and Litter Control Act did classify light and heat as being within the definition of local nuisance but, according to the EPA, after consultation with local councils, both were removed. The reason was:

...to ensure the starting point for regulation of nuisance was manageable by councils and not too broad. Further consideration of the addition of light and heat at a later date, once the Act had been implemented was noted in the consultation report for the draft Bill.

My view is that local councils have now had five years since becoming responsible for the policing of local nuisance, so it is time to include light nuisance within the act. I do not think that clause 5 of my bill is too broad; in fact, it is less broad than the scope that was envisaged in the review.

The definition of light is obviously qualified. We do not want to pose a risk to public safety and we do not want to be seen to be wowsers, shutting down major night-time football games or music festivals, so we need exemptions. My bill clarifies that the following are not to be considered a nuisance—a similar list—light from public street lighting; light from a traffic control device or navigational aid; light from prescribed major entertainment, sporting or other venues or facilities.

I should point out at this point that public street lighting is one area where most councils do take their responsibility seriously. People complain about street lights shining into their bedrooms. Often, it is just a simple matter of installing a small shield that is close to the light. It does not impact on the effectiveness of the light for public safety, but it does help direct the stream of light away from adjoining properties. Some councils provide this service for free and some councils will charge a fee. Regardless, my bill is focused mostly on sources of light other than lights for public safety, and it is the same for traffic lights, marine lighthouses and the like.

Since I had this bill drafted over a month ago, the EPA has now finally released its consultation report into the review of the Local Nuisance and Litter Control Act. As I have said before, this review was conducted back in 2019, but the consultation report was only released last month. I will not refer to all of that report, obviously, as it is dozens of pages, but the consultation report does deal with whether light as an agent of local nuisance should be added to the act. In its report, the EPA states:

Light and heat were included in the definition of local nuisance when the Bill for the...Act was first consulted on in 2015 but subsequently removed due to feedback from councils that the definition in the Bill was too broad. Since the Act commenced, a number of councils have indicated that being able to deal with light nuisance under the Act would be useful.

So councils recognise that complainants, like the person I referred to before, do not really have anywhere to go. The local council is the obvious place to go but until light is recognised as a form of nuisance the council is powerless. The EPA reminds us:

Light is considered a statutory form of nuisance under Queensland and ACT legislation, and also in the United Kingdom. Light nuisance in a domestic setting is generally easy to resolve through better screening and redirection of lighting or use of timers. Light from larger sources (eg sporting fields and commercial premises) may prove more difficult but as with all other nuisances regulated by the Act, light nuisance would operate within the due diligence defence provisions in section 27 where reasonability of actions to ameliorate a nuisance is a relevant consideration.

In other words, it is not saying that any light that spills from one property to another is automatically a nuisance and has to be turned off. There are obviously questions of degree and whether it is reasonable to modify either the light or the behaviour surrounding the light.

I will acknowledge that the EPA advises that the majority of council submissions did not support the inclusion of light on the basis of additional workload. By definition, light pollution occurs at night, and at night most people are home. It is not as if there are teams of local council inspectors who are out at night when light pollution is a problem, so I get why they think it is possibly a problem. I think there will need to be discussions with the state government about how this is resourced.

I will not go through all of the consultation that they did, but I will just refer to the Environmental Defenders Office submission to this review, which pointed out that, given every other sensory nuisance is included, it seems prudent to include light, considering its ability to interfere with the enjoyment of land. So it is entirely logical to include light in this legislation. I would urge members to have a look at this report, which is on the EPA and the LGA websites.

I believe this is a bill whose time has come. It will help those who are affected by light pollution to at least have somewhere to go if they cannot resolve the issue themselves. To use the words of the EPA, 'They need a resolution pathway; they need somewhere to go.' Given the importance of this issue to local communities, I think it is appropriate to put it in the act rather than trusting in the government of the day to put it in the regulations. The EPA have said, 'Well, we could put it in the regulations.' I do not think that is good enough. I think it needs to go in the act.

We can provide plenty of exemptions, as I have referred to before, but the community needs to know that we, as a parliament, take this issue seriously and we take it seriously enough to recognise that both as a form of pollution and a form of nuisance we are going to put it in the act and we will then delegate to the executive through regulations the fine detail of how the regime will work. I commend this bill to the house.

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

**MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) (ADDITIONAL DISCLOSURE)  
AMENDMENT BILL**

*Introduction and First Reading*

**The Hon. M.C. PARNELL (16:30):** Obtained leave and introduced a bill for an act to amend the Members of Parliament (Register of Interests) Act 1983. Read a first time.

*Second Reading*

**The Hon. M.C. PARNELL (16:31):** I move:

That this bill be now read a second time.

This bill aims to reform the Members of Parliament (Register of Interests) Act. It is a very short bill and it has three goals: firstly, to ensure that members of parliament must disclose on the register of interests membership of all organisations, including clubs, societies, sporting groups, religious organisations or other community groups. That is the first change.

Secondly, all MPs must update the register at least once a year. That is not a change. We already do that, but ministers must advise of any changes to their entry every month. In other words, if a minister acquires an interest of any sort, then that should require continuous disclosure and not just the annual disclosure that all members of parliament are subject to under the current regime. Thirdly, the register must be published online in a format that is publicly accessible.

On one level this reform is purely administrative, however, I think it does go to improving accountability and transparency. I know that these are two characteristics that we often pretend are very robust in this place, but in reality they can be quite deficient in some areas. In South Australia our existing legislation is geared toward ensuring that members of parliament disclose financial connections such as interests in financial institutions, as well as creditors, debtors and other potential conflicts of interest.

The act outlines the required content of members' annual or ordinary returns. It includes statements of income as well as whether they or family members hold office in any company, corporate or unincorporated body. I am not a director of any companies, but I am the public officer of two unincorporated bodies. That is on my register. Whilst the wording of the act is clear to some, I think it is outdated and I think it is vague in some places, but it is the principle of disclosure that is important. Our electors should know about any potential conflicts of interest.

One thing that is missing is that there are many cases where a member's personal interest is not so clear-cut. At one level, conflict of interest can appear to be very straightforward. Members should disclose and potentially not vote on things that will directly and personally benefit them or their families. However, there are some relationships that whilst not a direct financial conflict can be an indicator of influence that might be brought to bear on a member. That is why I think it is important that disclosure be more thorough rather than less.

The bill provides that membership of organisations, such as community organisations, sporting clubs or religious groups, should be disclosed alongside membership of trade unions and business organisations, which are already in the act. At present, the limits of disclosure are very limited. Few members disclose their memberships outside the narrow range that is currently required. I do—I list all my community group memberships, but most members do not. I note that many federal MPs disclose a wide range of their memberships, but not all MPs do. The Prime Minister famously has disclosed his membership of the Cronulla Sharks; that is on his register of interests.

The question for us is, should South Australian MPs be required to disclose memberships of, for example, sporting clubs? For example, if the Adelaide Crows hypothetically wanted to build a

new clubroom on public land, and the responsible minister—whoever that might be—happens to be a member of the Adelaide Crows, should that be disclosed? Of course, it could be disclosed ahead of any debate or decision in cabinet or, if it was a bill, it could be disclosed in parliament, but I think it makes more sense for matters like that to be disclosed routinely through the register of interests.

It does not take a rocket scientist to appreciate that the goals of the Crows may be in conflict with a minister's commitment to the South Australian public. Whilst that minister might not benefit personally from any favourable outcome for a football club, it is reasonable to expect that their membership could influence their decision. Whether they need to recuse themselves is a whole different matter, but I think the public have a right to know about the interest.

The issue with ministers, I think, is fairly clear-cut: we need to know much more about their interests. But what about other members of parliament? I think increasing the disclosure requirement is just as valid for ordinary MPs. For example, the power to reject land use zoning rests with members of the Environment, Resources and Development Committee (ERDC). If they decide to reject a rezoning of land, it comes to the floor of parliament and all MPs have the power to vote there, not just the minister.

If land was being rezoned to benefit a group to which an MP belonged, that clearly requires disclosure. Again, disclosure up-front makes more sense than disclosure on a case-by-case basis, especially when it is relatively easy for a member to list the organisations to which they belong. Although the current act in South Australia has a clause outlining a category for:

...substantial interest...whether pecuniary or not... which [an MP] considers might appear to raise the material conflict—

They are the words—between the MP's private interest and public duty, the wording is decidedly vague and it leaves the decision as to whether or not an organisation membership could constitute a conflict of interest to the discretion of the MP. That is not as robust as the wording that is used federally and in many state jurisdictions around Australia. Under the federal equivalent of this legislation, registrable interests include:

...any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.

Under this category, federal members have registered things like their membership of the Mandurah Offshore Fishing and Sailing Club. Another one declared they were an honorary member of the Royal Motor Yacht Club, Woollooware. I do not even know where Woollooware is. Anyway, they clearly have a Royal Motor Yacht Club there.

While the federal legislation does broaden the scope of what MPs must declare when compared to the South Australian register of interests, we have seen that it is not enough. You need go no further than the example of the Nationals' deputy leader, Bridget McKenzie, whose failure to disclose her membership of a sporting club that was the recipient of financial grants that she was responsible for approving led to her losing her position. How much easier would it be if there was a requirement for a member of parliament to list all their interests if they then become a minister, because these things happen not just on an annual basis but, in many cases, on a revolving basis. It makes much more sense to disclose up-front.

The ACT has found a solution to this lack of clarity, and their position was to keep it very simple. Their position is the same as mine: declare all memberships of organisations. In the ACT, disclosure of any and all memberships is required on the statement of registrable interests, including political organisations, community organisations, lobby groups and sporting or other clubs.

In Victoria, MPs must register their membership of 'any political party, body or association or trade or professional organisation of which the member is a member'. That is very similar to the words we have.

New South Wales requires all organisations, unions, political parties, etc., to be listed. They also have a discretionary disclosures category, which includes RSLs, surf clubs, Rotary and things like that. Again, the test in the New South Wales regime is anything where 'the member considers might appear to raise a conflict between his or her private interests and his or her public duty'. So

they do not actually require the disclosure of all memberships because there is that test that the member applies.

In Tasmania, it is similar to Victoria. They do not require membership but they do require office-bearer roles to be disclosed. Queensland is similar to South Australia. Northern Territory uses the words 'might appear to raise a conflict between his or her private interests and his or her public duty'. Western Australia has 'might appear to raise a conflict between his or her private interests and his or her public duty'. Again, in Western Australia, only if you are an office-bearer are you obliged to disclose.

I think there is good reason and good precedent for expanding the disclosure that South Australian members of parliament are required to make. Personally, I would like to know if any of my representatives were a member of, for example, the Adelaide Club. Under current rules, the public has no right to know whether an MP might be a member of a men's only 'gentleman's club' where Adelaide's self-proclaimed influential people socialise behind closed doors. Currently, no-one has a right to know that.

Similarly, MPs do not have to disclose if they are members of some particular religious group or a sect as part of their register of interests. If an MP belongs to a religious group or an organisation that has a core belief system that facilitates discrimination—for example, on the basis of race, sexuality, sex or gender—then that MP's public duty to all South Australians may be in conflict with their organisation's goals and principles. Should that membership be disclosed?

Even though there might not be any personal gain to be made from a membership of such an organisation, if a member of parliament's church or sect says that, for example, LGBTIQ+ people should not have access to the same rights and services as others, then there is an argument that that is a private interest that may inform how that person votes when issues of public interest come up before the parliament.

Of course, we can never guarantee objectivity that is free from influence or values and beliefs. Everyone brings their own values to this place, nor should we try to change that. But it is important that voters at least know what kinds of belief systems or organisations or models are contributing to their MP's decision-making. Disclosure of memberships is one way of advancing that.

The last part of this bill, perhaps the most basic, is that the register should be available online and should be accessible to the public. At present, there is a regime that journalists, I think probably on an annual basis, contact the registrar and ask to see the register. My understanding is that the House of Assembly has put theirs online. Ours is available on request. But we know that the community is interested in these things.

In 2019, for example, News Corp, through Adelaidenow, published the information in an online tool that allowed their readers to search through the MP's register of interests. They put a fair bit of effort into compiling the data. Mind you, they lost a bit in translation. You only had to line up what they put online and what was in the paper versions to see it was not quite right—all the more reason for the official version to be the publicly accessible version. Let's not have News Corporation or anyone else having to do interpretation.

I think this is public interest information and I think it should be online. There is another small change that I mentioned earlier, which is that I think ministers need to be held to a higher account and they do need to notify changes in real time, as it were, rather than just an annual return.

In conclusion, I think this is an important bill that goes to accountability. I would like to thank in particular the Parliament Research Library, which helped track down all of the equivalent positions in other states and territories. It is a good service that they provide to members of parliament, so I thank them for that. I also thank Alice Mussared in my office, who has done a power of research in helping pull this together. With those words, I commend the bill to the council.

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



**ENVIRONMENT PROTECTION (DISPOSAL OF PFAS CONTAMINATED SUBSTANCES)  
AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 2 December 2020.)

**The Hon. M.C. PARNELL (16:46):** On 23 November last year, in a matters of interest speech, I spoke in opposition to the proposed PFAS dump in McLaren Vale. My conclusion then was that, for the sake of public health, for the sake of the environment, for the sake of the economy, the dumping of PFAS contaminated waste at McLaren Vale must not be allowed to proceed. Thankfully, sanity has prevailed, and the EPA rejected the application for that particular dump. The EPA made the right call.

While the urgency of the McLaren Vale PFAS dump proposal might have passed, the Greens will support this private member's bill to bolster the safeguards and make it clear where toxic waste dumps should not be established. This is particularly important for our primary producing regions. As members in the other place noted, there is still so much we do not know about the environmental and health implications of PFAS. One thing we do know is that they exist forever. It is their defining characteristic, so much so that they are often referred to as 'forever chemicals'.

This was a point that was made strongly by the member for Mawson during the second reading in the other place, so we know that these chemicals exist forever, but we do not yet know entirely the extent of their danger. These two factors combined merit the application of the principle 'an abundance of caution'. This is particularly the case given the emerging scientific findings regarding the potential dangers posed when PFAS-contaminated water is used to irrigate vegetables or fruit.

In November last year, I was contacted by a constituent, a retired scientist, who referred me to a report in the online journal Environmental Science & Technology. The report is entitled, 'Assessing Human Health Risks from Per- and Polyfluoroalkyl Substance (PFAS)-Impacted Vegetable Consumption: A Tiered Modelling Approach'.

**The Hon. J.E. Hanson:** Catchy.

**The Hon. M.C. PARNELL:** As an honourable member interjects, that is a very catchy title. I think it is properly categorised as a page turner. That was published on 17 November last year.

Whilst I do not pretend to fully understand the science, or how to even pronounce properly the names of the chemicals, a number of commentators have picked up on that report to explain it to a lay audience. According to the Denver Gazette, which reported on the findings of this study, the report's key message is that there is a danger in focusing only on the impact of these chemicals on drinking water because 'even if irrigation water meets the contamination standards for drinking water, the vegetables grown in the water may not be fully protected from PFOA exposure'. I know members know this, but for the record PFOA is perfluorooctanoic acid.

Given these findings, the EPA, I think, made the right call to stop the PFAS dump in the middle of our internationally renowned McLaren Vale wine region, a region that has already been hit hard by drought, bushfires and Chinese wine tariffs. The last thing that we want in our great wine regions is a reputation for producing top-shelf PFAS shiraz, a bold and full bodied drop with hints of smoke, black fruit and carcinogens.

Thankfully, the EPA, as I said, made the right call, and that particular project is off the table for now. As I said in my matters of interest speech last year, I acknowledge that PFAS must be stored somewhere. These chemicals exist; we cannot pretend that they do not. They were used over many years, and now we need to clean up this toxic legacy.

This contaminated material will need to be taken and securely stored or disposed of somewhere, but this bill identifies where it must not be disposed of. With a zero value product like toxic waste it is attractive to minimise transport costs by dumping it as close as possible to where it was collected. That might be the objective of those picking up the tab for the clean-up, but the

community expects that public health and the protection of the environment will be the main considerations. The bill meets those expectations, and the Greens are happy to support it.

**The Hon. C. BONAROS (16:51):** I rise briefly to speak in support of the second reading of the Environment Protection (Disposal of PFAS Contaminated Substances) Amendment Bill 2020. I am not even going to attempt to say what the substance is called. Per- and polyfluoralkyl substances, or PFAS as they are commonly known, are found in stain and water repellent and non-stick commercially treated household products like carpet cleaners, Teflon frying pans, paints and polishes. That is a short list of where they can be found.

Historically, they have also been a key ingredient in firefighting foam, as has been pointed to. A legacy of the use of firefighting foam in training exercises can be found in contaminated groundwater, I am told, around airport and military bases. What we did not know in the 1950s, when PFAS first started being used, but certainly do know now, is that exposure to PFAS can lead to adverse health outcomes. Today, we know that such substances need to be disposed of with great care.

I will preface the rest of my comments by saying that I certainly do not want to live near any PFAS dump site, I do not want my child or any other of my family living near any PFAS dump site and I am sure the people of McLaren Vale do not want to be living near any PFAS site. I do not want to eat food or drink water or wine that has potentially been contaminated by this substance, and I am not sure that any of us in this place or in the community do either.

I therefore am somewhat dumbfounded by the proposal for such a site even being contemplated in an area like McLaren Vale, a region responsible for producing some of our state's best food and wine. Thankfully, the immediate threat appears to have subsided. We know the EPA last week rejected this bid by ResourceCo to receive, treat and dispose of PFAS waste at its facility located some four kilometres west of McLaren Vale. This followed the publication of a risk assessment report by the National Centre for Groundwater Research and Training.

Nowhere in that report does it say the potential for a PFAS leak is impossible. I am in no way an expert, clearly, but when I read phrases like 'extremely unlikely' I am not filled with absolute confidence. It does not sound like any sort of guarantee to me. The report states:

If a catastrophic liner breach causes dissolved PFAS to enter the groundwater beneath the SWD site, then the existence of the groundwater mound and steep hydraulic gradients mean that it will be difficult to prevent contaminated groundwater from leaving the site. If it should leave the site, standard treatment methods would be difficult to apply due to the nature of the fractured basement aquifer.

I understand there have also been questions about the viability of the proposed liners, with suggestions some are not fit for purpose. While the application by Southern Waste ResourceCo may have been rejected in the first instance, the door is still open for an appeal or an entirely separate application, or even for another inappropriate site to be selected by this or any other company now or at some time in the future. This issue is still very much a live one.

The bill seeks to restrict authorisation for the disposal of PFAS-contaminated substances at landfill depots located in a high-risk area, specifically the Greater Adelaide area, within 50 kilometres of land used for the purpose of primary production and within a township or five kilometres of the boundary. Closing the door to the possibility of a PFAS dump coming to a suburb or a town near you is a no-brainer for us in SA-Best. I understand the government is insisting on a regulatory framework as adequate in terms of offering the necessary protections that we need.

I think one of the rationales put out by Minister Speirs at the time was, 'If we allowed for the 50-kilometre radius that has been proposed then we couldn't have this anywhere in South Australia.' My response to Minister Speirs is (a) that is a load of garbage, and (b) if that is the case, well, so be it, because I do not think anyone wants it in their town or in their suburb, as I said.

Despite the assurances that we have received to date, this is not a risk that we are willing to take, not with everything we know today about this substance. Again, I acknowledge the comments of the minister in terms of having an intergovernmental agreement in place to complement—as the minister put it—existing guidance and legislation that works to protect human health and the environment from harm caused by chemical contaminants. That is all very well and good, but there

is absolutely nothing preventing us from passing this bill even with that intergovernmental agreement in place.

As the member for Mawson has highlighted so articulately in his contributions and in correspondence that he has sent to various bodies, I think it is really important that we remind ourselves that McLaren Vale is one of Australia's premier food and wine regions, and the quality and reputation of the food and wine produced there is highly dependent upon a pristine and healthy natural environment. Tourism, as we also know, is integral to the region's economy. I think last year alone, probably pre-COVID, tourists spent some \$476 million in the region. Why we would want to put at risk that sort of clean reputation is absolutely beyond me.

We know that, while the risk may be claimed to be small, it is absolutely far from negligible. Any leakage would be catastrophic and, as we know, once it is done there is absolutely no turning back. For those reasons, it is absolutely SA-Best's position that we wholeheartedly support the bill that is before us today.

**The Hon. F. PANGALLO (16:58):** I wish to support my fellow colleague's remarks about the bill, and that we fully support its intent. I first became aware of the dangers of PFAS and the effect it has on human health and the environment while working as an investigative reporter with the Seven Network.

We conducted several investigations into PFAS when its swathe of toxic chemicals was still relatively unheard of. Today, there are several class actions underway. Shine Lawyers are pursuing justice for landowners across Australia whose land value has been impacted because of PFAS chemical contamination in their area.

One of them is Edinburgh, where for more than 30 years the Australian Defence Force conducted firefighting drills using a firefighting foam known as aqueous film forming foam, which included the toxic chemicals known as PFAS. The class action alleges that the Department of Defence negligently allowed these toxic chemicals to escape from the RAAF base at Edinburgh and contaminate local environments. These contaminants have negatively impacted properties, land values and the livelihoods of the Edinburgh community.

Following similar discoveries at interstate air bases, the ADF commenced a detailed site investigation at the RAAF base at Edinburgh in November 2016, with the results detecting PFAS in surface water, groundwater and sediment around the base. More alarmingly, the report found widespread PFAS contamination in groundwater both on and off base, exceeding health-based recommendations for drinking water. Edinburgh is smack in the middle of one of our biggest food bowls.

PFAS, which stands for poly- and perfluoroalkyl substances, is a class of more than 4,000 different chemicals. Some of the most used PFAS chemicals, like PFOS and PFOA, perfluorooctanesulfonic acid and perfluorooctanoic acid, have long half-lives, which is why they are tagged as 'the forever chemical'.

People may not be familiar with the term PFAS, but they should be because PFAS turns up in virtually everything around us. We come into contact with it every day, from household items like furniture, non-stick cookware, stain-resistant carpet and waterproof clothing, through to innocuous items like fast food wrappers and disposable coffee cups.

PFAS is the modern day health threat that DDT and lead were—and still are in industrial towns like Port Pirie. It washes into ecosystems and moves into the food chain, accumulating in animal and human tissue. It is in our blood. I would say if we tested every Australian, every member in this chamber would find it in their body.

Research published last year with the American non-profit Environmental Working Group shows it is prevalent in tap water as well. In 2016, a Harvard research team found that at least six million Americans were drinking PFAS-contaminated drinking water that exceeded health recommendations. Kidney damage, immune system impairment and reproductive issues are just some of the manifestations.

There are also numerous instances of public health crises caused by PFAS contamination. In the US, this dangerous cancer-causing toxic chemical has put policymakers on notice. One of the largest PFAS polluters there, and most certainly here, is DuPont. Policymakers need to address this problem by applying pressure to have the PFAS chemical removed from products.

I am unsure as to whether SA Water, for instance, has undertaken testing of our tap water to see if it is present. If it has not, it should, and I would urge them to do it as a priority. If governments, health and environmental bureaucrats want to tell us that the spread of toxic contaminants can be contained safely and securely, quite frankly I do not believe or trust them.

Allow me to provide an example. Many years ago, while undertaking research for a story into the extent of toxic contamination in our suburbs, workplaces and watertable, fearless asbestos crusaders, the late Jack Watkins and Tony Olivier, presented me with sensitive documents that fell off the back of a truck showing locations in and around Adelaide. These were documented from the late 1970s onwards. Buildings in the CBD, where I, relatives and friends I knew worked, contained dangerous blue asbestos.

Just on the western fringe of the city, the pockets of contamination were in Bowden, Brompton, Thebarton and Hindmarsh, caused by the many factories and the gasworks that were once there. The government had to pay for the remediation of land where new houses had been built in and around Florence Crescent in Brompton. Fast-forward to today, and you can see just how far this contamination of groundwater has spread through the western and north-western suburbs. Residents have been warned to avoid using bore water in their gardens.

I must commend the member for Mawson in the other place for his strong advocacy against a PFAS dump being established in the heart of our southern wine region of McLaren Vale. The pressure exerted by Mr Bignell and his community has forced the EPA to backtrack on allowing it to be stored in questionable liners on the site of an existing dump.

As I have pointed out, PFAS, in the list of class actions underway, is a national health issue and one that needs to be tackled in earnest by the commonwealth as well as the states. If they need a repository for these forever chemicals, then they can put them in remote places under their control, like Woomera, and where there is no threat to the environment ecosystems and artesian water systems. PFAS has no place anywhere near cities, towns and especially primary production land. I commend the bill to the Legislative Council and look forward to it being passed by both houses.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (17:06):** I rise to make some remarks in the second reading of this particular piece of legislation that seeks to restrict the granting of an environmental authorisation for the disposal of per- and polyfluoroalkyl substances (PFAS) under the Environment Protection Act 1993 (EP Act). PFAS is a group of synthetic chemicals that have been used extensively in consumer and industrial projects since the 1950s. They were used to manufacture non-stick coatings in products that require resistance to water, heat, fire, stain and weather and in some types of firefighting foam.

There are currently no landfills in South Australia licensed to dispose of PFAS-contaminated waste. In 2020, Southern Waste ResourceCo applied to the Environment Protection Authority (EPA) to receive, treat and dispose of solid PFAS-contaminated waste at its existing EPA-licensed landfill site in McLaren Vale. The EPA board considered the application and, on 25 February 2021, determined to not approve the proposal from Southern Waste ResourceCo to receive, treat and dispose of solid PFAS-contaminated waste at its existing EPA-licensed landfill site in McLaren Vale. The board has asked the EPA to progress and plan for broader policy considerations in the operational management of PFAS waste in South Australia.

This amendment bill seeks to restrict the granting of an environmental authorisation for the disposal of PFAS-contaminated substances if a landfill depot is located or proposed to be located in the whole or in part of the Greater Adelaide Planning Region within the meaning of the Planning, Development and Infrastructure Act 2016 (PDI Act), or within 50 kilometres of land used for the business of primary production, or within a township or five kilometres from the boundaries of a township.

The government intends to oppose this bill for the following reasons: the Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination (IGA) is a national

agreement between the commonwealth states and territories that aims to deliver risk-based responses to PFAS contamination that prioritise the wellbeing of affected communities and the protection of the environment. The IGA also complements existing state-based guidance and legislation that works to protect human health and the environment from harm caused by chemical contaminants. This IGA was originally signed by the former premier of South Australia, the Hon. Jay Weatherill, in February 2018.

The IGA includes a number of appendices that address health and environment protection as well as advice on communication with affected communities. The PFAS National Environmental Management Plan (NEMP) is included as one of these appendices to the IGA. The PFAS NEMP was developed by the heads of EPAs in Australia and New Zealand and provides nationally agreed minimum guidance on the management of legacy PFAS contamination in the environment.

The PFAS NEMP has a focus on all parties taking all reasonable and practical measures to prevent or minimise potential environmental harm from PFAS-related activities and contamination. These actions include ensuring PFAS waste, contaminated materials and products are effectively stored and/or remediated to prevent release, ensuring the proper disposal of PFAS-contaminated waste, for example, by properly characterising waste and sending it to a facility licensed to accept it, and undertaking appropriate monitoring to check the effectiveness of management measures implemented.

The PFAS NEMP also provides the framework for landfill siting and design for offsite disposal to landfill sites and minimum requirements for its management. The South Australian EPA has taken this information and used it to develop the landfill disposal criteria for PFAS-contaminated waste where, in taking a precautionary approach, it will only accept the two most conservative landfill design acceptance criteria that are included within the PFAS NEMP. The PFAS NEMP makes it clear, however, that site-by-site assessment is necessary when determining whether or not a current or new landfill is appropriate for accepting PFAS-contaminated materials and that disposal guidance should be applied in conjunction with existing guidance issued by the jurisdiction.

South Australia's planning and land use framework requirements and existing landfill considerations regarding land use and location risks are another reason that the government opposes this particular legislation. South Australia has a strong planning and regulatory framework that enables considerable assessment to be given to a landfill proposal with respect to its siting, location and design, the waste that it will receive and any necessary controls to protect the health of humans and the environment over the life of the activity.

A landfill proposal firstly requires development approval under the PDI Act and, once that has been obtained, assessment for an environmental authorisation under the EP Act can be finalised for the operational aspects of the landfill activity. The EPA's assessment of landfill development applications includes consideration of the soil and hydrogeology at the proposed site; separation distances to sensitive receivers, in particular from an air and water impact perspective; the nature of the proposed waste types to be disposed of; and design, construction and management details that will affect potential pathways for contamination of surface and groundwater resources.

Since the PDI Act already imposes the framework for assessment of siting location and design risks, with the EPA providing extensive advice and where necessary direction on these matters to the planning authority, the inclusion of such criteria in the EP Act, as proposed by this bill, would be duplicative. The EPA has strict criteria around the disposal of PFAS-contaminated waste and will approve an application only if landfill operators can suitably manage risk in the short and long term, including that they demonstrate appropriate mechanisms and engineering in place for testing, handling and disposal of this waste.

This approach is consistent with the EPA's existing requirements for the disposal of waste contaminated with other chemicals to control and mitigate the mobility of contaminants to the environment. Any blanket ban on the disposal of PFAS-contaminated substances at waste depots within the Greater Adelaide region, within 50 kilometres of land used for primary production or within five kilometres of a township as proposed in this bill is likely to exclude the disposal of such substances at any feasible location in South Australia.

Removing the ability to provide an environmental authorisation under the EP Act to landfill sites in South Australia that have suitable controls to manage the waste and minimise the risk of environmental harm from PFAS-contaminated waste would force any contaminated waste to be contained on site at the source, sent interstate for treatment and disposal or disposed of illegally in an uncontrolled manner. Further, disposal of PFAS-contaminated soils to a lined landfill cell allows the contamination to be monitored in a controlled environment.

In contrast, soils contaminated by PFAS can be found on various commercial and industrial sites around South Australia and are often where unknown quantities of PFAS have been released to the environment, such as in firefighting training areas. On these contaminated sites, PFAS can leach out to the impacted soils and into groundwater or surface water bodies. These situations present an uncontrolled risk to human health, for example through groundwater bores used for drinking water, or to the environment, for example through river ecosystems.

Because the controls and the robust framework already exist, the government does not support this bill. I would also like to indicate for the committee stage that I have a number of questions that I will be directing on this matter.

**The Hon. C.M. SCRIVEN (17:14):** I would like to thank the Hon. Mr Parnell, the Hon Ms Bonaros, the Hon. Mr Pangallo and the Hon. Ms Lensink for their contributions on this bill. As has been mentioned, the EPA handed down a decision about the proposed PFAS dump at McLaren Vale on 25 February. It was an important decision and it was a welcomed decision.

I would like to put on the record the reasons the EPA gave for failing to grant approval for this. They are not all of the reasons but they are some particularly pertinent ones. They talked about PFAS being considered a persistent and bioaccumulative chemical of concern that is toxic to some organisms and highly transmittable in water. They talked about the unacceptable level of risk—unacceptable level of risk—while noting that SWR had proposed best practice engineering measures in its application.

They talked about the nature of PFAS, the uncertainties and intergenerational considerations that highlighted the need for a precautionary approach to the assessment of risk in the assessment of this application. They are all very pertinent reasons as to why the dumping of PFAS at this particular location was knocked back and not approved but, as has been mentioned by previous speakers, there is still the option for appeal.

I remind members what the bill actually does. It is not banning an entire industry or any similar kind of initiative. It is preventing the disposal of PFAS in the Greater Adelaide planning area, within 50 kilometres of land used for primary production. As has been mentioned by previous contributors, primary production is a very important industry and in fact the biggest industry in South Australia. It also bans the disposal of PFAS within a township or five kilometres from the boundaries of a township.

These are all very important considerations that the opposition believes are important to protect South Australians from these chemicals and all their dangers, which have been mentioned already both in my second reading explanation and in other contributions here today, and ensure that people are protected from the dumping of these toxic chemicals in places that can affect their waterways, their food, our wine and tourism industries and an individual's health.

I commend the member for Mawson, the Hon. Leon Bignell, in the other place and also the community of McLaren Vale. At the end of last year, 350 people attended a forum on this matter and 3,000 people signed the petition against the proposal. Food and wine producers and local business associations and many others have all been involved in this very important campaign, which is necessary to ensure that their area is protected.

The argument has been implied that the regulatory system means that this bill is not needed. I would argue that the decision shows that we do have a robust system. That is excellent and that is something that South Australia should be proud of. However, what we want is certainty going forward, certainty for people that they will not be living near a dump that has these kinds of chemicals within it and certainty for our food and wine industries in the McLaren Vale area and in other areas where such a dump or disposal at such a dump might be proposed.

We need that certainty going forward, so it is important that this bill does in fact pass to give that certainty to members of the McLaren Vale community and also other communities in the state. I thank the indications of support from the crossbench and I commend the bill to the council.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. J.M.A. LENSINK:** My first question is whether the Labor opposition can identify what consultation was undertaken in order to develop this bill?

**The Hon. C.M. SCRIVEN:** The member for Mawson has consulted extensively with community groups, food and wine producers, local government, business associations and experts outside the EPA. As I mentioned, 350 people attended a forum and 3,000 signed a petition.

The member for Mawson also met with the City of Onkaparinga, the McLaren Vale Grape Wine and Tourism Association, the McLaren Vale Business and Tourism Association, the Aldinga Bay Residents Association, Tatchilla Lutheran College, the Willunga Environment Centre and Friends of Willunga Basin. Written correspondence was also exchanged between the member and Southern Waste ResourceCo, the Environment Protection Authority and the Minister for Environment and Water.

**The Hon. J.M.A. LENSINK:** I thank the honourable member for her response. She may choose to name the experts that she referred to but if she does not wish to name them as 'Professor John Smith', for instance, is she able to identify the research institutions or universities, or what level of expertise they have?

**The Hon. C.M. SCRIVEN:** I do not have the detailed information that the minister is seeking but I am happy to provide that at a future date.

**The Hon. J.M.A. LENSINK:** Is the honourable member able to provide advice about what the nature of the comments by Southern Waste ResourceCo were on this bill?

**The Hon. C.M. SCRIVEN:** My understanding is that the Southern Waste ResourceCo referred to the fact that they have submitted what is currently best practice engineering measures in their application and referred to that aspect. I think the relevant point for members to remember is that despite that best practice the EPA still decided that the risks are unacceptable, that this is not something that is safe to proceed with and that a precautionary attitude is very important. So clearly, the certainties that we would be looking for would not be there, and the assurances provided by Southern Waste ResourceCo were not considered to be suitable.

**The Hon. J.M.A. LENSINK:** I think the honourable member has acknowledged, as have other members, that the particular areas that are covered by this proposed legislation are much broader than the area in question—the McLaren Vale region—which is what has been used as the impetus for this particular legislation. Can the mover of the bill advise the Legislative Council where the Labor Party considers it would be an appropriate place to dispose of PFAS-contaminated material?

**The Hon. C.M. SCRIVEN:** Determining where would be an appropriate place is the role of the EPA and the government. The purpose of this bill is to prevent PFAS being dumped anywhere within 50 kilometres of land used for primary production and five kilometres of a town, or within the Greater Adelaide Planning Region. I think it is important to note that those are areas where there are obviously high levels of population. There is tourism, food and wine production. All those are very important industries, and that is what we are seeking to protect.

In terms of where it should be dumped, as the Hon. Mr Parnell mentioned, this is a serious matter in terms of PFAS that is essentially sitting around. I would urge the government to look at what are appropriate mechanisms to ensure that there is an appropriate place to dispose of it and that that appropriate place is not where it can leach into groundwater, where it can affect human health, where it can affect tourism and where it can affect wine and food production.

**The Hon. J.M.A. LENSINK:** I thank the honourable member for that response. Is she able to elaborate on the selection of the particular quite specific exclusionary distances which have been included in this draft bill?

**The Hon. C.M. SCRIVEN:** Certainly. The distances that have been put forward in this bill are out of an abundance of caution. I refer again to the decisions and the reasons for decisions that the EPA itself made—the unacceptable level of risk and the uncertainties around the nature of PFAS and the intergenerational considerations.

Studies on PFAS suggest that they are highly mobile but the extent of that mobility is as yet unknown and more extensive research is absolutely necessary. The first exhaustive audit of peer-reviewed research on the behaviour of PFAS in soils has highlighted the urgent need for more focused investigation to decode how the long-chain and short-chain PFAS that is created to replace them moves through soils and leaches into the environment. So given those risks, the distances proposed in the bill are out of that precautionary attitude.

**The Hon. J.M.A. LENSINK:** If I could start with a comment, the advice that I have received is that those particular distances mean that the disposal of PFAS and any similar substances makes it nearly impossible to find any feasible location in South Australia. Can I ask whether the honourable member has considered whether those were appropriate, given that I think it has been acknowledged there is PFAS contamination in South Australia and, effectively, this bill may mean that it is unable to be disposed of in a safe and controlled manner in South Australia?

**The Hon. C.M. SCRIVEN:** I particularly note the minister's words of 'feasible location' and I guess the question arises: is 'feasible' in regard to cost and transport costs? I come back again to the fact that we need to have a safe disposal of PFAS—safe in terms of people's health, safe in terms of primary production, safe in terms of people's livelihoods. So it is important to find one that meets all of those requirements. Something that is less than 50 kilometres from primary production and less than five kilometres from townships and the Greater Adelaide area, in terms of the community expectations, is not an appropriate solution.

**The Hon. J.M.A. LENSINK:** Some of the advice I have received is that, effectively, there are only a couple of places somewhere near the Western Australian border, which under this particular proposal may be the only feasible places—that is what my reference was—to locate a potential site. So can I ask the member: what consultation has occurred with the communities in those potential areas, particularly potential native title holders? If this bill were to pass and the only potential locations for such a disposal site were those particular sites near the Western Australian border, has the Labor Party actually consulted with any potential native title holders who would be affected?

**The Hon. C.M. SCRIVEN:** Neither the opposition nor this bill proposes a particular alternative site, therefore it would not be appropriate to be going out to consultation with anyone when there is not an alternative site that has been proposed through this.

**The Hon. J.M.A. LENSINK:** By way of comment then, I indicate that if the Labor Party was to do some geographical mapping they might realise they have excluded large chunks of South Australia, but be that as it may. My next question is whether there has been any assessment by the Labor Party of the potential cost implications associated with the disposing of PFAS waste as proposed by this bill.

**The Hon. C.M. SCRIVEN:** The minister seems to have slightly misinterpreted. This does not propose where PFAS should be dumped. It states where it cannot be dumped and, therefore, the question does not have a basis.

**The Hon. J.M.A. LENSINK:** Perhaps I could reframe it: if the Labor Party is proposing to exclude large parts of the state, it does limit where the disposal may take place and therefore there will be cost implications associated with this legislation. I guess I re-ask the question as to whether, perhaps via industry or any other consultation process, the Labor Party has done its homework on costs.

**The Hon. C.M. SCRIVEN:** I think the costs that the community expects us to focus on first and foremost are the costs to individuals' health. We have heard about the very detrimental impacts



of PFAS on people's health, and the cost to their livelihood if the reputational risk to our wine industry and the reputational risk to our food industry are all destroyed. They are the costs that are most important, I would say, to South Australians.

**The Hon. J.M.A. LENSINK:** I note that the mover of this bill noted that we have a robust planning system in place, and that effectively has ruled out this particular site. What does this bill do to add to the existing framework we have in place? What additional benefit does the Labor Party see it providing?

**The Hon. C.M. SCRIVEN:** This bill provides for additional certainty for members of the public. It provides additional certainty for people in McLaren Vale who might otherwise be looking at an appeal process from the proposer of the current site. It provides certainty to our very important and very valuable food and wine producers, and all the associated industries that come with that and all of the jobs that are involved in those industries, which potentially could be put at risk if the bill was not to proceed and instead dumping of PFAS was to occur in the sorts of areas to which we have alluded.

**The Hon. J.M.A. LENSINK:** On a similar line of questioning, does the honourable member believe that there is certainty for those existing sites where PFAS contamination exists—whether people either work there through being involved in firefighting or there has been contamination for other reasons—and does this bill provide certainty that South Australia is effectively able to manage that waste removal?

**The Hon. C.M. SCRIVEN:** I think what we need to remember is that it is essentially up to the commonwealth government to come up with a site that is appropriate for disposal of PFAS. It is the commonwealth that has the biggest problem with PFAS-contaminated soils. The thought that it would be brought potentially from around Australia and dumped into our primary production areas, our towns and our cities, is entirely inappropriate. This bill will ensure that that cannot occur and does not occur. That is in the interests of South Australia, it is in the interests of South Australians. I would hope that the government would be standing up for South Australia and putting South Australians first.

**The Hon. J.M.A. LENSINK:** This is partly a comment and perhaps partly a question in that the argument has now shifted to the commonwealth. I think it is important to reiterate that, on the advice I have received, this bill would effectively exclude most of South Australia from being able to be used as a dump site. Whether or not the Labor Party wants to start pointing the finger at the commonwealth, they may effectively have excluded most of South Australia from being within scope. Is the Labor Party able to identify areas, based on this bill, which potentially could be used as a site?

**The Hon. C.M. SCRIVEN:** I am not sure whether perhaps the minister misunderstood my reference to the commonwealth. It was that much of the contaminated soils and so on are within the jurisdiction of the commonwealth because of where that has come from. I reiterate again that it is the government's responsibility to find an appropriate site. If this parliament considers that an appropriate site is not within five kilometres of a township, it is not within five kilometres of the Greater Adelaide planning area, and it is not within 50 kilometres of primary production, then it is incumbent on the government to find a suitable site and provide the resources for the PFAS to be disposed of in a safe way that is also acceptable to the community.

**The Hon. J.M.A. LENSINK:** First a comment, and then I will get to another line of questioning. I think the Labor Party wants to have its cake and eat it too on this one. Basically, they want to effectively ban a site from existing throughout most of South Australia and then say that the government needs to work out where that can be. I have advised several times now, I think, that that is not viable. But we will just leave that where it is.

My next question is to reflect on my comments on dealing with the NEMP that I referred to that was signed by the former government in February 2018, which was a nationally agreed framework for dealing with PFAS waste. I will start with a comment: there is nothing in this particular bill which reflects the content of that nationally agreed framework. So can I ask: since Jay Weatherill, former premier, signed that in February 2018, what has changed in order to prompt the Labor Party to introduce this bill?

**The Hon. C.M. SCRIVEN:** Perhaps before answering that question I will respond to the minister's comment. She is talking about the supposition that this bill limits so very much the areas where a dump could be located, but I would suggest that if the government was wanting to be constructive they could have proposed an amendment with a different distance, but that has not been the case. I just put that onto the record.

In terms of the minister's question, what we have seen, obviously, is a proposal for a dump that is in the McLaren Vale area, or the disposing of PFAS within an existing dump that is in the McLaren Vale area. That is what has changed. There was a specific and definite proposal that has brought to mind the many dangers and risks associated with disposal of PFAS, and that is why it is important to ensure that people can have the certainty and the comfort of knowing that future applications for the dumping of PFAS close to residential areas and primary production areas could not proceed.

**The Hon. J.M.A. LENSINK:** I have no more questions, but I make the comment that I think it is quite transparent that the Labor Party thought that the framework they signed up to in February 2018 was robust. The mover of this bill has also acknowledged that the framework is robust, yet they have brought a bill in here which effectively bans sites through most of South Australia, which is probably a reflection of not having thoroughly considered things by examining the distances that were placed in this piece of legislation.

Clause passed.

Remaining clauses (2 to 5) and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. C.M. SCRIVEN (17:39):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Motions*

**SCHOOL LIBRARIES**

**The Hon. T.A. FRANKS (17:40):** I move:

That this council—

1. Recognises that school libraries are at the heart of teaching and learning in schools and that they are also places where a love of reading can be sparked and nurtured, often with the guidance of the school teacher librarian.
2. Recognises that:
  - (a) connected learning spaces serve an important role in schools and they should be complemented by physical libraries where students can browse, study, read and receive assistance from a qualified teacher librarian; and
  - (b) investment in school libraries helps students achieve educational goals, develop a love of reading, advance digital literacy skills, provide access to diverse ideas and improve cultural and social awareness.
3. Affirms its love for libraries and that it wants public school students to have libraries they can love too.
4. Calls on the government to ensure every public school student in South Australia has access to a quality school library and a qualified teacher librarian.

I think it is safe to say that most of us would have warm memories of spending time in libraries in our youth and we remember our school libraries with fondness. Mine was a place where I read the *Sydney Morning Herald* of a morning in recess and *International Gymnast Magazine*. I certainly could not afford either of them had they not both been provided by my school library. School libraries are at the heart of teaching and learning in schools and are places where a love of reading can be sparked and nurtured, often with the guidance of the school's teacher librarian.

Recently, I had the pleasure of meeting with the School Library Association of South Australia to discuss nation-leading research that has just been conducted in our state on school libraries, as well as the absolute value of having a well-resourced school library with teacher librarians. The 'School libraries in South Australia: 2019 census' is the first report of its kind in Australia. Prior to this census, all that existed was anecdotal evidence, but this research shows what many, and in particular the School Library Association of South Australia, have feared is the case: South Australia does not have the staff it needs for our school libraries.

Prior to the census, the number of teacher librarians in South Australia was unknown. The 2019 census revealed that only 23 per cent of schools in South Australia currently have access to qualified teacher librarians, even though 94 per cent have staff providing library programs and services. Of the schools that do have a teacher librarian, most are employed under the recommended levels. Further to this, the census has shown us that smaller schools under 400 students and remote schools in disadvantaged communities are less likely to have library staff, and secondary schools with 'virtual' libraries are also less likely to have library staff and, in particular, a teacher librarian.

School curriculum tasks are now managed by other school staff rather than a qualified teacher librarian, which puts more pressure on classroom teachers. Research, referencing, information literacy skills and inquiry learning have become additional tasks for our classroom teachers, while the school's literacy and reading programs are often managed by curriculum teachers or faculty heads. This includes such things as copyright and creative commons and the ethical use of information as well.

Having qualified library staff matters. Schools with a qualified teacher librarian are more likely to have improved student literacy outcomes. Using NAPLAN 2018 data, students' reading, writing, spelling, grammar and punctuation outcomes at years 3, 5, 7 and 9 were found to be significantly associated with the qualification level of the person who manages the school library. Students in schools with a qualified teacher librarian had up to two months' learning gain compared to students in schools with no staff member managing the library, taking into account the socio-economic status.

The difference in year 9 student literacy outcomes was particularly evident. Further, COVID-19 has highlighted the difference in performance between students who have access to a teacher librarian and those students who do not. It is recognised that the ongoing situation impacts at least a generation.

Students in schools with a qualified teacher librarian had up to two months learning gain compared to students in schools with no staff member managing the library. Furthermore, during COVID-19, schools that had teacher librarians were better able to upskill for digital learning for those staff having to deliver through that platform. Teacher librarians enhance digital and information literacy, resource the curriculum and help students to become critical, creative and collaborative thinkers.

Teacher librarians have a fundamental and powerful contribution to make in preparing students to face the challenges of the future. They have a leadership role in the school to ensure that students are given opportunities to develop information, literacy and to promote resource-based learning as the methodology that facilitates this. The research is very clear: well-resourced school libraries are essential. They become a learning hub for the school, offering access to print and non-print resources, and are a gateway to resources from around the world.

They also provide ease of access to information technology. The physical environment, in this case the school library, needs to be complemented by specialists who are qualified teacher librarians. Teacher librarians teach the life skills of information literacy, visual literacy and critical literacy in a non-threatening environment. They support students in their quest for knowledge and they allow these students to develop at their own pace, and in many cases of course pursuing their own interests.

Teacher librarians, as knowledge managers, are familiar with the latest developments in IT and work with staff to promote the most effective systems and services, ensuring successful integration into the curriculum. Teacher librarians are also trained in children's literature and reading development, and they inspire young people with a love and knowledge of literature. They assist to find the right book for each child, to suit their differences in reading interests, levels and their

personality. They provide the incentive and stimulation to discover new authors and books and to spark that love, not just of libraries but of literature.

Research has shown that free voluntary reading by children has the greatest impact on their acquisition of literacy skills. The School Library Association of South Australia believes that one of the best outcomes for children and students of the national inquiry into teacher education is to ensure that every school in Australia is staffed with a teacher librarian with the dual qualifications of teaching and librarianship, based on student numbers, all states having access to universities offering excellent teacher librarian courses, ensuring the supply of qualified, committed teacher librarians for all Australian schools.

One of the key difficulties for schools to have a teacher librarian is the lack of resources and funding available. There is ample evidence to support a goal of ensuring all schools have access to the professional expertise and skills that teacher librarians can offer. It is also recognised that current school funding, and lack of qualified teacher librarians in some cases, means that this is difficult to achieve. We must commit to properly resourcing schools so that all children can access the significant benefits of having a teacher librarian guide parts of their learning.

It is recognised that the negative impacts on learning outcomes and on the state economy are significant and likely to increase if schools are not supported to implement recovery strategies to offset the impacts of COVID-19 and decreasing literacy levels. The ongoing economic effect, not to mention the other impacts of under-resourced education, has the potential to impact our state over at least a generation. We cannot continue to allow under-resourcing to keep leaving many of our students behind.

The Greens have a strong commitment and background on this issue, and I think it is safe to say that we have always had a firm love of libraries and education. Earlier this year, my colleague in New South Wales, Greens MLC David Shoebridge, moved a similar motion to the one that I bring to the council today. The ACT Greens also had a strong position heading into their recent state election to make sure that every public school has a great school library and a purpose-built facility, staffed on a full-time basis by fully qualified teacher librarians and support staff. The ACT Greens further recognised that:

...each school has different needs, but all schools should have the best possible range of accessible education and training programs, including literacy and numeracy, to offer new opportunities. Libraries are essential for all school students learning and understanding of the world, and qualified librarians can be a vital support so all students have equality of access to digital technology, increase their research skills, and to be supported to be kept safe and to understand the risks and benefits of cyber platforms, including social media platforms.

Indeed, one of the most interesting parts of my discussion with the School Library Association of South Australia was the work of teacher librarians in teaching students critical thinking and analysis and research skills, particularly with regard to engaging with online news and social media. These teacher librarians are equipping students from a very young age with the skills and knowledge to combat fake news and political spin, which is an incredibly useful skill to have, even though I am not sure all people in this place might encourage that at all times.

As social media is increasingly prevalent in all our lives and is used as a vehicle for communication, the spreading of misinformation quickly and efficiently is a scourge, and the ability to be able to sort fact from fiction is becoming increasingly essential. There can be no doubt that school libraries and teacher librarians are vital to the success and future preparedness of our students, and we should be doing everything in our power to support that.

We need to support people to achieve these qualifications, both through supporting upskilling as well as making pathways to qualification as a teacher librarian clearer through university courses. We can also better support principals in particular to understand the value and importance of teacher librarians and how they can positively influence learning and quality at their schools and how they work together with classroom teachers.

To conclude, I would like to note what a 21<sup>st</sup> century school library looks like. The Australian Library and Information Association describes 10 ways that libraries power high performance schools: (1) create a modern learning environment, (2) build a digital hub, (3) improve research skills, (4) encourage reading for pleasure, (5) provide curriculum support, (6) advice on cyber safety,

(7) support diversity, (8) promote participation and access, (9) coordinate special programs, and (10) build the community.

School libraries can and should be at the core of today's rapid innovation and changes as they promote and facilitate the learning of essential and evolving 21<sup>st</sup> century skills. Modern school libraries foster a love of reading and a lifelong yearn to learn. They also train teachers and students alike to develop independent searching skills and to become discerning users of resources.

With the current pace of innovation and change, students and teachers are discovering new ways to use technology to collaborate, teach and learn, and the school library is expected to and should be able to support this transformation. I hope we in this council can all get behind the idea of supporting schools to have a qualified teacher librarian and proper access to a physical library, as the benefits are clear and substantial. We love our libraries in the Greens and we hope that the rest of the council will too. With that, I commend the motion.

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

### *Bills*

## **FIRE AND EMERGENCY SERVICES (GOVERNANCE) AMENDMENT BILL**

### *Introduction and First Reading*

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

### *Second Reading*

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (17:54):** I move:

That this bill be now read a second time.

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

Leave granted.

The 2019-20 bushfire season was one of the worst seasons South Australia has ever endured.

The government immediately responded to the crisis by announcing an independent review would be undertaken to ensure we are better prepared for the 2020-21 season.

In January 2020, the government launched the independent review in to 2019-20 bushfire season ('the Review'), led by former Australian Federal Police Commissioner Mr Mick Keelty AO.

Despite the consultation limitations brought on by the COVID-19 pandemic, 576 submissions were received, with over 100 targeted surveys and 60 video/teleconferences held. Mr Keelty and the project team were able to deliver the report by the end of June 2020, acknowledging that this was the first report to be delivered nationally into the 2019-20 bushfire season.

The Review, released early in July 2020, made fifteen recommendations for improvements based on 68 individual findings. These improvements broadly fell under the following groupings:

- New trucks, support and equipment for volunteers;
- Better protection for our critical assets;
- Enhanced communications and technology;
- Improved information before and during bushfires; and
- Other governance and capability improvements.

The government has quickly acted on the amendments to the existing legislation to appoint an independent chair to the SAFECOM board, as well as introducing reporting requirements from the State Bushfire Coordination Committee to state parliament.

The key objectives of this bill are to implement governance and capability improvements to demonstrate the government's commitment and appreciation of emergency services volunteers and to create a safer and more bushfire resilient community into the future.

I commend the Bill to Members.

Explanation of Clauses

## Part 1—Preliminary

## 1—Short title

## 2—Commencement

## 3—Amendment provisions

These clauses are formal.

## Part 2—Amendment of Fire and Emergency Services Act 2005

## 4—Amendment of section 3—Interpretation

This clause makes an amendment consequential to the changes to section 11 of the principal Act to ensure that the definition of appointed member includes a member appointed under new paragraph (a) of section 11(1).

## 5—Amendment of section 11—Constitution of Board

The amendment to clause 11 provides for the appointment of a member who is not an officer, member or employee of an emergency services organisation by the Governor to be the presiding member.

## 6—Amendment of section 14—Proceedings

This clause deletes from section 14(1) of the principal Act the requirement that, in the absence of the presiding member, the person appointed to preside must be an ex officio member of the Board.

## 7—Amendment of section 71E—Annual reports

This clause deletes the reference to SACFS and substitutes it with a reference to Minister. It also makes a related amendment requiring the Minister to ensure copies of the report provided to the Minister are laid before both Houses of Parliament.

## 8—Amendment of section 101—Annual reports

This clause makes a related amendment to the annual report provision as a result of the amendments proposed to section 71E of the principal Act to remove the requirement to provide for the annual report on the activities of the State Bushfire Coordination Committee and the bushfire management committees.

Debate adjourned on motion of Hon. I Pnevmatikos.

**MOTOR VEHICLES (MOTOR BIKE DRIVER LICENSING) AMENDMENT BILL***Final Stages*

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

At 17:55 the council adjourned until Thursday 4 March 2021 at 14:15.