

## LEGISLATIVE COUNCIL

Thursday, 9 September 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.

### *Petitions*

#### **ALBERTON OVAL**

**The Hon. R.A. SIMMS:** Presented a petition signed by 247 residents of South Australia requesting the council to urge the government to:

1. ensure that any redevelopment of Alberton Oval is subject to stringent assessment against planning regulations safeguarding open space and community amenity;
2. not support or fund this private development.

### *Parliamentary Committees*

#### **NATURAL RESOURCES COMMITTEE**

**The Hon. N.J. CENTOFANTI (14:17):** I bring up the report of the committee on its Kangaroo Island fact finding visit, 15-16 June 2020.

Report received.

### *Parliamentary Procedure*

#### **PAPERS**

The following papers were laid on the table:

By the Treasurer—

Reports, 2020-21—  
Pastoral Board  
Phylloxera and Grape Industry Board of South Australia (trading as Vinehealth Australia)  
South Australian Civil and Administrative Tribunal  
Statutory Report on the Review of the Labour Hire Licensing Act 2017

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

Children and Young People in State Care in South Australian Government Schools 2010—  
2020 Report dated August 2021

### *Ministerial Statement*

#### **SPORT SA CHIEF EXECUTIVE OFFICER COMPLAINTS**

**The Hon. R.I. LUCAS (Treasurer) (14:19):** I table a copy of a ministerial statement made in another place by the Premier on the subject of investigation into complaints by Leah Cassidy, Chief Executive Officer of Sport SA.

### *Parliamentary Committees*

#### **SOCIAL DEVELOPMENT COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (14:19):** I seek leave to move a motion without notice concerning the appointment of a member to the Social Development Committee.

Leave granted.

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

That pursuant to section 21(3) of the Parliamentary Committees Act 1991 the Hon. R.A. Simms be appointed to the committee in place of the Hon. C. Bonaros (resigned).

Motion carried.

#### *Question Time*

### **TREASURY AND FINANCE DEPARTMENT**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:21):** I seek leave to make a brief explanation before asking a question of the Treasurer regarding the Department of Treasury and Finance.

Leave granted.

**The Hon. K.J. MAHER:** When speaking yesterday about the possibility of a former Treasurer's knowledge of allegations of misconduct in a Liberal MP's office, our current Treasurer said, in reference to concerns that could have been reported to the Department of Treasury and Finance, 'It is certainly my belief that most things that go on within a minister's department, either they know about it or they are negligent if they don't know about it.'

My question to the Treasurer is: exactly what information, complaints or allegations were provided to the Department of Treasury and Finance about the actions of Liberal staffers or concerns of Liberal staffers arising out of the Christmas parties that occurred in Parliament House on 13 December 2019?

**The Hon. R.I. LUCAS (Treasurer) (14:22):** I will check the record because I think the section of the media asked a question as to whether there had been any complaints lodged in relation to this particular issue. My recollection is the advice I received and I conveyed to the media publicly was that there had been none, but I will check the record, as I said. There was a media inquiry some months ago, I suspect, or weeks ago, on the very same issue. I sought advice and that was my recollection of the advice, but I will have the record checked and if it is anything different to that I will correct the record.

### **TREASURY AND FINANCE DEPARTMENT**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:23):** Supplementary: will the Treasurer concede, if there is such a complaint and the Treasurer doesn't know about it, then by his own reckoning he is negligent?

**The Hon. R.I. LUCAS (Treasurer) (14:23):** I have very high standards. I am always prepared to admit if I am in error or if I am fallible. I have never claimed to be infallible. But as I said, my recollection is that my office had a media inquiry on this very same issue some time ago. My recollection of the advice that I received and I conveyed publicly to the media was as I have just recounted.

### **YADU HEALTH ABORIGINAL CORPORATION**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:23):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding Aboriginal health.

Leave granted.

**The Hon. K.J. MAHER:** The very first and most fundamental target in the refreshed Closing the Gap agreement is to improve the life expectancy of Aboriginal people. In estimates committee hearings this year, the Premier was completely unaware of this. This lack of basic knowledge may explain the government's apathy and mismanagement of Aboriginal health, particularly in relation to recent concerns about Yadu Health in Ceduna.

On the Far West Coast of South Australia, Yadu Health's 70 to 80 staff see somewhere in the order of 3,000 patients per year, with Ceduna and surrounds having a total population of around

4,500 people. The Yadu Health clinic includes ceilings and walls made from asbestos, with large sections of the building now unsafe for human use due to crumbling asbestos, black mould and water leaking around live electric cabling. We are told about a third of the building is formally condemned and is not even safe for storage.

In addition to the problems at Yadu Health on the Far West Coast, Nganampa Health in the APY lands wrote to the government seeking urgent help, and I quote:

We seek the assistance of the Government of South Australia and the Commonwealth Government to address this urgent resourcing issue which goes to the very sustainability of Nganampa Health Council and the services it provides to the residents of the [Anangu Pitjantjatjara Yankunytjatjara] Lands.

My questions to the minister are, firstly, what exactly has the minister personally done to lobby the commonwealth government to guarantee a new building for Yadu Health in Ceduna and what is the state government's contingency plan if Yadu Health is yet again rejected by the federal Liberal government? What has the minister personally done to secure the future of Nganampa Health in the APY lands after they requested urgent financial assistance from the state government some months ago?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26):** I thank the honourable member for his question. It does raise an interesting trend of inconsistency. The members of the opposition constantly berate members of this government when, in their perception, we are allowing the commonwealth to not live up to its responsibilities. I have certainly heard that in a number of questions. One, for example, was in relation to housing and its relation to the commonwealth. The fact of the matter is that—

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

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —the partnership with the commonwealth in areas such as Aboriginal services, particularly since the 1967 referendum, means that the commonwealth has particular responsibilities and we do not support, if you like, letting them not live up to those responsibilities—

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

**The PRESIDENT:** Order! The Leader of the Opposition is out of order. I am listening to the minister. Order!

**The Hon. S.G. WADE:** We will continue to hold the commonwealth accountable for our partnership in Aboriginal health and that means in situations like Yadu we will do what we can. We are giving Yadu a 99-year lease so that they can have security to be able to seek a commonwealth grant.

My understanding, too, is that Yadu does not currently pay a POCA occupancy fee but does pay for electricity and water so, if you like, there is support in kind. Also, I think it is important to make clear that Yadu is a partner with the Ceduna services. When I went into the hospital at Ceduna, it was with members of the Yadu team and they were talking about how their services complement one another and how they work together.

The honourable member also wanted to bring to the house's attention the situation in relation to Nganampa Health Council. The primary funder of the Nganampa Health Council is the commonwealth. The commonwealth is currently progressing an organisational review of Nganampa Health Council and, once the recommendations are released, SA Health will jointly explore prospects with the commonwealth and Nganampa Health Council to deliver on those recommendations.

One of the challenges that Nganampa has faced in recent years—and I certainly feel for Nganampa as they have dealt with the tragic loss of Gayle Woodford. As a result of that, they have had to work through a coronial investigation and the significant recommendations that came out of that review. Certainly, not only was there the independent review of Gayle's Law but there was also the Deputy Coroner's inquest findings.

Nganampa's view is that it is good practice to reflect on the Deputy Coroner's findings while we are still awaiting the government's consideration of those findings and any legislative changes to Gayle's Law. In that sense some of the additional costs that Nganampa is carrying in our view pre-empt the outcomes of those processes.

I have met in a virtual way personally with representatives of Nganampa. I wrote to them on 31 August, conveying much of what I have just referred to. We are certainly very keen to ensure health services to the Anangu are maintained and strengthened. The most striking example of that is the vaccination program underway on the APY lands, in partnership with RFDS and Nganampa Health Council.

I appreciate that this is a challenging time for all of us, a challenging time for Nganampa. On top of the pandemic, they have had other challenges they needed to meet. The commonwealth review I trust will not be delayed, so that we can make sure Nganampa has the resources it needs to continue to deliver the health care that Anangu need on the lands.

#### **YADU HEALTH ABORIGINAL CORPORATION**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:30):** Supplementary arising from the original answer: minister, given your view that Aboriginal health is solely the responsibility of the commonwealth, can you outline to the chamber the personal representations you have made to the commonwealth in relation to Yadu Health and Nganampa Health?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** That supplementary question showed that the honourable member was not even listening to my answer. I did not talk about the commonwealth having sole responsibility, I talked about partnership.

#### **YADU HEALTH ABORIGINAL CORPORATION**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:31):** Supplementary arising from the original answer: can the minister outline to the chamber the representations he has personally made to the commonwealth in relation to Yadu Health and Nganampa Health?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** In relation to the commonwealth Department of Health's review of Nganampa, that is not something I have been involved in.

**The Hon. K.J. Maher:** Just washed your hands of it?

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I look forward to the outcome of that report, and we will continue to work with Nganampa to make sure they can continue to provide quality health services on the lands.

#### **YADU HEALTH ABORIGINAL CORPORATION**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:32):** Supplementary arising from the original answer: in the most recent commonwealth Closing the Gap funding, can the minister outline the amount of funding available around Australia for Aboriginal health infrastructure, and what representations has the minister made in relation to Yadu Health to the commonwealth?

**The PRESIDENT:** Minister, if you wish. No, I think we will move on. The supplementary did not arise from the original answer. The leader has a third question, if he wishes, otherwise I will move on.

#### **MEDI-HOTEL WORKERS**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:32):** My question is to the Minister for Health and Wellbeing regarding quarantine facilities. Why has the government failed to offer secure full-time employment to medi-hotel workers like cleaners, security and catering staff, who can earn less than \$22 an hour, and does the minister understand the significant challenges that part-time medi-hotel workers face in securing employment elsewhere?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** Yes, I am aware of those challenges, and that is why I am very pleased that my officers are working with the operators of the medi-hotels and the Tom's Court facility to strengthen the security of workers.

#### **MEDI-HOTEL WORKERS**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:33):** Supplementary arising from the sort of answer: what exactly is being done to make sure that workers like cleaners, security guards and caterers are offered full-time work?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** Every time we get supplementaries we get misrepresentations. I did not say we were offering people full-time work.

#### **MEDI-HOTEL WORKERS**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:33):** Supplementary arising from the answer: is the minister aware of any recommendations from state or federal health authorities about the preference and benefits of such workers being full-time workers in the medi-hotel system?

**The PRESIDENT:** I am not going to take that because I think that did not arise from the original answer. The Hon. Mr Stephens has the call.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Stephens has the call.

#### **SUICIDE PREVENTION**

**The Hon. T.J. STEPHENS (14:34):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about suicide prevention.

Leave granted.

**The Hon. T.J. STEPHENS:** On the eve of World Suicide Prevention Day and with today being R U OK? Day it was pleasing to see the nation-leading introduction of the Suicide Prevention Bill 2021 in this place yesterday. It follows a strong, demonstrable commitment to suicide prevention by this government and builds on the landmark investment in mental health for South Australians in the June 2021 state budget. Will the minister update the council on the broader work in suicide prevention?

**The PRESIDENT:** I remind the minister that he can't anticipate debate on the bill because the bill is now before us, but I invite the minister to answer the question with that knowledge.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35):** Sorry, sir, the question didn't relate to the bill at all. The question I understood the honourable member was asking was to update the council on the broader work in suicide prevention.

**The PRESIDENT:** The explanation referred to the bill.

**The Hon. S.G. WADE:** I'm not answering the explanation; I'm answering the question.

**The PRESIDENT:** No, but you are—

*Members interjecting:*

**The PRESIDENT:** The minister will proceed with that knowledge.

*Members interjecting:*

**The PRESIDENT:** Order!

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

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

**The Hon. S.G. WADE:** I certainly focus on questions. I thank the honourable member for his question and his interest in the government's work on suicide prevention and in supporting the mental health of South Australians. With World Suicide Prevention Day tomorrow I think it is timely

to reflect on the work that has been done by this government on suicide prevention in the past 3½ years.

In July 2018, the first ever meeting of a Premier's Council on Suicide Prevention anywhere in this country was held. In delivering on a promise from the opposition, the Premier appointed you, Mr President, as Australia's first Premier's Advocate for Suicide Prevention. The Premier also highlighted Australia's first Premier's Council on Suicide Prevention, bringing together a wealth of lived experience participants, subject matter experts, service provision leaders and community members who represent specific at-risk groups within the community, to form that council.

Since that time, the Premier's council has met regularly and worked assiduously. It has considered dozens of presentations and representations from people with lived experience and it has engaged with the state Coroner in relation to means and methods of suicide and the Coroner's findings. The council has worked with Professor Nicholas Proctor from the University of South Australia to undertake a rapid review of film and other fiction and non-fiction media around the portrayal of suicide and self-harm.

This initiative resulted in the commonwealth classification authority rating ripple effect movies and producing a *Walking through the Minefield* brochure which is delivered when hosting media or theatre events that contain themes of suicidal behaviours. The council established an ongoing review of the SA Postvention Referral Mechanism situated in the Coronial Investigation Branch of SAPOL, where bereaved families are linked to bereavement support services.

The council has overseen the establishment of a whole-of-government issues group on suicide prevention, with the inaugural meeting held in October 2018. The issues group are a working group of the Premier's council and can act on and implement recommendations of the council or their own plans, and work across government departments. The issues group is looking at how data around vulnerability to suicide can be captured and better utilised across government to enhance support response.

The council played a key role in reviewing and providing information to inform the consultation draft of the Suicide Prevention Bill. Beyond the council, SA Health has been active in promoting suicide prevention. A South Australian tertiary education suicide prevention group has been established, and work to establish seven new suicide prevention networks is ongoing.

In March 2019, a youth summit on suicide prevention was held in collaboration with the Office of the Chief Psychiatrist involving 100 attendees from government, non-government, youth representatives, the Premier's council and suicide prevention network members. On this and every day it is essential that government and the community work together on suicide prevention, including postvention following the loss of a loved one from suicide, as we aspire towards zero suicide as a South Australian community.

#### *Parliamentary Committees*

### **JOINT COMMITTEE ON STATUTES AMENDMENT (ANIMAL WELFARE REFORMS) BILL**

**The Hon. T.A. FRANKS (14:39):** I bring up the report of the committee.

Report received and ordered to be published.

#### *Question Time*

### **PORT PIRIE, BLOOD LEAD LEVELS**

**The Hon. R.A. SIMMS (14:39):** I seek leave to make a brief explanation before addressing a question to the Minister for Health on the topic of Port Pirie's lead smelter.

Leave granted.

**The Hon. R.A. SIMMS:** The latest SA Health report into Port Pirie lead levels, released on 30 August, shows that in the first half of this year the average blood levels of Port Pirie children under five was 5.7 micrograms. For children tested on their second birthday, it was 7.8 micrograms, the highest reading in a decade. Experts have issued parents with a range of warnings, including to ensure their air conditioners are cleaned, their windows and doors are properly sealed, children's

toys and clothes are cleaned daily, clothes are not dried outside, and prams are not pushed into the wind.

My question to the Minister for Health is: given the risks associated with high lead levels, what is the government doing to ensure emissions from the smelter are lowered to limit the adverse outcomes to children, including respiratory illness and socio-behavioural problems?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41):** With all due respect to the honourable member, I am not the minister responsible for the EPA. The reduction strategies within the smelter are coordinated by him. I will say that this government is a government that is very determined to make sure we improve the governance of the Port Pirie blood lead levels program, particularly through the Targeted Lead Abatement Program.

Recently an independent review was undertaken, seeing that the leadership of that initiative has been strengthened. The lead minister is the Hon. Dan van Holst Pellekaan, Minister for Energy and Mining, in partnership with myself and Minister Speirs. The recent deterioration is concerning, and certainly the work being done with the smelter to reduce emissions is a key part of the long-term strategy.

#### PORT PIRIE, BLOOD LEAD LEVELS

**The Hon. R.A. SIMMS (14:42):** A supplementary: noting the minister's reply, what is he doing, as the Minister for Health, to satisfy himself that young people and children are not being placed at risk in Port Pirie as a result of this smelter?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** One thing is being part of a government that is proactive. I am proud of the fact that it was this government that did a thorough review of the Targeted Lead Abatement Program.

In relation to the program, the Port Pirie Environmental Health Centre, which is part of the health network, has implemented strategies to improve dust management in the community, including allocating additional caseworker resources, increased interventions offered to families with children at high risk of exposure, increased cleaning of public spaces in the community, and removing contaminated waste.

Through our environmental health centre, families of children at risk of elevated blood levels are given individual counselling, advocacy support and strategies to reduce their child's risk of exposure and absorption of lead. Interventions to reduce exposure are tailored for the specific lead sources in each situation. Some of the interventions that could be used include professional housecleaning, covering exposed yard soil, minor home repairs, assistance with access to healthy foods, offering subsidised child care, and relocating families most affected to lower exposure locations.

#### PORT PIRIE, BLOOD LEAD LEVELS

**The Hon. R.A. SIMMS (14:44):** A further supplementary: will the minister be advocating to his colleagues the Minister for Environment and Water and the Minister for Energy and Mining to reduce the lead levels in the area, and is he advocating for more water to be available to reduce the proliferation of dust?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** This government, as I said, is taking a collaborative approach. The Targeted Lead Abatement Program is a multiportfolio response. We have certainly been discussing it a number of times, including recently as a result of the independent review, and all of the factors are balanced in consultation with my cabinet colleagues.

#### *Parliamentary Procedure*

#### VISITORS

**The PRESIDENT:** Before calling the Hon. Ms Bourke, can I acknowledge the presence in the gallery of the Hon. Ian Gilfillan, somewhat disguised, but we welcome you.

*Question Time***COVID-19 PUBLICITY**

**The Hon. E.S. BOURKE (14:45):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding communications.

**The PRESIDENT:** I would invite the Hon. Mr Gilfillan, probably, to remove his cap, thank you. The Hon. Ms Burke, I will ask you to go again. I am sorry, I was distracted.

**The Hon. E.S. BOURKE:** That is alright, we have a rebel in the gallery. I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding communications.

Leave granted.

**The Hon. E.S. BOURKE:** The *Plains Producer*, a regional newspaper, reported yesterday about their poor treatment by both SA Health and the minister's office, and I quote:

Narrunga MP Fraser Ellis this week has stepped in on behalf of all country SA journalists penning a letter to Health Minister Stephen Wade to act. The MP explained that his office is also among regional outlets to go without notification on the Port Wakefield exposure site.

He goes on to quote:

Despite it being imperative that constituents be advised of this development so they can react and get tested should they have visited this petrol station on Monday afternoon, I reported no notification to the electorate office and nor to the *Plains Producer* editor Michelle Wilksch, despite repeated requests for information and answers to posed questions from journalists.

The MP refers to the treatment as 'unacceptable'. The member for Narungga further writes:

I formally request that country newspapers such as the *Plains Producer* are afforded the same courtesy and service as metropolitan news outlets receive. It is especially vital during a pandemic, when information sharing and advice to test and isolate etc. is so important, that country media outlets, as the best placed locally trusted news sources, receive the facts/advice to circulate efficiently.

My questions to the minister are:

1. Given the government's city-focus budget, its fixation on a new city basketball stadium and now these revelations that country communities can't get a straight answer from the minister's office, can the minister understand how regional communities and their local MPs feel like they have been hung out to dry?

2. Given the government had one of its own country MPs cross the floor to vote with Labor to ensure regional representation on the COVID-19 Transition Committee, what exactly will the minister do to address the crisis of confidence in regional communities and how they are being treated by the minister's office and SA Health?

**The PRESIDENT:** The Minister will ignore the opinion in that explanation. The minister has the call.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:47):** Indeed, Mr President, I will, and because there was so much opinion and so few questions my answer will also be very brief. I indicated yesterday that we could do better and we will strive to do better. I also respect the member for Narungga enough to not send messages to him through members of the Labor Party. I will be giving the member for Narungga a respectful response, directly.

**COVID-19 PUBLICITY**

**The Hon. E.S. BOURKE (14:48):** Supplementary: can the minister outline what he will be doing to improve his communications with regional communities?

**The PRESIDENT:** I think that was very broad from the original answer. I will allow the minister—

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48):** I have nothing to add.

*Members interjecting:*



**The PRESIDENT:** The Hon. Dr Centofanti has the call.

### GENDER PAY GAP

**The Hon. N.J. CENTOFANTI (14:48):** Mr President, my question is to the minister—

*Members interjecting:*

**The PRESIDENT:** Order, the Hon. Ms Bourke! The Hon. Dr Centofanti will start again.

**The Hon. N.J. CENTOFANTI:** My question is to the Minister for Human Services regarding women. Can the minister please update the council on South Australia's gender pay gap.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49):** I thank the honourable member for her question and for her interest in this area. Indeed, we were very pleased that South Australia has the lowest gender pay gap in the nation. It has come down from over 9 per cent when we took office, reduced to 8.2 per cent last year and is now, pleasingly, down to 7 per cent. This is against a backdrop of the national pay gap being over 14 per cent.

We obviously know that closing the gender pay gap is important for the future prosperity and the current prosperity, indeed, of all South Australian women. I think it speaks to the opportunities that are in South Australia in terms of employment for women, which is something that we are keen to progress through our strategy. I think it speaks to the very solid economic recovery that South Australia has experienced. Indeed, I note that the unemployment rate for women in South Australia is down to some 4.4 per cent. It is actually lower than the male unemployment rate, having come down from 9 per cent in June last year.

So we certainly know there are fantastic opportunities for women. We have a Premier's Council for Women which is being refreshed, which has a very specific focus on economic empowerment for women, including entrepreneurship. It was great to see one of the members of that group, Kelly Baker-Jamieson, featured in the paper this week. She, herself, is a small business startup who began her business, Edible Blooms, in 2005, and she is now employing more than 100 staff across Australia and has been a Telstra businesswoman of the year.

We will continue to deliver economic opportunities for women to progress the status of women in South Australia. I do note that this has been a question that has been raised in estimates, particularly during the height of the pandemic, by the member for Reynell. I do not necessarily expect that I will receive a bouquet of flowers, but she may want to consider sending the member for Unley a bouquet of flowers, given he has the lead role for employment in South Australia and is always pushing the barrow for opportunities for women, particularly in the apprenticeship and traineeship area, which is one of the areas where we are looking to expand opportunities for women into the future.

### SURPLUS LAND DISPOSAL

**The Hon. J.A. DARLEY (14:52):** I seek leave to make a brief explanation before asking the Treasurer, representing the Minister for Planning and Local Government, questions concerning potential surplus land disposal.

Leave granted.

**The Hon. J.A. DARLEY:** I have received advice from the open space team, Office for Design and Architecture, that a review is being undertaken of the strategic value of all of the minister's landholdings for future open space requirements. It was advised that land parcels deemed surplus and of no strategic value to other government agencies would be subject to a surplus land disposal process by the Urban Renewal Authority via Renewal SA. My questions to the Minister for Planning and Local Government are:

1. Which holdings are being reviewed (a) in respect of the area of holdings in hectares within regions of the metropolitan area and regions of the state and (b) in relation to the range of potential land uses, community values and environmental assets?

2. To what extent is the review process being advertised to facilitate community involvement and input?

3. What point has the review and disposal process reached, and is there an estimated completion date for the review process?

**The Hon. R.I. LUCAS (Treasurer) (14:53):** I am happy to take the question on notice and bring back a reply.

### SURGERY SERVICES

**The Hon. T.T. NGO (14:53):** My question is to the Minister for Health and Wellbeing regarding health. Yesterday afternoon a woman contacted the opposition distressed that her urgent lung cancer surgery had been cancelled. This surgery, the removal of an upper lobe of the lung containing a malignant tumour, was booked in just last Thursday for this coming Monday at the Royal Adelaide Hospital.

When this woman asked her surgeon what would happen if her surgery was cancelled due to COVID restrictions, he said, and I quote, 'It won't get cancelled. This is not an elective surgery.' The woman phoned the surgeon's rooms yesterday following up on her appointment and after several follow-up calls was advised that her surgery, along with all surgery on that patient list, was being cancelled due to, and I quote, 'orders from above'. They couldn't explain why. My questions to the minister are:

1. Why has urgent lung surgery been cancelled at the Royal Adelaide Hospital?
2. How many patients have had their surgery cancelled?
3. Are there any other surgery categories that are being cancelled at the Royal Adelaide Hospital or any other hospital and, if so, why?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55):** I thank the honourable member for his question. I don't think the statement in relation to COVID is relevant at all. Let's be clear: there are active cases of COVID in South Australia but there is no evidence of COVID in the community. We need to keep testing; we need to keep following public health measures.

The cancellation of the lung cancer surgeries at the Royal Adelaide Hospital did not relate to COVID. My understanding is it related to staffing matters. There were, as I understand it, three cases that needed to be cancelled. CALHN is working to reschedule these surgeries as quickly as possible, and this includes planning additional theatre lists at the Royal Adelaide Hospital. Obviously, with a large health service with 44,000 staff, from time to time there are disruptions in services, but let me stress again: in spite of the insinuation of the honourable member, this had nothing to do with COVID.

### SINGLE TOUCH PAYROLL

**The Hon. D.G.E. HOOD (14:56):** My question is to the Treasurer. Will the Treasurer outline for the chamber the latest information on the Single Touch Payroll figures?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS (Treasurer) (14:56):** I am delighted at the end of the parliamentary sitting week to be the—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —conveyor of good news to the—

*Members interjecting:*

**The PRESIDENT:** Order! The Treasurer will resume his seat. I can't hear the Treasurer and I would like to, and I am sure all of the opposition and other members would like to, so I would like the Leader of the Opposition and his frontbench colleague to be quiet. The Treasurer will continue.

**The Hon. R.I. LUCAS:** As I said, I am sure all members will be delighted to hear me, on behalf of the people of South Australia, conveying good news to the chamber and to all people in

relation to the latest Single Touch Payroll figures produced by the independent Australian Bureau of Statistics—not produced by anyone from a partisan viewpoint.

The latest Single Touch Payroll figures in the latest fortnight, which is up to 14 August 2021, very pleasingly from South Australia's viewpoint showed that we have regained our position, second only to Western Australia, in terms of the increase in the total number of employee jobs since the low point of the pandemic in April 2020—a 14.7 per cent increase in the number of jobs, only outranked by Western Australia—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —at 16.2 per cent. Both Western Australia and South Australia are significantly above the national figure, which was 10.1 per cent, still healthy, double digits, but South Australia and Western Australia are leading the pack, leaders in the clubhouse, at 16.2 per cent and 14.7 per cent.

Even more pleasingly, because of the factors I have highlighted before—that is, the total employee wages when compared to the low point of the pandemic—South Australian workers, 12.6 per cent in total wages paid since the low point of the pandemic, only outranked, again, by Western Australia at 16.5 per cent. The national figure is 9 per cent, so Western Australia and South Australia are significantly ahead of the national figures.

As I reported, the last Single Touch Payroll figures, which actually coincided with the week of the lockdown in late July, did show a decline in that particular fortnightly period, but in the interests of transparency and accountability we always share the information whether they happen to be up or down. Pleasingly, this fortnight's figures, as they generally have for most of the last few months, demonstrate a very healthy economic recovery in South Australia when compared to most of the rest of Australia.

#### KANGAROO ISLAND WHARF FACILITY

**The Hon. F. PANGALLO (14:59):** I seek leave to make a brief explanation before asking a question to the Treasurer, representing the planning minister, the Hon. Vickie Chapman, about the decision to reject the Smith Bay wharf project on Kangaroo Island.

Leave granted.

**The Hon. F. PANGALLO:** In May this year, myself and the Hon. Russell Wortley called on the minister to recuse herself from making the pending decision on the wharf development, over legitimate concerns she had conflicts of interest, along with her close friendship with the mayor and former political ally, Mr Pengilly, a vociferous opponent of the project, who also had a conflict because his property is near the development site and heavy traffic to and from the wharf would have passed his place.

He still flatly denies this, despite being present and chairing a crucial council meeting in December last year in which Kangaroo Island Plantation Timbers submitted an addendum to their EIS and briefed the council on its contents, including the proposed road traffic network. It clearly shows it would pass by Mr Pengilly's property on North Coast Road, Wisanger. I am reliably informed by some attendees that at no time during this meeting did Mr Pengilly declare he might have had a conflict, nor did he offer to absent himself from the discussions.

On 26 May this year, the minister delivered a three-page statement rebuking my concerns, while denying she had any conflicts or any interest in any property that might have been impacted by the project. She concluded her remarks by stating: 'If it stacks up, it will be approved. If it doesn't, it won't.' It did stack up. The State Planning Commission approved it with manageable conditions, as did another government commissioned report that the minister had no idea existed. Yet, the minister rejected it on spurious and unsubstantiated grounds—

**The PRESIDENT:** I hope the member is coming close to his question.

**The Hon. F. PANGALLO:** Nearly finished—not the expert advice she told the parliament she was expecting. My questions to the minister are:

1. At the time of making her decision, did the Attorney-General and planning minister have three titles in her name at Western River?

2. Did she hold four other titles as executor of her late brother's estate—with two being transferred to her sisters on 5 August 2021, four days before she killed off the project—that are situated within 10 kilometres of five KIPT plantations?

3. Why didn't she declare these interests at the time and when questioned about them in parliament?

4. Why did she reject the project after categorically stating in parliament that it would be approved if it stacked up?

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS (Treasurer) (15:03):** I will refer the honourable member's questions to the minister and bring back a reply.

#### **SA HOUSING AUTHORITY**

**The Hon. J.E. HANSON (15:03):** I seek leave to make a brief explanation before asking a question to the Minister for Human Services regarding housing.

Leave granted.

**The Hon. J.E. HANSON:** The SA Housing Authority website says the executive team consists of the Director of Finance, Nicholas Symons; the Executive Director, Strategy and Governance, Belinda Hallsworth; the Executive Director, People and Safety, Deborah Dickson; the Executive Director, Portfolio Planning and Asset Management, Andrew Atkinson; and the Executive Director, Customers and Services, Paul Reardon. My questions to the minister are:

1. Of the executives listed—as I have just read out, they are off the agency's website—which ones have since resigned or been dismissed, and when were the resignations dated?

2. Who exactly are the members of the SA Housing Authority executive today, given that at least one of those people who are on the website resigned more than a year ago?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:04):** It's cutting-edge stuff, isn't it, what's on the website.

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

**The PRESIDENT:** Order!

**The Hon. J.M.A. LENSINK:** I will seek a response from the agency and bring it back for the chamber.

#### **PLAN AHEAD WEEK**

**The Hon. H.M. GIROLAMO (15:04):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding ageing well.

Leave granted.

**The Hon. H.M. GIROLAMO:** In a medical emergency or as a result of cognitive decline, it is not always possible for us to communicate our wishes. Will the minister please update the council on how South Australians can safeguard their rights as part of Plan Ahead Week?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:05):** I would like to thank the honourable member for her question. I am sure we all hope that one day, if we suffer a serious injury or become unwell, we are still able to express our end-of-life wishes to our family. However, sometimes a sudden accident or debilitating illness prevents us from being able to do so. If the pandemic has taught us anything, it's that our worlds can be completely turned upside down in the blink of an eye.

Today I would like to encourage all South Australians to make their wishes known, to take control of their futures and safeguard their rights ahead of the possibility that they cannot make decisions for themselves one day.

This week is Plan Ahead Week. It is a time to complete various legal tools available to you, such as advance care directives, enduring powers of attorney, wills and registering to be an organ or tissue donor. Discuss your wishes, values and preferences with your family and friends. These completed tools mean your loved ones will know your choices and be prompted to act upon them if you cannot express them for yourself at some future time. Leave copies of your documents with your loved ones, your GP, your lawyer, your local hospital.

The Office for Ageing Well, a division of SA Health, coordinates Plan Ahead Week every September, supported by Legal Services Commission of South Australia, Office of the Public Advocate, DonateLife SA and community organisations.

Ian Henschke is the Plan Ahead ambassador for the Office of Ageing Well as well as the chief advocate for leading advocacy organisation National Seniors Australia. He shared a story of how planning ahead helped his brother, Richard—and Richard's family—when they were faced with potentially making tough medical decisions for him in his final days. Richie was a smoker who developed a chronic obstructive pulmonary disease and lost his ability to swallow. Ian remembers feeding his brother his last meal before he died—a bowl of soup.

In what was no doubt an extremely emotional time, a palliative care specialist was called in. What made it easier for Richard and his loved ones was that Richard had an advance care directive. He had written he was not to be intubated or any other extraordinary measures taken. As a result, Ian feels Richard had what is known as 'a good death' with no pain. In Ian's own words:

Fewer than one in seven Australians has an Advance Care Directive. Because Richard had one, he didn't spend his last days in intensive care being given costly and futile treatment. We need to have the discussion with our family and our GP and then write our wishes down. When asked, nearly three quarters of us say we want to die in our own home. Only one in seven Australians will. So, write down what you want. Make it your resolution. While you're at it, update your will and enduring power of attorney. The ageing of Australia means the number of deaths will double in the next 25 years. If you want to die in your home or a hospital room surrounded by family, not in an intensive care ward surrounded by machines, do something about it. If you do, you will save your family awful worries. I learnt that from my brother. Thank you, Richie.

I encourage everyone to do what Richie did and plan ahead. Plan ahead to reduce your family's stress and conflict during times of crisis. Plan ahead to safeguard your rights. Plan ahead to give you peace of mind and ensure that decisions that are made for you are consistent with your wishes. Plan ahead to control your future. In that journey, I would encourage you to have a look at the Plan Ahead website, which links to a variety of legal tools which I encourage everyone to complete. That website is found at [www.sahealth.sa.gov.au/planahead](http://www.sahealth.sa.gov.au/planahead).

### **BUILDING WHAT MATTERS CAMPAIGN**

**The Hon. T.A. FRANKS (15:09):** My question is to the Treasurer: how much has been spent so far on the Building What Matters campaign, and what criteria have been used to afford this campaign promotion in South Australia to date, given that he chairs the relevant committees?

**The Hon. R.I. LUCAS (Treasurer) (15:09):** I am happy to take the detail of the question on notice, but the Building What Matters campaign, together with all other campaigns, is publicly disclosed on the government website. The proposed cost of the campaign, the actual expenditure of the campaign and a copy at the end of the campaign of the evaluation, that is, what it was endeavouring to achieve and whether it achieved it or not, is publicly available.

That occurs at the end of each campaign, so I would need to check to see whether or not the evaluation of the first stage of the Building What Matters campaign has been concluded; I suspect it might not have. Nevertheless, there is a process where those sorts of details are all made publicly available. Nevertheless, I will check to see what is publicly available and advise the member accordingly.

### BUILDING WHAT MATTERS CAMPAIGN

**The Hon. T.A. FRANKS (15:10):** Supplementary: why has this campaign been approved and what behavioural change does it create?

**The Hon. R.I. LUCAS (Treasurer) (15:11):** Again, the details, in terms of the evaluation of the purposes of the campaign, are revealed publicly, but in broad terms the government's position was that, particularly as we were seeking economic recovery, particularly in the last 18 months with both an economic stimulus package and the need to save as many jobs and businesses as we could in terms of the impacts of COVID-19, which was obviously an overlay for part of the campaign, was important for the people of South Australia to understand where their hard-earned taxpayer dollars were being spent: on very important social infrastructure, such as massive amounts of investment in hospitals and health facilities right across the board that the Minister for Health has been talking about in this chamber, very significant expenditure on schools and education facilities that the Minister for Education has talked about, and again massive expenditure on transport and road projects in particular that the Minister for Transport has been talking about.

Public sector investment in public infrastructure is critical in terms of jobs and businesses and economic recovery in South Australia, and advising people, first, of where their hard-earned taxpayer dollars are going, and the value of that is one very important policy goal, and, secondly, also advising business that may want to tender for important public sector infrastructure projects and being aware of the pipeline of projects that are flowing is obviously another very important policy goal in which taxpayers will be very much interested.

The precise terms of the evaluation and what is meant to be achieved will be made available, if they have not already been made available. This government has been transparent in terms of government advertising. The cost of the campaigns and the evaluations are made public on one of the government websites.

### LAND TAX

**The Hon. I. PNEVMATIKOS (15:13):** My question is to the Treasurer. How many land tax assessment notices for 2021 are still yet to be issued, and how much has the government spent on external contractors who have been brought in to fix IT issues that are plaguing the system?

**The Hon. R.I. LUCAS (Treasurer) (15:13):** In relation to the second question, that was asked during the estimates committee and an answer has or is being provided publicly. I do not have that number with me, but it has been publicly provided. In relation to the latest estimate of the outstanding number of accounts, my advice early this week was that it has come down from 18,000, pleasingly, to 7,100.

### AFFORDABLE HOUSING

**The Hon. J.S. LEE (15:14):** My question is to the Minister for Human Services regarding housing. Can the minister outline to the council how the Marshall Liberal government's affordable housing initiatives are helping South Australians get a foot in the door of home ownership and support jobs?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14):** I thank the honourable member for her question. I am delighted to update the house in relation to the affordable housing program, which is under the auspices of the SA Housing Authority and which has a wonderful new website known as HomeSeeker SA.

In our strategy we targeted the issue of affordable housing. Providing affordable housing is something that the South Australian government, through the South Australian Housing Trust or the South Australian Housing Authority, has in its heritage long been engaged in. For many people who came to South Australia the first property they may have either rented or purchased was built by the old trust.

As we know, a number of the properties within that portfolio are quite dated now so we are working at building those, but we are also working on affordable housing, which is very important for first-home owners and for people who may have had relationship breakdowns and find themselves

either in the private rental market or staying with friends and the like, so we think it's very important to provide opportunities for people to get their foot in the door of home ownership.

In the 2019-20 budget, we provided some funding, which was part of a stimulus package, and all of those properties have been flying out the door. Our affordable homes are priced between \$250,000 and \$418,000. What that provides to prospective owners is that the price is capped and they don't have to compete with investors, which is something that they really value.

In terms of the 71 affordable homes that were provided through the stimulus money, these were two and three-bedroom homes across the metropolitan area which were built by companies such as Urban Concept, Simonds SA, Bellrock Homes, LAMAR Group, Quattro and Rossdale Homes, to mention a few.

In terms of our analysis of who purchased them, certainly all the single ladies. In terms of the ones that we knew about, the profile was that 54 were purchased by single people and of those the majority were actually women under 50, particularly in the 20 to 30 age bracket. I think that is very important. It means that, in effect, those people are now on the ladder of home ownership, which takes them out of the private rental market, so that provides an opportunity for other people to be able to rent those properties and provide some relief in the private rental market.

The next round of a thousand homes, which are anticipated through the strategy, has demonstrated that as at the end of August we had already sold 19 off the plan. Again, these are being built by well-recognised South Australian builders such as Fairmont Homes, Metricon, Rivergum and Scott Salisbury. It is a win-win because the properties are purpose built so they are brand new.

A lot of people, particularly those who are working full time and who are single-person households, don't have time to maintain large yards, but they are really high quality properties. That also provides a pipeline of work for the construction industry once the HomeBuilder grant ends. We are supporting industry and providing opportunities for people through this program, and it's something that we are very proud of.

### COVID-19 RESTRICTIONS

**The Hon. F. PANGALLO (15:19):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about COVID restrictions.

Leave granted.

**The Hon. F. PANGALLO:** New South Wales Premier, Gladys Berejiklian, reportedly overruled the advice of their state's Chief Health Officer, Dr Kerry Chant, last night, to choose Monday 18 October as the date to reopen the New South Wales economy.

The tentative reopening target is planned to coincide with 70 per cent of the state's eligible population being fully vaccinated, but Dr Chant reportedly advocated for a more careful plan for reopening, suggesting 80 per cent to 85 per cent vaccination coverage would be better suited to avoid the risk of entering another lockdown at a later date—one potentially more significant than the current one plaguing New South Wales. This occurred in an environment where New South Wales recorded 1,405 newly acquired COVID-19 cases and six more deaths. My question to the minister is:

1. Does he agree with Premier Berejiklian's decision to reopen the New South Wales economy earlier than advised by Dr Chant?
2. What is the targeted population vaccination rate being sought by our Chief Public Health Officer, Professor Nicola Spurrier, before this state's restrictions can be fully lifted?
3. Does the State Coordinator and Premier agree with that target rate?
4. Can the minister rule out the State Coordinator and/or the Premier making similar captain's calls as the New South Wales Premier did?

**The PRESIDENT:** Before calling the minister, a couple of the questions sought the opinion of the minister on other people; however, I will invite the minister to respond to the other questions.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21):** Indeed, as the humble state health minister in South Australia I am not responsible for the advice the New South Wales Premier does or doesn't take from her chief health officer. However, to state the clear point, New South Wales and South Australia are in a vastly different situation. Tragically, New South Wales has very significant levels of community transmission, and its pathway out of the pandemic is much more challenging than ours. That doesn't mean that the hard work will be able to be eased off, and that is the hard work of the—

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

**The Hon. S.G. WADE:** If members of the opposition want to heckle me on the pandemic, let that be on the record.

*Members interjecting:*

**The PRESIDENT:** Order! The minister will continue.

**The Hon. S.G. WADE:** Let the record show—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —that the Labor opposition wants to mock me when I am talking about the hard work of the people of South Australia, the hard work of the SA Health workforce to try to get us out of this pandemic. There will be hard months ahead, so if the Labor opposition—

*Members interjecting:*

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

**The Hon. S.G. WADE:** —has decided that now is the time to talk about a bipartisan—

**The PRESIDENT:** Order! There is a point of order. Minister, resume your seat.

**The Hon. S.G. WADE:** —approach to the pandemic—

**The PRESIDENT:** Minister, resume your seat! There is a point of order from the Leader of the Opposition.

**The Hon. K.J. MAHER:** Point of order: the minister was trying to impute motives on the opposition, as he said 'mocking him', not mocking the hard work of South Australians which we have all congratulated.

**The PRESIDENT:** There is no point of order. The minister is obviously going to conclude his comments very soon.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** Thank you, Mr President, for your—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I could make the point that it will make it much more difficult to conclude quickly if I get heckled by the opposition because I have a duty to answer the question of the Hon. Mr Pangallo—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —and their desire to stop me from giving it will not do so.

*Members interjecting:*

**The PRESIDENT:** Order, the Hon. Mr Hunter!



**The Hon. S.G. WADE:** As Chair of the JPSC, I could ask you to please stop serving red cordial on Thursdays; it does terrible things to the Labor opposition.

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

**The PRESIDENT:** There is a point of order from the Leader of the Opposition.

**The Hon. K.J. MAHER:** The minister seems to be mocking the hard work of South Australians during the pandemic.

**The PRESIDENT:** I didn't even hear what you said, but if you want to repeat it you may. No?

**The Hon. I.K. HUNTER:** Point of order: the minister obviously doesn't know that the JPSC does not sit or meet on a Thursday.

**The PRESIDENT:** There is no point of order in either of those. Has the minister concluded?

**The Hon. S.G. WADE:** Yes.

#### *Motions*

#### **RIDGWAY, HON. D.W.**

Adjourned debate on motion of Hon. R.I. Lucas:

That this council notes and thanks the Hon. David Ridgway for his service to the Legislative Council and the community since his election to the Legislative Council in 2002.

(Continued from 7 September 2021.)

**The Hon. N.J. CENTOFANTI (15:24):** I rise to speak briefly to this motion and about the wonderful contribution that the Hon. David Ridgway made to this chamber from 2002 until 30 June this year. I first met David at a rural and regional council meeting in Murray Bridge back when he still had hair on his head—not much, I admit, but some. From memory he was on a parliamentary panel at the time, speaking about all things agriculture, food and fisheries, forests and tourism. I immediately got on well with David, and we would always have great conversations about the regions whenever we caught up at Liberal Party events.

David has always been a shining example of exemplary advocacy for the South Australian community in this chamber over a number of years. In his role as shadow minister and then as Leader of the Opposition in the Legislative Council and as minister he was always approachable, engaging and diligent. I am extremely grateful for the support the Hon. David Ridgway has given me on my entrance into this chamber last year. We will miss him; however, we welcome the Hon. Heidi Girolamo, who has taken his place, and I have no doubt that she will be a great advocate for South Australians in this place.

I wish David, Meredith and their family all the best in their new home in London, and I am confident that David will continue to deliver for all South Australians in his role as Agent General.

**The Hon. J.S. LEE (15:26):** I rise today to wholeheartedly support the motion moved by the Treasurer, the Hon. Rob Lucas, and join him and many colleagues in this parliament to note and thank the Hon. David Ridgway for his service to the Legislative Council and the community since his election to the Legislative Council in 2002.

In his remarks the Treasurer recounted his long-term friendship with David for about 20 years and acknowledged David's achievements, community engagements and parliamentary contributions. The Treasurer spoke highly of the qualities of the retired member of the Legislative Council, who has been appointed as the new Agent General in London.

I want to express my heartfelt congratulations to the Hon. David Ridgway on his prominent appointment. I recall David mentioned in his media conference that the position was more important than it has been at any time in the last 50 years, with Australia and the UK signing a post-Brexit trade agreement. He also said it is a huge opportunity not only for our existing products, including food and wine, and services but areas like space and cybersecurity and, of course, the big defence contracts.

As a former Minister for Trade, Tourism and Investment, David can see great opportunities to grow South Australia's economy, to attract more investment into our state and to develop a significant population growth agenda and in terms of opportunities for the tourism sector post COVID. These are the values and contributions that David would bring to South Australia in his new role.

David said that the Premier of South Australia, the Hon. Steven Marshall, considered a number of candidates before asking him to take up the position. He is very proud and, indeed, honoured that he is the first politician to assume the Agent General role in almost 90 years. Premier Marshall, the member for Dunstan in the other place, said David Ridgway's experience as a trade minister would make him well suited for the role. David has a wealth of knowledge on the international stage that will put South Australia in good stead, as he will take advantage of the new free trade agreement between Australia and the UK.

David and wife, Meredith, have a beautiful family. Many honourable members will know that their daughter Tara is married to the English cricketer Eoin Morgan. David's son-in-law, Eoin Morgan, is the captain of England's One Day International cricket team.

Federal trade minister Senator Simon Birmingham concurred with Premier Marshall when he appointed David in this new role because David's unique set of contacts and connections would put David in a great position to advance the interests of South Australia. And I quote Senator Simon Birmingham, the federal minister, in saying that:

Mr Ridgway got the job because he was a good trade minister who understands what it's like for businesses to operate, to export and to help drive new market opportunities. It's an added bonus that he has those special connections in the UK that I think will be very helpful.

I have known the Hon. David Ridgway since 2009 when I became a Liberal candidate for the Legislative Council. Ridgy is a nickname that David is affectionately known as and is one of the friendliest politicians that I have ever known and many that have met him would concur with me and say the same thing. He is down-to-earth, affable and has an incredible ability to connect with people from all walks of life. It is something the Hon. Rob Lucas, the Treasurer, has also mentioned in his remarks.

When I was elected to the Legislative Council in 2010, the Hon. David Ridgway was the Leader of the Opposition in the Legislative Council. He offered great leadership to support new members coming to this place and he often would—because of my interest in multicultural affairs, my interest in business and international trade—offer a lift to new members, like myself, to attend many both rural and Adelaide regional meetings whereby we could make connections and engage with the business sector as well as multicultural communities.

It would be fair to say that many people just love Ridgy, particularly the Vietnamese farmers, the Asian/Chinese community, the Croatian and the Greek communities. Not only do they respect him as an elected member and the Leader of the Opposition in the upper house at the time—that role that he played—but because of the way that he is able to connect with people through conversations that matter to them and also his connection with people through food.

For those who know Ridgy, you will all know that he has a special appreciation for delicious food and great wines. Ridgy absolutely loves seafood, prawns and crispy suckling roast pig usually served at multicultural events. We all know how much our multicultural communities enjoy showcasing their best and generous hospitality when they organise events and festivals. These communities absolutely love seeing VIP guests attending events that are of significant importance to them and seeing their guests enjoying food the way that Ridgy does.

He makes a strong impression, and up to now, when I go to the Vietnamese Farmers Association, and if Ridgy does not attend the events, they will ask about Ridgy. They will talk about Ridgy in the manner that he was a farmer, he understands what it is like to run a farming business, a horticultural business. Everyone speaks in high regard for Ridgy.

I also want to talk about how David was such a wonderful campaigner. In 2009, when I was elected as a candidate, we were operating a campaign bus for Isobel Redmond, who at the time was Leader of the Opposition. David was the bus driver and I was the volunteers coordinator and we drove to all these different places, such as the Marion Shopping Centre and the Tea Tree Plaza Shopping Centre. Ridgy drove that bus and was very visible in his blue outfit, constantly championing

the policy areas we have and talking about what our directions are. He is really passionate about promoting South Australia.

He was a wonderful colleague and a great contributor to parliament and held many portfolios as a shadow minister as well as, of course, in government. Between 2007 and 2018 he held many shadow minister portfolios, including resource development, urban planning, police, energy, infrastructure, tourism, housing, forests and agriculture. He of course worked in trade, tourism and investment, which were the areas he was really passionate about.

He joined the party in 1974 when he was just a young teenager. The Hon. Rob Lucas (Treasurer) spoke about the business he ran with his wife, Meredith. He has been a wonderful member of the Legislative Council and a really wonderful colleague. I personally will miss him greatly because he was one of the most affable, warm-hearted people you will ever get to know.

I am pleased that the Hon. Heidi Girolamo has joined our council as a new member replacing David Ridgway. I want to take this opportunity to wish David, Meredith and their family all the very, very best. I wish him every success in his role as the Agent General. I am sure he will do well in London and the UK. I look forward very much to reconnecting with him in the future in his new capacity as well as in other capacities. I commend the motion to the chamber.

**The Hon. T.A. FRANKS (15:37):** I rise on behalf of the Greens to associate ourselves with the remarks made so far and wish the now no longer honourable but still affable, supportive and enthusiastic David Ridgway well in his new role as Agent General. I want to reiterate some of what the Hon. Jing Lee has just shared with the council for the sake of the record.

He was a man who, regardless of your party affiliation, was a friendly face, a reasoned and rational voice. When we crossed paths on committee work, he worked collaboratively. In the last few months he was here, he was my neighbour on the lower ground floor. Certainly, he was a neighbour much welcomed by the Greens.

I will miss those debates I used to have with him when he was a minister about grid girls, the Adelaide 500 and the time he offered me a hot lap. I cautioned him that perhaps that might be taken in the wrong context, but as I say, it was offered in the best spirit. He was very generous. He certainly did not favour just his own political party with those opportunities that he would afford us. With those roles he had in tourism in particular, he was very keen and went out of his way to include the Greens in that work. He will be, I believe, a very fine Agent General. I wish him well and I welcome the Hon. Heidi Girolamo.

Debate adjourned on motion of Hon. H.M. Girolamo.

#### *Parliamentary Committees*

### **STANDING ORDERS COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (15:39):** I move:

That the report of the committee be adopted.

I might require a little bit of advice from the Clerk, because I will raise an issue during my contribution and will seek advice as to whether I move it in an amended form or whether I get someone else to move an amendment. We will take advice as we go along.

I am pleased to be able to speak to the report on behalf of the Standing Orders Committee. I cannot remember how long it actually took. It would seem to be at least a year or two ago, I think, when this committee met. The eventual committee membership was you, Mr President, myself, the Hon. Mr Maher, the Hon. Mr Hunter, and originally the Hon. Mr Parnell. He was replaced by the Hon. Mr Simms, and in very short order he was replaced by the Hon. Ms Franks and also the Hon. Mr Hunter was replaced by the Hon. Ms Pnevmatikos.

So a number of members of the chamber have served for varying lengths of period on this particular committee and in part were responsible for the recommendations of the report. I would acknowledge that the Hon. Mr Parnell took a particular interest in a number of aspects, and I acknowledge his contribution. Although he is not here to see the fruits of his work, I acknowledge the contribution that he made to the report.

The first point I want to make in relation to this is that I am pleased to see that the longstanding and observed, but nevertheless not lawfully required, convention of the Legislative Council that standing orders are only amended with the unanimous agreement of all groups or representatives in the chamber has been observed in this particular process. I will speak to some of the detail of that during my contribution.

I have mentioned this before, and I think it sets this chamber apart from other chambers around the world. It certainly sets us apart from lower house chambers, including our own lower house chamber in this state, where on occasions governments with a majority have been able to impose changes to standing orders that the majority supported in that chamber but that might have been strenuously opposed by the minority in that chamber.

I have recounted in the past that over my long period in this chamber there has been a small number of occasions when propositions have been put where a majority of people might have supported a particular standing order change and a minority would have vigorously opposed it. My position, whether in government or in opposition, has remained steadfast and that is that I think the convention has served this chamber well and the rules with which we are governed have been agreed by all who serve in the chamber.

I think it would be a slippery road if that convention was breached and at some stage, for partisan purposes, a majority at the time chose to amend the standing orders to their particular viewpoint or advantage, because it just sets up the slippery slope that when the numbers change the standing orders will change potentially each and every parliament, depending on the view of the majority in the chamber.

Whilst it is not lawfully required, it is a convention which has served this chamber remarkably well. It has been observed again in this particular process. I hope that, as new members participate in standing order discussions over the coming years, they will continue to observe that convention which has served us all well, in my view, for a long period of time.

The report of the Standing Orders Committee of the Legislative Council in its initial pages highlights two or three issues, and I will speak directly to those in the first instance before going through some of the more detailed changes in the standing orders. The first one is there was a submission in relation to making provision for the capacity for members to bring infants into the chamber for the purposes of feeding. Another suggestion was members co-sponsoring bills and motions.

The committee is therefore recommending that standing order 448 provide that the President alone shall have the privilege of admitting strangers, not being members of the House of Assembly or the commonwealth parliament, to the body of the council chamber. However, the committee is of the view that an infant being breast or bottle fed by a member should be permitted to the body of the chamber without order or vote.

The committee recommends the council adopts a new standing order giving that effect. There was a submission to the Standing Orders Committee to that effect. It reflected, broadly, practice in a number of other chambers but including our own House of Assembly. The Standing Orders Committee has recommended that particular change.

The second one which was supported was co-sponsored bills and motions. There had been a submission to the committee that various standing orders be amended to allow for co-sponsored bills and motions, noting that the current standing orders did not allow that to occur. We have had recent examples in this chamber where two members, I think, sought to co-sponsor a bill, and that was not technically possible. It was done in an indirect way but not technically as a co-sponsored bill as exists in a number of other jurisdictions. The Standing Orders Committee is recommending that those standing orders be amended to allow for that to occur.

One submission that was made to the committee illustrates, I think, the desirability of all members agreeing to a standing orders change. I know there are a number of members, possibly even a majority of members in this chamber—I do not know—who would support giving the power to the President to direct a member to leave the chamber for a period of time. That is, to impose some semblance of discipline, in particular during question time but at other times as well, that without having to go through the cumbersome process of naming someone and suspending them

from the house the presiding member has the power to, in essence, direct a member to leave the chamber for a period of time, as exists in our House of Assembly and as exists in many other chambers, to be fair. That is why the suggestion had been made.

Without going through the deliberations of the committee, the report does note the committee's position was not to recommend that, but I think it is illustrative of an example where possibly in this chamber there might have been a majority of people who might have supported it but a not insignificant minority strenuously opposed it. It is a very good example where, certainly as a member of the government who participated in the Standing Orders Committee, I represented the view that unless we could get a united view in relation to a standing order change then we should not proceed with the standing order change. As such, the Standing Orders Committee has not recommended that particular change.

In relation to a leave of absence for maternity leave, the committee recognised that, pursuant to standing order 33, leave of absence can be given to any member for any sufficient cause to be stated to the council. The committee was of the view that there should be specific recognition of standing orders for maternity leave entitlements for members similar to that available in most industrial instruments.

The committee also views that such entitlements should not be subject to the vote of the council. The council recommended that standing orders 33, 34, and 36 be amended to provide for a 20-week period of maternity leave to members who are pregnant, and for that leave not to be subject to a vote and for that leave not to be forfeited by attending the service to council before the expiration of that leave.

Whilst supporting that—and there was a united view to support that—what I will say is that, again, by convention in this chamber, we have been well served in that we have been very generous, and sensible in my view, in terms of the way we have responded to individual requests from members for, on occasions, extended leave, whether it be for maternity-related leave and parenting or, in a number of cases, as a result of ill health. Some members in the past had very extended leaves of absence, which were never questioned by way of challenge to a vote in this chamber, to allow those members to cope with their own personal circumstances. I think, again, that is a convention which has well served this Legislative Council and it is one through which the operations of this council will be best served with the continuation of that respectful cooperation between the parties in the chamber.

It is also tied to a convention in relation to pairs, and I have to say in the last seven years or so, Mr President, there has been the occasional challenge in relation to pairing arrangements. We, up until that period, had always respected pairs. There have been tensions in this chamber in recent years, as I understand it supposedly as a result of tensions which occurred in the House of Assembly, in terms of the way they handled their business. Now, with great respect, I do not think the House of Assembly would always be a very good role model for the way we ought to be handling ourselves in terms of the Legislative Council.

I think generally the respectful way over the decades we have handled pairing arrangements amongst members of this chamber has served us well and I think, again, whilst it is not lawfully required, the sensible operation of pairing arrangements makes this a more family friendly chamber, but it certainly allows the business to progress and be processed in the way that it should. If there are complications in the House of Assembly at any particular point in time, I do not believe that that should feed across into creating problems in terms of sensible pairing arrangements in our chamber.

So leaves of absence, pairing arrangements are all related. This particular standing order provision does relate to maternity leave, but there will be other pressures and I think, again, the conventions, rather than the strict rulings or what is required or not required, the conventions that have operated in this chamber, have served us well and should be allowed to continue.

Getting now into some of the more detailed aspects of the standing orders, I want to go through some of those. Standing order 14 is proposed to be repealed. That says:

Until the Address in Reply to the Governor's Opening Speech has been adopted, no business beyond what is of a formal or unopposed character shall be entertained.

We almost always make alternative arrangements because on this basis we in the Legislative Council would be doing virtually nothing for a number of weeks whilst we wait for the Address in Reply to the Governor's opening speech process to be concluded. It would make no sense at all, and governments of both persuasions, Labor and Liberal, have adopted practices which have meant that we have not abided by this particular standing order and that is why the Standing Orders Committee has recommended that it be repealed, and it makes sense.

Standing order 51 is to be amended, which recognises the current practice that has existed for a number of years now, which is for prayers and Acknowledgment of Country and the traditional owners, using the same form of words that have been used over recent years, and it is now incorporated in the standing orders as opposed to the daily practice that has been adopted by decision of the President of the day.

Standing order 69 is again a sensible amendment. At the end of question time we have a circumstance where, under the current arrangements under standing order 69, if a question is in the process of being asked the Leader of the Government generally has to interrupt and move a suspension of standing orders to enable the member to complete the question and the minister then to answer the question. Members will be familiar with that process that we have to go through.

This will allow a sensible resolution of that. It will require a firm hand of the President, because it does allow a member to continue with his or her question, and I am sure the President will guide to make sure that is not abused by extending with an excessively long explanation to a question in terms of this process. Again, the standing orders committee is recommending that change as being a sensible change.

Standing order 106 is proposed to be repealed because it has regularly been ignored. There is a standing order that says that a member may not give two notices consecutively if another member has a notice to give. It does not make much sense. If the Hon. Mr Parnell got up with four notices of motion, it would make sense that he got them all off his chest at the one time or consecutively rather than, under the standing order, having to give one and then allow another member to give one and then to go back to him. It was not observed, and it has been recommended to be repealed.

Standing order 131 is being amended: every amendment must be in writing and signed by and in the name of the mover. It probably made sense decades ago, but what is proposed now is that it does not require a signature, it just needs to be in the name of the individual member and we will take that as the bona fides of who is moving the particular amendment.

Standing order 135 again recognises current practice, which may or may not be strictly in accordance with the current standing orders, and that is that, if the President considers a particular amendment in the committee to be an uncomplicated one, the President may just put the question that the amendment be agreed to. That has been observed. It is not strictly in accordance with the standing orders, but it makes sense. There are sometimes complicated ways amendments have to be put in the committee stage.

These changes essentially were deemed to be the low-hanging fruit. Some others are a little more challenging, but there are potentially some less complicated ways of amendments having to be put in the committee stage of the debate. I might leave that as a challenge for the next Standing Orders Committee, but I know that new members sometimes struggle to understand our procedures in terms of the way amendments have to be put in accordance with the standing orders. It may well be that more of the complexity can be removed when the Standing Orders Committee reflects in the future on these provisions. Nevertheless, this is a sensible amendment and it is proposed.

Standing order 167 is the silly one that everyone recalls from decades or a century ago: 'Every member desiring to speak shall rise uncovered, in their place'. We are removing the 'uncovered' provision in the standing order and in standing order 168, which is similar.

Standing order 190, I think, is one of the more sensible ones. I have spoken on this on a number of occasions, I think when I actually talked about the need for the Standing Orders Committee to actually do some work in this particular area. This is the one that basically says—and it made sense decades ago—that you cannot refer in any proceeding of the Legislative Council to any, in

essence, evidence that has been publicly taken in a select committee, or in a committee, until the committee has actually reported.

Therefore, if the President picks up a member you have to go through these arcane procedures of saying, 'It has been reported publicly.' You cannot actually refer to the fact that it was actually in a select committee, even though it was clearly in a select committee, regarding what the evidence was. Sometimes members want to pursue a particular issue. They want to be able to say, 'Billy the goose, so and so, gave evidence to a committee and said this. Does the minister agree with that?' or whatever it might be. The current standing order does not actually allow you to refer to that until the committee reports.

It is even more problematic with the Budget and Finance Committee which, of course, has a rolling operation. When I was chairing it we used to occasionally do interim reports and table all the evidence, which eventually allowed you off the leash for a period of time because the evidence and everything had been tabled. I am not sure that we have actually done that in this particular parliamentary session, but this change is a sensible change. It will allow opposition and crossbenchers to be able to refer to evidence if it has been public. If it is confidential evidence, if it is a deliberation of a committee, you cannot refer to it.

If a committee takes evidence in camera and you have a transcript of it, you cannot refer to it obviously. But if it is public, if it has been reported, anyone could have watched it, so it does not make much sense that a member cannot refer to the evidence. I think that is one of the more important ones. Far be it from me to support something which will be very useful for the opposition and the crossbench, but I think it will be very useful for the opposition and crossbench. I think it is sensible.

We are all going to be in the opposition and crossbench at some stage—maybe not the crossbench—in the cycle. Nothing is ever permanent, even though it felt like it was permanent when we were there for 16 years, but nothing is ever permanent. We will all, in terms of government and opposition, experience both sides and that is why conventions are important and actually thinking about what is there for the efficient and good operation of the council as a chamber are important issues for us all to address.

Standing order 203 is the one that, on my reading—I apologise because I was a member of this particular committee—I think we might need to tweak a little bit in terms of the proposed standing order, unless the Clerk has found another way. This actually states:

Any Member, complaining to the Council of a statement in a newspaper [in the media] as a Breach of Privilege, shall produce a copy of the paper containing the statement in question...

We were going to delete 'in the newspaper' and put 'in the media'—so, 'a copy of a statement in the media,' but the remainder of it still refers to 'produce a copy of the paper'. So it may well be that it should read 'a copy of the statement' or something, or whatever it might be. I will have a discussion with the Clerk as we go along to see whether or not I move this in an amendment form or not. On the surface of it, it looks like we might need just to tweak that. Anyway, the purpose of this is to recognise the fact that we have other forms of media, other than newspapers, and we should cover that in our standing orders.

I was happy to agree with standing order 222, but being a traditionalist I was a bit sad to have to go with the majority on this one. This is the two-minute sand-glass kept on the table for the purpose. I love conventions and traditions so I was bit sad to roll over and agree with the majority; nevertheless, I was not going to die in a ditch on the deletion of the two-minute sand-glass. There was some argument as to whether or not the sand-glass was actually accurate for two minutes or not. Some people had been purportedly timing it and it was not always necessarily two minutes, but it is one of those traditions which I am a little bit sad to see go, but nevertheless it is for the younger ones to move on.

Standing order 249 is again a sensible amendment. This is, in essence, going to allow the better processing of transmission of messages between the houses. This will consider a provision for the Clerk to deliver messages to the House of Assembly when the council is not sitting or to the Speaker when the assembly is not sitting. I think the assembly has similar provisions, and this is going to reflect a practice to allow the delivery of messages when either house is not sitting.

Standing order 331 is a sensible proposed amendment from the Standing Orders Committee. This is essentially when there is a disagreement between the houses in relation to amendments, and what we are supposedly required to do, under 331, is provide the reasons for such a disagreement. If and when they are done they basically just say, 'We disagree with them.' There is not much of an argument gone into. The House of Assembly rarely, if ever, provides reasons, so the view was that it really did not add much value and therefore the proposed changes are made to 339.

Standing order 389 provides that the chairperson of a committee shall have a deliberative vote only rather than a casting voice. Again, when we establish the committees we almost inevitably—or always, these days—suspend that particular standing order. This just recognises that that is the case, and when you establish a select committee there will now be no need to move that that particular standing order be suspended.

It is similar with standing order 396. Again, whenever we establish a select committee 396 is routinely suspended so that strangers may be admitted unless the committee otherwise resolves. The proposal is to recognise the current practice. It would mean that we will not have to suspend that standing order when we establish a select committee.

Regarding standing orders 402 and 403, I will not go through the detail but these are not observed these days. It used to be observed decades ago that when you came to do the report of your committee, the chairperson supposedly reads the report to the committee and you go through and vote on it either paragraph by paragraph or page by page. Inevitably that does not happen in terms of select committees, and nor should it, in terms of efficient operation. The standing orders have been modernised to reflect that.

Standing order 410 provides that the report may be read at the request of any member. Again, that does not make much sense. I do not think I have ever seen it occur in my 40 years. If there is an example of it occurring prior to that—there is a shake of the head, so I suspect it has not. Standing order 414 acknowledges that there is no need for a library committee anymore, so we do not need to establish a library committee.

Regarding standing order 420, I think this was one of the passions of the Hon. Mr Parnell: lists of select committees being affixed to some conspicuous place. There was someplace in the lobby or something that did not exist anymore, or you could not access it or something. That is going to be repealed. We have a list of select committees being posted on our website and, being publicly available, the need to post them out the front is no longer required.

There are a lot of other even more detailed amendments to the standing orders, but I think that more than adequately canvasses the more significant elements of the standing orders. I might just pause for a discussion here.

**The PRESIDENT:** The Treasurer.

**The Hon. R.I. LUCAS:** I have been taking advice from the Clerk on two issues. In relation to the issue on standing order 203, what I am advised is that what we are being asked to adopt says 'delete "in a newspaper" and insert "published in the media"', etc. and that that will be in accord with what needs to be achieved. It is just that the words that are in the standing order underneath it will be amended as a clerical error, so it will not say 'paper'; it will say 'record of the media'. So in terms of what members have as a report of the Standing Orders Committee, the actual motion they are being asked to adopt will be okay; it is just that the actual in essence purported way that standing order 203 will be there will actually be 'record of the media' rather than 'paper'. So it will be slightly different from that.

I do want to stand corrected in that I have not accurately portrayed one earlier decision of the Standing Orders Committee, so what I will do is read the actual record of what the committee found on co-sponsored bills and motions, so I do correct the record on what I said earlier. This is what the Standing Orders Committee on page 2 reported:

With regard to the capacity for Bills or Motions to be co-sponsored by multiple Members, the Committee notes Standing Orders 269 and 270 provides for a motion to be moved to nominate a Committee of not less than two Members to prepare and bring in a Bill. However, under the Standing Orders, the process for presenting a fair copy and the signing of the Bill is to be assigned to one Member of the Committee. The provision for a motion to nominate a Committee to prepare and bring in a Bill has not been used in decades.



There is no provision within the Standing Orders for co-sponsored motions or for a motion to be moved by more than one Member although Standing Order 100 provides for a Member to give notice for another Member not then present with the names of both Members appearing on the Notice, however only one Member may move the Motion. Members wishing to align themselves with (or in essence 'co-sponsor') a motion may second the motion and be the speaker immediately following the mover.

The Committee notes Senate Standing Order 76(4) is similar to Standing Order 100 and states: 'A senator may, on request, give notice for any other senator not then present, and 2 or more senators may place their names on a notice as movers'. Extending beyond the provision for a Member giving notice for a Member not then present, the Senate's Standing Order provides for multiple Senators to place their names as movers.

That is the actual recommendation of the Standing Orders Committee, not, as I earlier intimated, that there was to be a proposed change to the standing orders to seek to go down the path of co-sponsored bills and motions. With that, I obviously urge members of the council to support the recommendations of the Standing Orders Committee.

Debate adjourned on motion of Hon. F. Pangallo.

### *Bills*

## **SOUTH AUSTRALIAN MULTICULTURAL BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 26 August 2021.)

**The Hon. F. PANGALLO (16:15):** I rise to speak on the South Australian Multicultural Bill, which makes some significant changes to the pioneering legislation enacted under Liberal Premier David Tonkin to recognise the presence and contributions made to the community by the state's rich and diverse cultures. I will address aspects of the bill and some shortcomings that need to be included shortly; however, I would like to express my support for the many people from different cultural and ethnic backgrounds who have made this state and this country their home, and my appreciation of the contributions they have made to our community.

We are a much better society for this inclusiveness and one that is the envy of the world. As a mark of our benevolent humanity, we continue to warmly welcome refugees and the displaced, including the many families who have come to this free country fleeing from Afghanistan after the dramatic and barbaric fall of Kabul. They are the fortunate ones and we all feel for those who were unable to escape the country, and remain in the draconian clutches of the Taliban.

I and many colleagues in this place, including in this chamber, have been the beneficiaries of the sacrifices and toil of our parents and grandparents who left their homelands in search of a better life for their families. We have been enriched by their endeavours. We see the fruits of their labours everywhere: in industry, defence, agriculture, small business, academia, sport, the arts and of course in the three tiers of government.

Sadly, racial vilification and religious tensions still occur; however, I am pleased to say these instances are in the minority. The vast majority of South Australians embrace and acknowledge the enormous benefits of postwar migration from all corners of the globe. Almost 30 per cent, or 7.6 million of Australia's population, were born overseas. You could safely say that at least 50 per cent of this great country's population would identify with at least one family member being of migrant descent.

We have seen migration come in waves, from Europe and the UK to Asia. The make-up of countries has changed considerably in recent decades. The top 10 countries providing the most permanent migrants to Australia in 2019-20 are India, China, the UK, the Philippines, Vietnam, Nepal, New Zealand, Pakistan, South Africa and the United States. There are almost 78,000 living here as refugees from war-torn countries like Afghanistan, Iraq, Syria and the Congo.

Therefore, I appreciate it was imperative that the old act from 1980 be overhauled to accurately reflect, incorporate and engage the new make-up in our population. This, we have been told by the government, was done through consultation and community feedback. There has been some 'ethnic' cleansing. Curiously, the word itself was considered dated with divisive connotations.

By its very definition, I do not understand why; however, it may have been superfluous to the title. It has now been made redundant, so the statutory body will now be called the South Australian Multicultural Commission.

There is another buzzword in here: intercultural. The bill also wants the commission to work actively in promoting more harmony and awareness of diversity through community engagement. There will be a change to the eligibility of members on committees to carry out various commission tasks, but these will need to be signed off by the minister.

The old South Australian Multicultural and Ethnic Affairs Commission was ostensibly a nonpartisan sounding board and voice for those communities, helping shape policies, although I long held concerns it could also be manipulated for political opportunism—and I still do. You would not want it or its commissioners to be a government plaything to garner votes or to be promoting would-be political candidates.

I hope this new commission will be more than just shopfront tokenism and that members are given an opportunity to help shape policy, because in this bill the commission has had all of its powers removed and its new, very limited, role is to oversee a charter that has not been drafted yet. If it was not for the charter, which I understand was an initiative of the board, I wonder what its role would have been?

I also note that this bill calls upon representation on the commission to be from the diversity of cultural backgrounds, gender, lived experience, age and geographic location. That appears to have been achieved with the new commission members announced recently. However, it is with some dismay that I note there are no members from the regions, or a youth member. My amendments, which I will talk to later, address these shortcomings.

The commission needs to achieve its very purpose in a non-political way and be free of any interference from government or the minister. I hope that has not occurred with the appointment of the new 15-member commission, of which four have been reappointed through a process of expressions of interest to a selection panel. This seems to have been quite rushed. I will have questions for the Assistant Minister for Multicultural Affairs about the composition of this panel, how it reached its recommendations and who actually made the final call on membership.

From a briefing we have had with the assistant minister, the selection method was rather odd. A panel went through and selected a small list of candidates, which was then referred to the office of the Premier for a final captain's call. I am unclear why the panel did not make the final recommendations after its deliberations.

It is with some dismay that I see the shock exclusion of two of the most prominent members of our state's multicultural community, each with solid support from their respective communities: the outgoing chairman, Norman Schueler, whom I affectionately call Iron Man for both his line of business and his unstinting and unheralded commitment to multicultural affairs for the past 21 years; and the outgoing deputy chair, Antonietta (Toni) Cocchiario, a respected educator very highly regarded in the Italian community, which is by far the largest ethnic group in South Australia after those from the UK.

I understand both sought membership to the new commission yet were not even given the courtesy of an interview by the selection panel. That is another question I will have for the honourable member: just how many of the 15 were interviewed and how were those unsuccessful candidates notified? Were they ever consulted on the drafting of the bill and were their views sought on its structure?

I will take the opportunity to pay tribute to both Norman and Toni for their years of service to the multicultural community. They did so on a largely volunteer basis and were in attendance at many events, festivals and religious and remembrance ceremonies conducted around the state and the metropolitan area. Their contributions should not be undervalued nor underestimated.

Some of the most prominent leaders within the Italian community who I know, and who endorsed Toni's membership application, see her omission as a slap in the face to their community, which is now left with just one representative, the very capable and distinguished wine industry leader, Cavaliere Maria Maglieri, whose father, Stefano, is a great and respected pioneer of the wine industry in McLaren Vale. Like Maria, he is a huge supporter of our multicultural community.

However, I do welcome the new appointments and look forward to meeting them when our paths next cross. I would like to single out Denis Yengi, a Sudanese refugee who works with young troubled people; rising young entrepreneur, Carmen Garcia, whose parents are Filipino; Rajendra Pandey, a St John volunteer, Army Reservist, a member of the Multicultural Communities Council of SA and Unley's Citizen of the Year and who has only been here for six years; and Hussain Razaiat, president of Afghan United Association, who arrived here by boat as an asylum seeker and is a tireless worker in the Middle Eastern community.

I also mention Bruce Djite, well known for his football prowess with Adelaide United and the Socceroos. He was born in the US, his father was born on the Ivory Coast and his mother was born in Togo, meaning he could have played for four different countries. He speaks French, English and Turkish. I have met and spoken with Bruce on numerous occasions and he greatly impresses me with his knowledge and views on the world and politics. I am sure he will be a great asset to the board. Their presence clearly reflects the diversity of cultural backgrounds and lived experience the Hon. Jing Lee wants.

A significant inclusion in this bill is the parliamentary declaration of 10 principles to ensure the recognition of the contributions made by migrants, along with an acknowledgement of the First Nations peoples as traditional landowners and custodians in South Australia. My amendment clarifies their role. It is also to raise awareness of the harm that racism and other forms of discriminatory behaviour can do to multiculturalism and interculturalism and to advise the Office of the Commissioner for Equal Opportunity or other such bodies on matters of discrimination and racial vilification. They are an important conduit through which these matters need to come to the attention of others with responsibility to address them.

My other amendments ensure that a person needs to be a citizen or a permanent resident of Australia to be appointed to the commission. I believe it is important that members have this standing and this commitment to South Australia to take on such a leadership role. We see these people who have come to Australia as people who have aspired to become successful leaders in their communities and have gone on to become either Australian citizens or permanent residents, which I think would be the goal of all migrants who come to this country.

As I have already noted, I believe there should be a regional resident representative, and I do not accept the assistant minister's explanation that it was too hard to find one. We know there are people from so many backgrounds now in our regions and I am sure they deserve some kind of representation on this board.

We have a lot of highly respected and skilled potential members in regional areas. Indeed, many of these regional areas have become economic powerhouses from the contributions of refugee and migrant residents. Think of the Barossa, the Riverland and the West Coast. In fact, even the family of the Hon. Nicola Centofanti have that background, so we need to respect that. I am also calling for a young person under 25 years of age to be on the commission. While we may think older people can reflect the views of youth, I can assure you we cannot. Young people need and should have their own voice, as they will be the commission members of the future.

To ensure the commission is bipartisan and membership of the commission is transparent and open, my amendments also require members to make a declaration of any political party, union and/or other memberships they have that may affect or be affected by the performance of their official functions and duties, and to make a declaration of any prescribed interests in a register of interests. There is nothing extraordinary about this requirement if there is nothing to hide.

Finally, my amendments ensure members are reimbursed for reasonable expenses incurred in relation to attendance at events or meetings. I understand that members do get sitting fees for meetings, but I know commission members often pay for a lot of things out of their own pockets at events and community gatherings. Another amendment I will also flag here is the number of meetings that these members are required to attend. I think currently it is set at four, but I think it should be six. There is no reason why such a commission cannot at least meet more regularly—at least every two months, rather than the one that it is at the moment.

Again, we need to avoid shopfront tokenism when we have important commissions like this set up. I hope members will support my amendments and look forward to asking those questions that I have already flagged during the debate.

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

## **AQUACULTURE (TOURISM DEVELOPMENT) AMENDMENT BILL**

*Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (16:31):** I move

That this bill be now read a second time.

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

Leave granted.

I am very pleased to introduce the Aquaculture (Tourism Development) Amendment Bill 2021. This Bill will create a more efficient and effective regulatory assessment and approval process for aquaculture related tourism structures built within the State waters of an aquaculture zone established under the *Aquaculture Act 2001* (the Aquaculture Act), similar to the current regulatory process for aquaculture.

Aquaculture is the fastest growing livestock industry in Australia and is expected to increase in value nationally to \$2 billion by 2027 (at a 7% per annum growth rate) to meet global seafood demand. South Australia is recognised as a world leader in the ecologically sustainable development of aquaculture and has currently the only dedicated aquaculture legislation of its kind in Australia, the Aquaculture Act.

The Aquaculture Act allows the proclamation of aquaculture zone policies, which prescribe where aquaculture can occur in dedicated aquaculture zones, and also where it cannot occur in dedicated aquaculture exclusion zones. An extensive consultation and planning process is prescribed for the making of aquaculture zone policies, with twelve currently located in regional coastal areas of the State, including the Limestone Coast, Yorke Peninsula, Eyre Peninsula and the West Coast.

Aquaculture zones provide a one-stop-shop point of entry for industry to engage government through the Department of Primary Industries and Regions (PIRSA) to assess and approve aquaculture proposals with consideration of ecological sustainable development.

The extension of the one-stop-shop approach in the amendment Bill streamlines the application process for proponents by removing the requirement to separately seek development consent under the *Planning, Development and Infrastructure Act 2016* (the Planning Act) from the Planning and Land Use Services Division of the Attorney General's Department (PLUS-AGD), via the State Commission Assessment Panel, and seek an authority to construct on the seabed under the *Harbors and Navigation Act 1993* (the Harbors and Navigation Act) from the Transport Minister via the Department for Infrastructure and Transport (DIT). This will provide greater confidence for industry to invest and grow this valuable and much needed South Australian primary industry.

There are known limitations in the current Aquaculture Act that can be improved to further refine the legislative framework, particularly as they relate to aquaculture related tourism developments within prescribed aquaculture zones. Currently, the Aquaculture Act does not empower the Minister responsible for administration of the Aquaculture Act (the Minister) and PIRSA to assess and approve non-farming tourism infrastructure in an aquaculture zone, even when it is located on an existing aquaculture lease and adds value to the operation.

There have been recent developments of this type that have been located on or directly adjacent to an aquaculture lease and licence within an aquaculture zone. To get approval for the 'Salt Water Pavilion' in Coffin Bay, the proponents have had to seek development consent from PLUS-AGD. This is in addition to proponents separately needing to seek an authority to use the seabed from the relevant agency or Minister who has care and control over it, which is typically the Minister responsible for administration of the Harbors and Navigation Act via DIT. Proponents do not consider the current process streamlined and this is likely to create uncertainty for potential investors in these types of tourism developments, including aquaculture businesses who want to diversify their operations to further promote their product and industry.

To encourage and support innovation, investment and expansion of emerging aquaculture related tourism developments within aquaculture zones, I am introducing this Bill to amend the Aquaculture Act to enable the complete assessment and approval of applications for tourism developments that complement, promote, are of benefit to, or are otherwise directly related to aquaculture undertaken within the waters of an aquaculture zone established under it.

The proposed amendments remove the development consent requirement and alter the seabed authority requirement for aquaculture related tourism developments within aquaculture zones, and replace it with a single assessment and approval process under the Aquaculture Act administered on the Minister's behalf by PIRSA similar to that for aquaculture leases and licences. Arrangements for aquaculture related tourism developments that may be

proposed for locations outside of aquaculture zones are not included in the proposed Bill and proponents for these developments would need to follow the current regulatory assessment and approvals process.

The Bill proposes that under the Aquaculture Act the Minister may approve aquaculture tourism development applications via the grant of two authorities which may contain conditions regulating the development. These are an aquaculture tourism development authorisation which provides approval for construction of a tourism development similar to development consent, and a tourism lease or tourism licence which provides approval for a tourism structure to occupy the seabed, similar to a seabed authority from the relevant agency or Minister who has care and control over it.

The conditions of any aquaculture tourism development authorisation and tourism lease or tourism licence will be similar with those imposed on current development consent, seabed authorities, and aquaculture leases and licences to the extent that they are required. This includes conditions relating to rehabilitation of the seabed, public liability insurance, indemnifying relevant Ministers and the Crown, navigational marking requirements, any rights of exclusive occupation, permitted use of the seabed, the term of a tourism lease or tourism licence, infrastructure maintenance, debris, annual fees, grounds for cancellation, and any environmental monitoring requirements.

To mitigate potential risks from aquaculture tourism development applications, the amendment Bill requires the Minister to refer conditions contemplated to the EPA for approval prior to granting an aquaculture tourism development authorisation. The concurrence of the relevant agency or Minister who has care and control over the seabed must also be sought by the Minister for consent to use the seabed prior to granting an aquaculture tourism development authorisation and a tourism lease or tourism licence. These proposed processes are consistent with current requirements under the Aquaculture Act for the grant of an aquaculture lease and corresponding aquaculture licence within aquaculture zones.

Importantly, to mitigate potential construction risks to public safety which are currently addressed by the Planning Act, the amendment Bill requires building certification. The amendment provisions require that as a mandatory condition of aquaculture tourism development authorisation, prior to any building work being undertaken, the building work must be certified by a building certifier as complying with the provisions of the Building Rules under the Planning Act. This provision was recommended by the Planning and Land Use Services Division of the Attorney General's Department (PLUS-AGD) and is the same condition required when providing development consent under the Planning Act. In addition, the amendment Bill provides the ability for the Minister to impose further conditions on any aquaculture tourism development authorisation to mitigate potential risks from a proposed tourism development. PIRSA will also review its current ecologically sustainable development risk assessment process for aquaculture licence applications in consultation with PLUS-AGD and amend it to specifically provide for the assessment for aquaculture tourism development applications.

Further, consistent with the current application assessment process under the Aquaculture Act for aquaculture licences within aquaculture zones, the amendment Bill incorporates a public notification process prior to granting an aquaculture tourism development authorisation and a tourism lease or tourism licence. This public consultation process will assist with the identification of risks associated with a proposed tourism development, including risks to public amenity.

If a proposed tourism building work application is to overlap any portion of an existing aquaculture lease or corresponding licence within an aquaculture zone, any associated tourism authorities may only be granted with the consent of these entities and any registered specified persons who hold an interest in them.

To adaptively manage the type, amount and location of future aquaculture associated tourism developments within aquaculture zones, there is already sufficient flexibility in the current Aquaculture Act for aquaculture zone policies to prescribe matters relating to aquaculture tourism structures authorised under the Act. In addition, there is the provision for the *Aquaculture Regulations 2016* (the Aquaculture Regulations) to prescribe the types of tourism developments which may not be in scope or acceptable for assessment and approval under the Aquaculture Act.

The proposed amendments would allow PIRSA to provide a 'one stop shop' service to proponents, such as the service currently provided to aquaculture development proponents within aquaculture zones, to accept, assess and approve applications for aquaculture tourism developments within aquaculture zones.

Consequential amendments have also been made to incorporate decisions not to grant tourism authorisations or to fix conditions on them in statutory reviews available under the Aquaculture Act. Further changes are included to require the publishing of information relating to application and grant of aquaculture tourism authorities on the public register and to incorporate the holders of these authorities in the arrangements for death and bankruptcy and director liability.

PIRSA has consulted with the EPA, PLUS-AGD, DIT, and the Department for Environment and Water regarding the proposed amendments within the Bill.

There are no anticipated additional costs to PIRSA regarding the proposed amendments, as costs associated with the assessment of aquaculture associated tourism development applications and ongoing management of tourism leases and tourism licences will be cost recovered from proponents. This is consistent with the current process for aquaculture lease and corresponding licences under the Aquaculture Act.

Should this Bill receive royal assent and become an Act of the Parliament, regulations will be drafted to amend the Aquaculture Regulations as contemplated by the Bill.

Following proclamation of the Bill and variation regulations, the broader community and stakeholders will be notified of the changes, including the application process, through a media release, the PIRSA website, and letters to aquaculture lease and corresponding licence holders. PIRSA will then progressively review all current aquaculture zone policies and consult with industry to determine if any relevant provisions governing aquaculture associated tourism developments are required, and if so undertake the prescribed amendment process under the Aquaculture Act.

Enabling the assessment and approval process for aquaculture related tourism developments through the Aquaculture Act will create a more efficient and effective regulatory process, provide clarity to proponents and in turn create confidence to invest in these new and emerging types of developments. In enhancing the tourism experience in South Australia, the approvals under the Aquaculture Act will also foster greater social licence and community perception of the aquaculture industry and stimulate economic development and employment in our regions as well.

I commend the bill to the Council and look forward to further debate.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

These clauses are formal.

###### 2—Commencement

###### 3—Amendment provisions

##### Part 2—Amendment of *Aquaculture Act 2001*

###### 4—Insertion of Part 7A

This clause inserts new Part 7A to provide for the Minister with responsibility for the administration of the *Aquaculture Act 2001* to authorise aquaculture tourism development within an aquaculture zone if the Minister is satisfied that the relevant building work and commercial tourism activity comprising the development—

- (a) will complement, promote, be of benefit to, or otherwise relate directly to aquaculture undertaken within the aquaculture zone; and
- (b) can be undertaken in a manner that is ecologically sustainable; and
- (c) are consistent with the objects of this Act and any relevant provisions of an applicable aquaculture policy.

*Aquaculture tourism development* is defined to mean building work undertaken on land underlying State waters within the area of an aquaculture zone for the purposes of undertaking a commercial tourism activity, but does not include an activity, or activity of a class, prescribed by the regulations.

The measure provides that the *Planning, Development and Infrastructure Act 2016* does not apply to aquaculture tourism development.

It is proposed that the carrying out of aquaculture tourism development without an authorisation under new Part 7A will be an offence with a maximum penalty of \$35,000.

It is proposed that the power of the Minister to grant an aquaculture tourism development authorisation, a tourism lease or a tourism licence in relation to certain land is subject to—

- (a) if the land is vested in the Minister responsible for the administration of the *Harbors and Navigation Act 1993*, the requirement under section 15 of that Act for the concurrence of that Minister; and
- (b) if the land is vested in any other entity, the concurrence of that other entity; and
- (c) the concurrence of any other entity that may be responsible for the care, control and management of the land.

An aquaculture tourism development authorisation, a tourism lease or a tourism licence may only be granted in relation to certain land with the consent of—

- (a) if the land is located within the area of an aquaculture lease—
  - (i) the lessee of the aquaculture lease; and
  - (ii) any person specified on the public register as holding an interest in the aquaculture lease; and
- (b) if the land is located within the area of an aquaculture licence—

- (i) the holder of the aquaculture licence; and
- (ii) any person specified on the public register as holding an interest in the aquaculture licence.

An aquaculture tourism development authorisation will be subject to a condition that before any building work is undertaken, the building work be certified by a building certifier as complying with the provisions of the Building Rules to the extent that is appropriate in the circumstances. An aquaculture tourism development authorisation will also be subject to any other conditions as the Minister thinks fit. It will be an offence to contravene, or fail to comply with, a condition of an aquaculture tourism development authorisation with a maximum penalty of \$10,000 applying or an expiation fee of \$1,000.

Proposed section 58E provides that the Minister may, in connection with an aquaculture tourism development authorisation in an aquaculture zone, grant a lease of, or a licence over, land underlying State waters within the aquaculture zone as the Minister considers appropriate for the purposes of the aquaculture tourism development.

Proposed new Part 7A gives the Minister the power to issue a direction requiring action to be taken if a person fails to take any action required to be taken by the person under a condition of an aquaculture tourism development authorisation, a tourism lease or a tourism licence, or imposed on the cancellation of an aquaculture tourism development authorisation. A failure to comply with a notice will carry a maximum penalty of \$35,000.

Proposed new Part 7A also gives the Minister power to issue a direction requiring certain remedial action to be taken if a person carries out aquaculture tourism development without authorisation. A failure to comply with a notice will carry a maximum penalty of \$35,000.

#### 5—Amendment of section 59—Reference of matters to EPA

This clause amends section 59 of the Act to include certain matters relating to aquaculture tourism development to be referred to the EPA in accordance with the existing provisions in that section.

#### 6—Amendment of section 60—Reviews

This clause amends section 60 of the Act to add to the matters that may be subject to review in accordance with the existing provisions in that section, namely—

- (a) a decision of the Minister not to grant an aquaculture tourism development authorisation, a tourism lease or a tourism licence; and
- (b) a decision of the Minister fixing the conditions of an aquaculture tourism development authorisation, a tourism lease or a tourism licence.

#### 7—Amendment of section 80—Public register

This clause amends section 80 of the Act to require certain matters relating to applications for aquaculture tourism development, and aquaculture tourism development authorisations that have been granted, to be included on the public register in accordance with the existing provisions in that section.

#### 8—Amendment of section 82B—Death, bankruptcy etc of lessee or licensee

This clause amends section 82B of the Act to include aquaculture licences, tourism leases and tourism licences under proposed new Part 7A in the instruments that will be, by operation of the section, held by the personal representative of the lease or licence holder in the event of their death.

#### 9—Amendment of section 88—Liability of directors

This clause amends section 88 of the Act to provide for liability for directors of corporations that commit offences against proposed new Part 7A relating to aquaculture tourism development.

#### 10—Amendment of section 90—Evidentiary

This clause amends section 90 of the Act so that, in proceedings for an offence against this Act, an apparently genuine document purporting to be a certificate signed by the Minister certifying any of the following matters is, in the absence of proof to the contrary, proof of the matters certified:

- (a) that a person named in the certificate was or was not at a specified time a responsible person for a specified aquaculture tourism development authorisation;
- (b) that a person named in the certificate was or was not at a specified time the holder of a specified tourism lease or tourism licence.

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

**STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL***Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (16:32):** I move:

That this bill be now read a second time.

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

Leave granted.

The 2021-22 Budget focused on the government's priorities of increasing economic growth and jobs, supporting our businesses and the community and providing better public services for South Australians.

The 2021-22 Budget announced and includes the financial impact of measures that;

- As part of the government's housing strategy, introduce a 50 per cent land tax discount for eligible new build to rent residential construction projects. The discount will reduce the land value for eligible projects for land tax purposes by 50 per cent to the 2039-40 land tax year.
- ensure all future sale transactions of minerals are done within a reasonable market price reflective of an approved index price on the day of the sale ensuring that mineral royalty calculations are done on a reasonable basis, and
- Abolish the legislated payroll tax exemption applicable to wages paid or payable in connection to a feature film produced in South Australia.
- allow for the introduction of mobile phone detection cameras as prefaced in the 2020-21 Budget.

Mr President, I turn now to a more specific discussion of the detail of these important amendments.

**Land Tax Act 1936**

This Bill introduces a 50 per cent land tax discount for eligible new build-to-rent properties. The discount reduces the land value of the parcel of land being used as an eligible build-to-rent property by 50 per cent until the 2039-40 land tax year. The criteria for an eligible build-to-rent property will be established in guidelines approved by the Treasurer and may include matters such as the minimum number of build-to-rent dwellings or units within a property, the minimum lease terms that must be offered to tenants and requirements to support the development of new affordable housing in build-to-rent properties.

Build-to-rent projects where construction commenced from 1 July 2021 will be able to apply for relief. The land tax discount will be available from the 2022-23 land tax year, providing time for the associated guidelines to be developed.

The reduction in land tax for eligible build-to-rent properties is designed to support the uptake of scale investment in residential rental housing, increasing the supply of housing and creating more opportunities for renters.

**Mining Act 1971**

The Bill introduces an amendment to the Mining Act 1971 to allow for the use of an observable market index price or similar independently determined sale price in cases where the mineral sale price declared as part of a royalty self-assessment is not consistent with market pricing of that commodity.

The amendment which is intended to take effect from 1 July 2021 is intended to close a loop hole that allowed tenement holders to pay lower royalties by contracting at less than market value.

**Payroll Tax Act 2009**

The 2021-22 Budget announced the Government's intention to abolish the film production payroll tax exemption and ex-gratia scheme and redirect the average annual costs of those schemes to the South Australian Film Corporation's Screen Production Fund.

The additional revenue expected to be raised as a result of this amendment and the cessation of associated ex-gratia relief provided on a case-by-case basis for film productions that do not meet the criteria of the exemption in the Payroll Tax Act 1936, will be used to increase the Screen Production Fund administered by the South Australian Film Corporation.

The Screen Production Fund supports the production of screen content for commercial release via theatrical, broadcast, or digital content platforms that generates significant economic outcomes for the South Australian industry. Projects funded under this scheme are expected to be substantially produced and post-produced in South Australia.

Historically the payroll tax exemption and ex-gratia schemes have cost \$1.6 million in total per annum, with the breakdown between the cost of the two individual arrangements varying by year.



The new arrangement will enable the South Australian Film Corporation to invest in local film productions.

The Bill removes the payroll tax exemption for film production from 1 July 2022.

The increase in funding for the Screen Production Fund of \$1.6 million per annum indexed, will commence one year earlier from 2021-22.

#### Road Traffic Act 1961

The Bill introduces an amendment to the Road Traffic Act 1961 to allow for the detection of offences that involve use of mobile phone devices while driving using safety cameras, which in practice will be installed at high risk metropolitan sites. The high-definition cameras will target drivers illegally using a mobile phone.

Distraction, including using a mobile phone while driving, is one of the leading causes of fatalities and serious injury collisions on South Australian roads. Road crash data collected between 2015-2019 lists distraction as a key contributing factor in 43% (193) of all fatalities and 48% (1,396) of all serious injury collisions. In 2020, inattention/distraction was attributed as a contributing factor to 56% of crashes involving loss of life.

#### Motor Vehicles Act 1959

The Bill makes consequential amendment to the Motor Vehicles Act 1959 to ensure consistency of definitions resulting from amendments to the Road Traffic Act 1971 to implement the mobile phone cameras initiative.

Mr President, the 2021-22 Budget is a responsible budget focused on creating jobs, better services and building what matters. The measures contained in this Budget Measures Bill 2021 support the efficient operation of government, the ongoing collection of necessary revenues, the provision of better services and improving safety on our roads and saving lives.

I commend this Bill to the Council.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Land Tax Act 1936*

###### 4—Insertion of section 7A

This clause inserts a new provision in the *Land Tax Act 1936* allowing for a 50% reduction in the taxable value of land (from 1 July 2022) where the Commissioner is satisfied that a building constructed on the land on and after 1 July 2021 is being used and occupied for a build-to-rent property in accordance with guidelines approved by the Treasurer.

##### Part 3—Amendment of *Mining Act 1971*

###### 5—Amendment of section 17—Royalty

Subclause (1) substitutes section 17(5) and (6). Proposed subsection (5) provides that the value of minerals for the purposes of determining royalty will be the value that represents the market value of the minerals. The proposed subsection is a rewriting and clarification of the provisions that currently apply in respect of determining the market value of minerals sold pursuant to a contract with a genuine purchaser at arms length and minerals that are not sold pursuant to such a contract.

Proposed section 17(6) sets out the manner in which market value is to be determined, which includes a new provision allowing the Treasurer to determine the market value of minerals sold pursuant to a contract with a genuine purchaser at arms length in circumstances where the Treasurer is not satisfied that the contract price for the minerals reflects the market pricing of the minerals. Proposed subsection (6)(b) sets out the manner in which market value is to be determined in these circumstances, which replicates the provisions that currently apply to determining market value of minerals in circumstances where the minerals are not sold pursuant to a contract with a genuine purchaser at arms length.

Subclause (2) makes a consequential amendment.

###### 6—Amendment of section 17B—Assessments by Treasurer

This clause makes a consequential amendment.

###### 7—Transitional provision

Subclause (1) ensures that the amendments in this Part will apply in relation to the value of minerals for the purposes of determining royalty from 1 July 2021. Subclause (2) provides for the continuing application of a declaration of the Treasurer made by notice in the Gazette under section 17(6)(b) of the Act after the commencement of this Part.

Part 4—Amendment of Motor Vehicles Act 1959

8—Amendment of section 5—Interpretation

This clause defines a 'series of photographs' so as to include a film, video or other continuous visual recording.

9—Amendment of Schedule 1—Evidence obtained by photographic detection device

This clause makes it clear that continuous visual recordings by photographic detection devices can be admitted into evidence in relation to registration offences in the manner provided for in the Schedule.

Part 5—Amendment of *Payroll Tax Act 2009*

10—Amendment of Schedule 2—South Australia specific provisions

This clause removes the payroll tax exemption for wages paid or payable to a person who is involved in the production of certain feature films produced in the State.

11—Transitional provision

This clause ensures that the exemption will continue to apply to wages that were paid or payable before 1 July 2022.

Part 6—Amendment of Road Traffic Act 1961

12—Amendment of section 5—Interpretation

This clause defines a 'series of photographs' so as to include a film, video or other continuous visual recording.

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

This clause makes it clear that continuous visual recordings by photographic detection devices can be admitted into evidence in the manner provided for in section 79B(10).

14—Insertion of section 175B

This clause provides that evidentiary provisions can be made by regulation to facilitate the proof of offences relating to the use of devices in vehicles where the evidence is obtained through the operation of photographic detection devices of a kind specified in the regulations. The evidentiary provisions can include presumptions that the defendant has to rebut on the balance of probabilities.

This clause also provides that evidence obtained through the operation of the specified photographic detection devices can only be used in connection with the detection and enforcement of offences under the *Road Traffic Act 1961* or *Motor Vehicles Act 1959* or offences arising out of the use of a motor vehicle.

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

## TAFE SA REPEAL BILL

### *Second Reading*

Adjourned debate on second reading.

(Continued from 23 June 2021.)

**The Hon. T.A. FRANKS (16:33):** I rise to continue my speech from 23 June this year. As I said at the time, this is an extremely simple bill. All it does is put TAFE back in public hands. It is clear, almost 10 years since it was corporatised, that the corporatisation of TAFE has failed. After years and years of cuts, we have seen a disastrous impact on staff, on students and on TAFE's ability to deliver quality vocational education.

A strong and healthy TAFE is essential for our future yet we are treating students and staff in the system as second class, underfunding and cutting while the government scrambles to fund substandard private sector providers. The sector is limping along when it should be setting the pace and it is worse and worse, in terms of outcomes, for both students and, of course, for staff.

In our recovery from this pandemic we should be building back with TAFE as a key part of that recovery pathway. Let's break the pattern of years of underfunding and allow this essential

system to flourish—and our students and educators with it. When TAFE was first corporatised in South Australia, it already was the least funded TAFE system in the country and things have not approved since then. We only need to look at recent examples to see how well—that is, not well—this has turned out for our state, for our students and for our staff.

Let's start in 2017, when the Australian Skills Quality Authority suspended enrolments in 14 courses after finding major problems with all 16 courses targeted by a random audit—a symptom of years of mismanagement and underfunding of a public institution that was undermined by private profit interests. In the five years leading up to this disaster \$100 million of funding had been removed from the TAFE system, and in 2017 the total number of staff lost since 2012—since the TAFE bills were introduced—was 700.

Or let's look at our current government, when one of the first things they did once elected was announce devastating cuts to TAFE, with a plan to close seven TAFE campuses. Thankfully, most of the campuses that were earmarked for closure eventually were allowed to remain open, but this was still the result of a 'transition plan' for TAFE that saw the Port Adelaide campus closed and other campuses—Urrbrae, Coober Pedy, Roxby Downs and Wudinna—scaling back their presence and operations. What is utterly unbelievable were the Minister for Education's comments at the time, stating that, 'It's great we were able to meet the savings task that was needed for investment in TAFE but keep that offering open.' Surely this is a joke? Apparently we invested in TAFE by cutting it.

Even more laughably, let's talk about the government's announcement in 2018 of their memorandum of understanding with the Independent Tertiary Education Council of Australia to give independent training providers more access to TAFE SA's publicly owned facilities. It seems like there is one rule for TAFE and another for everyone else. The government seem to view the resources and experience of TAFE as something to be cut up and divvied up to private providers so they can artificially engineer their success or competition at the expense of TAFE. Certainly the Australian Education Union were critical of this move, raising concerns that TAFE SA was being forced to switch its focus to leasing its facilities rather than to providing training for students.

Just at the beginning of this year we saw cuts to caring courses—despite all that we had learned during the pandemic—when we were reminded of just how important those caring professions are. This raised serious concerns from industry groups, particularly in the areas of child care, aged care and disability services. Even more critically, they were concerned about the quality of training provided by the private providers.

But even before that, in January this year, the Minister for Innovation and Skills sent a letter to all non-government training providers urging them to lobby the opposition, given their stance against funding cuts. This is a stance, of course, shared by the Greens as well. It is astounding that a minister of this Marshall Liberal government would be so brazen, so against having TAFE as a provider of vocational education, that he would try to call in private provider mates to help him undermine the institution further.

It is not just wrong, it is shameful. This is a minister and a government who have already siphoned off plenty of public funds straight into the hands of private providers for private profit and yet they simply want to siphon off more or so it seems. What is absolutely ridiculous is that in the wake of all of these cuts to TAFE—because of the concerns about the quality of training provided by private providers—TAFE promised that they would provide teaching support to private training providers. So this begs the question: why not just keep these courses with TAFE in the first place? In fact, the head of TAFE SA was asked this very question during a committee, and the answer was:

The policy position of the Government is to grow vocational education and training access and choice through the development of a contestable market.

The government should hang their heads in shame. You do not create a contestable market by bringing down a successful public institution to bolster your private provider mates. You do not create choice for students by shutting down campuses and cutting courses only to replace them with substandard options, and you certainly do not grow training access by doing the same either.

Further, it is a joke to say that the government want to grow training access when their own cuts are forcing students to have to travel more than 50 ks in some areas to be able to complete their courses, as was the case for the certificate III carpentry students at the Elizabeth TAFE campus, and

none of this looks set to improve under this Marshall Liberal government. As we learnt in June, this year's budget looks to cut a further 70 jobs from TAFE in the next year.

All of this is why I have brought this bill before this place today. This is why we need to put TAFE back in public hands, why it needs to be funded properly and ensure that it is for the public good. The Greens' principle has always been that vocational education and training should be primarily provided through the public TAFE system, while the community and not-for-profit VET sector should also be supported.

Government must ensure that public funding of private providers of VET and businesses that supply training opportunities does not diminish the viability of public TAFE services, expertise or facilities. If this cannot be guaranteed then the risk is too great. We ask: where TAFE can provide the same educational and training outcomes as private providers, what role is there for the private sector in those operations?

We have not seen any benefit after these years of cuts to TAFE, years of handouts to profit-driven private providers, of corporatising this vital public institution. We have only seen harm. We have seen a decline in the quality of education and training and we need to put an end to this now. The corporate experiment has failed for TAFE. It belongs in public hands with public funds to support it. It is time we took it back. With that, I commend the bill.

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

At 16:43 the council adjourned until Tuesday 21 September 2021 at 14:15.