

**LEGISLATIVE COUNCIL****Tuesday, 26 October 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.

*Parliament House Matters***DISPLAY OF SIGNS**

**The PRESIDENT:** The Hon. Mr Wortley, I would ask you to remove that sign; signs and props are not permitted.

**The Hon. R.P. WORTLEY:** The sign is no different from the R U OK signs, which I tolerated.

**The PRESIDENT:** Yes, it is, it is a great difference.

*Bills***SOUTH AUSTRALIAN MULTICULTURAL BILL***Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Report of the Auditor-General—State finances and related matters, Report No. 15 of 2021.  
Report of the Auditor-General—Cloud computing in SA government, Report No. 16 of 2021

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2020-21—

State of the Sector  
The Technical Regulator  
Australian Energy Market Commission

Fees Notice under Acts—

Gaming Machines Act 1992 (No 7)  
Liquor Licensing Act 1997 (No 3)

Regulations under Acts—

COVID-19 Emergency Response Act 2020—Section 16—Affidavits  
Magistrates Court Act 1991—Criminal—General  
Liquor Licensing Act 1997—General—Interstate Direct Sales Licence

Response to the Economic and Finance Committee Recommendations of the Inquiry into  
Essential Production and Supply Chain Security in the Context  
of Emergency Circumstances in South Australia

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Reports, 2020-21—

Australian Children's Performing Arts Company  
Carclew Inc

Regulations under Acts—

Children and Young People (Oversight and Advocacy Bodies) Act 2016—  
Oversight and Advocacy Bodies—Prescribed Functions and Powers  
Education and Care Services National Law

*Parliamentary Committees*

**SELECT COMMITTEE ON POVERTY IN SOUTH AUSTRALIA**

**The Hon. T.A. FRANKS (14:19):** I bring up the report of the select committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

**SELECT COMMITTEE ON HEALTH SERVICES IN SOUTH AUSTRALIA**

**The Hon. C. BONAROS (14:20):** I bring up the report of the select committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

**The Hon. T.J. STEPHENS (14:20):** I bring up the annual report of the committee 2020-21.

Report received and ordered to be published.

**The Hon. T.J. STEPHENS:** I bring up the interim report of the committee on Aboriginal governance.

Report received and ordered to be published.

**The Hon. T.J. STEPHENS:** I bring up the report of the committee on Aboriginal housing.

Report received and ordered to be published.

**STATUTORY AUTHORITIES REVIEW COMMITTEE**

**The Hon. H.M. GIROLAMO (14:22):** I bring up the report of the committee on the Stormwater Management Authority.

Report received and ordered to be published.

*Parliamentary Procedure*

**ANSWERS TABLED**

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

*Question Time*

**AMBULANCE RAMPING**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:32):** My question is to the Minister for Health and Wellbeing. Minister, can you rule out that last month's ramping figures were the very worst ever in our state's history, and how do worsening ramping figures align with your Premier's previous comments that ramping would improve, and I quote, 'immediately'?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** As I have indicated to the council, the previous government's practice and this government's practice is to release ambulance ramping data from time to time and that's what we will continue to do.

**HOSPITAL BEDS**

**The Hon. C.M. SCRIVEN (14:33):** My question is to the Minister for Health and Wellbeing regarding health. How many of the additional beds that were promised to deal with the COVID-19 surge are operational as of today?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** I will take that question on notice.

*Members interjecting:*

**The PRESIDENT:** Order!

#### **HOSPITAL BEDS**

**The Hon. C.M. SCRIVEN (14:33):** Supplementary.

*Members interjecting:*

**The PRESIDENT:** Order! The member is seeking a supplementary. It is very difficult to get a supplementary out of that. I will listen to it.

**The Hon. C.M. SCRIVEN:** Clarification: is the minister seriously expecting the council to believe—

**The PRESIDENT:** No, no—

**The Hon. C.M. SCRIVEN:** —he does not know—

**The PRESIDENT:** —resume your seat.

**The Hon. C.M. SCRIVEN:** —how many surge beds are open as of today?

**The PRESIDENT:** Resume your seat.

**The Hon. C.M. SCRIVEN:** Unbelievable!

**The PRESIDENT:** The Hon. Ms Bourke has the call.

#### **HEALTH INFRASTRUCTURE**

**The Hon. E.S. BOURKE (14:34):** My question is to the Minister for Health and Wellbeing regarding health infrastructure. Exactly what consultation has the minister undertaken and who has the minister spoken to in relation to the potential impact on Aboriginal heritage and burial sites from the proposed health precinct developments and the rezoning along the Torrens?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34):** My understanding is that the honourable member's question is a question relating to planning law and the relevance of the Aboriginal Heritage Act to planning laws. In that case, it's not a question for myself. I am happy to refer it to the Minister for Planning in the other place.

*Members interjecting:*

**The PRESIDENT:** Here, again, I think it's difficult to get a supplementary out of that, but I will listen to the Hon. Ms Bourke.

#### **HEALTH INFRASTRUCTURE**

**The Hon. E.S. BOURKE (14:35):** Supplementary: when proposing the car park for the new hospital, did you consult with Aboriginal elders in regard to burial sites?

**The PRESIDENT:** I will allow the minister to respond to that, if he wishes.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35):** Yes, because it does actually relate to my responsibility, which is the construction of—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I'm sorry I'm so forgiving and let you get on to relevance. Now that this is being asked of a relevant minister, let me say that I have great confidence—

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

**The PRESIDENT:** The minister will resume his seat. The Leader of the Opposition has a point of order.

**The Hon. K.J. MAHER:** The minister constantly refers to 'you' in saying what you are allowing him to do, sir.

**The PRESIDENT:** I think the minister knows exactly who he is referring to when he says 'you'. I would remind other members of this chamber that they sometimes by accident accuse me of doing things.

**The Hon. S.G. WADE:** In terms of the work in building the new Women's and Children's Hospital, a project that the previous government dropped in its previous term in government, we are very keen to deliver the \$1.9 billion investment in health infrastructure. Part of that facility is proposed to be on the western side of the railway line. I am sure that my officers are undertaking all relevant consultation in relation to that site. Certainly, there are significant consultations going on with the City Council in relation to Parklands. In relation to Aboriginal heritage in particular, I am not aware of any issues being raised with me in relation to Aboriginal heritage on that site.

**The PRESIDENT:** The Hon. Ms Bourke has a supplementary question arising from the original answer.

### HEALTH INFRASTRUCTURE

**The Hon. E.S. BOURKE (14:36):** Supplementary: has the minister met with any Aboriginal leaders regarding the significant heritage and burial sites along this precinct?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:37):** I refer the honourable member to my previous answer. If no issues have been raised with me, then I don't recall any Aboriginal leaders seeking to meet with me.

### DOMESTIC VIOLENCE

**The Hon. J.S. LEE (14:37):** My question is to the Minister for Human Services regarding regional women. Can the minister provide an update to the council about how the Marshall Liberal government continues to provide support to women facing domestic violence in our regions.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:37):** I thank the honourable member for her question. Indeed, there have been a number of initiatives that have taken place under this government, which are improving our services and responses to assist women and children in particular to escape from dangerous situations.

In terms of our Committed to Safety strategy, we do know that progress has been made in delivering on a range of areas, including expanding the Women's Information Service through children's centres in metropolitan as well as regional areas, improving perpetrator referral pathways, developing a safety-first response to women and children escaping violence, implementing the Domestic Violence Disclosure Scheme, reforms under the Attorney-General particularly which created a standalone offence of strangulation, and developing online tools for risk assessments to improve the capacity of the sector to assess situations and also to respond.

In particular, in regional areas one of our responses has been the implementation of safety hubs. It was my great pleasure recently, along with the Assistant Minister for Domestic and Family Violence Prevention, Carolyn Power, to open the most recent safety hub in Whyalla, which is being hosted by Centacare Catholic Country SA. I pay particular acknowledgement to that organisation, which, along with a range of our non-government services, provides a lot of supports for vulnerable people in a range of cohorts across our regions.

On Friday, I was able to join the official launch of The Haven-Whyalla, which is a very similar model to a range that we have already opened. The Office for Women has done extensive consultation with local service providers and the local community to determine what the best model should be going forward. This model is similar to others in that a range of volunteers have been sought. A call was put out. I think 21 responded and 15 completed the very intensive training and have been recruited through the Women's Information Service.

That service is going to, along with the other Havens, be a fantastic place for people to enter in a very discreet way to seek assistance from people who are able to help them. One of the particular benefits of using volunteers is that they are often not constrained by time in the same way that employed workers are. As I think all members would appreciate, often when people are going to seek

information—particularly for the first time and disclose—it can be a very difficult time for them so they need to be able to have a safe place where they can share that information and get assistance.

We have also developed partnerships with Good Shepherd family domestic violence no interest loans and they have been able to support women to access vital financial assistance and to connect to a range of services that will be able to assist them. We wish The Haven-Whyalla the very best in terms of changing lives in the future.

#### LAND TAX

**The Hon. J.A. DARLEY (14:41):** My question is to the Treasurer concerning—

**The PRESIDENT:** Order! Sorry, the Hon. Mr Darley. The Hon. Mr Wortley, I asked you to take that sign down and you must take it down.

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

**The PRESIDENT:** I asked you to take it down and you did take it down and then you have put it back up again. Please remove it from your desk.

**The Hon. R.P. Wortley:** From the desk?

**The PRESIDENT:** Please remove it from your desk.

**The Hon. R.P. Wortley:** You are a bit touchy there.

**The PRESIDENT:** Thank you. Now, the Hon. Mr Darley.

**The Hon. J.A. DARLEY:** Thank you, Mr President. My question is to the Treasurer concerning land tax. I understand that some owners are receiving land tax accounts for last financial year together with this year's account. Can the Treasurer advise whether extra time is being allowed for owners to pay these two accounts?

**The Hon. R.I. LUCAS (Treasurer) (14:42):** I thank the honourable member for his question. The answer to the question is yes. My understanding of the arrangements that RevenueSA have entered into and will enter into in relation to those persons who might receive a 2021 account at the same time as 2021-22 is that the form that they will receive will provide three clear options in terms of repayment.

One will be an up-front payment in the first quarter and then three equal payments over the next three quarters or, alternatively, the total amount payable being over the four quarters with four equal payments and then, thirdly, an option which says if either of the payment options presents financial difficulties for you please contact RevenueSA and they will look at alternative payment options, some of which might include monthly payment or instalment payments over a period of time.

The options will be provided to members. They will also be reminded of the land tax transition support fund that RevenueSA, the government or the taxpayers are providing in terms of those persons who might be eligible for assistance where there is indeed any increase in the level of land tax as a result of the comprehensive reform arrangements that went through the parliament a year or two ago. All of those options are available to those numbers of taxpayers that might be impacted by the receipt of two land tax bills at the same time or, indeed, in quick succession.

#### DISABILITY SERVICES

**The Hon. I. PNEVMATIKOS (14:44):** My question is to the Minister for Human Services regarding disability. What exactly are the provider-of-last-resort arrangements for people with disability in the event that an NDIS-funded organisation can no longer provide care at short notice?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44):** I thank the honourable member for her question. My understanding is that the provider of last resort—or that might not be the correct terminology, but that the contract which the federal government has provided is through Marathon Health. If that's not the name of the organisation, I will go back and update the council.

## VULNERABLE SOUTH AUSTRALIANS

**The Hon. H.M. GIROLAMO (14:45):** My question is to the Minister for Health and Wellbeing. Will the minister please update the council on what the government is doing to protect vulnerable South Australians?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45):** I thank the honourable member for her question. In the run-up to the last state election, the Marshall Liberal team gave a firm undertaking to the people of South Australia that, if elected, a Marshall Liberal government would move quickly and decisively to strengthen and safeguard the rights of vulnerable South Australians. That commitment was made in the wake of Oakden and the previous government's failure to protect a group of extremely vulnerable South Australians from abuse.

The South Australians the previous government left abandoned and unprotected in Oakden were, in the findings of the then Independent Commissioner Against Corruption, 'some of the most frail and vulnerable persons in our community', who 'did not have a voice' and who were 'obliged to live in a facility which could only be described as a disgrace and in which they received very poor care'.

The commissioner could not have been more clear in his words. In the dying days of the previous government he wrote:

Every South Australian should be outraged at the way in which these consumers were treated. It represents a shameful chapter in this State's history.

It should not have happened.

It must never happen again.

The Marshall Liberal government's determination to ensure Oakden never happens again and to combat elder abuse and safeguard vulnerable South Australians has seen this government deliver a number of important initiatives over the last 3½ years. These initiatives include spending \$18 million on the establishment of a neurobehavioural ward and a Specialist Advanced Dementia Unit on the reactivated Repat site in Daw Park so that the cohort of vulnerable Australians who the previous government had placed at Oakden will receive quality care in world-class facilities.

Another very important initiative of the Marshall Liberal government was the establishment of an Adult Safeguarding Unit within the Office for Ageing Well to ensure allegations of abuse against vulnerable South Australians are promptly and effectively investigated. I was honoured, within the first 100 days of the Marshall Liberal government, to introduce to this council nation-first legislation that led to the establishment of the Adult Safeguarding Unit.

This month marks the second anniversary of the establishment of the unit, which has been serving and supporting the people of South Australia since October 2019. For the first 12 months, the unit's work focused on responding to vulnerable South Australians aged 65 or older and Aboriginal and Torres Strait Islanders aged 50 years or older. In that year, the unit took 1,069 calls, 490 of which were reports that required the unit to take action.

At the start of its second year, the unit's focus expanded to include all adults living with a disability. The timing of the expansion was brought forward as part of the government's response to the circumstances and tragic death of Ann Marie Smith. As expected, the expansion of the unit's authority led to a significant increase in the number of calls. I am advised that the unit received almost twice as many calls and contacts in its second year—2,115 compared with 1,069 in its first year. Next year, the unit's remit will expand again. From 1 October 2022, its legal authority will extend to all adults vulnerable to abuse: everyone aged 18 years and over.

In closing, I want to acknowledge both the work and dedication of the Adult Safeguarding Unit staff and the actions of the growing number of South Australians who are making contact with the unit as, together, as a community, South Australians strive to protect the vulnerable members of our community and stop elder abuse whenever and wherever it is occurring.

## SUBMARINE CONTRACT

**The Hon. F. PANGALLO (14:49):** I seek leave to make a brief explanation before asking the Treasurer a question about job security.

Leave granted.

**The Hon. F. PANGALLO:** Thank you, Mr President.

**The Hon. C.M. Scriven:** You've got another five years.

**The PRESIDENT:** Order!

**The Hon. F. PANGALLO:** A Senate estimates hearing in Canberra this morning has been told up to 600 highly skilled South Australian jobs are in doubt as construction on the new Osborne submarine shipyard comes to a halt as a result of the AUKUS announcement. Australian Naval Infrastructure boss, Andrew Seaton, told the hearing that between 550 and 600 people were working on building the shipyard, which was to have been used at the base to build the 12 Attack class submarines.

That work stopped last month when the federal government announced a new fleet of eight nuclear powered submarines under the AUKUS alliance would be acquired to replace the scrapped \$90 billion Attack class contract with Naval. Asked at the estimates hearing if the AUKUS announcement placed uncertainty around up to 600 jobs, Mr Seaton replied, 'That's correct.' Mr Seaton also revealed about 50 businesses, mostly South Australian, had secured contracts for work on the shipyard, most of which has since ceased. My question to the Treasurer is:

1. What talks are the state government having with the federal government to secure these jobs and seek compensation for those affected businesses?
2. What other talks is the government having to ensure these highly skilled workers don't lose their jobs or are re-employed elsewhere?
3. Has the government demanded an urgent commitment from the federal government that the majority of the country's new nuclear submarines build will be in South Australia, particularly in light of the head of the Department of Defence's Capability Acquisition and Sustainment Group taking to social media to like an article that supported the nuclear submarines being made in the US?

**The Hon. R.I. LUCAS (Treasurer) (14:51):** In relation to the last issue, I think the commonwealth government, the Prime Minister, certainly the Premier, and a number of other spokespersons on behalf of governments have made it quite clear that Adelaide, Australia, will be the location for these particular projects now and for the next 10, 20, 30, 40, 50 years, however long is going to be required. I don't think the honourable member and indeed those he represents need have any concerns in relation to that particular issue.

In relation to the question of the—and I haven't seen the Senate committee reports from this morning, but from the honourable member's description it would appear it is relating in part to the construction activity for the sheds that were required for the submarines that were going to be built by the French. Those sorts of skilled tradespeople are as scarce as hen's teeth in South Australia and Australia at the moment. I think as all honourable members will know, construction activity is proceeding at a frenetic pace, both residential and commercial industrial construction.

People are struggling to get skilled tradespeople for a whole variety of purposes at the moment, so those general skilled construction workers working on that type of project will be gobbled up by any number of other employers in South Australia—and possibly in Australia but certainly in South Australia—because as Treasurer, I am constantly reminded by businesses that we need to have more skilled tradespeople in South Australia, and in Australia as well, in terms of meeting record levels of infrastructure spending, both by the public and the private sector. So, yes, there has been a lot of discussion in relation to that particular component.

When one comes then to the skilled workers within the Naval Group, I am already aware that a number of those skilled workers have taken up alternative employment in other defence and defence-related industries in South Australia. The Premier, I know, did a number of interviews soon after the announcement by the commonwealth government, indicating again that the governments would do what they could to ensure as smooth a transition as possible for many of the people working in the Naval Group, particularly those with the skills that are going to be required in terms of the ongoing work in defence and shipbuilding in South Australia.

There have been discussions from the Premier and the minister—the Premier in particular, I should say—with the commonwealth government at the very highest levels in relation to doing what can be done by governments in terms of encouraging the take-up of these skilled tradespeople by other employers in South Australia in particular. I do know that the Premier himself I think convened a meeting of defence industry leaders, indicating and seeking to help and coordinate their recognition of the skill set that was available in these workers and the capacity for them to pursue skilled workers from the Naval Group into their particular businesses and industries.

The final point I would make is that I know, in relation to the defence sector generally, professional services companies and others have been highlighting to me the fact that defence primes in particular have been headhunting their best workers within their particular companies because there is a crying need for more skilled people within those defence companies in South Australia. So any number of skilled people within the Naval Group who have relevant experience in this particular sector will be very attractive prospects for recruitment for many of the defence primes and the other defence companies operating in South Australia and also nationally, but particularly here in South Australia.

### **KAROONDA AND DISTRICT SOLDIERS' MEMORIAL HOSPITAL**

**The Hon. J.E. HANSON (14:56):** My question is to the Minister for Health and Wellbeing regarding health:

1. Given Friday's announcement that the emergency department at the Karoonda and District Soldiers' Memorial Hospital would be shut until further notice, how long will locals in the Murray Mallee be without an emergency department?

2. What effect has the government's redundancy program for nurses had on the availability of nurses for country health?

3. How will this affect local ambulance services that may be needed to complete a round trip of 150 kilometres to reach another emergency department?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:57):** I am really surprised that the Labor Party is persisting in misinformation in terms of the government's record. The honourable member's question explicitly links service disruptions at Karoonda to so-called job cuts. I am surprised that the honourable member is following that line of action because the—

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

**The PRESIDENT:** Order! The Hon. Mr Hanson will remain silent.

**The Hon. S.G. WADE:** —leader in the other place has already been required to withdraw a statement he made in relation to the Liberal Party's health workforce plans. I would have thought they would be a bit more careful about slinging mud around this government's record, and how dare they! Since this government was elected, we have increased the health workforce—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —by 2½ thousand people—2½ thousand people.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** In the last year alone, in the last year, the Auditor-General's Report shows we have increased the workforce by 1,000—2½ thousand since we came to government, a thousand in the last year alone. But, no, it doesn't stop there.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** It doesn't stop there.

*Members interjecting:*



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

**The Hon. S.G. WADE:** In this financial year—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —we've got three of our metropolitan local health networks out recruiting for I think about 350, 370, additional workers. In the context of the government's COVID-ready plan, we are engaging I think between 300 and 350 health professionals, and in a historic investment in the future health workforce of this state, to my understanding, for the first time in the state's history we are offering every nurse graduate who wants a job with SA Health to get a job with SA Health. The former Labor government let half of those graduates—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —wander off.

**The PRESIDENT:** The minister will resume his seat. Point of order, the Hon. Mr Hanson.

**The Hon. J.E. HANSON:** I would like you to direct him back to the question, which was about the Murray Mallee and the Karoonda and District Soldiers' Memorial Hospital.

**The PRESIDENT:** The member will resume his seat.

**The Hon. J.E. HANSON:** It is about regional health, Mr President.

**The PRESIDENT:** The member will resume his seat.

**The Hon. J.E. HANSON:** He is ignoring the question—

**The PRESIDENT:** The member will resume his seat.

**The Hon. J.E. HANSON:** —as usual.

**The PRESIDENT:** Order! Before the minister continues, the minister referred to Karoonda initially in his answer; he is now responding to the broader part of the question, which the honourable member included, so the minister will continue.

**The Hon. S.G. WADE:** Thank you, Mr President, indeed I am, because those 1,200 nurse graduates all over Adelaide—

**The PRESIDENT:** Order! The minister won't point.

**The Hon. S.G. WADE:** Sorry, I was gesticulating with excitement because I am very proud to be part of a government that is investing in the health workforce of the future—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —and those 1,200 nurses and midwives will be working right across the state.

*Members interjecting:*

**The PRESIDENT:** Order!

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

**The PRESIDENT:** Order! The Hon. Mr Wortley is out of order, as is the Hon. Mr Hanson.

**The Hon. S.G. WADE:** Under the previous government, we inherited—

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

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —a workforce that was facing significant challenges of ageing.

*Members interjecting:*

**The PRESIDENT:** Order! The Labor Party, the opposition, Her Majesty's Loyal Opposition, have asked a question. They might give the minister the courtesy of answering it in silence.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** Those 1,200 nurse graduates, nursing and midwifery graduates, will be available to bolster the health workforce right across the state. Every hospital in South Australia will benefit from this generational review in the health workforce.

#### **KAROONDA AND DISTRICT SOLDIERS' MEMORIAL HOSPITAL**

**The Hon. J.E. HANSON (15:00):** Supplementary: how long will locals in the Murray Mallee be left without an emergency department?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** There certainly will be disruption to emergency departments in the country in relation to COVID measures. There are also from time to time shortages in relation to staff, but I can assure you that this government, contrary to the false assertion in the honourable member's question, is not cutting workforce, we are increasing them.

#### **KAROONDA AND DISTRICT SOLDIERS' MEMORIAL HOSPITAL**

**The Hon. C.M. SCRIVEN (15:01):** Supplementary: when will the Karoonda emergency department reopen?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** I refer the honourable member to my previous answer.

*Members interjecting:*

**The PRESIDENT:** Order!

#### **KAROONDA AND DISTRICT SOLDIERS' MEMORIAL HOSPITAL**

**The Hon. C.M. SCRIVEN (15:01):** Further supplementary—

**The PRESIDENT:** Order! I can't hear the deputy leader. This is arising from the original answer?

**The Hon. C.M. SCRIVEN:** It certainly is, where the minister referred to these new nurses. How many of those new nurses will work in the Karoonda emergency department?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** I will take the honourable member's question on notice.

*Members interjecting:*

**The PRESIDENT:** Order! I call the Hon. Mr Hood.

*Members interjecting:*

**The PRESIDENT:** Order!

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

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

#### **COVID-19 GRANT PAYMENTS**

**The Hon. D.G.E. HOOD (15:02):** Can the Treasurer outline whether there have been any attempts by businesses or individuals to dishonestly receive COVID-19 grant payments?

**The Hon. R.I. LUCAS (Treasurer) (15:02):** Sadly, the answer to the honourable member's question is yes. Revenue SA and Treasury have advised me that there have been 133 known

applications of instances of alleged fraudulent grant application to the various grant schemes that the taxpayers of South Australia have generously provided to, in the most case, deserving and eligible businesses and individuals in South Australia. Pleasingly, I am able to report—and I will provide a little bit of detail—that at this stage there are only four known payments to people suspected of allegedly fraudulent grant applications, which has been established obviously after the grant application was paid.

Revenue SA has advised me that, as soon as instances are identified, a profile is developed of the nature of the attempt of fraudulent activity. Based on this, analytical tools are used to identify other similar applications, and for the point of identification key identifying features are used to filter all future similar payments. In all instances falsified evidence has been used by parties passing themselves off as legitimate registered businesses. In some cases, individuals are using somebody else's ABN that they might have obtained.

There have been a number of instances where the genuine business has contacted Revenue SA trying to lodge a legitimate application. After proving their bona fides, these applications have been paid. Revenue SA has initiated action to recover payments that have been processed, and all these instances have been reported to South Australia Police. South Australia Police have advised us they have commenced investigations by tracing bank accounts that have been used, along with investigating IP addresses from which online applications have been lodged. Initial advice is that many of the applications have been initiated from interstate in relation to this fraudulent activity.

I conclude by indicating that persons who seek to fraudulently obtain funding from taxpayers for supposedly eligible businesses, whether they are employing or otherwise, are being closely monitored. Any suspicions of fraudulent activity are being reported to South Australia Police, so persons ought to be aware that South Australia Police may be pursuing anyone who believes that there is easy money to be made by pinching somebody else's ABN and making fraudulent claims for taxpayer-funded business support payments for businesses that might be deemed to be, or should have been deemed to be, eligible because of the impacts of COVID-19.

#### MINISTERIAL CODE OF CONDUCT

**The Hon. T.A. FRANKS (15:05):** I seek leave to make a brief explanation before addressing a question on the topic of the Ministerial Code of Conduct to the Treasurer on behalf of the Premier.

Leave granted.

**The Hon. T.A. FRANKS:** Earlier today, it was revealed that Minister David Speirs is facing two code of conduct complaints resulting from his behaviour and comment on morning radio with David Bevan last week on the ABC. During this conversation with broadcaster David Bevan, the minister publicly disparaged and attempted to discredit the work, independence and qualifications of well-known and respected South Australian scientist Peri Coleman.

During the interview, the minister stated, 'some of the activists involved in this space describe themselves as independent scientists, I'm not sure what their qualifications are.' He went on to say that, 'It's in Peri Coleman's interest to be extremely worried because she is the self-proclaimed independent scientist.' The minister then on two occasions dismissed Ms Coleman's scientific analysis as 'anecdotal evidence'. Part 2.3 of the Ministerial Code of Conduct states that:

In the discharge of his or her public duties, a Minister shall not dishonestly or wantonly and recklessly attack the reputation of any other person.

Ms Coleman runs her consulting agency as a small business. An attack on her credibility in such a manner by a powerful minister puts her business at existential risk. Her business and her livelihood rely on her scientific acuity, her integrity and reputation, all of which this minister has recklessly and falsely disparaged on ABC public radio.

Complaints have been sent accordingly to the minister. Indeed, I am one of the complainants. The complaints were made late yesterday, but they were preceded by a collective of 10 environmental organisations making a public statement also calling on the minister to apologise for these comments. Apparently they were given zero consideration or investigation, given that the comments put to the Premier today were dismissed by the Premier, with him saying he did not believe that his minister had breached the Ministerial Code of Conduct.

I will note that on two other occasions I have raised in this chamber, and in writing, potential breaches of the Ministerial Code of Conduct by Minister Speirs, which have both been dismissed by the government without any indication of how they were investigated or what consideration was actually given to them. My question to the Treasurer for the Premier is: how can this government continue to claim that a minister has not breached the Ministerial Code of Conduct when it doesn't even appear that the Premier investigates the complaints?

**The Hon. R.I. LUCAS (Treasurer) (15:08):** Unsurprisingly, I have every confidence in my Premier to properly give due consideration to any complaint about a breach of a code of conduct, and I have absolute confidence that he would have given due consideration to all allegations or complaints that were made to him. Ultimately, they are his decisions as the Leader of the Government, the Premier, but whatever decisions he has made in relation to this issue, I am 100 per cent supportive of and behind.

#### MINISTERIAL CODE OF CONDUCT

**The Hon. T.A. FRANKS (15:09):** Supplementary question: is it the Premier who has the final call on whether a minister has breached the Ministerial Code of Conduct and what processes are followed to ensure that there is independent oversight?

**The Hon. R.I. LUCAS (Treasurer) (15:09):** It is always the Premier's judgement in relation to his or her Ministerial Code of Conduct. It is the code of conduct that applies to ministers. The Premier can seek advice should he so choose in relation to particular issues or he may well make his own judgements. These are ultimately matters for the Premier of the day to make a decision on. As I said, I have the utmost faith in the Leader of the Government, the Premier, that whatever decision he has made he has given due consideration to it and made a judgement which I support 100 per cent.

#### MINISTERIAL CODE OF CONDUCT

**The Hon. T.A. FRANKS (15:10):** Supplementary question: on what grounds does the Marshall government accept and defend this attack on a well-known ecologist by the Minister for Environment and Water?

**The Hon. R.I. LUCAS (Treasurer) (15:10):** I think that is a question best directed to the Minister for Environment. If the honourable member and indeed other members of the community have particular issues, they are issues that they will need to take up with the Minister for Environment. In relation to alleged breaches of ministerial codes of conduct, they have evidently—if the honourable member has reported the Premier correctly, and I don't doubt that—been considered by the Premier and he does not believe that they do constitute a breach of the Ministerial Code of Conduct.

#### AMBULANCE RAMPING

**The Hon. T.T. NGO (15:11):** My question is to the Minister for Health and Wellbeing about health. How does the minister explain the death of an 89-year-old man from North Plympton who died in hospital from complications after he waited between four and five hours for an ambulance in late September?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11):** If the honourable member is referring to an incident in relation to concerns about delayed response to an ambulance, my advice is that the incident has been registered on the South Australian Ambulance Service Safety and Learning System. It is concerning and distressing for everyone involved when a call involves an elderly patient, and our thoughts are with both families.

SAAS continues to work on response times so that crews can get to their patients as soon as possible. Recruitment for additional crewing is underway to boost our metropolitan response capacity and to reduce ambulance delays. In that regard, my recollection is that one of those rosters commenced operation yesterday.

#### HOUSING AFFORDABILITY

**The Hon. N.J. CENTOFANTI (15:12):** My question is to the Minister for Human Services regarding housing. Can the minister please inform the council how the Marshall Liberal government

continues to invest in new affordable and social housing for South Australians while also ensuring vital jobs are supported?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:12):** I thank the honourable member for her question and for her interest in this area. Indeed, there are a range of programs in which the South Australian Housing Authority is investing, both through our own social housing and also through our non-government partners. There is a range of these, including Oaklands Park Renewal Project which is a joint consortium with Housing Renewal Australia and Junction Australia together with the South Australian Housing Authority.

We have our own neighbourhood renewal programs at Seaton, Felixstowe, Blair Athol and Woodville Gardens and we also have a site at Henley Beach, which is a partnership between the South Australian Housing Authority and Unity Housing. I was very pleased to be able to turn the sod at that particular site quite recently with the local member, Mr Matt Cowdrey.

That is a site which is close to the local high school, a lot of services and just down the road from the beach. When it is completed it will provide the opportunity for those people who live there with a great location, which for all the people who would be in the affordable properties would more than likely be out of reach.

The partnership means that what will be delivered is 42 townhouses and 28 apartments at what is currently a vacant site at 35 Henley Beach Road. Community housing provider Unity will retain 22 houses and five apartments for affordable rental. There will be 20 townhouses, which will be sold to market, and the South Australian Housing Authority will retain 23 apartments.

The construction for that site is about to commence. It is obviously going to provide a lot of jobs for people who are working in the building sector. The majority of those properties will be made available to people on low incomes. The social housing means that the amount that is charged is capped at the household income. For those in the affordable space, that's capped at a percentage discount from market rent. We look forward to that site being delivered in the near future and that construction will commence very shortly.

#### SKYCITY ADELAIDE

**The Hon. C. BONAROS (15:15):** I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney as minister for consumer and business affairs in the other place, a question about SkyCity Adelaide Casino.

Leave granted.

**The Hon. C. BONAROS:** During the last sitting week, we asked the state government questions about our concerns about the operations of Adelaide Casino following revelations it has been investigated by AUSTRAC, the federal government's anti-money laundering watchdog, and over concerns of serious noncompliance issues with the Anti-Money Laundering and Counter-Terrorism Financing Act.

These concerns have been further heightened by the release today of the damning final report by the royal commission into Crown Casino's operation in Victoria and Western Australia. The royal commissioner described Crown's behaviour as, and I quote, 'disgraceful, variously illegal, dishonest, unethical and exploitative', finding evidence of links to criminal gangs and repeated breaches of money laundering laws and the Casino's contract with the state, all conduct the commissioner said made Crown unsuitable to hold its licence.

He stopped short of immediately cancelling that licence on the grounds it would cause considerable harm to the Victorian economy, including loss of thousands of jobs. I note that the Treasurer has provided a response today outlining that he is prevented from disclosing any details of the meetings that have been held to date with AUSTRAC, but my questions to the Treasurer are:

1. Is the government concerned about the operations of SkyCity Adelaide Casino, given today's damning royal commission report in Victoria and the ongoing AUSTRAC investigation?

2. What confidence can the government give that similar criminal activity is not occurring at SkyCity Adelaide Casino if indeed he and his government are prevented from disclosing any details to this parliament?

**The Hon. R.I. LUCAS (Treasurer) (15:17):** I am happy to refer the honourable member's question to the Attorney-General and bring back a reply.

#### PUBLIC SECTOR

**The Hon. R.P. WORTLEY (15:17):** I seek leave to make a brief explanation before asking a question of the Treasurer regarding the public sector.

Leave granted.

**The Hon. R.P. WORTLEY:** The opposition recently received a determination from the Department of Treasury and Finance. It refused access in full to 27 out of 28 documents in relation to allegations of intimidation, staff complaints and concerns in the member for Gibson's electoral office. This grant of access to around 3.5 per cent of the 28 documents that were found to be in scope—

**The Hon. S.G. WADE:** Point of order, Mr President.

**The PRESIDENT:** Point of order, the Minister for Health and Wellbeing. The Hon. Mr Wortley should resume his seat.

**The Hon. S.G. WADE:** I draw your attention to a sign that the honourable member is now taking down from the back of his seat.

**The PRESIDENT:** I ask that it not be seen. I can't see it now and that's how I want it to remain. Thank you.

**The Hon. S.G. Wade:** Childish, absolutely childish.

**The Hon. R.P. WORTLEY:** The only child here is you.

**The PRESIDENT:** Order! The Hon. Mr Wortley will ask his question.

**The Hon. R.P. WORTLEY:** You have record ramping and you are worried about a sign.

**The PRESIDENT:** Order!

*The Hon. S.G. Wade interjecting:*

**The PRESIDENT:** Order! The honourable minister is out of order as well.

**The Hon. R.P. WORTLEY:** Exactly.

**The PRESIDENT:** Order!

**The Hon. R.P. WORTLEY:** The FOI application was almost identical to an FOI lodged by *The Advertiser* in relation to a Labor member of parliament in which the Treasurer, acting as principal officer, determined to release information. In this latter case, 11 documents were in scope, with three released in full and two released in part. My question to the Treasurer is:

1. Why did the Treasurer personally approve the release of documents relating to a Labor MP?

2. How does the Treasurer explain a departmental officer only giving access to 3.5 per cent of the relevant documents when a Liberal MP is involved but the Treasurer providing full or partial access to almost half the documents when a Labor MP is involved?

**The Hon. R.I. LUCAS (Treasurer) (15:19):** Very easily, because it's entirely consistent with the approach of independent freedom of information officers within government departments and agencies. On this particular area, it's entirely consistent with the past practice of the former government when I lodged very similar applications for documents that related to the former Speaker, Speaker Atkinson, and the then member for Reynell, Ms Hildyard, and a number of other Labor members of parliament. The independent officers within government departments, in that case Treasury, refused, I think, almost 100 per cent of the documents on the basis of a variety of reasons.

These freedom of information officers go about their task in an independent fashion within the government departments and agencies. I have great knowledge of this particular area because, as I said, I spent many years seeking similar information from similar sources within Treasury—the freedom of information source within Treasury. As I said, almost without exception, those documents were refused. That's the difference.

In relation to when a request comes for documents that are within my office, as opposed to within the department, then I am the principal officer and I make judgements about documents which are in my office, not within the department. So there are two separate potential application processes. The one to which the member refers, in relation to the department, is managed by the department with an independent freedom of information officer there. Anything that comes into my ministerial office, as the principal officer I handle that and I make my own judgements in relation to what should be released.

If I can assist the honourable member any more in relation to details of allegations in relation to intimidation, bullying and harassment within Labor members' offices, if he wants a bit more information, I would invite him to put a freedom of information application in for anyone he's targeting within his own caucus, and I am prepared to consider his application for any documents I might have within my ministerial office.

### COVID-19 HOSPITAL RESPONSE

**The Hon. T.J. STEPHENS (15:22):** My question is to the Minister for Health and Wellbeing. Will the minister update the house on the readiness of the South Australian health system should COVID-19 enter the state?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:22):** I thank the honourable member for his question.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I thank the honourable member for his question.

*Members interjecting:*

**The PRESIDENT:** Order! The minister hasn't even started. Order!

**The Hon. S.G. WADE:** The Marshall Liberal government is ensuring that South Australia is COVID ready. In particular, we are expanding our hospital capacity as an important part of making sure—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —activating hundreds of extra beds and deploying hundreds of extra health professionals. Hospital bed capacity has been increased across—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Bourke! The Hon. Mr Wortley! Order! I'm not sure that the Labor Party has a question remaining, but it's certainly not going to get one today.

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

*Members interjecting:*

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

**The Hon. R.P. Wortley:** It wasn't me.

**The PRESIDENT:** Order! It was you.

**The Hon. S.G. WADE:** It's like trying to teach a puppy self—

**The PRESIDENT:** Order! You are not being helpful. Continue with your answer.

**The Hon. S.G. WADE:** As I was saying perhaps in the last paragraph that was drowned out by disorderly behaviour, hospital bed capacity is being increased across South Australia with a mix of new beds in the public, private and community settings. In total, we are providing for an additional 392 beds in the South Australian health system.

*Members interjecting:*

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

**The Hon. S.G. WADE:** For those who need to have pictures—

*Members interjecting:*

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

**The Hon. S.G. WADE:** For those honourable members opposite who have trouble with numbers, let me put that in pictorial terms. Imagine a Modbury Hospital. No, it's not one of them; it's two of them—392 beds is the equivalent of two Modbury Hospitals. It's an exciting expansion of the health system to make sure that South Australia is COVID ready.

*Members interjecting:*

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

**The Hon. S.G. WADE:** Let me outline the mix because I am particularly excited about the mix. We have 140 beds in public hospitals. Forty-six of those will actually be in the Modbury Hospital, the hospital that the former Labor government downgraded under its disastrous Transforming Health experiment, another 16 in Gawler and six dementia beds at the Repat hospital. That reminds me, the former Labor government wanted to close the Repat and sell it off. Thank God we stopped them because it is at times like these we need the capacity of the Repat. This government is building on that as part of its 392-bed investment.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson!

**The Hon. S.G. WADE:** And then we are partnering, as we have right through our term, with the private sector. There are another 73 beds in partnership with the private sector but this is the part that really excites me: the out of hospital community beds. There are 68 beds providing hospital-level care in the home, particularly for older South Australians—

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

**The PRESIDENT:** The Hon. Mr Hanson will remain silent.

**The Hon. S.G. WADE:** —because it is in areas such as geriatric care and palliative care, care which should often be delivered in the community but so often is being delivered in hospital. In the COVID environment, we are taking the opportunity not only to ease the pressure on the hospital system but to deliver world-class hospital care more consistent with the wishes of the patients.

Another stream, there are another 37 beds supporting older South Australians in their aged-care journey. These are transition care beds, care awaiting placement beds, dementia virtual support beds. It is another example of providing and taking the opportunity to expand innovative quality care. Those 10 dementia support beds are working with people in the nursing home so they get the hospital care they need without being transferred to a hospital, which in itself creates risk.

In terms of people with disability, another 52 beds are helping people on the disability journey; thirty beds at the Repat (again, the hospital that the former government wanted to sell off), 30 beds providing people with transitional accommodation beds. Major investments and enablers—Flinders Medical Centre, Lyell McEwin, Women's and Children's Hospital—all benefiting from multimillion dollar investments to make sure that they have air conditioning upgrades that make them COVID ready.

As I have mentioned briefly in passing, I think earlier today, we are employing up to 1,920 additional staff, bolstering the health workforce as we move into the COVID environment in terms of reopening our borders.



**The PRESIDENT:** The minister will bring his answer to a conclusion.

**The Hon. S.G. WADE:** Thank you for your guidance, so perhaps I will save that general wisdom for the next opportunity.

#### COVID-19 HOSPITAL RESPONSE

**The Hon. C.M. SCRIVEN (15:27):** Supplementary: are any of the new COVID-ready beds that the minister has referred to fully operational today?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:27):** Yes. There are the 30 transition to home beds. Actually, sorry, they might not be fully operational. My understanding is that—

*Members interjecting:*

**The PRESIDENT:** Order! I would like to hear the minister.

**The Hon. S.G. WADE:** I will certainly bring the honourable member back a specific answer on this but my understanding is that 28 of the 30 may well be activated. The final two are waiting for another substantial investment from the Marshall Liberal government to make sure that they can provide even better quality services to people with disability in South Australia.

#### COVID-19 HOSPITAL RESPONSE

**The Hon. C.M. SCRIVEN (15:28):** Further supplementary: how many of the promised COVID-ready beds will be opened by the start of December when our borders are then open?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:28):** I don't know what news channel the honourable member is listening to but the announcement of the Premier was that it will be opened on 23 November. This is what I—

*Members interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition will remain silent.

**The Hon. S.G. WADE:** The opposition is taking the opportunity, quite gratuitously, to demonstrate their ignorance of public health. The government—

**The Hon. C.M. Scriven:** How many will be open?

**The PRESIDENT:** I would like to hear the minister, not repeated questions when the person who has actually asked a supplementary is asking it again by way of interjection.

**The Hon. S.G. WADE:** The honourable member and, for that matter, the opposition generally is taking the opportunity to display their ignorance on public health. The reality is, if we open our borders on 23 November we do not need 392 beds on 24 November. Let me tell you some facts. On 16 June, New South Wales experienced the start of—

*Members interjecting:*

**The PRESIDENT:** Order!

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

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

**The Hon. S.G. WADE:** —its outbreak. If the Labor Party doesn't want to hear the cold, hard facts, they should stop asking me questions.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** So the reality is there will be a significant period—

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

**The PRESIDENT:** Order!

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

**The PRESIDENT:** No, the Leader of the Opposition should not be having a conversation with his backbench.

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

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

**The Hon. S.G. WADE:** Let me reiterate—

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

**The PRESIDENT:** We are going to move to the next question fairly soon, but I would like you to continue.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I think, Mr President, I have a right to put my case.

**The PRESIDENT:** You do.

**The Hon. S.G. WADE:** I don't have the right—

**The PRESIDENT:** I would like you to continue.

**The Hon. S.G. WADE:** —to have a disorderly opposition shouting me down on every occasion.

**The PRESIDENT:** I would like you to continue.

**The Hon. S.G. WADE:** Thank you, Mr President. On the point, we do not need all of our hospital bed capacity to be available on 24 November. The reality is that when there is seeding—and, God willing, the seeding will continue to be quashed so that we don't face increased pressure on our hospital system. Let's see what happens in New South Wales. New South Wales experienced the start of their outbreak on 16 June. Their peak in terms of cases wasn't for another 56 days—the middle of September. Their hospitalisation peak was 66 days later.

The constant advice I have been getting from Professor Nicola Spurrier—and if the opposition wants to challenge her, go for it—the consistent advice I have been getting from Nicola Spurrier is that we need to make sure that we've got hospital capacity available, we need to make sure there is hospital capacity available over time. The reality is we do not need 392 beds on 24 November.

**The PRESIDENT:** The Hon. Mr Simms has the call.

**The Hon. C. BONAROS:** I've got a supplementary, Mr President.

**The Hon. R.P. Wortley:** The Hon. Ms Bonaros has been waiting. She's jumped up twice.

**The PRESIDENT:** Well, you're not up here; you're down there. I'm calling the Hon. Mr Simms. I saw the Hon. Mr Simms. That's where I'm going. The Hon. Mr Simms.

**The Hon. R.A. SIMMS:** I am happy to defer to the honourable member. She was trying to—

**The PRESIDENT:** Okay, well I will go to the Hon. Ms Bonaros for a supplementary, I presume.

#### **COVID-19 HOSPITAL RESPONSE**

**The Hon. C. BONAROS (15:31):** Yes, it was a supplementary. How many COVID-ready beds or what capacity does the Women's and Children's Hospital have today for COVID cases?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:31):** I thank the honourable member for her question, because the Women's and Children's Hospital has been involved in decisive investments to help it be ready for the COVID environment. On 30 August, which I seem to think is about two months ago, the Child and Adolescent Virtual Urgent Care Service was

established. That enables non-urgent consumers to access high-quality and timely care by an emergency doctor and nurse from the comfort of their own home. This service is supporting hospital avoidance for lower acuity presentations and easing demand on the Women's and Children's Hospital paediatric emergency department—

*Members interjecting:*

**The PRESIDENT:** I have a presumption that the Hon. Ms Bonaros would like to hear this answer, and I am struggling with it because of the opposition.

**The Hon. S.G. WADE:** The reality is that that provides an opportunity for COVID-safe care for children and adolescents in their own home or, for that matter, wherever they might be, out beyond the paediatric emergency department. We have also been very keen to work with GPs in terms of trying to support them to refer their patients to the Women's and Children's Hospital. We have seen a significant shift in terms of GP referrals—from GPs, taking their own paediatric cases and they are referring them to the Women's and Children's Hospital. So work is being done to manage that demand too.

In terms of the Women's and Children's Hospital, as I have already mentioned, there is an investment going on to deal with infrastructure needs to improve the air conditioning there. That will mean that there will be more facilities in the Women's and Children's Hospital that will be able to better care for COVID positive patients.

**The Hon. C. BONAROS:** Mr President—

**The PRESIDENT:** No, the time for questions has expired.

*Bills*

### **STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL**

*Committee Stage*

In committee.

Clause 1.

**The Hon. R.I. LUCAS:** I want to take the opportunity to share information with members of the committee on clause 1. There is one set of amendments which the Hon. Mr Pangallo has moved which directly relate to provisions in the budget measures bill, and there are two proposed packages of amendments which are unrelated to the budget measures bill but have been incorporated for debate during the committee stage of the chamber.

I want to read onto the public record a letter I have received dated 20 October. This is in relation to the series of amendments moved by the Hon. Mr Simms in relation to government advertising. On 20 October, I received a letter from the Auditor-General, and I propose, for the benefit of committee members, to read the Auditor-General's response to the proposed action before we get into the substantive issues of debate on that package of amendments. The letter is dated 20 October:

Dear Treasurer

Statutes Amendment (Budget Measures 2021) Bill 2021 (the Bill)

Thank you for the opportunity to provide feedback on the proposed amendments to the Public Finance and Audit Act 1987 contained in the Bill.

I wish to make it absolutely clear that I consider these amendments to be completely inappropriate for the role of the Auditor-General. The Bill, in requiring an Auditor-General to approve expenditure in line with legislation, while the same legislation requires the Auditor-General to audit that expenditure as part of their annual functions, creates a fundamental conflict.

The Bill fails on the following matters:

- It directs the Auditor-General to carry out an activity, approval of government expenditure, which is inimical to the role.
- It means the Auditor-General is exposed to a conflict of duties as the mandated, statutory auditor of the public accounts.

- It inappropriately interrupts procurement practices designed to achieve public procurement objectives.

It directs the Auditor-General to carry out an activity, approval of government expenditure, which is inimical to the role

The Bill inappropriately assigns an executive expenditure approval function to the Auditor-General by requiring the Auditor-General to approve Executive government expenditure for certain government advertising. The Auditor-General should never be in a position to approve any Executive government expenditure.

The Auditor-General should only ever be empowered to approve expenditure for the Auditor-General's purposes of the PFAA [Public Finance and Audit Act] to independently audit, examine or review and report to the Parliament about expenditure approved by Executive government.

Government advertising expenditure is clearly not expenditure for an auditing purpose.

This proposal to be an approver of Executive government expenditure is completely at odds with the independent Auditor-General role and detrimental to the inherent independence from the Executive which underpins the position of the Auditor-General.

The Auditor-General is exposed to a conflict of duties as the mandated, statutory auditor of the public accounts

The Auditor-General audits the public accounts—section 31. Section 31 provides:

- (1) The Auditor-General must—
  - (a) audit the public accounts in respect of each financial year;
  - (b) audit the accounts of each public authority in respect of the financial year of each authority.

Government advertising expenditure must come from the public accounts. The implication is the Auditor-General must audit expenditure the Auditor-General has approved. This is unsound.

The principal that the Auditor-General cannot audit their own decisions is enshrined in the PFAA. Specifically, Section 31(3):

The Auditor-General will not audit the accounts of the administrative unit established to assist the Auditor-General in carrying out his or her functions under this Act. In effect the Auditor-General cannot audit their own accounts nor the expenditure they are incurring in discharging their statutory audit functions. The Public Finance and Audit Act requires the Governor to appoint an independent external auditor to review the Auditor-General's activities.

The [Public Finance and Audit Act] prescribes the functions of the Auditor-General are to perform audits, examinations and reviews and be the Chief Executive of the Auditor-General's Department and approving Executive government expenditure is inconsistent with these functions.

It is not a function of the Auditor-General to conduct government advertising. Having an approval role in Executive government procurement and expenditure involves the Auditor-General in such conduct.

Inappropriately interrupts procurement practices designed to achieve public procurement objective

The Executive government issues the procurement rules.

Government expenditure is all subject to procurement rules established through Treasurer's Instruction 18 Procurement. Procurement involves multiple steps to achieve the State procurement objectives:

- to promote good governance, contract management, transparency and recordkeeping by public authorities in relation to procurement
- to promote compliance with whole-of-government procurement policies.

Agencies responsible for Executive government expenditure must apply reasonable practices and controls to ensure appropriate public administration practices are used to plan, procure and deliver public expenditure objectives.

The proposed provisions fail to be consistent with these rules by interjecting an approval role completely outside of the systems and practices responsible for initiating and conducting the Executive government expenditure.

Amending the Bill to require the Auditor-General to conduct audits of government advertising

If during the Parliamentary debate of the draft Bill, amendments are proposed requiring the Auditor-General to conduct audits of government advertising, in my opinion this is unnecessary. The Auditor-General has existing sufficient powers to conduct audits of government advertising expenditure. In past debate on this role, I have noted the [Public Finance and Audit Act] provides:

[section] 24(6)

The Auditor-General is not subject to the direction of any person as to—

- (a) the manner in which functions are carried out or powers are exercised by the Auditor-General under this Act; or
- (b) the priority that he or she gives to a particular matter in carrying out functions under this Act.

Whether such an audit is performed is, as the PFFA stands, a matter for the discretion of the Auditor-General against the overall activities of government which roundly involve annual expenditure of \$24 billion.

Other comments on the Bill

Expenditure is necessary for the proper functions of government test

The Bill sets the standard to be applied that the Auditor-General decide if the expenditure is necessary for the proper functions of government.

The Macquarie Dictionary defines necessary as something that is indispensable, an imperative requirement or need. This seems a difficult test to pass. It suggests that most expenditure would fail this test and the Auditor-General be obliged to assess such expenditure as improper as defined in the Bill.

Primary purpose test

The Bill states the assessment is to be based on the Auditor-General being satisfied that the primary purpose of the government advertising is to communicate information relating to the following:

- (a) public health and public safety;
- (b) road and public transport works or interruptions;
- (c) emergencies;
- (d) legal or statutory matters;
- (e) electoral material published under the authority of the Electoral Commissioner;
- (f) the engagement or employment of persons in the service of the government;
- (g) attendance at an event;
- (h) tourism;
- (i) auctions and other sales of property, goods and services;
- (j) courses at tertiary educational institutions.

Essentially these are all activities of government. The criteria are too vague to allow an efficient and effective audit. It is likely that most expenditure would pass this test.

Auditor-General have powers under section 34

The Bill states:

- (8) The Auditor-General may exercise the Auditor-General's powers under section 34 of this Act for the purposes of determining whether or not to grant a section 41B approval and section 34 applies as if—
  - (a) a reference the conduct of an audit or review, or the making of an examination; and
  - (b) a reference to an audit, review or examination, were a reference to the determination whether or not to grant a section 41B approval.

Section 34 deals with the powers of Auditor-General to obtain information. The powers include coercive powers:

- (1) The Auditor-General or an authorised officer may, in order to conduct an audit or review, or make an examination, under this Act—
  - (a) by summons, require the appearance of any persons or the production of any relevant accounts, records or other documents;
  - (c) require a person who has access to information that is, in the opinion of the Auditor-General or the authorised officer, relevant to the audit, review or examination, to provide that information to the Auditor-General or the authorised officer in writing;
  - (d) require a person appearing before him or her to make an oath or affirmation (which the Auditor-General or authorised officer may administer) to answer truthfully all questions relating to an audit, review or examination under this Act and to any accounts, records or other documents that are the subject of, or are related to, an audit, review or examination under this Act;

These are necessary powers for the Auditor-General.

These powers are unlikely to be reasonably exercised within the timeframes provided in the Bill, monthly reporting and certainly before an election.

All audit work and reporting is subject to procedural fairness. This means giving reasonable opportunity to those subject to audit. This test is higher where coercive powers are exercised.

Monthly reporting

The Bill states the Auditor-General must, within 7 days of the end of each month that falls in a relevant election period, publish a report on the details of each section 41B approval granted during the month to which the report relates.

This imposes a regular review function throughout the period of the provisions namely, the relevant election period commencing on 1 July in the year immediately before a general election.

All such expenditure for the eight months leading to the March election will need review.

This either displaces other risk-based priority work the Auditor-General would do or would need to be properly resourced to ensure this new activity did not detract from the other functions of the Auditor-General. Importantly in the period 1 July to 30 September the Auditor-General's resources are always fully committed to the production of the Auditor-General's Annual report to Parliament.

Any displacement of the discretionary, risk-based role of the Auditor-General reduces the effectiveness the Auditor-General may have in any reporting period.

In this regard, I have reported to parliament twice that I consider the \$4 million threshold in the Passenger Transport Act 1994 that limits the discretionary audits the Auditor-General can do in a reporting period warrants consideration by Parliament.

Principal officer

The Bill states:

principal officer, in relation to a government agency, means—

- (a) if the agency consists of a single person (including a corporation sole but not any other body corporate)—that person;
- (b) if the agency consists of an unincorporated board or committee—the presiding officer;
- (c) in any other case—the chief executive officer of the agency or a person determined by the Auditor-General to be the principal officer of the agency;

This provision again means the Auditor-General is given a role in Executive government administration.

It is inimical to the independent role of the Auditor-General to audit the Executive government and report to the Parliament.

If you or your officers require further information with respect to this matter, please contact me on [a telephone number].

Yours sincerely, Andrew Richardson, Auditor-General.

I seek leave to table a copy of that letter from the Auditor-General to me for the benefit of members.

Leave granted.

**The Hon. R.I. LUCAS:** In addressing that, I know we will come to the honourable member's amendments later on and will address some of the other details and the practicality of the particular provisions the honourable member has moved in this place. I note that they are either identical or very similar to the amendments moved by the member for Lee, Mr Mullighan, by way of a separate bill in the House of Assembly.

I can only assume that either Mr Mullighan or the Labor Party produced the amendments and provided a copy to the honourable member or vice versa. The Hon. Mr Simms is the initiator, and he provided a copy to the member for Lee and got him, on the Greens' behalf, to move this bill in the House of Assembly. But I will leave that to the honourable member and others to speculate on. It is neither here nor there; we have the budget measures bill and this series of amendments being moved here.

I will address the specific issues when we get to the particular clause in the bill. I read the Auditor-General's letter to put it on the record because, in my long experience in this chamber, it is

very rare for the Auditor-General to take the action that he has taken in relation to this particular bill and these particular amendments.

He, I think all members would acknowledge, is a fiercely independent officer and person/individual. He is not prone to public profile, and we are all aware of other independent officers who perhaps might be more attracted to a public profile. I do not think anyone could accuse our Auditor-General of ever succumbing to those particular deficiencies. Therefore, for him to write this particular letter indicates the depth of feeling he has in relation to what he is going to be asked to do.

I will not reiterate the individual details of what I have just read onto the public record until we get to the individual stages of the debate, but I do put the context that this is a most unusual occurrence, that the Auditor-General would speak out, and speak out so strongly, on this particular issue. I would urge members to give due consideration to the views of the Auditor-General in relation to this issue. The practicalities we will come to on the particular amendments later on, but as I said it is almost unprecedented to see his intervention in this way.

I will just make some brief comments in relation to a couple of other general issues. When we come to the issues in the Hon. Mr Pangallo's amendments, in principle I have no great concerns about guidelines being turned into regulations. I note that much of the financial assistance that we provide by way of land tax is done by way of administrative action and government guidelines. For example, in relation to Treasury, all of the money that we have been giving away in relation to COVID assistance grants has been done through administrative decision by me as Treasurer and through Treasury. It is the normal course of events. In New South Wales, similarly, they have used a process of guidelines. I think in Victoria they use a process of guidelines as well.

The cautionary note I put on the record—and we will debate this when we get to the clauses—is that I have now been advised that if this amendment goes through in the way that it is intended it will delay by, potentially, eight months to 10 months the prospect of any build-to-rent schemes in South Australia being initiated. The advice that I have received is that if it is required to be done by regulation, as members will know, there are a statutory number of sitting days that are required between the issuing of the regulation and for a member—the Hon. Mr Pangallo or someone else—to move a disallowance. They only have to move the disallowance within that statutory period. They can then delay the actual vote on the bill for as long as they have the numbers in the house to prevail.

The advice I have received is that if we have to do it by regulation because of the juxtaposition of the end of a parliamentary session and an election coming up and the inevitable delay before a new parliament can be convened—if it is a close election, there will be recounting of votes and all those sorts of things that will have to go on, and then the inevitable delay before the new parliament is established—then the remaining days would expire in relation to a potential disallowance motion and no build-to-rent scheme would be able to be up and actioned until that particular period has expired. However, if it is done by way of guidelines, then all of the necessary action can occur for the concession to take effect from 1 July of next year.

The government's view is that with housing affordability being a significant issue leading into the election we are trying to encourage people to invest in build-to-rent schemes so there are more rental accommodation options in South Australia. If the Labor Party and crossbenchers are minded to, in essence, delay the potential for this housing affordability option being implemented within the time period that we are looking at, then so be it. It will just mean it will potentially delay, until the expiry of a disallowance motion, consideration by the parliament to occur and then it can be considered by developers after that particular period. It is the government's preference to get up and going and provide the option sooner rather than later, but ultimately if the majority in the parliament has a different view then so be it, that would be the end result of it.

Finally, the Australian Labor Party asking us to pay \$1.5 million of taxpayers' money to help them cost their policies, particularly at a time when we are all struggling to find every last dollar, is a bit rich, we think. The whole notion that the taxpayer should pay the Australian Labor Party to cost their policies, as I said, is a bit rich. It is not something that we are supportive of and it is certainly our very strong view that that particular expenditure of up to, potentially, \$1½ million, can only be

estimated. If there are an excessive number of requests for consideration it might be more or it could be less, depending on what sort of demand.

Certainly, the cost of it last time cannot be used as a guide because the then opposition, the Liberal Party, did not want to use taxpayers' money to fund the costing of their promises. They were prepared to use their own money to fund the costing of the promises. Therefore, the expenditure last time is no useful guide because clearly the Labor Party are desperate to have the taxpayers cost their particular policy promises. When we come to those amendments, we will be opposing them as well.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

**The Hon. F. PANGALLO:** I move:

Amendment No 1 [Pangallo-1]—

Page 3, lines 15 and 16 [clause 4, inserted section 7A(1)(c)]—Delete 'guidelines approved by the Treasurer for the purposes of this section' and substitute 'the regulations'

**The Hon. K.J. MAHER:** A brief contribution on the amendment being moved by the Hon. Frank Pangallo. The opposition is minded to support the Hon. Frank Pangallo's amendment. We have listened with interest to the arguments the Treasurer has put on a range of things and we are a little dismayed.

Last sitting week, when this bill was the government's number one priority, the most important thing for them to pass during the week, the fact that there was new information on that day that needed to be considered meant that the government did not want to pass the bill on that day. We have the Treasurer coming into this chamber, giving new information to members of this chamber and wanting the bill to be passed on that day, exactly what the government rallied against last time.

The problem is, with the amount of scheduled sitting days we have left, if we do not get on and deal with this bill we are in grave danger of it not passing at all. We are prepared to pass the amendments that the Hon. Frank Pangallo has put forward, in exactly the same vein that we are prepared to pass the amendments that the Hon. Robert Simms has put forward, notwithstanding the new information the Treasurer has revealed today.

We do stand ready though, as I am sure other crossbenchers would, in discussions between the chambers, to see if there is genuine concern, from what the Treasurer has raised today, to make those changes between the houses as this bill finds its way back down. I think, with the Hon. Frank Pangallo's amendments and certainly with the Hon. Robert Simms' amendments, if we just concede, 'We need to pass it now. The Treasurer has come in with new information at the very last second. We should not pass any of the these amendments,' we do ourselves out of the possibility of these surviving in any way, shape or form.

We are prepared to pass this bill today because where we are in the sitting calendar it needs to be passed today to have any chance of coming into effect. But we are open to looking at the arguments that the Treasurer has only put forward at the last minute, in contradiction to the feigned outrage of the Treasurer last week when the same thing happened with new information being put forward on the day.

The Treasurer may have some points that are worthy of looking at, and we will be prepared to look at them between the houses, but we are not prepared, as the Treasurer waltzes in here at the very last minute to put new information on the record, for that (a) to be a basis not to keep the possibility of these amendments alive and (b) for that to be the basis of further holding up this bill as one of the two things the Treasurer is seeking to do, one of the two ploys that he is seeking to do today. It may be that in relation to the approval for certain types of government advertising that seeks to reduce political advertising that there may be someone better than the Auditor-General to approve it.



I will place on the record that we are happy to work with the government between the houses, but if we vote down the Hon. Robert Simms' amendment, we have no possibility of keeping that alive. Between the houses we are more than happy to look at and take into account the information that has only just been provided, just in the last few minutes, to this chamber.

We are happy to look at that information to see if there is a possibility that there is a more appropriate official or someone from the outside to take the role that is prescribed to the Auditor-General in here to make those changes in the lower house. We stand ready to do that, but what we do not stand ready for is the Treasurer to come in at the last minute, as he rallied against last sitting week, with changes. We are happy to look at those between the houses.

**The Hon. R.I. LUCAS:** What an extraordinary response from the Leader of the Opposition. I think the date of this particular amendment filed was the 13<sup>th</sup>, which, with a quick check, was the last Wednesday of the sitting. The government knew nothing about these amendments until the Australian Labor Party waltzed into the House of Assembly and suspended standing orders, I believe, and moved a bill to this particular effect. I do not know whether it was the same day or the day afterwards that the Hon. Mr Simms filed or indicated amendments to this particular bill.

The government knew nothing about these particular amendments. It was an extraordinary response from Leader of the Opposition to say that the government is waltzing in at the last moment with new information. This is actually an attachment to a bill, which has nothing to do with the bill, nothing to do with a budget measure. It is an endeavour from the Australian Labor Party and, in this chamber, from the Greens, to attach a new issue. Issues can be and these issues are being pursued by way of separate bills in the past so they are issues that can be raised and when they are they can be addressed, but this has been tacked on to a budget measures bill.

For the Leader of the Opposition to try to indicate that in some way it is the government responding to an amendment, which was dumped onto this chamber in the last sitting week, completely unrelated to the bill, that we actually do perhaps what the Australian Labor Party should have done, and if you are going to ask someone to actually do an audit you might actually ask them. Clearly, the Australian Labor Party, in crafting these particular amendments, just blithely went about drafting the amendments without even contemplating consulting the independent officer of the parliament that they are going to place these particular responsibilities upon.

Do not be cute and try to indicate that the government, in coming back and responding to an amendment which had been dumped on the table without notice in the last week, actually does what the Leader of the Opposition and the Labor Party should have done, that is, consulted a wide range of people in relation to their particular stunt and try to attach to this particular bill.

Any criticism rests entirely with the Australian Labor Party and/or the Greens, depending on who initiated it. I know where my suspicions lie, and they lie with the Australian Labor Party. They are the ones who constructed this, and they should have consulted a variety of people before they dumped this amendment and convinced other people it is a great idea to either move and/or support this particular amendment in this particular chamber.

You actually need to do the work and think through the implications of amendments that you are going to move. If the Labor Party seek to convince crossbenchers or others in this chamber about the merit of otherwise, they will be found wanting if, on so many occasions, they indicate to other members of this chamber, 'Hey, this is a good way to do it,' and set them up and then have the Auditor-General, or indeed somebody else, come down and say, 'Hey, this doesn't make any sense at all. We are trenchantly opposed.'

It is cute for the Leader of the Opposition in this chamber because it is the Hon. Mr Simms as the new member who has been asked to move this particular amendment in this particular chamber. I think the Leader of the Opposition is fortunate that he has his mask on at the moment. If there is to be an embarrassment in relation to the management of this particular issue, it rests entirely with the Australian Labor Party and the Leader of the Opposition in this particular chamber.

All we have done, once that one was dumped, was actually respond to it. I am minded that the Leader of the Opposition is addressing an amendment later on. We should be addressing the

Hon. Mr Pangallo's amendment, which is in relation to the issue of the build-to-rent scheme, and I will return to that.

As I said, if we were not in the situation where we might be running into this logjam of an election, the principle of whether it is a guideline or regulation is not something I would die in a ditch over. I think it makes sense. All previous governments and interstate governments do it by guidelines. This is actually providing a concession. It is not as if we are providing punitive action on somebody. We are actually providing a concession to try to attract, in the interests of housing affordability, people with money to invest in build-to-rent schemes.

I think I might have indicated this when asked a question in this house. Soon after we announced this, a prominent developer from another state said, 'It's about time. The Eastern States are doing these schemes. We are now interested in coming and investing significant sums of money in South Australia in a build-to-rent scheme,' which is terrific.

In terms of housing affordability, everyone says, 'Hey, we've got a problem.' The government is seeking to address it. What we are potentially being asked to do now is to put in a barrier which might delay a potential developer in a build-to-rent scheme by a period of eight, nine, 10, 11 months, depending on how long. If in the next parliament the Hon. Mr Pangallo moves to disallow the regulations but then he doesn't bring it to a vote for a period of time, because there is no limit on how long an individual private member can delay the vote on a disallowance motion, it could go on interminably for 12 months or 18 months.

I am sure that, if someone is going to move a disallowance, they felt so strongly about it, hopefully they would not go down that particular path. But if you are an investor, you are not going to invest until you know whether or not that is going to get the approval and will not be disallowed by either house of parliament.

If there was a particular concern about the government, on behalf of taxpayers, providing an incentive for people to build-to-rent schemes, I could perhaps understand it. A number of the non-government organisations that are active in terms of community housing, social welfare housing, the homelessness issue, without exception, even though they might be critical of other aspects of the government's policies, have been supportive or endorsing this particular build-to-rent option.

We will not be supporting this. I think it would be disappointing if the Australian Labor Party, who profess that they are concerned about homelessness, affordable housing, rental accommodation, take a deliberate decision knowing what the implications might be to support this, as the Leader of the Opposition in this chamber has indicated he is going to do.

The government is not introducing new information here in relation to it. Any sensible opposition party could have consulted either parliamentary counsel, lawyers, or indeed anybody else who is involved in this particular area, once these amendments were flagged by the Hon. Mr Pangallo to form their own particular view on the issue. So again, the government is not introducing new information in relation to this. This is information that anyone would be aware of if they took the trouble to actually consult and consider the particular issues that are there.

We will be strongly opposing the first amendment. We will take the first amendment as a test vote of all five amendments. If the Australian Labor Party and the crossbenchers win the first vote, we will certainly be dividing on it. If the Australian Labor Party and the crossbenchers win the first vote then we will still oppose the remaining ones but will not be seeking to divide on the remaining amendments 2 to 5. We will take them as having been determined by the test vote on amendment No.1.

**The Hon. K.J. MAHER:** I want to just reflect on a couple of comments, not just made in the Treasurer's contribution just now but comments that have been made since this debate began. The Treasurer seems to impute some suspicion or nefarious purpose if the Greens and the South Australian Labor Party occasionally come to the same view on things. Well, I can tell the Treasurer we do that sometimes. I know that the Hon. Tammy Franks and I both introduced almost identical legislation on a legislated custody notification scheme to require the Aboriginal Legal Service in South Australia to be notified when an Aboriginal person is taken into custody.

Just this morning, I think it was the member for Lee—whom the Treasurer has mentioned before—gave notice to introduce legislation into the lower house to ensure a public holiday on Christmas Day as well as the one on the next week. In fact, I think that bill is identical to one that the Hon. Tammy Franks gave notice of weeks before.

**The CHAIR:** I will just remind the Leader of the Opposition that we are dealing with the amendment moved by the Hon. Mr Pangallo.

**The Hon. K.J. MAHER:** Certainly, sir.

**The CHAIR:** I have been pretty tolerant on both sides, I think, in that we have strayed a bit from that amendment. I understand it is relative to the entire bill but I think we ought to move on.

**The Hon. K.J. MAHER:** I will finish up very shortly, sir. It is of no surprise that we disagree on some things but occasionally we will agree on things, and the use of political government advertising, which we will get to later, is one of those things. The other reflection that the Treasurer talked about was how dare we even contemplate doing something that someone who holds a statutory office has written in to give their views about.

Well, I will tell you what, sir, this government, when they had carriage of the Hon. Frank Pangallo's ICAC bill through the lower house, knew exactly what the ICAC commissioner's view of that was but parliament decided to do that because that is parliament's role to decide, to make laws. That didn't stop the Attorney-General—who had carriage of this bill in the lower house, knowing what the ICAC commissioner's views were—passing those.

I will not be mischaracterised by the Treasurer. I have said and I will say it again so there can be no misunderstanding that, with these measures if the new information that the Treasurer has brought to this chamber today continues to carry weight and persuades us, we are open to reviewing, changing or doing things differently between the houses.

So for the Treasurer to grandstand here today and say, 'The Labor opposition, the South Australian Greens, SA-Best or the Hon. John Darley will be doing this,' well, we have made it clear that not just the opposition but I am sure crossbenchers can continue to contribute to the public debate on this between the chambers.

The committee divided on the suggested amendment:

Ayes ..... 12  
 Noes ..... 9  
 Majority ..... 3

AYES

Bonaros, C.  
 Hanson, J.E.  
 Ngo, T.T.  
 Scriven, C.M.

Bourke, E.S.  
 Hunter, I.K.  
 Pangallo, F. (teller)  
 Simms, R.A.

Franks, T.A.  
 Maher, K.J.  
 Pnevmatikos, I.  
 Wortley, R.P.

NOES

Centofanti, N.J.  
 Hood, D.G.E.  
 Lucas, R.I. (teller)

Darley, J.A.  
 Lee, J.S.  
 Stephens, T.J.

Girolamo, H.M.  
 Lensink, J.M.A.  
 Wade, S.G.

Suggested amendment thus carried.

**The CHAIR:** The Hon. Mr Pangallo, you have four more suggested amendments, which I understand are consequential.

**The Hon. F. PANGALLO:** Yes, they are.

**The CHAIR:** You will move them en bloc?

**The Hon. F. PANGALLO:** Yes, I will move them in a block, and thank you, Mr Chairman. In relation to this clause, I move:

Amendment No 2 [Pangallo-1]—

Page 3, line 20 [clause 4, inserted section 7A(2)]—Delete 'The guidelines' and substitute:

Regulations made for the purposes of this section

Amendment No 3 [Pangallo-1]—

Page 3, line 37 [clause 4, inserted section 7A(3)]—Delete 'A guideline' and substitute:

Regulations made for the purposes of this section

Amendment No 4 [Pangallo-1]—

Page 4, line 5 [clause 4, inserted section 7A(4)]—Delete 'guidelines' and substitute 'regulations'

Amendment No 5 [Pangallo-1]—

Page 4, lines 10 and 11 [clause 4, inserted section 7A(5)]—Delete 'guidelines approved by the Treasurer for the purposes of this section' and substitute 'the regulations'

I note what the Treasurer said in relation to that, but I think by having them in regulations there is a fail-safe mechanism in there, there is something that is built in there in case there are issues down the track, or something, with that. There is no intention from SA-Best, and I am sure there would not be from Labor or even the Greens, to detract—

*Members interjecting:*

**The Hon. F. PANGALLO:** Even the Greens. Well, in fact, or the Greens. Well, in fact, especially the Greens.

**The CHAIR:** Order!

**The Hon. F. PANGALLO:** I will correct myself, when it comes to housing for the lower income sector.

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

Clauses 5 to 11 passed.

New clauses 11A and 11B.

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

Amendment No 1 [Maher-1]—

Page 7, after line 20—Insert:

Part 5A—Amendment of Public Finance and Audit Act 1987

11A—Insertion of Part 3A

After section 39 insert:

Part 3A—Parliamentary Budget Advisory Service

39A—Establishment of Parliamentary Budget Advisory Service

- (1) The Treasurer must, in each relevant election period, establish and maintain a Parliamentary Budget Advisory Service (*PBAS*) in accordance with this section.
- (2) The PBAS is to be established under the *Public Sector Act 2009* as an attached office to a government department administered by the Treasurer.
- (3) The function of the PBAS established in a relevant election period is to provide independent and consistent costings of policies developed by registered political parties and other candidates for the relevant general election in a timely manner and in a form which is useful to the candidates for informing the public in advance of the election.
- (4) The Treasurer must ensure that—
  - (a) the level of funding provided for the PBAS is sufficient to enable it to act with all due speed in relation to requests for costings and to deal with multiple such requests at the same time; and

- (b) the PBAS is managed by an executive employee of a public sector agency (within the meaning of the *Public Sector Act 2009*); and
  - (c) the general staffing and administrative arrangements for the PBAS will allow it to properly carry out its function; and
  - (d) the PBAS remains available to deal with requests for costings throughout the whole of the relevant election period.
- (5) Except as may be necessary for the purpose of providing a costing to a registered political party or candidate, a person carrying out official functions of, or in relation to, the PBAS must not disclose any information obtained in the performance of those functions to any person who isn't carrying out official functions of, or in relation to, the PBAS and, in particular, must not directly or indirectly disclose such information to—
- (a) any other registered political party or candidate (not being the registered political party or candidate that requested the costing); or
  - (b) any Minister or Ministerial staff.

Maximum penalty: \$2 500 or imprisonment for 6 months.

- (6) The PBAS established in a relevant election period must provide a report on its operations to the Treasurer by 30 April in the year of the relevant general election.
- (7) The Treasurer must, within 12 sitting days after receipt of a report under this section, cause copies of the report to be laid before each House of Parliament.
- (8) The copy of the report to be laid before Parliament must set out in a prominent position the date on which it was presented to the Treasurer and if the report is presented to the Treasurer after the end of the period allowed under this section, the report must be accompanied by a written statement of the reasons for the delay and the statement must be laid before each House of Parliament together with the report.
- (9) In this section—

*relevant election period* means the period commencing on 1 July in the year immediately before a general election of members of the House of Assembly is held in accordance with section 28(1) of the *Constitution Act 1934* and ending on the day of that general election (and includes, if this section comes into operation during a relevant election period, the remainder of that relevant election period).

#### 11B—Transitional provision

For the avoidance of doubt, Part 3A of the *Public Finance and Audit Act 1987* (as inserted by this Act) applies (on and after the commencement of Part 3A) for the remainder of the relevant election period that commenced on 1 July 2021.

I note the somewhat gratuitous reference the Treasurer made to this maybe costing the taxpayers up to \$1.5 million a year, which is a tiny fraction of the portion of political government advertising that the Hon. Robert Simms' amendment seeks to rein in during an election campaign.

It is somewhat ironic and quite frankly outrageous that the Treasurer rails against a relatively small amount of money in the context of the whole South Australian budget, which seeks to ensure that we can have a greater deal of accuracy when it comes to the contest of ideas that is involved in an election by having a parliamentary budget office, but thinks it is just fine and dandy and a great idea to allow completely unrestricted government advertising that is not of a functional nature during the relevant date of an election campaign as defined by the Electoral Act.

I note the Treasurer indicated that he was not prepared when he was shadow treasurer to put his costings under scrutiny from a parliamentary budget office. Fine, he does not have to, but this is something that existed at a state level at the last state election and it is something that for quite some time has existed at a federal level. Regarding the Treasurer's somewhat disingenuous arguments about the relative cost of this when compared to the cost of other things that this is seeking to do, this will be many times over offset by the reining in of government advertising. It is a somewhat ridiculous suggestion from the Treasurer.

**The Hon. R.A. SIMMS:** On behalf of the Greens, I rise in support of this amendment from the Labor Party. Having been in the federal parliament, I can attest to the value of an independent parliamentary budget office. Indeed, my colleagues, prior to me starting in the Senate in the Greens,

had negotiated this outcome as part of the power sharing arrangement with the previous Labor government, I understand, and the outcome was a very good one: an independent body that provided advice to all political parties on their respective policy priorities.

That information could be made publicly available so that every member of the community knew that the ruler had been run over the policy priorities of the respective political parties. I know the Treasurer seems to have a view that, unless you have the deep pockets to be able to fund Deloitte to do a financial audit of your policies, you should not be able to have these costed. That is not really very fair.

That is not a fair thing for our democracy that unless you have the deep pockets of the Liberal Party, funded by large corporate donations—unless you have those deep pockets, you do not have a right to have your policies costed, and that there is no independent body that can look over the policies of the political parties heading into an election.

It has always struck me that not having this in South Australia has been a real omission. I understand it was in place for a short period of time and was then discontinued. As we head into the election period, it is only fair that all parliamentarians should have access to that vital resource, and it is only fair that members of the public should have confidence that there is an independent body that is running the ruler over the policy priorities of the different political parties rather than saying, 'Let's just outsource that work to the corporate sector. Let's just send it all off to wealthy corporations, rather than have it sit under the public purview.'

**The Hon. F. PANGALLO:** I rise to say that SA-Best will be supporting this amendment. Just to echo the words of the honourable Greens member, I think it is appropriate that we do have this service and that it is available to all members to be able to scrutinise policy costings going into an election period. Again, I endorse the words of the Hon. Robert Simms and say that we will be supporting this amendment.

**The Hon. R.I. LUCAS:** The government is strongly opposing this particular amendment and will continue to do so. We will seek to divide on the amendment as well. The Leader of the Opposition's comments I think probably better relate to the government advertising provision, so I will defer my response to his comments to that particular clause.

In relation to this provision, our position is as I outlined earlier; that is, the Australian Labor Party, through this particular device, are seeking to have the taxpayers of South Australia fund the costing of their election promises. I think, having seen some of the purported costings they have issued on some of their policies, there might be some in the community who might think that this may be of benefit, but the issue is frankly whether or not the taxpayer should be, at this particular time, funding the Australian Labor Party to do something that they should fund themselves.

It is not as if they can cry poor. They are very generously funded by the shoppies union and most other unions in South Australia. The Electoral Commission makes it quite clear that they have access to considerable resources in terms of being able to fund the costing of their own policy documents. They have clearly, I assume, used somebody or some organisation thus far to fund the costing of the promises they have announced over the last few days, because the parliamentary budget office obviously has not existed and they have, nevertheless, issued purported costings of those documents.

As I said, the government will be opposing this. I am pleased to say that the House of Assembly rejected this amendment; that is, the government members and a number of the crossbench members defeated this particular amendment in the House of Assembly. Should it pass the Legislative Council, I would hope that the House of Assembly would maintain their position in relation to this amendment. So for the reasons that we have outlined, we continue to remain strongly opposed to this particular provision.

**The Hon. J.A. DARLEY:** For the record, I will be supporting this amendment.

**The Hon. T.A. FRANKS:** I rise to support this amendment, and I note the words of my colleague the Hon. Robert Simms in support of this measure. A parliamentary budget office is something the Greens have long held to be of value not just to our side of politics, as in minor parties or coalition government minor parties, as we are in the ACT.

At a federal level, of course, it operates day in, day out, and we have the ability to cost policies and pronouncements, regardless of an election cycle. In the last election it was the Weatherill government that made it possible that, finally, South Australia had a parliamentary budget office, and that was something that we welcomed and that we used. We may have found a few areas to be not as effective or good as we would have liked, and we would see that the way to address that, though, is not to abolish the parliamentary budget office but to enhance and improve it.

I am very surprised that the Hon. Rob Lucas comes to this place so opposed to such a facility. I guess 39 years in parliament does change your views somewhat, and perhaps if he were in a minor or opposition party he may have very different views. Indeed, he did have very different views. I refer members to his parliamentary travel report of his visit to the United States back in 2007—26 December 2007 through to 4 February 2008, some 41 days in the United States, some 12 recommendations, some 27 very well spaced, large-fonted words in this report. Recommendation No. 4 reads:

A number of state legislatures have provided independent professional advice in relation to budget issues. Individual legislators need access to this sort of expertise to try and redress the power disparity or knowledge disparity between the executive arm of government and the legislature.

That is recommendation No. 4. Recommendation No. 5 does warn of the dangers of abolishing the Legislative Council, I am happy to see. I also note that recommendation No. 8, although we have now visited this well and truly in this debate, notes that:

The Auditor-General's office in Ontario in the government advertising department is a worthwhile model, although not perfect to consider replicating in South Australia, to try and reduce the extent of political partisanship in government advertising.

A worthy goal that, when in opposition, the now Treasurer held firm. When one is in a minor party or an opposition party, one does not have access to not just the processes that would be afforded to us by a parliamentary budget office and the costings, but of course to that government advertising. To make our democracy fair and accountable in this state, I urge all members of government and opposition in this chamber to now support this particular amendment.

**The Hon. R.I. LUCAS:** Just quickly in relation to it, I am not sure whether they still exist, but in legislatures like the Washington legislature and others the access to budget and finance-related information is that the legislatures there actually have a state economist who does modelling in terms of job implications. So they have access to, in essence an economist—it may not be the right word—who has access to modelling.

If an individual member in the state legislature there wishes to model the impact of particular policies on jobs, and what the impact might be on the economy, they are in a position to provide feedback in relation to that or to second-guess the job impact modelling that might be done by the incumbent government of that particular state legislature, so it is not exactly the same model that is being proposed here in relation to access to budget and finance information.

The model in some of the state legislatures does merit consideration in relation to their particular circumstance, where you have a whole series of virtually independent members all seeking their own personal bills. The discipline of parties, at least at that particular time—which was 15 or 16 years ago; I suspect it is still the same, I do not know—was almost non-existent in some of these state legislatures, so some of the individual members of parliament came up with their own bright ideas, and they went on to get modelling done to announce their particular bill or proposal, which they had some support and assistance for.

**The Hon. T.A. FRANKS:** I note that the Treasurer has now been in government for 1,319 days and he has had 1,319 days to have brought that model to this place. The model that we have before us is the one that we will vote on today.

The committee divided on the new clauses:

Ayes .....	13
Noes .....	8
Majority .....	5

## AYES

Bonaros, C.  
Franks, T.A.  
Maher, K.J. (teller)  
Pnevmatikos, I.  
Wortley, R.P.

Bourke, E.S.  
Hanson, J.E.  
Ngo, T.T.  
Scriven, C.M.

Darley, J.A.  
Hunter, I.K.  
Pangallo, F.  
Simms, R.A.

## NOES

Centofanti, N.J.  
Lee, J.S.  
Stephens, T.J.

Girolamo, H.M.  
Lensink, J.M.A.  
Wade, S.G.

Hood, D.G.E.  
Lucas, R.I. (teller)

New clauses thus inserted.

New clauses 11A and 11B.

**The Hon. R.A. SIMMS:** I move:

Amendment No 1 [Simms–1]—

Page 7, after line 20—Insert:

Part 5A—Amendment of *Public Finance and Audit Act 1987*

11A—Insertion of section 41B

After section 41A insert:

41B—Approval of Auditor-General required for certain government advertising expenditure

- (1) The principal officer of a government agency must ensure that the agency does not expend or incur expenditure of more than \$10,000 on government advertising published or caused to be published by the government agency during a relevant election period, unless the government advertising is approved by the Auditor-General or by resolution passed by both Houses of Parliament.
- (2) The Auditor-General may only grant an approval for the purposes of subsection (1) (a *section 41B approval*) if satisfied that the government advertising is necessary for the proper functions of government.
- (3) For the purposes of subsection (2), government advertising will be taken to be necessary for the proper functions of government if the Auditor-General is satisfied that the primary purpose of the government advertising is to communicate information relating to the following:
  - (a) public health and public safety;
  - (b) road and public transport works or interruptions;
  - (c) emergencies;
  - (d) legal or statutory matters;
  - (e) electoral material published under the authority of the Electoral Commissioner;
  - (f) the engagement or employment of persons in the service of the government;
  - (g) attendance at an event;
  - (h) tourism;
  - (i) auctions and other sales of property, goods and services;
  - (j) courses at tertiary educational institutions.

Note—

Government advertising for the purposes of generally promoting government programs or achievements, government spending or the future delivery of



infrastructure projects or initiatives is not to be regarded as necessary for the proper functions of government.

- (4) The Auditor-General must, within 7 days of the end of each month that falls in a relevant election period, publish a report on the details of each section 41B approval granted during the month to which the report relates.
- (5) Notice of a motion for a resolution under subsection (1) must be given at least 3 sitting days before the motion is passed.
- (6) In this section—

*government advertising* means advertising by a government agency (whether comprised of a single advertisement or a series of advertisements) and includes a promotional campaign;

*government agency* means—

- (a) a Minister; or
- (b) an administrative unit of the Public Service; or
- (c) an agency or instrumentality of the Crown; or
- (d) any other person or body declared under the *Public Sector Act 2009* to be a public sector agency;

*principal officer*, in relation to a government agency, means—

- (a) if the agency consists of a single person (including a corporation sole but not any other body corporate)—that person;
- (b) if the agency consists of an unincorporated board or committee—the presiding officer;
- (c) in any other case—the chief executive officer of the agency or a person determined by the Auditor-General to be the principal officer of the agency;

*relevant election period* means the period commencing on 1 July in the year immediately before a general election of members of the House of Assembly is held in accordance with section 28(1) of the *Constitution Act 1934* and ending on the day of that general election (and includes, if this section comes into operation during a relevant election period, the remainder of that relevant election period).

- (7) For the purposes of this section, a reference to advertising published or caused to be published by a government agency includes a reference to advertising that the government agency pays for or arranges the placement of.
- (8) The Auditor-General may exercise the Auditor-General's powers under section 34 of this Act for the purposes of determining whether or not to grant a section 41B approval and section 34 applies as if—
  - (a) a reference to the conduct of an audit or review, or the making of an examination; and
  - (b) a reference to an audit, review or examination,
 were a reference to the determination whether or not to grant a section 41B approval.

#### 11B—Transitional provision

- (1) For the avoidance of doubt, section 41B of the *Public Finance and Audit Act 1987* (as inserted by section 11A of this Act) applies (on and after the commencement of section 11A) for the remainder of the relevant election period that commenced on 1 July 2021 to government advertising published or caused to be published on or after that commencement, including government advertising under a contract or arrangement entered into before the commencement of section 11A.
- (2) If government advertising under a contract or arrangement of a kind referred to in subsection (1) is not approved under section 41B of the *Public Finance and Audit Act 1987*, the government agency remains liable for any amounts payable under the contract (as if the government advertising were published in accordance with the contract).

Mr Chairman, before commenting on the detail of the amendment that is before you, I will respond to the tabling of the letter from the Auditor-General by the Treasurer. I welcome that information. It would have been helpful to have had that provided to us a little bit earlier than it being tabled in

parliament. I do want to point out, Chair, that when we were last here together, and I moved to insert this amendment and we were going to progress this to a vote, the Treasurer spoke quite passionately about how unfair it was for the matter to be sprung on him and he talked about the lack of engagement with the government around my amendment.

I was persuaded by that, as I think the crossbenchers were, and more time was provided to the government. We adjourned the debate and now we have come back two weeks later. It is disappointing to see a letter relating to the amendment being tabled in this fashion without giving anybody the opportunity to take that into consideration as part of the debate.

I will point out, though, that there is an opportunity for amendments to be made should this pass this chamber, for further amendments and finessing to occur between the houses. If there is a significant issue that needs to be addressed, there will be an opportunity to do that.

This is a fairly straightforward amendment. It is what I consider to be a very important transparency measure and really what it does is ensure that the Auditor-General is required to provide approval for advertising in certain circumstances. It adds a really important transparency measure, I think, in terms of ensuring that the Auditor-General is required to approve certain government advertising, and that is advertising in particular circumstances and during the election period.

The government may be concerned that this is going to impact on advertising that they consider to be essential. The amendment makes it very clear that government advertising will be taken to be necessary for the proper functions of government if the Auditor-General is satisfied that the primary purpose of the government advertising is to communicate information relating to the following, and these things are stipulated.

I will not read them all, but they relate to public health and public safety, road and public transport, emergencies, legal or statutory matters, electoral material published under the authority of the Electoral Commissioner, and a range of other things. If anything has been missed that is considered essential, I am sure that that can be added in as part of the engagement between the two houses.

It is important to understand why this is so vitally important, and I think the Treasurer has talked a lot about his concerns around the spending of taxpayers' money in terms of setting up an independent budget office. He must then be aghast at the eye-watering advertising bill of his Liberal government, because it has been really quite outrageous.

It is worth remembering that, back in 2019, the Government Communications Advisory Committee was formed in July and it scaled back its public reporting on communication campaigns cost and effectiveness by the year 2020. As of June 2020, that body had published just one evaluation report for the financial year and in the previous financial year the government had reported monthly on campaigns on their costs and their effectiveness.

On 1 September 2020, this group changed its official guidelines and in addition to the rules requiring public reporting of the total cost and evaluation summary for each approved communications initiative, which was usually done after completion, the GCAC would now publish the cost of each campaign as it begins. Well, that was what was meant to happen, but the new guidelines did not specify a time frame for the reporting campaigns and therefore there was a significant lag in reporting.

Indeed, InDaily reported on this last year and it was noted that, despite numerous reporting campaigns being approved in September, there had been no reporting on the Department of the Premier and Cabinet website as required by the new guidelines. That is very disappointing.

The GCAC report for September 2020, made available at the end of October 2020, contains some information which I think is relevant to highlight here. There were at least six campaigns approved, worth a total of more than \$8.8 million. The bulk of spending, more than \$5 million, was for interstate and intrastate tourism campaigns, and \$1.5 million was approved on 1 September for a campaign to attract New Zealand tourists.

Controversially, the government launched a \$1.195 million taxpayer-funded campaign called Building What Matters, which was across various media platforms, promoting an infrastructure

program in the wake of last year's state budget. That was scheduled to run until June 2021. This campaign does not explicitly include politicians, but in interviews and media politicians have referenced the campaign, a campaign that is paid for by the South Australian taxpayer.

The campaign promotes the government's infrastructure spend rather than giving direct information about individual projects. There have even been reports of cold marketing campaigns. This was reported by the ABC back on 26 March, indeed my birthday. I can tell you, it would not have been a welcome birthday present for me to receive one of these calls. According to this media report, members of the South Australian community were receiving phone calls promoting this Building What Matters campaign, a campaign funded by the South Australian taxpayer. The ABC has included an example of one of the voicemails which was left, and I will read it to you:

Good evening...I'm calling on behalf of the Premier, Steven Marshall—

it is like Amway—

and the state Liberal team to get your thoughts about the \$16.7 billion infrastructure spend which will deliver safer roads, ensure that you have access to better healthcare closer to home and will deliver world-class schools for our kids.

That sounds like an ad to me. Despite the caller saying they were representing the Premier—and I am reading from the ABC here—the Premier denied any knowledge of the calls when asked by the ABC. He said:

I'm not aware of that...there's nothing wrong with going out and promoting the great work of [our] government.

That [could] be something you could take up with the Liberal Party.

It is unclear whether the call was made by a third party, who was paying for it or how the information was obtained. When asked whether or not the Liberal Party was paying for it or the taxpayer, Mr Marshall said, 'It's hard to comment because I haven't heard or seen the campaign that you're referring to.'

Quite frankly, that is simply not good enough. It is not good enough for the hard-earned money of South Australians to be wasted on PR for this state government. I can understand why they would want to be undertaking PR given the scandalous period they have faced, but it is not an appropriate use of taxpayer money and it is appropriate that this money is administered in an independent way and that there is some form of independent arbiter who can make a call on what is appropriate and what is not.

I am not suggesting the Governor-General take carriage of that—that is a step too far—but the Auditor-General is an appropriate body to take carriage of that. As I say, I note the concerns that they have expressed and that is something that can be worked through within the houses. I think this is a really important transparency measure. It is one that South Australians will welcome heading into this election and I commend it.

**The Hon. R.I. LUCAS:** The government will be strongly opposing this particular amendment. I firstly note the hypocrisy of the Australian Labor Party on this particular issue. They went 16 years, 30 out of the last 40 years, where they did not impose any rules on their advertising. This government comes in and makes it quite clear that the excesses of the former government, where we actually had the Premier of the state, the leader of the government of the state, appearing in television and radio commercials paid by the taxpayers, would be banned. We were leading the campaign that we would ban that sort of activity by politicians in government paid advertising, and we did so.

One of the first decisions that we took was to say we are not going to abide by the standards of the Australian Labor Party, the former government, where they used taxpayers' funds to promote their politicians through paid government advertising. One of the first decisions we took was to, in essence, prevent that sort of abuse of government-funded advertising.

My understanding of the voicemail to which the Hon. Mr Simms has referred is that it was a Liberal Party funded voicemail, so I am not sure what relevance it has in relation to government-funded advertising.

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

**The Hon. R.I. LUCAS:** But if the Liberal Party is promoting a \$16.9 billion record infrastructure spend, the Liberal Party is entitled to spend its money as it wishes. It cannot be inferred in any way in this particular debate that it was actually taxpayer-funded advertising. It was actually the Liberal Party, on my understanding, from the claimed quote from InDaily or the ABC in relation to the voicemail. I am certainly unaware of taxpayer-funded voicemails of that particular nature in relation to that particular campaign. I am having my office check that at the moment. If there is anything different, I will put it on the record, and I will happily do so.

My familiarity with the voicemails that the Liberal Party fund—and Labor Party fund with their own money, and they are entitled to—is that is the type of voicemail that they would use. There was nothing in that voicemail that was not publicly available information. The total funded public infrastructure program of a record, then, \$16.9 billion and now another record \$17.9 billion was publicly announced as part of the budget. Every Tom, Dick and Harriet would have been aware of that particular number when it was released, so there was nothing confidential or conspiratorial in relation to the access to that particular information.

In relation to the evaluations from GCAC, I notice that the Hon. Mr Simms referred to reports back in June, August and September. I would invite him to actually look at the record. We are actually now in October 2021. I noted that his office did not actually look at what has been done on a monthly basis ever since then. We have been true to what we indicated, which was monthly reporting. I cannot remember now how long the GCAC took—it was 12 months or 15 months or so—to be fully established. We inherited the former processes of the former government. We continued with those for a period of time until we established GCAC with its guidelines.

The honourable member is correct that we did amend the guidelines to provide even greater transparency when they were highlighted, I think, by InDaily or a section of the media in relation to it. I cannot imagine that that should be an element of any criticism. It was actually this government doing what it said it would do, albeit it took a while for us to implement our new processes in relation to the issues.

In relation to the spending to which the honourable member referred, the massive expenditure we had, I think he said \$8 million. Most of that was on tourism and tourism marketing campaigns. That was just a continuation of previous initiatives from governments, Labor and Liberal, where literally millions of dollars of taxpayers' money is spent on tourism advertising campaigns internationally, interstate and intrastate to try to generate the visitor economy within South Australia.

When international borders closed we diverted a lot of the international marketing dollars into interstate marketing and intrastate marketing, so there were massive increases in expenditure which is what has helped sustain a number of our regional tourism providers and regional tourism economies. We have advertised for people to have holidays at home rather than going overseas or interstate and a number of our regional tourism providers have benefited from that sort of advertising and will be very grateful for that sort of advertising.

As I said, the major difference between this government and the former government is that we have banned the use of politicians in our paid television and radio advertising. We have done so, unlike the former government. The hypocrisy of the Labor Party is apparent on any debate in relation to government advertising. For 16 years they lived off the capacity to be able to spend taxpayers' dollars advertising their own politicians and, indeed, other government programs and others through their particular period. As soon as they end up in opposition again they say, 'This is unfair. We did it for 16 years but now there is a Liberal government they shouldn't be allowed to do it in the future.'

The other thing the Hon. Mr Simms referred to was that the Building What Matters campaign did not actually provide any information. Again, I correct the honourable member. The Building What Matters campaign referred people to a website to, in essence, highlight to prospective businesses in relation to tenders for government projects. It referred people to a website so that they were aware of the projects and programs within their local community, so that they were aware of what their hard earned dollars were being spent on in their particular community.

There has always been a view that taxpayers' money is being spent somewhere else and not being spent to benefit either the north or the south, or the east or the west, or the country. A key part of that campaign was to divert people to a website where they could go to the north, the south,

the east or the west and look at what was actually being spent—their money—in terms of where it was being spent and providing information in terms of where it might be spent.

In the earlier campaigns, on my recollection, in relation to people looking for work—that is, apprentices, trainees, tradies and others who might be seeing people who are tendering for government contracts or particular contracts—there were linkages to websites that would allow them to do so.

It was driving people to websites, to provide information of various colours and persuasions to either people who wanted to bid for contracts, to people who wanted to know where their taxpayers' money was being spent and, thirdly, those who might be looking for jobs in a particular industry sector or area or perhaps even with a particular company. That, in part, was one of the key performance indicators of the Building What Matters campaign.

I want to return to, I guess, some of the practicalities of this particular amendment. It is very sad that the Australian Labor Party did not even contemplate consulting the Auditor-General before seeking to dump him in the deep end in relation to these particular contentious provisions. There is probably no other more controversial area of government expenditure than government advertising.

To seek to embroil the independent Auditor-General in all of that controversy in the nine months leading to the election and, as he says in his letter, particularly at a time when (between July and October-ish) he is trying to bring all of his main work for the whole year to a head in relation to the work that he has to do to present the audited accounts to parliament for all the statutory authorities, government departments and agencies, together with his other observations—what he is saying is, 'Well, if you are going to dump this on me, I'm going to have to divert resources away from that.'

**The Hon. K.J. Maher:** Well, you provide him more resources.

**The Hon. R.I. LUCAS:** No, he is working within a budget. He will have to divert resources away from that to concentrate on this little meandering of the Australian Labor Party and others in relation to these particular issues. The Auditor-General also highlights I guess some of the dangers in relation to this.

If I can just highlight sometimes the urgency of government programs, which will be imperilled by this amendment should it be passed, during the worst parts of the COVID outbreak last year—in and around, I am assuming, that second quarter of last year, maybe moving into the third quarter—SA Health were moving to change their government-funded advertising campaigns, and let's be honest about this: advertising agencies and budgets don't get out of bed for \$10,000, so we are talking about a very low level of expenditure in terms of what is going to be caught up by this.

SA Health in particular on a day-to-day basis were amending and altering their government-funded advertising campaigns. Through some weekends, as the chair of GCAC I was having to approve up to midnight on a Saturday night changes to government-funded advertising campaigns which were commencing late on a Sunday or on a Monday. These were urgent health messages that needed to be got out to the community at either the depths or the height of the pandemic, however you want to portray that. They were urgent health messages that needed to be transmitted and publicised, and these were changing on a regular basis.

What the prosecutors of these particular amendments do not realise is that you do not actually approve a government advertising campaign and then that is it. You actually approve broad concepts. Not just in relation to COVID but particularly in relation to COVID, on any number of occasions at very short notice they come back and actually say to you, 'We're now having to change the messaging in relation to this. We need a new authorisation or a new approval. We've got another round of commercials.' A simple ad in the weekend or weekday newspaper might cost more than \$10,000, a full-page ad. So every one of those would have to go off for an authorisation to the Auditor-General.

Good luck in getting the Auditor-General and his staff working all weekend at short notice with urgent deadlines to approve every expenditure over \$10,000, or indeed any other independent person. Maybe in between the houses the Hon. Mr Maher might suggest that he might be nominated as the independent arbiter of this, and he will make himself available to make a judgement.

But a mere full-page ad is in most circumstances likely to cost more than this \$10,000 limit, so any new element or extension of a government advertising campaign under the proposed definition and the arrangement would be going back to the Auditor-General, seeking approval. The Auditor-General highlights the processes in his letter. He says he is required to undertake, under section 34 of his act—he highlights all his powers under section 34; I will not read them again. His comment then is:

These are necessary powers for the Auditor-General.

These powers are unlikely to be reasonably exercised within the timeframes provided in the Bill, monthly reporting and certainly before an election.

All audit work and reporting is subject to procedural fairness. This means giving reasonable opportunity to those subject to audit.

What he is saying is: he is required under section 34 of his act to exercise his powers in a certain way. He has to give procedural fairness to everybody. So he comes along, the health commissioner says, 'I need urgent approval for a \$50,000 campaign to change the focus of the COVID response or to roll out vaccinations in a particular area. We need an urgent response, because we need them to be run by Monday,' and this is on Saturday or Friday or whatever it is. What he is saying is if he then decides quickly, 'Well, I'm not going to do it' or 'I don't approve it', for procedural fairness he has to go back to the particular agency and provide them with an opportunity to put an alternative point of view.

Having been engaged with the Auditor-General in relation to some big government procurement operations I can say that the Auditor-General does take the whole notion of procedural fairness very seriously, as you would expect them to do—this is not this Auditor-General, it was the previous Auditor-General. Whenever they take a decision which might be opposed by somebody, they do adopt those provisions of procedural fairness under section 34 and related provisions as well.

This is just a recipe for bringing a whole series of important government information campaigns to a grinding halt. As the Auditor-General says on page 3 and 4 of his letter 'expenditure is necessary for the proper functions of government' test:

The Bill sets the standard to be applied that the Auditor-General decide if the expenditure is necessary for the proper functions of government.

He then says:

The Macquarie Dictionary defines necessary as something that is indispensable, an imperative requirement or need. This seems a difficult test to pass. It suggests that most expenditure would fail this test and the Auditor-General be obliged to assess such expenditure as improper as defined in the Bill.

What he is saying is that in the way this bill is set up, most expenditure he would have to find as improper under that particular test, and he would have to say no to it. The Hon. Mr Simms says, 'All of the public health and emergencies and legal and statutory management are all going to okay.' The Auditor-General places a question mark in relation to that. Even aside from that, the fact is before you can actually do any of these campaigns, you are going to have to go off and get an approval from the Auditor-General for any campaign which is \$10,000 or more.

I cannot stress enough the changing nature of government advertising campaigns. As I said, for those who have never been there in relation to managing the detail of them—putting aside the ones that there might be some opposition to from either the Labor Party or the others, but even the ones which are hugely non-contentious or largely non-contentious—there are any number of occasions where the advertising agency and the government agency will come back and say, 'We've now looked at doing the campaign but we're now going to do it in a different way from the way that was originally approved. We now need a subsequent approval.'

They then have to load their alternative advertising materials on one of our portals and I on behalf of GCAC have to approve or not approve those particular changes. That happens on almost a daily basis. Government advertising of a non-contentious nature is being constantly changed, so road safety campaigns or campaigns trying to encourage greater take-up of apprenticeships and traineeships within South Australia in terms of our skills-based economy—all sorts of campaigns right across the board.

There have been any number of examples of what was originally approved then being changed for a whole variety of differing reasons. There have been examples where GCAC, or I on behalf of the GCAC, have not approved them, one or two of which have been the focus of questions in this chamber in relation to not approving particular campaigns proceeding, some of which had advanced in terms of the early work that the departments and agencies had done on those particular campaigns. So to place an Auditor-General or Electoral Commissioner or I am not sure who else the Labor Party might come up with in the middle of all of this in the middle of the last nine months leading into an election period is just a recipe for chaos.

For all those reasons, the government will be strongly opposing this particular amendment, as we have opposed the others. I just have to say, if this bill emerges as it looks like emerging, with these three amendments added to it, it is not my intention that the government would proceed with the budget measures bill, and some of the good elements of the budget measures bill would have to be deferred until a new parliament and after the election, which would be sad because these elements were never elements of the budget measures bill in the first place. They have been added into it for the reasons the Labor Party and others can explain. They are not there as actual budget measures outlined in our particular budget.

Certainly, my view is this is so inimical to the role of the Auditor-General. It is so unworkable. Even if they find somebody else to purport to be independent and to undertake this particular role, it would just grind government-required advertising to a halt at a critical period, particularly as, with the very good news today in terms of potentially opening up borders, we are going to be confronting again the increasing number of COVID-19 cases in our community. There is going to be the need for ongoing messaging in relation to that particular issue.

If the experiences of the last 18 months are anything to go by, there will be the need for urgent decisions made at very short notice in relation to getting the right messages out into the community, and this particular process that has been outlined here will be a recipe that will add to the chaos in terms of trying to get sensible communication messages out to the electorate, if they are all going to have to be subject to going off somewhere for somebody else to decide whether or not they should be authorised.

**The CHAIR:** Before calling the Leader of the Opposition, the Hon. Mr Wortley, in question time I asked you to remove the sign and I then later asked you, I think, to take it off your desk when you had put it in a different place on your desk. Subsequently, it was pointed out to me that you had it on display on the seat next to you. On all those occasions I have asked you to stop that, and the sign has re-emerged on top of the cushion next to you. I am going to ask you to desist from that action. If not, you will bring it to the table and we will look after it here and give it back to you at the end of the day.

**The Hon. K.J. MAHER:** The Treasurer talks about hypocrisy. In the lead-up to the last election and certainly a long time before that, there would barely have been a day go by when the then shadow treasurer was not out in the media whingeing, making points about what he saw as unnecessary government spending on a whole range of things, including advertising. For the Treasurer to come in here now and say, 'I complained when they did it, so I should be able to do it,' is the height of hypocrisy.

This will not just apply for this election; this will apply for every government of every stripe from here on in. If it is, in 15 years' time, a Greens and SA-Best coalition government after they have won seats in the lower house and between them have formed government, it will apply to the Franks-Pangallo government of the day if that is what happens. It will apply to a Labor government of the day if that is what happens. It will apply to a Liberal government of the day if that is what happens.

I will just quickly reflect. I think there are ways to sort, to fix and possibly avoid completely some of the problems the Treasurer has raised concerns about. In terms of sorting what we already have, I am sure that procedures could be looked at. The Treasurer said, 'The Auditor-General won't be able to do everything else the Auditor-General does because their budget won't allow it.' Well, Treasurer, provide the budget for what parliament says someone is supposed to do. It is the height of ridiculousness for the Treasurer to come in here and purport to tell this chamber what laws ought

to be passed, because he is not prepared to fund them. Treasurer, mate, that is not the way it works. The parliament makes the laws and the government of the day gives effect to and funds what the parliament says.

The Treasurer talked about—and I made the point before—the fact that we cannot do this because concerns have been raised by a statutory officer. Well, Treasurer, you would well remember your support of an ICAC reform bill, notwithstanding what that statutory officer had to say. Treasurer, it was your government, your Attorney-General, that took that bill and had carriage of it in the lower house, notwithstanding what that statutory officer had to say about it at the time.

The Treasurer quite rightly raised concerns about the need, should we need, for some agility around COVID measures and advertising. Treasurer, you will have seen this chamber and this parliament stand ready to assist and support the government when times have called for it. In fact, on the very duties of the Auditor-General, this parliament passed legislation that changed what the Auditor-General had to do and the time frames in which the Auditor-General had to do it, with that in mind.

You have seen this parliament stand ready to make sure that, if legislation needs changing because of the very nature of COVID, we have. I can assure you that we will continue to do so in the future if that is what is warranted and needed. Come to parliament and say that the changing nature of the emergency we are facing requires these legislative changes, and we will consider it. We have done it for the Auditor-General before. We have done it for the requirements of the Auditor-General before, and I am sure if needed we can do it again.

If you are worried about parliament not sitting when it might be needed as borders open up, fine, do not prorogue parliament, leave open the possibility that parliament can come back in December, in January and in February. If that is a problem, we stand ready to come back here to take our places in parliament and make the changes necessary if that is required because of where we are in a COVID emergency.

We have already talked about, and others have mentioned, the possibility of fixing it between the chambers if there are concerns that cannot be overcome by sorting it, as I have talked about. Then we stand ready, as I am sure the crossbenchers stand ready, to participate in the debate about fixing it as we go through the chambers.

The final one is: Treasurer, you can avoid it. The provisions in the amendment—it is not only the Auditor-General, there is an either/or here. The procedures have been outlined, and the Treasurer has read out the Auditor-General's comments, or a resolution passed by both houses of parliament.

Treasurer, you do not have to have the Auditor-General involved whatsoever. That will be your choice—your choice and the government's choice to involve the Auditor-General—because you have decided not to have a resolution from both houses of parliament. I am sure we can look at sorting it. If there are elements that need addressing between the houses, I am sure we can fix it, but it is within your power to avoid it completely.

**The Hon. F. PANGALLO:** I rise on behalf of SA-Best to say that we will support this amendment, albeit with some caveats. I acknowledge the Treasurer's comments and the letter from the Auditor-General. I only saw it just before I came into the chamber; I did not have much time to absorb it, it came in so late. However, SA-Best has enormous respect for the Auditor-General, its independence, the work it has carried out, and we certainly take note of what his comments were. But I agree with the Hon. Kyam Maher, this is something that can be resolved between the two houses.

Over the years, there has been a lot of ambiguity on what constitutes legitimate government advertising and what can be disguised as a blatant promotion of the government, particularly when they go into election periods, as we are now. There has been a blur in the past, and I can see how it has crept in with this government, particularly the fact that over the last couple of years we have had to endure a pandemic, and that obviously has limited the scope of what governments have been able to do.



I think one of the most in-your-face examples of this ambiguous advertising has been what I have seen plastered over some of the trams. That is the infrastructure building projects that the Hon. Robert Simms has mentioned. Of course, ostensibly they may seem to be something that is not directly linked to the Marshall government, but when you see that you may have the radio on ABC on the morning program and Corey Wingard may be on there spouting about—

**The CHAIR:** The Hon. Mr Pangallo should refer to the member by his title.

**The Hon. F. PANGALLO:** The honourable minister, government minister, the Hon. Corey Wingard, will be parroting off a whole series of figures, as he is known to do, about all the money that the government has been spending on all these big projects. You can see that there is a juxtaposition there when you see these ads and then you hear the government, their ministers, in the media going on about all the money they are spending all over the place. I think the thing is, if it waddles like a duck, if it quacks like a duck, it is a duck. There is no doubt about that.

In saying all this, of course, Labor were maestros, prestidigitators, at this type of trickery for almost 16 years, these illusions, and they certainly used it quite effectively in their period. I am sure that we are going to see a lot more of this over the next six months leading into the election. There will probably be promotions and advertising about 'Look at the great schools that have been built by the South Australian government.'

*The Hon. I.K. Hunter interjecting:*

**The Hon. F. PANGALLO:** Yes, it is taxpayers' money, but there will be promotions for the schools build; hopefully, what is going on down at Port Adelaide with the defence build; the science and health precincts that we have; space, Premier Marshall's new frontier; Lot Fourteen, his enterprise. This type of illusory advertising definitely gives the incumbents an advantage going into an election period. I am glad to see that the amendments that have been put up by the Hon. Robert Simms certainly cover areas that would be considered necessary for advertising.

I will acknowledge the legitimate tourism spends, promotions, that have been undertaken by the government. They have been true to their word in maintaining what they spend, their monthly spend, on their website, but as for that advertising, I think I made it a point at a recent Budget and Finance Committee meeting when Mr Harrex was there. I certainly commended them on their visually attractive and effective advertising, particularly coming out of the lockdowns.

The creative in those ads was certainly quite welcome and had the desired effect, particularly in our regions, which were suffering as a result of a lack of tourism. I must say that coming from an area associated with that, I found those ads quite effective and quite slick, to be honest. I think the only exception, which I found a bit narky, was probably the 'old mate' ads.

The Treasurer covered this aspect about getting authorisations for ads at the last minute that may be required. Come on, Treasurer. Firstly, how many of these last-minute advertising campaigns need to be mounted and will fall into that category? It does not take a committee in a bureaucracy to make a quick decision. All this can be done quite quickly by people who are assigned that task to approve that advertising.

I have worked in newspapers, radio, television and magazines. I have been involved in the creation of advertising in all those areas. I have been involved in the advertising of last-minute advertising for those areas. It can be done and it does get done. The other thing that you also need to consider, if there are television ads, radio ads, newspaper ads, are deadlines.

These places also have deadlines and you actually have to say, 'Hang on, firstly, have we got the time available on radio and TV to do it? Is there the space available or what time have we got to put the ad in the newspaper?' All this needs to be taken into account by the departments that are responsible for all that.

Then, of course, you have to get to the creative side of things. These ads need to be developed, the creative needs to be expressed and produced and then you get into the production phase. All this takes time. It is not something that is done at the flick of a finger, and of course these ads, in newspapers, television, radio or whatever, are also going to require, in some cases, regulatory approval. You are going to need to get that, anyway.

I do not know what all the fuss is about, why the Treasurer says it is going to cause all these problems. I cannot see it happening. It happens every day in the real world, Treasurer. With that, SA-Best is going to support this but, as I said, with caveats. I am sure that perhaps there could well be some unintended consequences as a result of the amendment that has been placed, but I am sure that we can work something out.

**The Hon. R.I. LUCAS:** I think I will respond to a couple of things that Mr Pangallo has said. His version of the real world is different—

*Members interjecting:*

**The CHAIR:** Order!

**The Hon. R.I. LUCAS:** The real world—

*Members interjecting:*

**The CHAIR:** Order, leader!

**The Hon. R.I. LUCAS:** The real world to which the Hon. Mr Pangallo refers, which I have some familiarity with as well, does not require having to go through an Auditor-General process or a vote of both houses of parliament to get approval. It does not have to go through government communication guidelines and controls in relation to public expenditure.

In the real world, if you are a television station or if you are a particular business or company, you have to get regulatory approval, so that is consistent. It is much quicker these days than when the Hon. Mr Pangallo might have been involved and, indeed, when I was involved 10 years ago. The time lines for approval through the regulatory authorities are much quicker and shorter these days in relation to these things.

If you are in the real world, if you define the real world as being business and not being the public sector, you do not have the same requirements. That is, putting aside this issue of the Auditor-General approving it, you do not have the issue of parliamentary committees rightly asking questions about government advertising, or in parliament rightly asking questions about public expenditure, or rightly having to respond to a question from the Auditor-General.

In the real world, if you define the real world as business, you do not have those sorts of questions on a daily basis or a weekly basis being asked by the media in relation to: why did you spend your money on this, why did you approve 'old mate', or why did you approve this particular campaign, or the like? The real world, as described by the Hon. Mr Pangallo, is not the real world of the public sector and, appropriately, the various restrictions and guidelines that are applied by way of parliamentary oversight, Auditor-General oversight, media oversight, over government expenditure. That does not exist for an individual company unless they make a major faux pas in terms of their particular advertising content, and there has been the odd occasion where that has occurred.

But on a daily or regular basis, I can say, having had a similar position 20 years ago and a similar position for the last 3½ years, it is as I have described it. The Hon. Mr Pangallo may choose not to accept my description of the reality of public sector government-funded advertising and the need for quick decisions on a regular basis. As I said, he may choose not to accept my description but I can only say they are the facts in relation to my experience of the last 3½ years.

It is not something that I have manufactured. The examples I have used of the need at midnight on a Saturday night of approving new government website content or a change to a television commercial which is going to air Sunday evening or Monday, is a statement of fact. As I said, the Hon. Mr Pangallo may choose not to accept that it is, but it is a statement of fact.

**The CHAIR:** I am getting close to putting the question, but I will give the Hon. Mr Simms the final say.

**The Hon. R.A. SIMMS:** Just very briefly, when one considers the real world, and that is if one defines the real world as being outside the rarefied environment here in the parliament, if one considers the real world and what people in the real world think—that is, taxpayers and the

electorate—I think the view they will hear very loud and clear is that they want to see maximum levels of transparency and accountability in relation to these sorts of measures.

I think, in that context, what is being proposed is really very sensible. I recognise that there are some things that need to be ironed out, but the sky is not going to fall in. Indeed, it would be a really exciting opportunity for us to put in place something that exists beyond this parliament into the future, irrespective of who is in government. I think that would be a really good win for transparency in our state.

The committee divided on the new clauses:

Ayes ..... 12

Noes ..... 9

Majority ..... 3

#### AYES

Bonaros, C.  
Hanson, J.E.  
Ngo, T.T.  
Scriven, C.M.

Bourke, E.S.  
Hunter, I.K.  
Pangallo, F.  
Simms, R.A. (teller)

Franks, T.A.  
Maher, K.J.  
Pnevmatikos, I.  
Wortley, R.P.

#### NOES

Centofanti, N.J.  
Hood, D.G.E.  
Lucas, R.I. (teller)

Darley, J.A.  
Lee, J.S.  
Stephens, T.J.

Girolamo, H.M.  
Lensink, J.M.A.  
Wade, S.G.

New clauses thus inserted.

Remaining clauses (12 to 14) passed.

Long title.

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

Amendment No 2 [Maher–1]—

Long title—After ‘Payroll Tax Act 2009’ insert ‘, the Public Finance and Audit Act 1987’

It is consequential on the amendments that we have passed already.

Amendment carried; long title as amended passed.

Bill reported with amendment.

#### *Third Reading*

**The Hon. R.I. LUCAS (Treasurer) (17:38):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**The PRESIDENT:** The Hon. Mr Wortley, that needs to come to the table now. I am not going to tolerate the displaying of signs. I have asked the opposition to dispense with that and this is now probably the fifth occasion. That is defiance of the Chair, and the former President should know better.

### **STATUTES AMENDMENT (CHILD SEX OFFENCES) BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 23 September.)

**The Hon. K.J. MAHER (Leader of the Opposition) (17:39):** I rise to speak on this bill and indicate that I will be the lead speaker for the opposition. This bill proposes three broad areas of change. First, it includes an update to the Child Sex Offenders Registration Act to ensure consistency with state and federal legislation that define relevant child sex offences; inserts a provision if an offender breaches the conditions of their registration, in the case that they believe they have had contact with a person under the age of 18; and removes from registration people who are or who have been convicted of other offences that were not originally included in the sex offenders registration area by reference to other parts of legislation.

With regard to breaching conditions of registration, the current provision only refers to having contact with a young person and we have been advised in our briefings that doubt has arisen as to whether this applies to contact with a police officer posing as a minor in online conversations. We agree that if there is any doubt here, for the avoidance of making sure that doubt is removed, this ought to be supported.

A second group of changes relate to penalties for child exploitation material and grooming offences. Specifically, they seek to increase maximum penalties to align with penalties for equivalent offences under the Criminal Code, that is the commonwealth code of 1995, and remove aggravating factors from these offences, noting that the basic and only offence will be greater than the aggravated offence in almost all counts with these offences.

The third area of change proposes amendments to both the Criminal Law Consolidation Act and the Sentencing Act, which we are informed seek to remove doubt that offenders may be charged, convicted and sentenced based on the age they believe the victim to be, which relates to the issue that I previously mentioned that has an effect on things such as a police officer posing as a minor in online conversations.

During the course of this parliamentary term, and for a long time before, the Labor Party has taken a tough stance on child sex offenders and I think that is in line with community expectations. We will be supporting this bill.

**The Hon. R.A. SIMMS (17:42):** I rise on behalf of the Greens in support of this bill. We support the measures in the bill and, like the Hon. Leader of the Opposition, recognise that there will be significant public support for these changes. There is one element that did cause some concern for the Greens and that is the application of these provisions in terms of sexual communications or communications of a sexual nature between two underage persons. So that is the situation where you might have a teenager sending photos or exchanging messages with another teenager, both of whom are under age.

The concern there or the implications are obvious because that could potentially lead to situations where young people who are both minors are facing significant criminal consequences. In engaging with the government and getting their advice on this bill, we have been advised that the public interest test would be applied by prosecuting authorities and it would therefore be considered unlikely in terms of young people being prosecuted in these situations.

I note in particular the fact that a child engaging in this conduct, that is a teenager corresponding in a sexual way with another teenager, would not be considered to be committing a registrable offence—rather, while committing a registrable offence, would not be placed on the Sex Offenders Register and I think that is an important assurance to have. With that in mind, we will be supporting the bill.

**The Hon. C. BONAROS (17:44):** I rise to speak on behalf of SA-Best on this bill and to indicate our support for the bill, which we know seeks to align our maximum penalties for child grooming and exploitation offences with their commonwealth equivalents. That is something we support wholeheartedly.

Importantly, these new penalties exceed current aggravated penalties. It will mean that the maximum penalty, for instance, for possessing a childlike sex doll will increase from 10 to 15 years' imprisonment, and we look forward to higher sentences being imposed on child sex offenders, as they should be.

Just last week, South Australia's first person to be convicted of possessing a childlike sex doll was sentenced to three years' imprisonment for that and for other similarly despicable offences. He will serve just 18 months in prison, followed by a 12-month stint in the comfort of his own home under a supervision order, something I think many would regard as a very light sentence for a man who was found in possession of more than 9,000 images and 128 videos containing child abuse material. I think all of us acknowledge that that simply is not a tough enough sentence.

I will not repulse you with all the details other than to summarise by saying that some of the images depicted primarily prepubescent female children engaging in sexual activity with other children as well as being raped by adults. That is the sentence that this person was handed for that sort of offending. A large proportion of the material involved bondage, duct tape, chains, collars and blindfolds. I have no doubt that the community and members here would be as sickened as I was at this depraved subset of a human being. These are among the worst types of offences and, as such, the levels of penalty against such human beings should be consistent and high.

The bill sensibly removes the distinction between basic and aggravated offences, most commonly dependent on the age of the victim. Currently, as we know, an offence is aggravated if the defendant knew the child was under the age of 14. Removing the need for this classification will not only save time and resources but, most importantly, stop the further mental trauma of those whose job it is to view this child abuse material. It is necessary but cruel to subject them to additional unnecessary trauma to determine whether a child is 12 or 14, for example. Approximate age will continue to be taken into account in sentencing.

It is difficult to fathom just how prevalent online child sex abuse is. Globally, there are an estimated half a million child sex predators online each and every day. Last year, messaging platform WhatsApp made over 400,000 reports of child sex abuse material, a tenfold increase from the previous year. This number, although itself staggering, pales in comparison to the 20.3 million reports by Facebook over the same 12-month period.

Close to home, child abuse traffic also soared in 2020 as COVID lockdowns trapped victims in their homes. The Australian Centre to Counter Child Exploitation recorded more than 21,000 reports of online child sexual exploitation. In May 2020, Victorian police linked more than 7.4 million files containing images and videos of child abuse to Victorian-based users alone. The AFP charged 191 people over 1,847 offences, following the interception of 250,000-plus files, clearly a drop in the ocean.

It is apparent that child sex offenders are infiltrating online gambling platforms and social media in their masses in their hunt for young people. They use fake profiles as a cover and often self-disclose negative experiences as a grooming tactic. Once they gain trust, the conversation steers to sex and requests for images or videos and, in some cases, as the online relationship evolves, a face-to-face meeting. We had a recent example of just that involving our child protection system, as well.

Faced with increasingly exorbitant numbers, law enforcement agencies are being forced to engage in new methods in their ongoing battle to catch these individuals. Undercover police officers often pose as children in online conversations with predators, and so the bill pre-empts any future difficulties in convicting these predators who engage with virtual victims. No offender deserves leniency just because it is not a real child on the other end of the conversation. The intent is clear. This time it may not be a real child hunted down, but the next time it might very well be.

What we do know is that the offender will not stop in his or her pursuit until they find what they are looking for. It is bad enough that the offender believed that the person they were speaking to was a child. It is enough that the offender believed that the virtual victim was of a certain age. The real question for law enforcement agencies is just how to keep up with the number of predators who are actually hunting their victims online.

Over the past decade, artificial intelligence has stepped in to cast a bigger net. Chatbots such as Dutch-invented Sweetie are an AI tool being used by law enforcement agencies around the world, which are capable of engaging in multiple conversations all over the world. These virtual puppets mimic human behaviour based on extensive analysis of real online chats between sex offenders and young victims.

The bill makes further sensible amendments to various acts to keep up with the changing landscape and to ensure successful convictions going forward. That is a very positive step, especially in light of some of the figures that I have outlined. There are a number of other sensible amendments contained in this bill, which I will not go into detail about, but it is safe to say that SA-Best is very supportive of any measures aimed at stamping out child sex offending and we will continue to support all pieces of legislation with that goal.

The only other thing that I want to mention briefly is the changes insofar as they relate to Carly's Law. I just want for the record to highlight again that in that instance, and that is the first piece of legislation that we saw introduced in this place that deals with this issue, we did draw a distinction between what you could call a basic offence and an aggravated offence and the penalties that are applied to those.

It was five years maximum imprisonment if an offender met or arranged to meet with a child with no proven intent to commit an offence—so that was just arranging to meet a child—and 10 years if they had dishonestly communicated with the intent to commit an offence against the child. Of course, in that instance we know that that intent ultimately resulted in the murder of Carly Ryan. I raise that case because I know we had discussions about it in the context of what those maximum penalties should be, but also whether there should be this distinction between the basic offences and the aggravated offences, if you like.

Generally, I think it is fair to say that all the provisions in this bill bring us in line with federal legislation as well. I only note the Carly Ryan law as an example because in that case the federal offence that applies is actually one offence. They do not have the distinction that we have in SA, but the maximum penalties are still the same. With those words, I am happy to indicate once again our overwhelming support for this legislation, and indeed I commend the government for actually moving down this path.

**The Hon. R.I. LUCAS (Treasurer) (17:53):** I thank honourable members for their support for the bill.

Bill read a second time.

*Committee Stage*

In committee.

Clauses 1 to 6 passed.

Clause 7.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 1 [Treasurer-1]—

Page 4, after line 26—Insert:

(3a) Schedule 1, clause 2(q)—after 'Commonwealth' insert:

as in force before the commencement of the *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013* of the Commonwealth

The government has filed this amendment to fix a small drafting error in which change is made to the wrong clause of the schedule.

Amendment carried.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 2 [Treasurer-1]—

Page 5, lines 1 to 4 [clause 7(8)]—Delete subclause (8)

I am advised this is consequential.

Amendment carried; clause as amended passed.

Remaining clauses (8 to 18) and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. J.M.A. LENSINK (Minister for Human Services) (17:57):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**ELECTORAL (ELECTRONIC DOCUMENTS AND OTHER MATTERS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 14 October 2021.)

**The Hon. K.J. MAHER (Leader of the Opposition) (17:58):** I rise to speak on this bill. This is not the first time that I and many members of this chamber have spoken on a bill that goes to many of the issues covered in the bill that we have before us. We are in the last handful of days of sitting before the election. In fact, after we complete today, I think there might only be five scheduled days left unless it is the will of the chamber to come back for more sittings after that, which is of course always possible. But, with five scheduled regular days of sitting to go, we are seeing the government trying to change how the election will operate and the rules that govern our election.

A bill very similar to this was rejected in this place quite some time ago, and here we are again with some similar provisions being prosecuted again in this bill. Some of these changes stem from recommendations the Electoral Commissioner has made. Some of the changes do not stem from recommendations the Electoral Commissioner has made, and there are very important changes and recommendations the Electoral Commissioner made that are nowhere to be found in this bill.

We are concerned, as was discussed with the change to the regime regulating corflutes. We are literally, in time, in the last quarter—if this was a football game—before the election, and the government, with only five sitting days to go after this, is seeking to change the rules governing that election. The government has had, since the Electoral Commissioner handed down its report, 971 days. The report was handed down on 28 February, so as of today it is 971 days since the Electoral Commissioner handed down the report, and we as legislators have only been asked this week—today with second readings and, by the time this is perhaps voted on on Thursday, with three days after that to go to make what are substantial changes.

I am going to talk today primarily about one of the changes that we find most objectionable in this bill. What the government is seeking to do in this bill is to make it harder for people to enrol to vote. It reduces the time that you have to get on the electoral roll. I will reflect back: on 28 February 2019, 971 days ago today, the Electoral Commissioner handed down recommendations for suggested legislative change that is up to this parliament to decide whether or not to implement.

The very first recommendation on page 15 of the Electoral Commissioner's recommendations was to change the law to allow enrolments up to and on the day of an election. This occurs in other jurisdictions—off the top of my head I think principally Northern Territory and Queensland—where someone who claims an entitlement to be enrolled to vote, but is not on the electoral roll, can cast a declaration vote up until the polls close on the day of the election, have that declaration vote put aside and have it adjudicated whether they properly had a claim to be enrolled to vote and, if so, that vote to be included in the count.

That recommendation—the very first recommendation from the South Australian Electoral Commissioner, in its report 971 days ago—does not appear in this legislation—the number one recommendation. Instead, and completely in the opposite direction from what the Electoral Commissioner recommended, what we are seeing proposed in this bill is a reduction in the time that you have to get on the electoral roll.

So not only has the number one, the first, recommendation, been completely ignored by this Attorney-General and this government but they have gone completely the opposite way. They have looked at the Electoral Commissioner's first recommendation from 971 days ago and decided, actually, we are going to do completely the opposite: we are not going to enfranchise as many people

as possible to exercise their democratic right to vote, we are going to make it more difficult for people to vote, we are going to reduce the time you have to enrol.

This of and in itself, this per se, is reason enough, probably, to oppose the whole bill—because of this one completely and utterly anti-democratic item. That does not even take into account, as I outlined before, that the government is, 971 days after it was handed down, only now, with a few sitting days left to go, seeking to change the rules. Not only are they seeking to change the rules, but they are seeking to change the rules to disenfranchise South Australians who may want to exercise their democratic rights.

This is of huge concern to many of us in the Labor Party. We firmly believe that a thriving and vibrant democracy requires as many people as possible to participate, as many people who may feel the impact of decisions of government or to decide who their government is. The Electoral Commissioner recommended to increase that franchise by allowing enrolment up to and on the day of the election; this bill goes in completely the opposite direction.

We have other concerns with the way the government has chosen to interpret some of the other recommendations of the Electoral Commissioner. Putting things like classes of people who can vote by telephone in regulations rather than in the legislation is a concern of ours. There are things that the Electoral Commissioner has recommended that may help with the conduct of an election, but we think they are so fatally compromised by just how late it has been left, and moreover by how undemocratic it is and how contrary to the recommendation about voter enfranchisement by the time that you have to enrol, that it in many ways fatally compromises the rest of this bill.

In an ideal world, what we would have seen is this bill come in for proper consideration on any of the 971 days since the commissioner's report was handed down. The government put in some of these measures but put them in a bill that included optional preferential voting in the lower house. That was the *modus operandi* from the Attorney-General: to take some elements of what the Electoral Commissioner has proposed and then put in a pet favourite thing that the Attorney-General thinks will have some sort of partisan political advantage come the next election.

That is what happened last time, with the optional preferential voting tacked onto other things that were from recommendations. This chamber categorically rejected that, rejected the Attorney-General, under the cloak of some sort of respectability of having Electoral Commissioner's recommendations, then trying to sneak in other things that the Attorney thought were to the Liberal Party's electoral advantage.

Here we are; it is groundhog day all over again. We have some elements of what the Electoral Commissioner has suggested, but they are trying to sneak in, once again, things that they think will be to their electoral advantage. Obviously, the Attorney-General thinks that the fewer people who are not on the roll who vote the better it is for the Liberal Party.

The only reason that you would put in a recommendation that is completely contrary, the opposite to what the Electoral Commissioner thinks, is if you thought it was in your best political interests. Certainly, we are not prepared to entertain that whatsoever. We will listen with interest to other contributions, but to disenfranchise voters in the way that the Attorney has proposed in here is something we just will not stand for.

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

## **GENE TECHNOLOGY (ADOPTION OF COMMONWEALTH AMENDMENTS) AMENDMENT BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 26 August 2021.)

**The Hon. K.J. MAHER (Leader of the Opposition) (18:08):** I rise as the lead speaker for the opposition on the Gene Technology (Adoption of Commonwealth Amendments) Amendment Bill 2021. The National Gene Technology Scheme is administered by each state and territory via their respective laws, each jurisdiction taking a separate approach as to how they adopt changes to the



commonwealth legislation. There are three separate approaches to the application of these laws across jurisdictions.

New South Wales applies the commonwealth legislation automatically, as if it were an amendment to their own state legislation. Tasmania, the Northern Territory and Queensland apply the commonwealth legislation automatically but with the ability to modify the legislation by regulation. Victoria and the ACT amend their state-based legislative schemes to align with the commonwealth amendments via the usual parliamentary process, and this is similar to the current South Australian approach.

This bill before us aims to enable the adoption amendments to the commonwealth gene technology laws via regulation as opposed to South Australia taking a full legislative process each time there are amendments to national laws. Changes to national laws are deliberated and approved under the remit of the Gene Technology Forum, comprising representatives of each jurisdiction—I understand that the Minister for Health and Wellbeing is our South Australian representative on this forum.

Moving to the adoption of commonwealth amendments by regulation prevents future instances of the South Australian legislation being at odds with the national scheme during the period of the adoption of those amendments being potentially held up in the legislative process. The opposition notes that, under the proposed changes, objectionable amendments by the commonwealth could still be disallowed and this provides an avenue for ongoing scrutiny. The opposition indicates it will be supporting the legislation before us.

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

### **FIREARMS (MISCELLANEOUS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 14 October 2021.)

**The Hon. C. BONAROS (18:11):** I rise to speak in support of the Firearms (Miscellaneous) Amendment Bill 2021. As members and the public know, SA-Best strongly supports any initiative that improves public safety. Proof of that are the changes we successfully advocated for recently to the Coroners Act that ensure the Coroner's recommendations are acted and reported upon.

I use that as the example because this bill arises from two catalysts. Firstly, the 2017 Coroner's recommendations into the tragic death of young Lewis McPherson, a young 18-year-old person who was tragically shot dead as he was walking to a party with mates on New Year's Eve in 2012 in suburban Warradale.

As we have done previously, I again offer my condolences to Mark and Kim McPherson. I do not think that any of us can begin to imagine their loss and their extended family's loss and the pain that they have had to endure since his passing. I just hope they get some small comfort from seeing laws that could have prevented their son's death passed by this parliament.

The Coroner was very clear—unequivocal, in fact—when he said, and I quote, 'The court is of the opinion that Lewis McPherson's death could and should have been prevented.' The coronial recommendations relate to the provisions in the bill that impose greater penalties for aggravated offences and redefine aggravated circumstances to include when the person to whom a firearm was supplied is under the age of 18.

An aggravated offence will now attract higher penalties from \$50,000 or imprisonment of 10 years up to \$100,000 or imprisonment for 20 years, dependent on the category of firearm. Of course, it is difficult to measure the deterrent effects of such laws, but we must do all we can to ensure children and youths under the age of 18 are not able to get hold of these firearms in the first place.

We need to ensure that youths like Liam Humbles, high on alcohol and drugs, cannot be in possession of a gun, a gun he fired twice before in highly dangerous and irresponsible circumstances

and one he ultimately, and senselessly, used again to take the life of a young man with the rest of his life ahead of him.

As the Coroner said in his 2017 inquest findings, the commission of an offence with an illegally supplied handgun could hardly be regarded as an unexpected consequence of its supply. The Coroner also sought to close a loophole whereby sentences could be served concurrently and now the offence of supplying each firearm and/or providing the ammunition will be served cumulatively.

I cannot explain why it has taken four years for this government to act on those recommendations. Maybe the government can shed some light on that, but I can say better late than never and I am very pleased that we have finally implemented all the recommendations of the Coroner in relation to that matter. It just goes to highlight and demonstrate, again, the importance of the Coroner's jurisdiction in this state as it relates to making very important recommendations and of course the implementation of those recommendations.

The second driver of this bill is the National Firearms Agreement, to which all states are signed up. We welcome the amendments arising from that agreement, which involves re-categorising lever action shotguns from category A to either category B if the gun has a capacity of five rounds or less, or category D if it has a capacity of more than five rounds.

I am particularly pleased that this means all lever action shotguns will be subject to more stringent licence conditions, including the need to have a genuine need and purpose to have the gun. I know I am going to upset our primary producer friends, but outside of that I find it absolutely amazing that people could actually be in possession of these sorts of guns full stop.

It is my understanding that no such restriction currently exists for category A firearms. This means that sporting shooters, hunters, farmers and others with a genuine purpose and need for these lever action shotguns will still be able to own and use the guns as they are intended. SAPOL assures me it has undertaken extensive consultation with the estimated 3,500 registered owners of these firearms, and it has a transition strategy with grandfathering provisions to ensure current owners are not unfairly disadvantaged.

I would like to take the opportunity to thank SAPOL for its very comprehensive briefing. I was particularly pleased to confirm there is a permanent gun amnesty that we have in South Australia whereby anyone can surrender a firearm, licensed or unlicensed, to their local police station with no penalty or fear of being charged with an offence in relation to having that firearm in your possession, or indeed to actually seek to become registered if you have come into possession of one of those things via, for instance, a deceased estate.

I was at the local police station recently and I saw this play out in front of my eyes, where somebody came in and said that they had a gun to hand in to the police station and explained that it was the result of their father's deceased estate. They had cleaned the property and a firearm had been found. Knowing that you can go to the police and hand that in without fear of doing anything wrong but more importantly also ensuring that that firearm does not fall into the wrong hands is critical and I think something that we are all very grateful for.

I sincerely hope that people, like the gentleman that I saw that day handing in that firearm, continue to hand in firearms, and I would like to see continued promotion of this option. I was also very pleased to hear that a wide range of primary and secondary healthcare professionals and other child protection mandatory reporters diligently report individuals they believe should not be in possession of a firearm to a centralised area of SAPOL, which quickly responds to ensure the public's safety.

The advice we have from SAPOL is that those figures are actually quite high in terms of the reports they get. Obviously, the person reporting does not know whether the person has a firearms licence for not, but a healthcare professional is well placed to have some appreciation of whether someone poses a danger, and those reports are a very important tool in terms of keeping our community safe and keeping firearms out of the wrong hands.

While we congratulate ourselves in Australia for our effective gun control measures compared with highly unregulated countries such as the US, we can never be complacent about

guns falling into the wrong hands. I have spoken about that at length in this place. In fact, I was criticised for speaking about that at length in this place during the COVID pandemic last year. We need to make sure the life of someone like Lewis McPherson is not so tragically cut short in such a horrific manner and that no other parent loses a loved and cherished child, as the McPhersons did.

The measures in this bill go some way towards improving these protections by implementing those recommendations of the Coroner and of course implementing the other measures which are in line with our federal responsibilities under the agreement that we have signed up to. With those words, I commend the bill to the council and hope it passes very swiftly.

**The Hon. E.S. BOURKE (18:19):** Thank you to the Hon. Ms Bonaros for speaking first. I rise to speak on the Firearms (Miscellaneous) Amendment Bill 2021. It is important to put on the record, as the shadow minister in the other place has, the Labor Party's position on firearms so that no-one has any doubt. It is our position that public safety and the safety of the community are absolutely paramount. Any support for law changes comes on the back of that one principle, and that being public safety.

However, across the state there are thousands of responsible gun owners, gun owners who also believe that public safety is central to responsible firearms policy, who use guns for legitimate reasons to maintain public safety, such as police and security officers as well as those who use them for recreational sporting and hunting purposes, and so on. The Labor Party supports all of these legitimate and responsible uses.

This bill has arisen out of two catalyst circumstances. The first is the tragic murder of Lewis McPherson in 2012 and the finding of the coronial inquest into his death. I am aware that the family of Lewis McPherson are very keen to see the recommendations outlined in the inquest enacted in order to save other young lives. This bill will do just that.

The second catalyst is the National Firearms Agreement, which all states are either in the process of signing up to or willing to very soon. The report of the McPherson inquest lays out the reasons for some of the amendments to this bill, which relate to public safety, particularly the safety of young people in this state. The increasing rates of young people engaging in violent acts and the unsettling reality of the increased use of firearms in these acts is a growing concern and one that is actually hard to believe. I would like to share with you from the inquest report:

Lewis Mike McPherson was 18 years of age when he met his death on the evening of 31 December 2012. As he walked with his two male companions in Sixth Avenue, Warradale he was shot once to the chest with a projectile from a small calibre handgun. People in the street rendered assistance. Ambulance officers arrived at the scene. By then Lewis McPherson was unresponsive, with absent pulse and respiration. Resuscitative measures were administered at the scene by ambulance officers. He was transported to the Flinders Medical Centre Emergency Department where resuscitation efforts continued but which were ultimately unsuccessful. Lewis McPherson's life was certified extinct at 8.50pm that evening.

This is an important point:

The gun and ammunition that (was used) to shoot and kill Lewis McPherson had been (the) possession (of the perpetrator) for some time. As a person under the age of 18, he was not lawfully permitted to possess the firearm. Prior to the shooting (the perpetrator) had irresponsibly caused the weapon to discharge on two occasions of which the Court is aware, one time in a public car park and the other inside a house.

The bill specifically addresses the alarming findings of the inquest: the age of the offender. He had ready access to a firearm at the age of just 17. The bill amends section 22 of the Firearms Act by imposing greater penalties for aggravated offences. It redefines an aggravated offence as circumstances in which it has been proven that the person to whom the firearm was supplied was a person under the age of 18 years.

This parliament must make it clear to the community that we do not want to see firearms unlawfully in the hands of young people. As well as these aggravated offences for supplying firearms to minors, the inquest also supports the introduction of requirements upon courts to impose sentences for certain offences relating to unlawful possession, use and acquisition of firearms and ammunition.

Out of the National Firearms Agreement currently being enacted or signed up to by all other states, this bill has reclassified lever action shotguns. Those weapons with a capacity of five rounds

or less will be category B firearms and those with a capacity of more than five rounds will be category D firearms. I am told they are currently classed as category A firearms.

As stated by the shadow minister in the other place, police have advised that the tests to register a category B firearm or a category D firearm—that is, the 'fit and proper person' test and the 'reason for use' test—are far more stringent than those for category A firearms. This means that new classifications put lever action shotguns in the same category as pump action shotguns.

I am grateful for the consultation of the police, the work done by the coronial inquest and the advocacy of Lewis McPherson's family. This bill increases public safety, maintains a strong regime against criminal use and supports the legitimate and responsible use of firearms in our community. The opposition supports this bill.

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

### **OPCAT IMPLEMENTATION BILL**

*Introduction and First Reading*

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

### **UNCLAIMED MONEY BILL**

*Introduction and First Reading*

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

### **HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) (TELEPHARMACY) AMENDMENT BILL**

*Final Stages*

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

At 18:28 the council adjourned until Wednesday 27 October 2021 at 14:15.

*Answers to Questions***LAND SUPPLY**

In reply to **the Hon. J.A. DARLEY** (22 September 2021).

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has advised:

1. In June 2021, the Attorney-General's Department (the department) published the Land Supply Report for Greater Adelaide (the report). This report analyses population growth and urban development trends, and provides a detailed summary of greenfield, urban infill and employment land supply for each region. The report is a part of an overall program for managing growth and development in South Australia.

In relation to greenfield land supply, I can advise the following:

- For the Greater Adelaide region, the report identifies that there is a sufficient supply of zoned residential greenfield land to accommodate projected population growth under medium and high scenarios for at least the next 10 years.
- At the subregional level, the report recognises that greenfield land is unevenly distributed with abundant supply in northern Adelaide, limited supply in southern Adelaide and significant supply in the Adelaide Hills (namely in Mount Barker).

The report identifies that a high population growth scenario would see increased pressure on zoned greenfield land supply within the outer south region (the City of Onkaparinga council area) in the next five years, unless additional land is rezoned.

As a part of the new Planning and Design Code, the department is in ongoing discussions with landowners regarding opportunities to rezone land for residential development through the code amendment process. Urban infill land supply is made up of general infill (small-scale) and strategic infill (large-scale) developments across the established urban area:

- General infill development accounted for 37 per cent of the net dwelling increase across Greater Adelaide over the past 10 years, while strategic infill contributed 30 per cent.
- The report identifies that there is sufficient capacity within Greater Adelaide's established urban areas to accommodate projected demand for general infill (small-scale) based on current policy settings in the P&D code.
- The supply from strategic infill development sites (i.e. Lightsview, Bowden, AAMI, CBD and urban corridors) is currently adequate. However, future supply is more reactive to market conditions. For example, the supply of apartments coming from the Adelaide CBD has slowed considerably since the COVID pandemic in early 2020.

2. The Valuer-General has provided the following data as at 30 June 2021 which outlines the average capital value (as at 1 January 2021) of residential vacant land within the requested areas.

There were an estimated 12,632 vacant residential allotments within Greater Adelaide. These allotments are deposited and do not include allotments currently under assessment. Vacant lots recorded comprise an estimated:

- 2,793 vacant residential allotments within the southern regions of Adelaide (including the City of Onkaparinga) with an average capital value of \$313,428;
- 5,390 vacant residential allotments within the northern regions of Adelaide (including Playford, Gawler, and parts of Light and Adelaide Plains council areas) with an average capital value of \$200,054;
- 3,122 vacant residential allotments within the eastern regions of Adelaide (Adelaide Hills areas) with an average capital value of \$343,758; and
- 1,327 vacant residential allotments within the western regions of Adelaide with an average capital value of \$389,609.

**SKYCITY ADELAIDE**

In reply to **the Hon. C. BONAROS** (22 September 2021).

**The Hon. R.I. LUCAS (Treasurer):** The Attorney-General has advised:

The Liquor and Gambling Commissioner and officers from Consumer and Business Services are having regular ongoing meetings with AUSTRAC to discuss the operations of the SkyCity Adelaide Casino and their investigation.

In accordance with part 11 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, I am prevented from disclosing any detail of the meetings held with AUSTRAC.