

LEGISLATIVE COUNCIL

Wednesday, 27 October 2021

The **PRESIDENT** (Hon. J.S.L. Dawkins) took the chair at 14:16 and read prayers.

The PRESIDENT: We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to the land and community. We pay our respects to them and their cultures, and to the elders both past and present.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. N.J. CENTOFANTI (14:17): I bring up the 47th report of the committee.

Report received.

The Hon. N.J. CENTOFANTI: I bring up the 48th report of the committee.

Report received and read.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Report on the operation of the Climate Change and Greenhouse Emissions Reduction Act 2007 (South Australia).

Report on the review of the Climate Change and Greenhouse Emissions Reduction Act 2007 (South Australia).

Question Time

COVID-READY ROAD MAP

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding COVID readiness.

Leave granted.

The Hon. K.J. MAHER: Repeatedly in media appearances and in parliament today, the Premier has referred to further modelling on top of Doherty Institute reports that have been provided to national cabinet upon which the state's COVID-ready road map has been based. My questions to the minister are:

1. Has the minister fully read and considered all these further reports on top of the national cabinet Doherty Institute modelling?
2. Exactly what are these further reports?
3. What information is contained in these further reports that the COVID-ready road map has relied upon?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): As the honourable member would be well aware, the Premier has indicated that the South Australian government is relying on both the national cabinet Doherty modelling and also Doherty material prepared specifically for South Australia. The Premier has also indicated that we will continue to seek further modelling as the plan progresses.

In relation to the honourable member's question about whether I have read the Doherty material, I have read the Doherty material, but I must admit I am not a scientist. There was much I

didn't understand and that's why I am relying on the evidence, the science and the expert advice of the Chief Public Health Officer, Nicola Spurrier.

COVID-READY ROAD MAP

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary arising directly from the answer: the minister refers to 'in addition to the national cabinet Doherty Institute modelling, Doherty material'. Can the minister explain what he means by 'Doherty material'? Who is providing the reports? What is the nature of those reports and what information does this extra material contain?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): In relation to the material we haven't received, I can't tell you what it contains. In relation to in what sense is it Doherty material, my understanding is that Doherty is a dispersed institute, as many of our centres of excellence are, and there is a group of Adelaide-based researchers who are part of the Doherty Institute and they are involved in the modelling work.

COVID-READY ROAD MAP

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Further supplementary: is the minister able to outline what information we don't have; that is, what general areas haven't yet been covered and we are still awaiting information on?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): That's very much in the hands of the Chief Public Health Officer. She is the one who is engaging the modeller, not me.

COVID-READY ROAD MAP

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Further supplementary in relation to the original answer where the minister said that he had read and considered all of the material that has been provided: minister, what are the general areas that are covered by the material that you have told the chamber you have read and been provided with?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): We are not even two minutes in and the honourable member has already slipped into misquoting and misrepresentation. Let's be clear: the person who needs to understand and apply the modelling is our excellent Chief Public Health Officer, Nicola Spurrier. Certainly, I have received the material, but I can assure you I am not—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —relying on my wisdom.

COVID-READY ROAD MAP

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Supplementary question arising from the original answer.

The PRESIDENT: This is definitely the last one.

The Hon. K.J. MAHER: Minister, have you understood the material that you say has been provided to you?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): I will not hesitate to be humble when it comes to scientific matters. I defer to the Chief Public Health Officer.

COVID-READY ROAD MAP

The Hon. C.M. SCRIVEN (14:24): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding health.

Leave granted.

The Hon. C.M. SCRIVEN: On ABC radio this morning the Premier said, 'The COVID-Ready committee, which I chaired'. There doesn't appear to be any previous public references to the COVID-Ready committee. My questions to the minister are:

1. What exactly is the COVID-Ready committee that the Premier referred to?
2. Who sits on that committee?
3. When did it first meet?
4. What decisions has the committee made?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): As the honourable member indicates, that is a matter for the Premier.

COVID-READY ROAD MAP

The Hon. C.M. SCRIVEN (14:25): Supplementary.

The PRESIDENT: I will listen to the potential supplementary.

The Hon. C.M. SCRIVEN: Is the minister saying that he is not aware of what this COVID-Ready committee is, and the general public of South Australia doesn't deserve to know what it is and who is on it?

The PRESIDENT: He didn't say that, but if the minister wants to answer that supplementary, I will let him.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): The answer is I didn't say what she just said I said.

DOHERTY INSTITUTE MODELLING

The Hon. E.S. BOURKE (14:25): My question is to the Minister for Health and Wellbeing regarding health. Will the minister commit to releasing both the—

Members interjecting:

The PRESIDENT: The leader and the deputy leader might respect the Hon. Ms Bourke, who is on her feet, and allow me to hear what she wants to do, because I can't do that at the moment. The Hon. Ms Bourke, start again.

The Hon. E.S. BOURKE: My question is to the Minister for Health and Wellbeing regarding health. Will the minister commit to releasing both the COVID-19 Doherty Institute modelling and the latest ambulance ramping statistics?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): In relation to the second part of the question, I refer the honourable member to my answer yesterday. In relation to the first—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

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

The Hon. S.G. WADE: Well, that's the end of my answer then.

DOHERTY INSTITUTE MODELLING

The Hon. E.S. BOURKE (14:26): Supplementary arising from the answer: can the minister remind the chamber what his answer was from yesterday?

The PRESIDENT: No. The Hon. Mr Hood has the call.

Members interjecting:

The PRESIDENT: Order, leader!

PUBLIC SECTOR ENTERPRISE AGREEMENT

The Hon. D.G.E. HOOD (14:26): My question is to the Treasurer. Can the Treasurer outline the progress toward setting the enterprise agreement with representatives of the salaried members of the state's public sector?

Members interjecting:

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

Members interjecting:

The PRESIDENT: Order! Leader and the Hon. Ms Bourke! The Treasurer has the call.

The Hon. R.P. Wortley interjecting:

The PRESIDENT: And the Hon. Mr Wortley!

The Hon. R.I. LUCAS (Treasurer) (14:27): It is a very important issue for our hardworking members of the public sector, and I thank the honourable member for his question. The salaried members of the public sector are the largest single component of the state's public sector, some 30,000 to 35,000 employees covered by this particular enterprise agreement.

I am pleased to be able to report to the chamber that the key union that represents the salaried members of the public sector, noting that there are a number of other unions that do represent components of the total membership, the key negotiating force, the key representative, is the PSA, the Public Service Association, and they have conveyed to me that they are recommending the government's offer to their members, which will go to a ballot in the first two weeks of November. We hope to have a result from that particular ballot in and around the middle of November.

Without going into all of the detail, the PSA successfully negotiated retention of significant components of what is known as the RRR, the redeployment process, albeit they have agreed to a concession in relation to a removal of the pre-declaration of an employee being excess process, which will shorten the process in relation to the identification of excess employees. It nevertheless remains a significant impediment to any government in terms of ongoing implementation of the policy first announced by the former Labor government some seven or eight years ago.

The government has conceded in relation to that, but the government offer, which the PSA are now recommending acceptance of, is 1.5 per cent salary increases, with a \$1,000 up-front payment in recognition of the fact that there has not been a pay increase for almost two years because of the accommodation of the delays in the negotiation of the enterprise agreement and, obviously, COVID and COVID-related factors as well.

So we welcome the fact that the PSA are recommending it. There is, for example, the HSU, which is a smaller union in terms of total representation; it is still agitating for a 3 per cent increase. That is at twice the level that the PSA are recommending acceptance of. The government, whilst acknowledging that, recognises the PSA has been the major negotiator on behalf of the salaried members of the public sector and that virtually all of the settlements between the government on behalf of taxpayers and unions over the last year or so have settled in and around the range of 1.2 per cent up to 2 per cent. So any salary increase of 3 per cent or higher was clearly not possible for the taxpayers of South Australia to be able to afford.

VOLUNTARY ASSISTED DYING

The Hon. J.A. DARLEY (14:30): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question concerning the implementation of the voluntary assisted dying scheme.

Leave granted.

The Hon. J.A. DARLEY: According to SA Health, the implementation plan for the voluntary assisted dying scheme is likely to take 18 to 24 months; however, other states, like Victoria, were able to make their scheme accessible within 15 months of passing legislation. My questions to the minister are:

1. Can the minister provide further details regarding the implementation process of South Australia's VAD scheme?
2. Can SA Health safely expedite the implementation process?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31): I would like to thank the honourable member for his question. Voluntary assisted dying is not only a significant issue for many South Australians, both inside and outside this chamber, but it is also a policy with broad implications for the health system, both public and private. Fortunately, in South Australia, just as we were able to draw on the experience of other jurisdictions in drafting and debating our legislation, we are also able to draw on their experience in implementing the legislation.

In this respect, I am pleased to be able to advise that SA Health has been working with their counterparts, particularly in Western Australia and Victoria, to inform the process of implementation in South Australia. The consistent advice from other jurisdictions is that it is important to take the time you need to plan and implement such an important initiative.

The process of implementation has been divided into a number of work streams to focus on specific areas such as developing the necessary IT support, developing guidelines for clinicians and developing guidelines for consumers, carers and the community. The first step in the process is intended to be the delivery of regulations before the end of the year, providing the framework within which government can work towards implementation.

Also before the end of the year, I intend to appoint an implementation task force, bringing together experts from a range of fields, with the expression of interest calling for individuals with expertise in medical practice, nursing, pharmacy, social work, grief and bereavement support, information technology and the law.

The expertise of clinicians has been embedded in the voluntary assisted dying process. Last year I was fortunate to attend a clinical forum, which included a Zoom presence of a Victorian clinician. Clinicians will also be involved in the work streams.

Overseeing the process will be a voluntary assisted dying implementation task force. Its membership will go beyond SA Health, and it is expected the task force will be operational by early December. SA Health has developed an implementation plan which projects commencement by March 2023; that is, 21 months since the passage of the bill. The government advised parliament that implementation could take between 18 and 24 months.

I intend to ask the implementation task force to review the plan developed by SA Health and see whether SA Health can safely expedite the process. This will provide for independent oversight and testing of SA Health's proposal. I can assure honourable members that the government is committed to ensuring South Australians have access to voluntary assisted dying in as timely and safe a manner as possible.

AMBULANCE RESPONSE

The Hon. R.P. WORTLEY (14:34): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding ambulances.

Leave granted.

The Hon. R.P. WORTLEY: On the evening of 9 October, 92-year-old Joan Adcock fell in her home. Her emergency pendant was out of reach and she was unable to wake her husband. Joan, who was found 10 hours later on the morning after her fall, was bleeding from the head. Joan's husband immediately called an ambulance, but it took over an hour for the ambulance to arrive. My questions to the minister are:

1. Does the minister believe that a one-hour wait for an ambulance in response to a head trauma for a person in their 90s is an acceptable standard for vulnerable South Australians?
2. What does the minister have to say to Joan and her husband in response to this incredibly distressing experience?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35): The SA Ambulance Service has a well-developed set of priority ratings for the response to incidents and always strives to provide timely responses. When, through whatever circumstances, those standards are not met

and people have delayed access to an ambulance service, that is to be regretted and we apologise. I don't know the details of the particular case, but certainly if the family experienced inordinate delays, I apologise.

DISABILITY SERVICES

The Hon. N.J. CENTOFANTI (14:36): My question is to the Minister for Human Services regarding disabilities. Can the minister please inform the council of the new disability study commissioned by the Marshall Liberal government to address parents' common fear about what happens to their child with a disability when they can no longer care for them?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:36): I thank the honourable member for her question and for her interest in this important area. Indeed, as she is aware, this government has commissioned some work to be done to assist people who are in that situation, particularly older parents who have concerns about what will happen to their loved one with disabilities when they are no longer able to care for them. This is an area which obviously has been brought into sharp relief by the terrible death last year of Ann Marie Smith, which shocked everyone.

This is an issue that has been quite a common thread for a number of parents of children with disabilities over many years. There have been various forms of models to assist people into the future, such as Circles of Support, which is something that people can arrange informally. In addition to that, the Community Living Project has been working on a framework that can be replicable to people in those situations.

Also, I note that I think it was the South Australian Law Reform Institute report into advance care directives—

The Hon. S.G. Wade: No, advance care directives was an independent review by Wendy Lacey.

The Hon. J.M.A. LENSINK: Sorry, SALRI has done some work in this space, in which one of their chapters actually referred to something known as microboards, which is a similar model to Circles of Support. What the microboard concept is is that a range of people can be appointed, much like the parents putting together a will, and that group of people would be tasked with providing for that person's needs when they are no longer able to.

The report is being undertaken by Dr David Caudrey, who is our independent Disability Advocate. He, of course, has a lot of experience over many decades in this space through his existing work on behalf of the South Australian government. He has had a specific role in many disability areas, including the National Disability Insurance Scheme, and advises us on systemic issues that we can continue to advocate through that.

He, of course, was one of the co-chairs last year, with Ms Kelly Vincent, of our safeguarding committee, so he is more than happy to meet with anybody or receive feedback from people who have feedback on these matters. The aim is that he will report to me by 15 December. There may well be some legislative changes that we can make into the future that will assist people, but we do acknowledge that this is an area of great concern to many families of people with disabilities, and we look forward to improving the policy space into the future.

SKYCITY ADELAIDE

The Hon. C. BONAROS (14:40): I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General in the other place, a question about SkyCity Adelaide Casino.

Leave granted.

The Hon. C. BONAROS: As members would be aware, since about March this year we have been calling for increased scrutiny of SkyCity Adelaide Casino, even calling for a royal commission, after AUSTRAC revealed it had identified potential serious noncompliance at the Casino. At the time, the Treasurer personally chose to answer questions that we have asked rather than refer them to the minister for a response, as is his right.

However, what a difference a few months make. Earlier this month, when we asked a question, the Treasurer decided to change tack and told the chamber he would now refer those questions to the minister herself for a response. Yesterday, the government changed tack again, when the Treasurer gave a written response to an earlier question, where the minister for consumer and business services stated, 'In accordance with part 11 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, I am prevented from disclosing any details of the meetings held with AUSTRAC.'

The written response also revealed that the Liquor and Gambling Commissioner and officers from Consumer and Business Services are having regular, ongoing meetings with AUSTRAC to discuss the operations of SkyCity Adelaide Casino. My questions to the minister for consumer and business services, through the Treasurer, are:

1. Is there anything you are able to tell us about AUSTRAC's investigations involving the Adelaide Casino?
2. What are you able to tell us about the Consumer and Business Services commissioner's suspended investigations involving the Adelaide Casino?
3. When do you expect to be able to tell this chamber specific details of the AUSTRAC investigation?
4. Do you agree the government has a duty of care to the people in South Australia, many who go to the Casino and could be putting themselves at risk or in danger if serious criminal activity is occurring at those premises?

The Hon. R.I. LUCAS (Treasurer) (14:42): I am very happy to refer the honourable member's questions to the Attorney-General and bring back a reply.

DISABILITY SERVICES

The Hon. I. PNEVMATIKOS (14:43): My question is to the Minister for Human Services regarding disability. What conversations has the minister or the Department of Human Services had with Minda, which is the state's largest non-government disability service provider, to ensure that clients will be safe and cared for after the sudden departures of Minda staff, including the chief executive, chief operating officer, managers and carers? What impact would a major reduction in the capacity of disability service providers have on our hospital system just as we open to COVID-19 in South Australia?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:43): I thank the honourable member for her question. I think I need to say at the outset that the line of questioning in the second part of the question is speculative and inappropriate.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: Speculative and inappropriate and—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —unnecessarily alarmist.

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

The Hon. J.E. Hanson interjecting:

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

The Hon. J.M.A. LENSINK: I might add, too, that the behaviour of the shadow minister for human services in this respect has been as disgraceful as it was two years ago in chasing headlines about Minda rather than having any concern for that organisation or for any of its clients.

The state government is in contact with a range of SIL providers on a regular basis. We have also been in contact with Minda itself. I have also been in contact with the federal minister and I

understand that the NDIS commission has also been in regular contact with Minda. Beyond that, I am not going to go into the details of any particular discussions that may have taken place.

Members interjecting:

The PRESIDENT: Order! Conversations across the chamber—

Members interjecting:

The PRESIDENT: Order! Members of the opposition will remain silent, as will the Minister for Human Services. The Leader of the Opposition is out of order.

COVID-19 VACCINATION ROLLOUT

The Hon. T.J. STEPHENS (14:45): My question is to the Minister for Health and Wellbeing. Minister, will you update the council on how the government is making it easier for South Australians to access a COVID-19 vaccine?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45): I thank the honourable member for his question. Throughout the COVID-19 vaccination rollout, SA Health, the State Controller and the Marshall Liberal government have remained flexible and agile to meet the needs of the South Australian community and the changing circumstances of the pandemic. We have helped create new pathways to access a COVID-19 vaccine by working with our community pharmacists to bring them on board and boost the vaccination workforce. We were the first state in Australia to activate community pharmacies in rural and regional areas.

We have continued to scale up vaccination clinics and open new clinics. We have recently launched a new fleet of mobile vaccination vans, which will hit the road across the state. We have commenced a school-based immunisation program. We are delivering outreach vaccination programs to work with hesitant communities and to reach pockets of the community with lower vaccination rates, such as the Islamic Society of South Australia, the African Women's Federation and the Australian Migrant Resource Centre.

We are working with a growing list of businesses to increase the vaccination rates in local government areas through the mobile vaccination program, in partnership with employers such as RM Williams, Drakes, Mitolo Farms and Thomas Foods. We have held our first super walk-in weekend, which saw thousands of South Australians rolling up their sleeves last weekend to be vaccinated.

We have opened additional clinics across the state that will accept walk-ins, including at the Myer Centre in Rundle Mall and the Pooraka food market. We have also opened our mass vaccination clinics at Noarlunga, Elizabeth and Wayville to walk-in appointments. We want to give every South Australian the opportunity to get vaccinated against this deadly virus.

Many of us have busy lives, family responsibilities, work and other commitments that can get in the way of making an appointment, so giving people the option to present without an appointment will make it easier for those with busy schedules to walk in at a time that suits them. Sometimes it is easier to turn up spontaneously. Thousands of people have walked in for their jabs already and we only expect the numbers of walk-ins to grow as South Australians are emboldened by our COVID-Ready plan that charts a clear path forward over the coming months. Vaccination is our pathway out of the pandemic.

South Australians have done a fantastic job in rolling up and getting vaccinated. There are now more than 2.1 million doses that have been administered, with around 80 per cent of South Australians aged 16 and over having received their first dose and more than 63 per cent of South Australians aged over 16 fully vaccinated.

It has never been easier to get vaccinated. It has never been more convenient. It has never been more timely. I want to thank everyone who has already rolled up to protect themselves, their loved ones and their community.

COVID-19 VACCINATION ROLLOUT

The Hon. C.M. SCRIVEN (14:48): Supplementary: how many of the vaccination opportunities that the minister has referred to are available on Kangaroo Island as of today?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): I do have some information on that. In relation to Kangaroo Island, I think it's really important to appreciate the fantastic effort of the Kangaroo Island community in the context of COVID-19. In partnership with the RFDS, there was a vaccination program on the island. It completed its second round quite recently. Currently the GPs on the island are not involved in the program and that is their choice.

So the local health network is working with both the GPs and the pharmacies to see what opportunities there are for vaccinations on the island. Of course, the community on the island is completely able to also get vaccinated as they make what are often regular trips onto the mainland, whether that's in metropolitan Adelaide or on the south coast.

COVID-19 VACCINATION ROLLOUT

The Hon. C.M. SCRIVEN (14:50): Further supplementary.

The PRESIDENT: Arising out of the original answer?

The Hon. C.M. SCRIVEN: Yes, indeed. Is it the case that there are zero opportunities, as we speak today, for people to get vaccinated on Kangaroo Island?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I refer the honourable member to my previous answer.

ADELAIDE PARKLANDS

The Hon. R.A. SIMMS (14:50): I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Minister for Planning, the Treasurer, on the topic of Adelaide Parklands rezoning.

Leave granted.

The Hon. R.A. SIMMS: The government is currently pursuing code amendments on the Parklands, enabling commercial buildings such as cafes and restaurants on both sides of the Riverbank. The government has stated that it does not intend to develop on Pinky Flat. My question therefore to the Treasurer is: if the government is not intending to develop on Pinky Flat, why on earth is it pursuing this code amendment?

The Hon. R.I. LUCAS (Treasurer) (14:51): I am happy to refer the honourable member's question to the minister and bring back a reply, but in part, as I understand it, after consultation the minister retains the power to make changes or amendments based on the feedback. I think the member has clearly stated, evidently, the minister's and/or the government's position in relation to Pinky Flat, so I will refer the member's question to the minister, but stay tuned.

ADELAIDE PARKLANDS

The Hon. E.S. BOURKE (14:51): Supplementary: I have now forgotten what it was. Why didn't the minister wait until the end of the consultation period to announce that they would not build on Pinky Flat?

The PRESIDENT: I am not sure that came out of the Treasurer's answer. The Treasurer can respond if he wishes.

The Hon. R.I. LUCAS (Treasurer) (14:52): I am happy to refer the honourable member's question to the minister and bring back a reply. I am not an expert on code amendments and planning legislation and regulation, but as I understand it there is a process: people can consult and then decision-makers make decisions based on the consultation. It seems an entirely reasonable process, one which the Labor Party and the crossbench have often said the government should undertake: consultation and then listen—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —and then make decisions.

MARATHON HEALTH

The Hon. J.E. HANSON (14:53): My question is to the Minister for Human Services regarding disability. After telling this place yesterday that Marathon Health is required to provide care for NDIS participants if their carers unexpectedly can't serve them, can the minister advise the council:

1. Does Marathon Health have an office in South Australia and, if so, where that is?
2. Is Marathon just an interim provider in South Australia?
3. When exactly does Marathon's contract end?
4. How many people can Marathon Health support at short notice in South Australia if required?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:53): Of course, most of these questions the honourable member should direct to the federal minister, given that it is a contract which is managed by the federal government. Marathon Health, as I understand it, has an exceptionally complex support needs program. The purpose of that in terms of being a provider of last resort is the anecdotal story that is often told—I am not sure if it's an urban myth or how it came about or if it's just the sort of scenario that most people can imagine—which is that somebody with a disability is left at the bus stop at 5.30 on a Friday afternoon when offices have closed, and who does someone call?

In terms of whether somebody is conveyed to an emergency department and would potentially become a social admission within our health system, or whether police are contacted because somebody has been relinquished, the service providers are aware that Marathon Health is the service to call. I understand that they will coordinate with local service providers in terms of providing that assistance. I would direct the honourable member to refer his other questions to the federal minister for the NDIS, Senator the Hon. Linda Reynolds.

WOMEN IN THE WORKFORCE

The Hon. J.S. LEE (14:55): My question is to the Minister for Human Services regarding women. Can the minister provide an update to the council on how the Marshall Liberal government is enhancing economic and financial participation for South Australian women in our community?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): I thank the honourable member for her question and for her interest in this area. Indeed, I think I have spoken in this place before about our leadership and economic strategy. We have also refreshed the membership of the Premier's Council for Women in reflection of that. A number of the appointments include people who have entrepreneurial experience and small business experience. We are looking forward to them advising us in relation to our economic strategy going forward.

Consistent with this, we have released a grant program which will support economic and financial participation projects for young and our most vulnerable South Australians. This includes for this very important work for women in community projects. We have two rounds: a minor grant round of up to \$10,000, which has the social impact objectives of connecting and belonging; and applications for a medium grant round of up to \$25,000.

We are looking for programs which will support, as well as those cohorts that I have mentioned, services for LGBTIQ+ individuals. The minor grant round is open from 8 October to 26 November, and the medium grants round from 15 October to 12 November. I am sure that all honourable members would know of organisations that would be very much interested in participating in this particular grant round.

I have to say that, in terms of employment, I am very pleased that in South Australia we have seen such a strong return to employment, and that has included that women particularly are participating in the workforce. We have the lowest gender pay gap in the nation, so that has reduced. I think that is something that we can be very proud of, even though in the Labor leader's office the pay gap is something that they should be ashamed of.

On this side of the house, we certainly believe that women should be able to participate fully in all of the leadership and employment opportunities that they can. The minister for skills and employment is very keen on making sure that he is promoting women in non-traditional areas of employment.

COVID-19 RESTRICTIONS

The Hon. F. PANGALLO (14:58): My question is to the Minister for Health and Wellbeing regarding the government's COVID mud map.

1. How and why did the Transition Committee and then the government settle on the magical date of 23 November to lift some restrictions and conditionally reopen borders that will undoubtedly allow the Delta strain to enter this state and cause community transmission as well as lead to a pandemic of the unvaccinated?

2. Does the minister know the number of senior South Australians who have only received one dose of AstraZeneca so far, including me, and have had to wait three months for their second?

3. Does he concede that this date will lead to a pandemic of the partially vaccinated, meaning tens of thousands of South Australians who have only received one jab are now being placed at serious risk of getting the virus and possibly some of them dying?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59): Could I urge the honourable member—at the start of his question he used the words 'mud map', and I was disappointed to hear the members of the opposition joining in the act of mockery. This is a very important phase in our pandemic. I would use an aviation analogy, that it is much easier to take off in a plane than it is to land it. There are many serious factors to be considered and one of them will be social cohesion and support for this plan. So if members of this house want to raise seeds of doubt and suggestions that we are about to hasten a pandemic in South Australia, I would urge them to be cautious.

Of course, there will be members of the public who won't have completed their round of vaccination by 23 November, but what I can assure every South Australian is that the bulk of the protective value you get from a COVID-19 vaccine is from the first dose, so every South Australian who steps up and gets vaccinated before 23 November will be in a much better position than those who remain unvaccinated.

In terms of the AstraZeneca time frames, I appreciate that that may well fall on the other side and that is also true of Moderna. My understanding is that Moderna has a four-week gap. So there will be people who will complete their vaccination program after 23 November when they started before 23 November. As I said, the protective value is already having an effect. I also think it's important to stress that every other South Australian who has been vaccinated will help protect those people because we not only reduce the risk of ourselves contracting COVID by taking a vaccine, we also reduce the risk of transmitting the COVID virus to others by getting a COVID vaccine.

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

COVID-19 RESTRICTIONS

The Hon. F. PANGALLO (15:02): Minister, why must hotels and nightclubs have to adhere to a 90 per cent vaccination rate to allow dancing, vertical consumption and easing of other restrictions when in other states the figure is 80 per cent?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02): Sorry, Mr President, it had no relation to my answer.

COVID-19 RESTRICTIONS

The Hon. T.T. NGO (15:02): My question is to the Minister for Health and Wellbeing about health. When will further detailed information be released on restrictions for the testing requirements and quarantine arrangements in addition to the one-page infographic with just 200 words that was released yesterday?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): My understanding from SA Health communications is that they are preparing further public information in the coming days.

COVID-19 RESTRICTIONS

The Hon. C.M. SCRIVEN (15:03): Supplementary: can the minister be more specific when he says they are preparing and it will be in the coming days? What does that mean? Two days? Three days? A week? When can we expect it?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): I've got nothing to add.

The Hon. J.E. Hanson: You should have confidence in a plan that doesn't exist.

The PRESIDENT: Order!

REGIONAL HEALTH SERVICES

The Hon. H.M. GIROLAMO (15:03): My question is to the Minister for Health and Wellbeing. Can the minister update the council on the upgrading of health assets in our regions?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): I would like to thank the honourable member for her question. The Marshall Liberal government is committed to providing better health care closer to home for all South Australians. In delivering on this promise, this government has committed to delivering more than \$200 million of regional health capital projects.

The Marshall government has a health budget reaching \$7.4 billion in 2021-22, supporting the state's health services right across South Australia. As part of this, we have committed \$150 million to a regional assets sustainment program, which over 10 years addresses a backlog of works which we inherited from those opposite. So many of the regional health assets were in need of capital works upgrades or refurbishments due to the neglect of the previous government. Thankfully, this government is getting on with the job and delivering for all South Australians, including those in our regions. I would like to highlight one of these projects today.

Making up just a small portion of our rural health capital works commitment is the \$3.5 million project at the Naracoorte hospital. This project includes upgrades to the two operating theatres, the central sterile services department and the site hydraulic services. I was delighted to be able to visit this facility on 1 September this year. I am advised that the construction works are now complete and that final commissioning of medical equipment is underway, with the theatres expected to be fully operational in the coming days. This is fantastic news for those who live in and around the Naracoorte hospital, resulting in better care closer to home for their community.

The Naracoorte project forms part of the \$15 million COVID-19 economic stimulus, which was announced in March 2020. I am extremely proud to be able to inform members that the \$15 million stimulus has resulted in 32 projects in our regional health and aged-care facilities, of which 28 of the 32 projects are now complete. I would like to thank the Limestone Coast Local Health Network and the Naracoorte community for their support and assistance in delivering this project, and we will continue to address the healthcare needs of regional South Australians. The Marshall Liberal government is building capacity in our hospitals and health services, while supporting a better health system for all South Australians.

REGIONAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (15:06): Supplementary: will any of these regional projects assist in opening the emergency department at Karoonda hospital, or returning maternity services to the Millicent hospital or the Waikerie hospital?

The PRESIDENT: Karoonda and Millicent were not in the original answer. We will go to the Hon. Ms Franks.

INTERSEX AWARENESS DAY

The Hon. T.A. FRANKS (15:06): I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the subject of Intersex Awareness Day.

Leave granted.

The Hon. T.A. FRANKS: I note that yesterday was Intersex Awareness Day. This has been the subject of the Human Rights Commission's extensive work on ensuring that medical interventions may take place with personal consent of a person only where there is a medical necessity. This has been a scourge, and there are currently inadequate provisions for those young people and children and their families where there have been medical interventions for intersex infants.

Is the Minister for Health and Wellbeing aware of the Human Rights Commission's report and work, and what does the South Australian Department for Health and Wellbeing intend to do to ensure that in the future intersex infants are treated with the respect they deserve in our healthcare system?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I thank the honourable member for her question. In terms of the Human Rights Commission's report, I am aware of the report in broad terms, and notice there was recent media in terms of the trauma of a family with issues in relation to intersex. It is something on which I have sought further information, and I am happy to provide further information to the honourable member when I receive it. Certainly the government is alert to issues such as intersex and other diversity issues. We are doing work in terms of gender diversity services to ensure we provide appropriate care to all South Australians, particularly young people.

COVID-19 VACCINATION ROLLOUT

The Hon. T.A. FRANKS (15:08): In lieu of the Hon. Frank Pangallo's question, I ask why in other jurisdictions is it—

The PRESIDENT: This is not a supplementary.

The Hon. T.A. FRANKS: I'm asking a question, Mr President.

The PRESIDENT: Alright, okay.

The Hon. T.A. FRANKS: My question is: why do other jurisdictions have an 80 per cent COVID vaccination rate for vertical drinking and dancing and South Australia has a 90 per cent rate?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I would like to stress that every state faces a very different situation, and in some ways we are bearing the burden of having very low community transmission. A state that has had significant community transmission, like New South Wales and Victoria, not only has natural immunity building up in their community but also is likely to have had a very high vaccination rate, partly because the community is responding to a community outbreak. We, on the other hand, have no community transmission, and we are continuing to build up our vaccination rate.

As I said earlier, this part of the pandemic is like trying to land a plane, and if I could continue that analogy, every state and territory will have its own flight path, because they come from different directions, they come from different situations. So I am not going to say, 'Well, why can't we do what they're doing on that point, and why aren't we doing differently?' because, fundamentally, each state is in a unique situation.

Also, each state will be making their own choices. For example, the Western Australian Labor government has made the choice they would rather continue to live in the bubble. They are not opening up to the rest of Australia and the rest of the world, but I stand here as the health minister in the Marshall Liberal government, which says, 'We are not going to live in a bubble. We live in the real world. COVID is in that world. We need to open our borders to other states and to other countries.'

If I could go back to the plane analogy, the Marshall Liberal government has always believed and always made clear that this is both a health crisis and an economic crisis. If you like, there are two wings of a plane: we've got to get the balance right. The facts speak for themselves. We are getting the balance right because we not only have a very successful response to the health pandemic so far but we also, my understanding is, have the fastest economic growth rate in the nation. That is something we should be very proud of. That is why we are going to continue to make South Australian-specific decisions for a South Australian-specific situation.

COVID-19 VACCINATION ROLLOUT

The Hon. C. BONAROS (15:11): I seek leave to make a brief explanation before asking the Minister for Health a question about vaccination.

Leave granted.

The Hon. C. BONAROS: It was recently revealed that our northern suburbs have the lowest vaccination rates and that one of the reasons for this is access, with Wayville being the biggest vaccination centre and nowhere near our northern suburbs. My question to the minister is:

1. Does he accept the view of the Transition Committee that access has been an impediment to vaccination for those people living in the northern suburbs?
2. Why has it taken so long to address this issue?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): First of all, could I specifically make it clear I am not validating the assertion; I think the honourable member said the Transition Committee said something about access in the north. I don't know what the honourable member is referring to.

The Hon. C. Bonaros: Transport. Access to vaccinations.

The Hon. S.G. WADE: Okay. Well, let me just tell you something about what the government is doing in the northern suburbs in the context of vaccination. The government established the Playford mass vaccination clinic and has been delivering—on my understanding they have delivered more than 135,000 vaccinations through the Playford clinic. We have also, I think, probably—if memory serves me rightly it was the beginning of September we opened the Pooraka clinic, again to make it easier for people in the north to access a vaccination, and my understanding is there's more than 5,000 vaccinations that have been delivered out of the Pooraka site.

In terms of the response in the north, up until 22 October, 22 mobile clinics have been providing vaccinations, with a further 37 mobile clinics planned up until the end of next month. Of course, the northern suburbs feature in a program of school site vaccinations, and it was my privilege to attend the Roma Mitchell school, which is north of Gepps Cross, so I will call that northern suburbs, although some people might call that mid-north. In terms of the northern region—

The Hon. T.A. Franks: It's north-east or it's north; it's not mid-north.

The Hon. S.G. WADE: Whatever; however you would like to describe it.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: The point I am making is that it's not in the upper northern suburbs. In terms of the northern regions, 72 GPs are actively administering vaccinations, and 46 pharmacies. We are continuing to roll out new initiatives to support vaccination, and I was privileged to be at RM Williams on Monday for another launch of a mobile vaccination clinic. Watto Purrinna Aboriginal Health has a dedicated van and is vaccinating at Port Adelaide and other locations. This van will also be involved in a local cultural festival hosted by Sonder in mid-November.

We are continuing to increase access for vaccinations right across South Australia, and the northern area has been a particularly vigorous area of focus and will particularly be in the coming weeks. I think one of the really exciting opportunities that we have, by having set a date and set both an 80 per cent target and a 90 per cent target, is that for the next month there is a particular incentive for South Australians to get vaccinated because, as the Hon. Frank Pangallo highlighted in his question, now is the time to get vaccinated so that you can protect yourself, those you care about and the wider community.

Through the road map that has been put down, we are maintaining the pressure, if you like, or the incentive of 90. We are encouraging South Australians not to stop at 80. Let's go on to 90 and above. As of today, my understanding is that the ACT already has double-dose vaccinations of 89 per cent. I believe there is no reason why we should expect that South Australia would not do better. Our

first-dose vaccination rate is above 90 per cent, and obviously if people have had the first you would expect that they are going to follow through and get the second.

I think that Australia is well placed to be one of the best-vaccinated communities in the world, and I am very keen that South Australia seizes the mantle of the state in Australia with the highest vaccination rate. The northern suburbs will be a key focus, particularly in the coming month, as we approach 23 November, but it won't stop there.

COVID-19 VACCINATION ROLLOUT

The Hon. C. BONAROS (15:17): Supplementary: what other factors have contributed to the low take-up rate of vaccinations in the northern suburbs, and what is the government doing to address those?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17): I thank the honourable member for her question. I think it would be fair to say that one of the issues in the northern suburbs is the challenge to be able to effectively communicate with culturally and linguistically diverse communities, and one of the key strategies to try to increase take-up in culturally and linguistically diverse communities has been to work with their leaders.

SA Health—I have been involved in some and I know the Hon. Jing Lee has been involved in some as well—has been consistently and actively engaging the leadership of the culturally and linguistically diverse communities right through the pandemic. It has been renewed in the context of the vaccination program, and some of the mobile clinic opportunities are very much reaching the CALD community.

For example, I am told that in the next three weeks we will have mobile vaccination vans in the north, engaging people in the Islamic Society of South Australia, the Migrant Resource Centre, the Australian Refugee Association, the African Women's Federation and the BAPS temple, and at UniSA Mawson Lakes and TAFE SA. Wellbeing SA is taking on a particular responsibility for looking at opportunities to raise uptake in community groups and is involved in a very broad strategy.

We, of course, will be continuing to partner with other organisations in the north. In particular, I would like to thank Sonder for their work with us. They have planned events for the northern suburbs in Edinburgh North, Modbury, Lightsvue and Semaphore Park.

The PRESIDENT: Supplementary, the Hon. Mr Ngo.

COVID-19 VACCINATION ROLLOUT

The Hon. T.T. NGO (15:19): I have a question for the minister. Would the minister consider allowing some of the pharmacies in some local government areas that have low vaccination rates to administer the Pfizer vaccines? As you would be aware, earlier in the year or late last year, the government allowed some regional pharmacies—

The PRESIDENT: This is a supplementary. The honourable member has asked his question.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): We certainly very much value the partnership with pharmacies, but it is actually a partnership which is auspiced by the commonwealth government and so that question is more appropriate for the commonwealth minister.

Matters of Interest

DEFENCE INDUSTRY

The Hon. D.G.E. HOOD (15:20): I rise today to speak about the recent AUKUS trilateral announcement and the securing of defence projects for South Australia. What a tremendous outcome for our state. South Australia's defence sector will play a key role in the new trilateral alliance between Australia, the United States and the United Kingdom. It is great news for our state. The federal government intends to build a new fleet of nuclear-powered submarines right here in Adelaide.

For some time now, we have been developing a skilled workforce that is delivering some of the nation's biggest defence projects. Following this announcement, the Marshall Liberal government will continue to work—

Members interjecting:

The PRESIDENT: The Hon. Mr Hood is battling against a number of conversations.

The Hon. D.G.E. HOOD: Following this announcement, the Marshall Liberal government will continue to work closely with the federal government to get the very best outcome for South Australia and employment levels in our state. We are a proud defence state with broad capabilities, and we will seize the opportunities that come from this landmark agreement.

South Australia has been cemented as the shipbuilding capital of our nation. Not only have we secured the build of the new nuclear-powered submarines, we have also secured the full cycle docking and life-of-type extension of the Collins class submarines at Osborne, as well as the upgrades for the Hobart class destroyers. Collins class full cycle docking will remain at Osborne, and the Collins life-of-type extension will now continue beyond 2026, as all six boats undergo capability extensions right here in South Australia. The Navy's three Hobart class destroyers will also undergo their combat management system upgrades at Osborne from 2024.

These programs will support literally thousands of jobs and ensure we retain our highly capable, skilled shipbuilding workforce right here in South Australia. South Australia is the defence state, and that means jobs for today, tomorrow and for decades to come. The Marshall Liberal government has secured this pipeline of defence projects that will deliver thousands of jobs for South Australians, a great source of pride for all South Australians, I am sure. Our highly skilled defence workforce will only grow as the new submarines are built and important maintenance work is carried out on the Collins class submarines and Hobart class air warfare destroyers. It is a huge win for local jobs and a great win for our state.

These major defence projects form part of the government's strong economic recovery plan as we chart our way out of the pandemic. We have more people in full-time employment in South Australia than ever before, and we are only going to see this grow as we secure major infrastructure and defence projects for the decades to come. As South Australia spearheads this major expansion of Australia's defence capabilities and advances the state's shipbuilding expertise, it will see some 5,000 shipbuilding jobs in South Australia by 2030, just nine years away.

The new nuclear-powered submarines will be built in South Australia, as I said, as part of the new trilateral alliance between Australia, the United States and the United Kingdom. As a result, as I mentioned earlier, South Australia has been cemented as the shipbuilding capital of our nation. The Collins class submarines were built right here in South Australia in Adelaide, and the destroyer class were built here as well. The first two offshore patrol vessels are currently being built here, the frigates will be built here, and Australia's new submarines will also be built here in Australia's defence capital, the city of Adelaide.

We are now working with the Morrison federal government and industry regarding the transitional workforce plans. These new submarines will be significantly bigger and more advanced and this decision recognises the quality of naval shipbuilding in South Australia and our strong relationship with the federal government. South Australia is the defence state and that means we are the jobs state in the defence sector.

From the most livable to the shipbuilding capital of the nation, SA is the best place to live, work and raise a family. It is a proud moment for our state and shows that the future of South Australia is indeed very bright.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge the presence in the gallery of the federal member for Spence, Mr Nick Champion.

Matters of Interest

ASBESTOS

The Hon. E.S. BOURKE (15:24): Remember this date: 10 September 2021. It is a date history was made. It is a date a quiet hero, a South Australian, a Salisbury North boy, took on the

fight he should never have needed to contemplate but he did and he did so doing because he wanted to make Australia a safer place.

Back in the nineties, a young Woolies warehouse worker kicked off his great Australian dream. At age 21, Mat Werfel was handed the keys to his first home in Pooraka. It was a fixer upper, but for Mat, he saw this as the start of success and security. He went on to buy a new house in Parafield Gardens. This was with his now wife, Jen, and he set to work quickly turning this into a home.

Mat is a hard worker; he always has been. He wasted no time sanding and painting the eaves of this house, leaving him covered in the dust from the day's hard work. It was in his hair and in his clothes but he turned that house into a home for him and Jen. Their dream was completed after the arrival of their three beautiful girls: Mya, Alana and Cadence.

Life was perfect until Mat found a lump in his inner right thigh. No-one deserves to find out, at the age of 41, that they have a rare form of cancer—mesothelioma, the renovators' cancer. The dust Mat was covered in when he was renovating his home some 20 years earlier was asbestos dust. No-one deserves to tell their three young girls and wife they have cancer.

What Mat had done was what many people dream to do. He renovated a house and he turned it into a home, but he paid the ultimate price. What he did next is what makes him an incredibly rare individual. I have known Mat and Jen all of my political life, for more than half of my life. They are both part of the SDA family.

Mat is as loyal as they come. Standing up for what is right is simply in his DNA. If it means being the one who steps forward and takes on the big guy, he will be the first to do it. That is why way back, when he was 21, Mat was the occ health and safety rep on the Woolies warehouse floor. That is why he was a union organiser at the SDA, and that is why he took on James Hardie—all the way to the High Court—and he won.

It was the very fact that Mat was a workplace safety rep that made his story set a new precedent for asbestos victims seeking justice. In the view of the High Court, it was because a workplace safety rep like Mat would have followed recommendations and procedures and precautions if he had known about them. Mat did not change history on 10 September 2021 for himself, he did it for the many innocent housing renovators looking to start their dream.

Last year alone, eight million homes were renovated in Australia and COVID has only increased the popularity of DIY home renovations. The true cost behind these renovations will take decades to determine, especially the fact that 229 cases were identified as being exposed to James Hardie asbestos just last year.

But there is a new weapon available to take on this giant. It is the precedent set by the Werfel v Amaca case, which confirms that James Hardie has a duty of care to the public to warn them of the ongoing risk posed by their asbestos products and remains legally liable for the lives these products continue to destroy.

Mat, you had every right to declare your Australian dream a nightmare, but you did not. You took on this fight because it was the right thing to do for every Australian. You and your family have every right to be proud of what you have achieved and you have made Australia a safer place, thank you.

OFF-ROAD VEHICLES

The Hon. R.A. SIMMS (15:30): I rise to speak on the escalating damage that inappropriate off-road vehicle usage is doing to our coastal environment and our ecosystems in South Australia. Our beaches are the busiest they have ever been, but our presence is starting to have an environmental impact on the landscape that should not be ignored. Off-road four-wheel driving is a popular recreational activity and one that has only grown more popular as these vehicles have become more powerful and more widely accessible.

Unmanaged off-road vehicle uses cause significant long-term damage to our environment. In coastal dune environments, four-wheel driving can contribute to physical changes in the structure of the beaches, the destruction of dune vegetation and to the introduction and spread of pest species and diseases into the coastal environment, leading to a significant loss of biodiversity. A healthy dune system is also an important buffer, acting to protect the mainland from erosion and storm events.

This loss of habitat and native vegetation has profound impacts on our animal life. Macroinvertebrates, macrofauna and shorebirds are particularly affected by this disruption. South Australia has four species of resident shorebirds and all except for one species are listed as vulnerable or rare. The most critically endangered of these is the hooded plover. The hooded plover preferences high-energy beaches and breeds exclusively on ocean beaches in South Australia. They, among other species, are utterly dependent on these beaches and do not have the option of going elsewhere. The birds lay their eggs in the summer, coinciding with the peak period of beach use.

In addition to loss of habitat and food supply, vehicles can impact coastal bird communities directly by crushing their nests and their chicks. Indeed, studies along the Coorong ocean beaches showed 81 per cent of hooded plover nests had been crushed by vehicles—81 per cent. The disturbance caused by vehicles can also lead to distress for the nests to the point of abandonment by the birds. Recent surveys in the Fleurieu Peninsula only counted 29 breeding pairs, and beach nesting bird population numbers are subject to rapid decline. If we do not provide a helping hand, it will not be long before these species face extinction. We cannot allow that to happen.

We must strike a better balance between our enjoyment of the beach and the health of our coastal ecosystems. All signs would indicate that we are getting that balance wrong. The right to access beach areas must depend on keeping the environmental impacts of vehicles within acceptable limits. If we do not do this, we then risk permanent degradation of our unique habitat and the destruction of our animal life.

Other states have been able to recognise that unrestricted vehicle use on beaches is a significant threat. Let's look at what is occurring interstate. New South Wales and Queensland maintain permit systems whereby four-wheel drives require permits to access and drive on the beaches, thereby introducing greater accountability and protections. In Victoria, off-road and recreational vehicles are prohibited from driving on public beaches entirely. Sadly, that is not the case in South Australia.

The brunt of the work done to combat this coastal damage has fallen upon the shoulders of community groups who have spent their time rehabilitating damaged beach areas, and groups such as Birds SA are working very hard to protect our resident shorebirds in peak seasons. The negative effect of unmanaged beach vehicle use is mounting, and it is well past time for the government to show some leadership here. It needs to work to bring us up to speed with other jurisdictions in Australia.

Recently, I had the opportunity to host a screening of the film *On the Right Track*, looking at the fate of the plover and the impact of unregulated practices on our beaches on our native birdlife. We need to do something about this, particularly as we head into our summer months. We cannot afford to put our beautiful native birds at risk during this summer season. It is time for the government to step up and to show some leadership.

COVID-READY PLAN

The Hon. J.S. LEE (15:35): I rise today to speak about the important announcement made yesterday, 26 October 2021, by the Premier of South Australia, the Hon. Steven Marshall MP, releasing South Australia's COVID-Ready Plan. I would like to acknowledge and thank the Hon. Stephen Wade, Minister for Health, for his hard work and for his valuable information update about the COVID-Ready Plan during question time today.

Everywhere I go, I have constituents saying how thankful they are to be living in South Australia. Our state, throughout the pandemic, has managed to keep coronavirus at bay. We have been maintaining a safe record while avoiding the economic damage caused by prolonged lockdowns that we have seen interstate.

Following on from the announcement of South Australia's road map out of COVID-19 restrictions, our state will soon face the prospect of living with COVID in our more open community, and that presents opportunity and anxiety for different people in equal measure. As our vaccination rates continue to rise, it is important that we have clarity on how restrictions will be eased, and it is important for our state to have a blueprint that gives certainty to families, business owners, industry sectors, international students and tourists alike.

The announcement yesterday, with the date set to open our borders on 23 November, is a timely reminder to prioritise getting vaccinated as soon as possible to protect yourself, those you care about and the broader community. As honourable members will know, earlier this year, Adelaide was ranked as the third most livable city in the world and the most livable city in Australia.

Our reputation as one of the safest and most livable places on earth is only possible thanks to all South Australians and frontline professionals who have made sacrifices, who have diligently followed SA Health and SAPOL directions and worked together as one community from day one to ensure that our state remains safe and strong through this difficult and unprecedented time.

I am very proud that the Marshall Liberal government has worked in partnership with our communities. Through the various grant programs available from Department of the Premier and Cabinet, Multicultural Affairs, and the Department of Human Services, multicultural organisations were able to apply and receive state government grants to address urgent and priority needs to support our multicultural communities through this challenging time.

I would like to express my deep appreciation again, to recognise our wonderful multicultural community leaders, volunteers and organisations who have been proactively engaged and worked together with government, SA Health and SAPOL through the pandemic. Unlike in other states where we have seen gaps in communication and communities left out or left behind in health campaigns, South Australia's culturally and linguistically diverse communities have been working in collaboration with government agencies to distribute translated information and resources and encourage vaccination uptake within their communities.

So many organisations have been holding vaccine information sessions with SA Health, arranging bilingual volunteers to help with vaccine drives by assisting with translation, filling in forms, and by providing transportation to bring vulnerable community members to get vaccinated. I would also like to thank, once again, all of the community leaders and particularly with SA Health, the minister, the Hon. Stephen Wade, and Professor Nicola Spurrier for hosting many health forums for community and religious leaders. I had the honour to take part at most of these forums.

It has been wonderful also to recognise organisations like the AMRC, the Islamic Society of South Australia, the Pakistani Medical Association, BAPS temple and African communities through the African women's association for organising mobile pop-up clinics at the premises. Thank you so much, everybody, for keeping the community safe and strong.

KICKSTART FOR KIDS

The Hon. C. BONAROS (15:39): Today, I want to speak about a truly inspirational organisation led by an equally inspirational South Australian who has made it his mission to help our kids in need. The organisation is KickStart For Kids and its founder is Ian Steel. He is a humble bloke who, after recognising a direct correlation between behaviour, impaired learning and hunger through his mentoring of schoolchildren experiencing hardship, founded KickStart For Kids in 2011.

A decade later, KickStart supports in excess of 350 schools, with the invaluable assistance of over 600 equally selfless volunteers. They provide over 50,000 breakfasts and 10,000 lunches to schoolkids in SA each and every week. More recently, they have joined the Period Poverty campaign, providing period products to schools across the state. That is 15,000 kids who would have gone hungry otherwise and I am really pleased that he has joined the Period Poverty campaign.

I first met Ian at the new KickStart headquarters near the Airport earlier this year. For anyone who has met him, it is clear he is on a mission—a mission to make the lives of South Australian kids doing it tough just that little bit easier. He does things the government should, with very limited funding on their part, but he does not dwell on this. As he said to me on the day I met him at the warehouse, 'I'm a doer, Connie. I don't wait for the government. I see a problem and I just fix it. I get it done.'

He relies on the good people of Adelaide to help with his mission, with the support of some amazing corporate partners who make regular donations to the breakfast and lunch programs of essential products such as cereal, fruit, milk and eggs, and also now sanitary products for the Period Poverty campaign.

Not only does KickStart step in where needed in terms of meals, it also runs mentoring programs. Hundreds of disadvantaged kids attend KickStart For Kids camps every year. These kids do not ordinarily look forward to school holidays like other kids. It gives them a chance to be

surrounded by positive role models, whilst also participating in fun activities like swimming, visiting the zoo or attending a 36ers game. Kids attending school camps have the opportunity to have a haircut and pick out some new clothes and other items they need from pop-up shops set up by camp organisers. The camps are staffed by volunteers and funded by generous donors.

A few months ago, Variety SA presented KickStart with a cheque for \$42,000. That was enough money to send 300 kids on a five-day camp. Last year, South Australian company Codan donated the \$62,000 it raised at its inaugural golf day. It is heartening to see so many South Australian businesses doing their bit to help this much-needed cause and of course these very important little people.

Sponsors who regularly answer the call to action help with fundraising events, venues, marketing campaigns, wineries, caterers, media personalities and retailers. The most recent was the launch of the Period Poverty campaign, which I mentioned, in June. As members would be aware, this is one that is particularly dear to my heart, as it is to the Hon. Irene Pnevmatikos. On that day itself, KickStart raised over \$60,000 for its campaign. I may have purchased a few generously donated auction items myself and also similarly donated some items.

A few weeks ago, I was fortunate enough to dine with some guests here at Parliament House who were willing to pay to have lunch with me as an auction prize. I would have done it for nothing. A major sponsor National Pharmacies also joined that campaign. They have placed a donation bin in every one of their stores across the state. The products collected, in addition to the at-cost or free products National Pharmacies has been able to secure, are now delivered to schoolgirls in need all over the state. Schools requiring products simply log on to the KickStart website and order what they need.

Given the miniscule offerings of the government to provide these products to schoolgirls, once again a charity has needed to step in. I urge all honourable members, if they visit their local National Pharmacies, please buy an extra product and pop it in a bin because you know it will be going to a very worthy cause.

To anyone who meets Ian, it is clear he does not want any fuss, but I think it is really important that we acknowledge the work he is doing in our community and that all his volunteers are doing in our community to make the lives of kids across this state just that little bit easier.

LIFEBOAT SOUTH-EAST

The Hon. C.M. SCRIVEN (15:45): I want to talk today about an excellent organisation in the South-East, an organisation doing its part to support mental wellbeing and to help prevent suicide. It is actually a key initiative of a former school mate of mine, Matthew Brooks. I would like to tell you about Lifeboat, a lot of it in their own words:

We are a life experienced team of mates to help you through a tough time. Lifeboat is a group that provides a great place to discuss and help yourself through a tough period in your life. We are local mates that have experienced high levels of stress, anxiety and depression, as well as family members that have worked through these tough periods with loved ones who have also experienced those tough times.

Lifeboat South-East provides information and resources to help increase health-seeking behaviour within the community. Their website goes on to say:

We aim to provide a chance to talk with a group of mates or a mate that have experienced high levels of stress, anxiety and depression, but to talk in a relaxed and safe environment. We hope you can gain insights into how others in our rural community have managed stressful situations, with shared tools, help and support from family and services in the local community.

I was talking with Matthew about the establishment of Lifeboat and he said, 'Look, it really just came from blokes getting together to help each other.' They talked with people within the mental health system, with mental health leaders, about what caused mental health issues, what are the symptoms, what are the resources available and what tools you can use to help yourself.

They thought: if we could become proactive in managing mental health, we could cut down suicides, with there being six per month in the region—six suicides per month in the South-East. That is a terrible statistic, and I commend Matthew and all the team for helping address that issue. They

quoted basically a motto: with understanding comes respect and support. With understanding comes respect and support, is that not absolutely true?

Lifeboat South-East has done talks at footy clubs, at church groups, at Rotary, to year 12s at school, to Women in Business and other business groups, all without charge. They do podcasts, which include local people talking about their lived experiences of depression or anxiety, and they have invited me to talk about my experiences with postnatal depression, which I am looking forward to doing in the near future.

They meet on a regular basis to share learnings, to share tools and support within the local community. They catch up and chat on progress. They talk about how those shared tools are working and what they can do to improve them. They discuss with family how they are managing and talk through the availability of local support. They catch up once a month, on the first Tuesday night of each month between 6.30 and 7.30, meeting in the foyer of Mount Gambier City Hall, the glassed area behind the Main Corner Complex near the Cave Gardens. They provide information and resources and I encourage people to go to lifeboatse.com.

With understanding comes respect and support, and that is the mission of Lifeboat SE. This is about the community looking after one another. I commend Matthew Brooks and all involved, and I commend Lifeboat SE.

DEFENCE SHIPBUILDING

The Hon. H.M. GIROLAMO (15:48): Today, I rise to speak about the defence sector in South Australia and the phenomenal work the Marshall Liberal government and the federal Morrison government have been doing to ensure our national security and to improve our defence capability.

Last month, the federal government announced the thrilling news that South Australia will now be home to the construction of Australia's first fleet of nuclear-powered submarines. This deal has also secured an array of defence projects, including the life-of-type extension, upgrades to the air warfare destroyer and the full cycle docking of the Collins class. These projects alone have secured thousands of jobs for South Australians for decades to come.

This success is something the federal Labor Party was persistent on relocating to Western Australia, but we have secured it right here in South Australia, reaffirming our position as the maritime capital of the nation. This settlement is expected to see up to 5,000 extra jobs within the naval shipbuilding industry by 2030, with already more than 25 vessels constructed or upgraded right here in South Australia. South Australia alone has some of the most experienced shipbuilding defence workers in the country, whose skills will now be utilised and in demand.

Our federal and state governments recognise that for Naval Group and some in the industry the cancellation of the Attack class submarine program has had a huge impact. Having spent part of my career working for defence contractors, BAE Systems and Serco, I do appreciate the uncertainty faced. However, the government is already working to support those skilled workers impacted to transition into new positions so we can utilise their skills and experience to better South Australia and our defence sector.

The Premier has already met with the heads of major defence companies with significant operations in South Australia to discuss how to support the transition of these incredibly skilled workers and to maximise business opportunities for local companies. These companies expressed that their priority is to employ the impacted skilled workers.

Another new initiative is the AUKUS partnership, a trilateral security scheme between Australia, the United Kingdom and the United States. AUKUS is not only a remarkable approach to strengthening our regional security, it also ensures deepened diplomatic, security and defence cooperation between our allies, where we can focus on our cyber capabilities, quantum technologies, artificial intelligence and undersea capabilities.

Just one part of this scheme involves the building of the nuclear-powered submarine fleet right here in South Australia, where we can firsthand contribute to the building of at least eight nuclear-powered submarines for operation by the Royal Australian Navy—a huge honour.

South Australia is home to the Osborne Naval Shipyard, one of two major shipbuilding hubs nationally. I am very excited that the Collins full cycle docking will continue to be conducted at Osborne in South Australia, rolling into the Collins class life-of-type extension from 2026. Osborne

South will present the construction of the first two Arafura class offshore patrol vessels and nine Hunter class frigates, along with upgrades to the Hobart class air warfare destroyer.

Of all the defence investment in Australia, our maritime forces contribute the largest financial investment to our national defence. Our cost estimates for nuclear-powered submarines will be determined through our negotiations with AUKUS and include an estimated \$64 billion to \$86 billion in investment schemes, making it our most imperative unit of force to protect Australia.

To conclude, I am extremely proud to be part of the state that will be home to Australia's first nuclear-powered submarines, and I am very pleased to see the thousands of South Australians who will be employed under this new agreement.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: CLIMATE EMERGENCY PETITION

The Hon. N.J. CENTOFANTI (15:53): I move:

That the report of the committee on House of Assembly petition No. 62 of 2021, climate emergency, be noted.

On 24 August 2021, Dr Susan Close MP, the Deputy Leader of the Opposition, presented this petition to the House of Assembly. The petition, signed by 10,366 residents of South Australia, requested that the House of Assembly declare that we are facing a climate emergency and commit to immediate measures to achieve net zero carbon emissions in South Australia as quickly as possible and to draw down excess carbon from the atmosphere.

The Legislative Review Committee recognises that an inquiry into the petition would likely be a substantial undertaking, given the gravity and complexity of the topic. During its inquiry into and consideration of the petition, the committee considered its other work, including its work on other petitions, the Legislative Council petition No. 2 of 2020, planning reform, and its scrutiny of subordinate legislation work. In the committee's view, its ability to conduct an inquiry into the petition is impaired by its existing obligations, especially its scrutiny of subordinate legislation work.

On 3 February 2021, the committee tabled in the parliament a report, entitled Workload of the Legislative Review Committee, to advise parliament of the unsustainable workload of the committee with its current functions. The report of the Select Committee on the Effectiveness of the Current System of Parliamentary Committees, which was tabled in parliament on 25 August 2021, recognised that the referral of eligible petitions to the Legislative Review Committee increased the committee's workload to an untenable level. That report recommended that eligible petitions be referred to a portfolio committee based on the subject matter of the petition.

Were this committee to undertake the inquiry with its current workload, it would place a significant strain on the resources of the committee and may result in delays that would be of concern to the parliament and to the petitioners. The referral of an inquiry by one committee to another is also not without precedent and in the opinion of this committee is appropriate in this circumstance.

The Legislative Review Committee considers that the Environment, Resources and Development Committee would be better placed to inquire into, consider and report to parliament on the climate emergency petition. Measures to achieve net zero carbon emissions and to draw down excess carbon from the atmosphere is a topic that corresponds with the subject matter expertise of that committee. It also fits with that committee's functions under section 9(a)(i) of the Parliamentary Committees Act 1991 to inquire into, consider and report on any matter concerned with the environment or how the quality of the environment might be protected or improved.

In its report, the committee noted two ways in which the petition may be referred to the Environment, Resources and Development Committee: first, by the Environment, Resources and Development Committee referring the subject matter of the petition to it of its own motion under section 16(1)(c) of the Parliamentary Committees Act 1991; and second, by both houses of parliament referring the subject matter of the petition to the Environment, Resources and Development Committee under section 9(b) of the Parliamentary Committees Act 1991. The subject matter of the petition may also be referred to the Environment, Resources and Development Committee by resolution of either of that committee's appointing houses under section 16(1)(a) of the Parliamentary Committees Act 1991.

I would like to thank the other members of the Legislative Review Committee for their work on this report: in the House of Assembly, Mr Peter Treloar MP, Mr Nick McBride MP and the Hon. Zoe Bettison MP; in this place, the Hon. Connie Bonaros MLC and the Hon. Irene Pnevmatikos MLC. In addition, I would like to thank the committee secretary, Mr Matt Balfour, and the research officer, Ms Maureen Affleck, for their assistance with the report.

Debate adjourned on motion of Hon. T.T. Ngo.

NATURAL RESOURCES COMMITTEE: SOUTH EAST DRAINAGE NETWORK FACT-FINDING VISIT

The Hon. N.J. CENTOFANTI (15:58): I move:

That the ninth report of the committee be noted.

Between 30 August and 1 September this year, the Natural Resources Committee conducted a fact-finding visit of the South-East drainage network in the state's South-East. This is the committee's report of that visit. On this visit with me were fellow committee members the member for Port Adelaide, the member for MacKillop, the member for Hammond and the Hon. Russell Wortley MLC. The member for Mount Gambier also joined the committee for part of the visit.

The committee was led by the Presiding Member of the South Eastern Water Conservation and Drainage Board, Mr Brett McLaren, along with Department for Environment and Water staff dedicated to the South-East drainage operations: manager Mr Lee Morgan, senior environment officer Mr Mark de Jong, and project engineer Mr Terry Peltz.

Over two days, the drainage board explained to the committee its various functions and responsibilities and showed the committee the extensive network of drains and associated infrastructure across the state's South-East. On day one, the drainage board led the committee through the Upper South-East, from Salt Creek to Robe. The committee reviewed the new automated Morella regulator, the recently restored Tilley Swamp watercourse and some of the deteriorating bridges in the drainage network.

On day two, the committee toured drainage infrastructure from Beachport to Port MacDonnell. Members contrasted ageing infrastructure with modern innovations and viewed some of the region's most beautiful geographical locations, including Ewens Ponds Conservation Park. Throughout the tour, the committee learned about the history of the Limestone Coast and the need for an effective drainage network to mitigate flooding and facilitate agricultural development in the region.

The committee also heard about some of the challenges facing the board, including the financial and administrative difficulties associated with managing such a large network of drains and other structures needed to facilitate drainage, farming and access to the land. The committee was pleased to see the drainage board shifting its focus from drainage to water conservation, wetland restoration and climate change resilience. Consideration should be given to whether a budget increase might further facilitate the drainage board's already excellent work maintaining the drainage network, restoring the natural wetlands and futureproofing the region.

Over the three-day fact-finding visit, the committee also met with local farmers, landowners, primary producers and representatives of the Limestone Coast Landscape Board to hear about their experiences with the drainage network. Members were keen to hear from a range of different perspectives to better understand the drainage network from all angles. Whilst experiences of the drainage network differed, it was clear to the committee on this fact-finding visit that all have a common interest in working together to develop better solutions to water allocation, management and conservation in the South-East. A collaborative approach to water conservation and regenerative farming will be particularly important as the region tackles emerging issues.

The committee acknowledges all the regional staff, farmers and landholders who joined the committee on its fact-finding visit to the Limestone Coast. They were welcoming, frank in the discussions and generous with their time. Special thanks must be given to Mr Brett McLaren, Mr Lee Morgan, Mr Mark De Jong and Mr Terry Peltz, who did an outstanding job leading the committee through the drainage network and providing a detailed snapshot over a whirlwind two-day tour. With the passion, hard work and dedication of the community, primary producers and regional staff, the committee is confident that the Limestone Coast will continue to provide high-quality produce through

innovative agricultural practices while managing the many challenges facing the region into the future.

I commend the Presiding Member of the committee, the member for King, and the other members of the committee, the member for Port Adelaide, the Hon. John Darley MLC, the member for MacKillop, the member for Hammond and the Hon. Russell Wortley MLC for their contributions. All members have worked cooperatively on this report. Finally, I thank the parliamentary staff for their assistance. With that, I commend this report to the house.

Debate adjourned on motion of Hon. T.T. Ngo.

Motions

RENEWABLE ENERGY

The Hon. R.A. SIMMS (16:03): I move:

That this council—

1. Affirms that renewable energy is the future of South Australia.
2. Recognises the potential of rooftop solar to lower wholesale power prices for all consumers.
3. Calls on the Marshall government to set meaningful targets for a transition to 100 per cent renewable energy for South Australia by:
 - (a) rolling out community-scale batteries;
 - (b) subsidising solar panel and battery installation;
 - (c) rolling out dynamic operating envelopes.
4. Calls on the Marshall government to block a ruling by the Australian Energy Market Commission that allows networks to charge solar customers fees for exporting solar energy to the grid.

Back in August, the Australian Energy Market Commission ruled that distribution networks can now charge fees to solar homes and businesses to export their electricity. Known as the 'sun tax', this rule change will see networks given the power to charge solar households previously prohibited under the energy rules. This has been justified as necessary to fund required upgrades on the grid resulting from an excess of solar energy—at least this is the argument that has been put. That is despite the fact that solar surges have been shown to occur at night and in areas of very low solar uptake.

These changes will unfairly impact on those who in good faith have made long-term investments into renewables. We know that energy networks make significant profits so why is it that the cost burdens of future proofing the network is being passed on to a whole solar household, those who are already leading the way in trying to reduce their carbon footprint?

The cost for the distribution network should be shared among all generators, including large multinational companies and fossil fuel generators, not just households. Australia's National Electricity Market's data showed energy contribution from renewables during 2020 in South Australia was the highest on record at 53 per cent, up from 7 per cent in 2019 and 5 per cent in 2018.

We need governments to encourage the uptake of rooftop solar, not penalise those who are doing the right thing for our environment, those who have already made this change. Despite both the Victorian and Queensland energy ministers stating their strong opposition to charging solar households in their states, our minister in South Australia has refused to follow suit and protect rooftop solar. Indeed, they have remained silent and in support of this solar tax.

South Australia's abundant wind and solar resources mean we are ideally suited to lead the nation and the world to a 100 per cent renewable energy future—a renewable-led recovery that would create jobs and tackle the climate change crisis and reduce energy prices. We know that as we transition away from coal and carbon we can create new jobs of the future in green innovation and renewable energy and we should be encouraging people to continue to switch to solar, not penalising those who are doing the right thing.

I do hope that members of this place will support this motion and send the Marshall government a clear message that they should be supporting those who are supporting our environment and they should be doing everything they can to reject this unfair solar tax.

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

Bills

HOLIDAYS (CHRISTMAS DAY) AMENDMENT BILL

Introduction and First Reading

The Hon. T.A. FRANKS (16:07): Obtained leave and introduced a bill for an act to amend the Holidays Act 1910. Read a first time.

Second Reading

The Hon. T.A. FRANKS (16:08): I move:

That this bill be now read a second time.

This year, Christmas Day, 25 December, falls on a Saturday. That is why today I introduce this bill into the state parliament to ensure that all South Australians who work on Christmas Day, Saturday 25 December, are paid public holiday penalty rates. I do so because the Marshall Liberal government has failed to act. They have not declared Christmas Day, 25 December, a public holiday. Of course, we do have the additional recognition of a public holiday on Monday 27 December as a declared Christmas Day public holiday this year, but those workers who operate outside the Monday to Friday nine to five culture, which we know are increasingly part of our workforce, will not have that Saturday Christmas Day recognised as a public holiday.

This is a very simple bill. It is a simple bill that should have been introduced by the government. It is something as simple as declaring and gazetting. It did not need legislation of this parliament; however, other state parliaments have ensured such legislation as we do here today. The Marshall government's Christmas gift to South Australia currently, for 2021, is a pay cut for those people who must work on Christmas Day simply because it falls on a Saturday. Indeed, Premier Marshall it seems has turned out to be the ultimate Christmas Grinch.

Every other state and territory jurisdiction in this nation will ensure that not only is 25 December recognised as a Christmas Day public holiday but, where appropriate, Monday, the 27th, is as well. I note that around the country this is an issue that comes up as regularly as Christmas on a Saturday or Sunday. Of course, the South Australian legislation—the Holidays Act 1910—counts every Sunday as a public holiday. We have that anomaly in our legislation.

Jurisdictions such as Victoria do not have such an anomaly. Back in 2016, when Christmas Day, 25 December, fell in that jurisdiction, as it did here, on a Sunday, they did not have the protection of their act. It became quite a dispute in the public debate and the federal parliament as to what would be done when the Premier at the time making this decision, and still Premier, Dan Andrews and his government resiled from making Christmas Day, 25 December, a public holiday in that year.

It should come as no surprise to members of this council today and this parliament and the public of South Australia that the Greens are stepping up to protect Christmas Day as a public holiday, because that is exactly what we did in 2016 as well. This is not a partisan issue. This is an issue that, according to the Adelaidenow poll, 99-plus per cent of South Australians support. It is often joked that some in the conservative parties govern for the 1 per cent. Well, at the moment, the Marshall government is governing for the less than 1 per cent in terms of their reticence to declare Christmas Day a public holiday.

I commend the work of my federal leader, Adam Bandt, member for Melbourne, who moved a bill back in 2016 in the federal parliament designed to enshrine Christmas Day as a public holiday right across the country, knowing that in that particular case it was affecting his home state of Victoria. That particular piece of legislation—the Fair Work Amendment (Protecting Christmas) Bill—would have ensured that public holiday penalty rates were to be paid to people working on Christmas Day, 25 December, regardless of which state they were in and regardless of whether it was a Saturday or a Sunday.

Unfortunately, this particular piece of legislation has become necessary through the lack of action of this government. For the majority of South Australians Christmas Day is a special day. It is a day shared with family and loved ones, but for many others it is a day when they are required to work and they miss out on this special time. This time has been well recognised not just for decades but for close to a century at least in this country as a public holiday. The sacrifice that they make should attract due compensation, and that compensation should not simply be that it is a Saturday that is not Christmas Day. It should be that it is a day that is a public holiday and Christmas Day.

The Marshall government have known for a long time that this issue was coming. They have refused to act. The Treasurer and Minister for Industrial Relations has refused to act. I imagine he has sought legal advice and legal advice and legal advice that will tell him whatever he wants it to say. I am not sure that he will be on the nice list for most South Australians come this Christmas, but I have to say, where the Marshall government has failed to act, this parliament will fix this issue. This parliament can fix this issue and this parliament can fix this issue tonight.

In the other place today, I note that the shadow treasurer, the member for Lee, gave notice yesterday and introduced the same bill this morning in that place that we debate here today. Should this bill pass this place tonight, he would be able to take carriage of it, having already passed a house of parliament. Indeed, we will have done some of the heavy lifting for him. I welcome that. I think this is a move that is sadly falling upon the parliament when the government has been unable to lead, where interests that are out of step with 99 per cent of South Australians have prevailed.

I note that we in this council have the power to ensure that all South Australians enjoy their Christmas and that those South Australians who work on the Saturday that is Christmas Day this year, regardless of in which industry they work, will be afforded the penalty rates that they deserve.

We have commended and lauded these workers, and certainly for me the ones that I will think of the most as we debate this legislation tonight are those who work in disability care, particularly in the NDIS scheme, those workers who members of parliament who attended the briefing on Monday on this bill heard from, those workers who give up their Christmases with their families to ensure that those people with disabilities and their families enjoy their Christmases with the support and care worker ensuring that that particular celebration and connection can continue.

Those workers give up that work knowing that if we do not give them the protections of this being a public holiday, the flow-on effects are several: (1) we do not accord them the rightful penalty rates that they should deserve for working on Christmas Day, a public holiday; (2) those workers who do sacrifice that time know that other workers may be less likely to turn up to work that day, and in fact they will shoulder a heavier load than they would have otherwise, due to the lack of appropriate penalty rates; and (3) they sacrifice time with their loved ones—precious time.

I think of the woman who, after the death of her mother, only has her younger brother left and he, too, has a disability. She has promised him a bang-up Christmas with what she thought would be the penalty rates that she would receive this year. But, indeed, she has not only let him down by not being able to spend Christmas with him but is letting him down on the promise that she thought she would be able to deliver on with the money from the penalty rates, the money that many people use to get through Christmas, one of the most expensive times of the year for many as well.

I note that I will be seeking that standing orders be so far suspended as to enable this bill to pass through the remaining stages without delay, and I alert the chamber to that. I note that an absolute majority will be required for that to happen. It would not need an absolute majority if the government minister were prepared to move that motion, but if the government is not prepared to move that motion this parliament does have the will and the ability and I hope the wherewithal to do that work, just as we will do the work of the government in ensuring that Christmas Day this year is a public holiday and that in the future when it falls on a Saturday, as it inevitably will, it will be treated as a public holiday and we need never have this debate again. With, that I commend the bill. I move:

That standing orders be so far suspended as to enable the bill to pass through its remaining stages without delay.

The PRESIDENT: Is that seconded?

An honourable member: Seconded.

The Hon. R.I. LUCAS: Can I just seek clarification: so this—

The Hon. T.A. FRANKS: Point of order, Mr President: that was a procedural motion and you cannot seek points of clarification during a procedural motion.

The PRESIDENT: I am going to put the question because I understand that is the process. I am not sure what the Treasurer was actually asking—

Members interjecting:

The PRESIDENT: The honourable member has moved that standing orders be so far suspended as to enable the bill to pass through the remaining stages without delay. It has been seconded. I note that this will need an absolute majority to pass.

The council divided on the motion:

Ayes 13
Noes 8
Majority 5

AYES

Bonaros, C.
Franks, T.A. (teller)
Maher, K.J.
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)

Motion thus carried.

The Hon. C. BONAROS (16:23): If ever I have been pleased to support a bill in the lead-up to Christmas, I have to say this has to be it. I am pleased to be playing our part in this place, together with my crossbench colleagues and the opposition, in fixing a problem that will ensure people working Christmas Day are appropriately remunerated for their time and their sacrifice. It is a problem that the government has failed to fix itself. For the record, there is no point saying that this is not a problem of your making and therefore you are not required to fix it. It is a problem that exists. You are the government and it is your job to fix it.

As we know, the bill will ensure that, when Christmas Day falls on a Saturday or a Sunday, the day itself and the following Monday are both legislated public holidays. As the Hon. Tammy Franks has said, it is what happens in every other Australian state and territory. They will fix their laws. As the Hon. Tammy Franks has said, it affects those individuals whom we rely on on days like Christmas Day to leave their families behind to go to work to provide the services that we all need.

It requires our emergency services workers, our police, our paramedics, our healthcare workers, personal assistants and doctors, to go to work. It requires our disability workers, particularly if they are funded under the NDIS, to go to work. It requires our transport workers, such as bus, train and taxi drivers, to go to work. It requires our hospitality workers and our bottle shop workers to go to work. It requires our fast food workers to go to work, and our petrol station attendants to go to work, our pharmacy workers to go to work. All these people turn up to work on Christmas Day so that we can have access to some services on that day.

If we do not fix this bill, there will be absolutely no incentive for those people to go to work on Christmas Day. They will miss out on time with their families and their loved ones, and they will get a kick in the teeth in addition to missing out on those special moments that they would otherwise have shared with their family.

Many people will not go to work—it is not an issue of choice, you have to go to work. There are concerns around people not turning up to work and taking sick days. There are concerns about other individuals having to pick up the slack because individuals will not go to work, working double shifts because people will not turn up to work because it is Christmas, because there is no added incentive to make it attractive to go to work on Christmas Day. Who on earth would want to go to work on Christmas Day if it were not a public holiday? Who on earth would want to go to work on Christmas Day is one question, but if it is not on a public holiday it is just another kick in the teeth, and it could be easily fixed.

I want to reflect for a moment on the comments of Professor Spurrier on radio this morning. She said that she had said to her team, 'This is not the Christmas you're going to really enjoy. We won't be taking much time off, and I'm looking at how we can bolster our team so that we can have this over a sustained period of time.' If this bill is not passed and does not get through, Professor Spurrier and others like her better start hoping and praying for a Christmas miracle, because this government is doing nothing to encourage or incentivise already overworked people in that sector to turn up to work on Christmas Day.

There is one piece of correspondence that I have received that does not support this bill, and that came from Ai Group, urging SA-Best to oppose this bill, and I am sure others have received the same piece of correspondence. I have to say that the arguments put forward in that are unconvincing. I would question how many individuals at Ai Group, which penned this letter, are attending work on Christmas Day, but the biggest irony in that argument that was put was that we should be noting the importance of a national consistency in public holidays.

Every other state and territory has national consistency when it comes to Christmas Day. We are the ones who are out of step. The government has the opportunity to fix it; they have failed to do so, and this chamber is stepping up and cleaning up the government's mess.

For those who sit on this side of the chamber, you had better hope and pray, like Professor Spurrier, that you do not run out of petrol, forget to buy a gift for your mother-in-law, run out of wine, or need an ambulance, because if this bill does not go through I reckon you might find that a lot of people just do not bother to turn up to work on Christmas Day. They might just say, 'You know what, stuff it, I'm going to stay home and enjoy this day with my family, because the government has screwed me by not remunerating me appropriately for the sacrifices that I'm making for your comfort and for your enjoyment.'

I am going to go as far as suggesting that I think there are probably members on the government benches who are actually relieved that this bill is being introduced in this place. I am sure they have copped an absolute earful from their own constituents about the government's inaction and are probably hoping, very quietly, that this matter is resolved today, not as a result of their government's action but as a result of the remainder of this parliament's actions.

I certainly hope that, when this bill gets to the lower house, common sense does prevail and they support this very important piece of legislation, which is very simple, as the Hon. Tammy Franks has said, and which addresses the failures of this government when it comes to Christmas Day.

The Hon. J.E. HANSON (16:29): I could not be prouder to get up and speak to this bill, because it goes to just about everything that I am about. I want to thank the Hon. Tammy Franks for bringing this bill. I also want to note, in thanking Ms Franks, that there is a similar bill in the other place—I think, actually, quite identical, possibly by design—brought by the member for Lee and, in doing that, I want to thank him for bringing that also.

In being so proud, I have to say: what a bizarre situation we find ourselves in. I am absolutely stunned that Premier Steven Marshall has allowed the issue to get this far. This is the Premier who would steal Christmas. Who would allow that to happen? To think that right now every other state and territory has the basic right, the basic notion and frankly the basic decency to say, 'You know what? Christmas—that's a special day.' But not us.

Why not? Well, it is a question I think many here and certainly many outside here have been asking. Ms Franks has alluded to an Adelaidenow poll where 99 per cent of people supported the idea that Christmas Day should be a public holiday.

Members interjecting:

The Hon. J.E. HANSON: Ninety-nine per cent, the Hon. Mr Pangallo. I acknowledge polls come and go, but 99 per cent; it is pretty clear to South Australians that it is a special day. On a personal level, it is special to me in my family, and I am sure it is very special to the Premier's family and indeed yours, Mr President, to sit and take a rest, maybe go to church, maybe sleep in or be woken by the kids in what is a familiar, certainly to me, but far too early sound of unwrapping presents, or maybe, later on in the day, as I am sure many of us will, kick back and enjoy just one more drink than you might otherwise have.

To others it is a special day, I have to say, for a whole other reason. To others, to workers—essential workers, frontline workers, workers in industries that supply us all, including the Premier, on that special day—it is a work day. It is the very least we could do, I think, while we relax and look forward to relaxing on Christmas Day and having the day off, that we recognise that it is special, that we recognise that maybe working on that day means that you get the special rate that working on a public holiday brings you, like every other state and territory in this nation.

We could have a Premier who could recognise that right now, who could, with the stroke of a pen, achieve what this parliament is having to legislate. How absurd. We are being forced to legislate it. What an absolutely absurd scenario.

What did we have when the Premier was asked, 'Should Christmas be a public holiday?' What did our Premier say? He said, and I can quote it, 'We're just implementing the situation that existed under the previous government.' But that is okay, because when he was pressed, and the reporter asked him, 'Yes, but you're in government now. Would you change the law?' do you know what the Premier said? He said, and I quote, 'Well, look, that's something you'd have to speak to the Treasurer about.' I mean, really? That is leadership, is it? Could have fooled me. It is extraordinary, just extraordinary. Is there a decision that our Premier will not claim is someone else's to make?

The Hon. I.K. Hunter: He's not in it for the social issues.

The Hon. J.E. HANSON: He is not in it for the social issues, as the Hon. Mr Hunter contributes. This is Christmas Day. Why defer judgement to the Treasurer on this? I cannot understand that, and I think South Australia cannot understand that. That is why you get 99 per cent of people opposing it.

I want to assure the people of South Australia of one thing, but I want to assure particularly the workers who will be working on Christmas Day that the Labor Party and my leader, the member for Croydon, Peter Malinauskas, and indeed I, right now, will show the leadership that the Premier, Steven Marshall, will not. I will stand up to the Treasurer when it comes to your right to have Christmas as a public holiday. Let's fix it, it is not hard, it is common sense. Let's get on with it.

The Hon. I. PNEVMATIKOS (16:34): I rise today to support the bill put forward by the Hon. Tammy Franks, and in doing so thank her for her leadership on this issue and for bringing this bill to our chamber. It is extraordinary that we find ourselves debating this issue, particularly as workers and the community have sacrificed so much during this pandemic.

No matter if you celebrate Christmas Day or not, everyone looks forward to the public holiday. Most South Australians are lucky enough to spend the day with family and friends, relaxing and celebrating. However, each year some workers choose to sacrifice their Christmas Day celebrations to work. This year, workers will not get that choice. Without the protection of a public holiday, workers who are rostered to work on Christmas Day must work unless they are sick. They will also receive no additional pay or entitlements in compensation.

Yet again, this chamber seems to be embroiled in discussing and debating issues that could easily be resolved by the government. Yet again, it is falling on the opposition and crossbench to make decisions in the best interests of the state. Yet again, it is issues of industrial relations that have brought us here.

Throughout the course of this government's term, they have told us they are friends of workers and that they are making life easier for working families. This rhetoric could not be further from the truth. Time and time again, this government has taken every opportunity to diminish the rights of workers.

How the Treasurer can sit there and oppose this is beyond me. I would like to thank the peak body SA Unions, the United Workers Union, the SDA and the ANMF for their campaign. I would also like to thank everyone who has joined in the fight to pass this legislation and every single worker who will be at work and not with their family and friends over the Christmas period.

The Hon. E.S. BOURKE (16:37): I would also like to thank the Hon. Tammy Franks for bringing this issue into our parliament. I will thank a few other people a little later. When you open a Christmas card from a Liberal MP this year, paid for by taxpayers, to wish you a merry Christmas, every South Australian should rightly ask, 'Do you really? Premier, do you really wish my family a merry Christmas?' 'The member for Adelaide, do you really wish my family a merry Christmas?' or 'The member for Newland, do you really wish my family a merry Christmas?'

No Liberal MP can send out a Christmas card this year that says the words, 'On this day, to your family. I hope you enjoy a special time with the family you love.' Their message cannot say, 'We believe this is a time to say thank you to our essential workers who have kept us safe during the COVID pandemic.' When those opposite say they are wishing you a merry Christmas, when they say this is a special time of year, when they acknowledge the incredible efforts of our essential workers, they do not mean it.

They are simply words, because they could acknowledge our workers and they could acknowledge it is a special day just with the stroke of a pen. Essential workers like retail workers, NDIS workers and nurses who have spent time away from their family more than ever during this pandemic are not going to have a merry Christmas. This government does not mean it.

I mention nurses because I understand that to this very day they are yet to receive confirmation if they will receive public holiday penalty rates for working on Christmas Day and the Monday. Over the past 18 months, the very people who have gone to work to keep us safe, to keep essential goods in our pantries, who have looked after those most vulnerable in our communities, who have kept this state running, have been overlooked by this Liberal government once again.

In the face of a global pandemic, every day our essential workers in supermarkets, petrol stations, fast food outlets, hospitality, distribution centres, allied health services, medi-hotels and aged-care homes have stepped up and served on the COVID frontline for us. Despite this, this Christmas these essential workers will not have a merry Christmas. They will miss out. They will be missing out because, unlike every other state, unlike every other Labor and Liberal state government, this government will not declare Christmas Day a public holiday in 2021.

Government is something we all long for. It is a very powerful word. This government during the pandemic were quick to pick up a pen and declare 24/7 trading hours in SA, but they must have lost that pen. They could have used that very same pen to do the very same thing for our essential workers this Christmas. They could have used the power of government for good. They could give workers in South Australia the same rights as every other worker across the country.

They could make it a merry Christmas for our essential workers, but they will not. Why? Because, unlike governments in other states, this government cannot say when they get something wrong, and there is a long list of things they do get wrong. Our essential workers have stepped up time and time again to keep our community safe, but this government has not stepped up and shown leadership. Honestly, I just do not know if those opposite have figured that out yet.

Being in opposition really sucks. It sucks because it is hard watching a government not get the basics right. In 2016, the Victorian government made a similar mistake, but it did not take them long to realise it was a mistake to not recognise the day of Christmas Day as a public holiday. Perhaps the Treasurer could learn a little something from the Victorian small business minister who said in 2016, 'So I can tell you that unfortunately I don't have the wisdom of Solomon, but I think it's important that when you make a mistake you put your hand up, acknowledge it and get on with life.'

Those opposite do not know the true meaning of government. They certainly do not know the true meaning of leadership—that is what the roles of Grant Stevens and Nicola Spurrier are there for.

The Hon. R.A. Simms: They don't know the meaning of Christmas either, it seems.

The Hon. E.S. BOURKE: Or Christmas—or a merry Christmas. Whilst most families are opening presents and celebrating, thousands of South Australians will be at work on Christmas Day without public holiday penalty rates.

If you live in a border community and you wonder why your Victorian neighbours are being paid penalty rates on Christmas Day and you are not, ask the Premier. If you are missing precious time with your family to keep others safe this Christmas and wondering why allied health workers are being paid penalty rates in New South Wales and you are not, ask the Premier. When you choose to work on Christmas Day, thinking you will do it because you need that little bit more cash in your bank account, only to find out you will not, ask the Premier if he could have changed this.

Because the Premier refuses to show leadership, it is now time for the parliament to step in and make sure our essential workers get the Christmas Day they deserve. The Greens, SA-Best, the Hon. John Darley and Labor do wish South Australians a merry Christmas. We do thank our essential workers for stepping up for SA, and that is why we will step up for those supporting us. We will support this bill. In doing so, I would like to thank United Voice, SA Unions, the ANMF and the SDA for the incredible work they have done bringing this campaign together and getting the voices of their members heard loud and clear.

The Hon. C.M. SCRIVEN (16:44): A question: when is Christmas not Christmas? The answer: when you have a Liberal state government. Most people in the community cannot even believe that we are having this debate. Most people cannot see why this debate even needs to occur. December 25th is Christmas Day. Who would have thought? December 25th is Christmas Day and if you work on December 25th you get paid public holiday penalty rates to compensate you for missing out on time with family and friends.

I commend the Hon. Tammy Franks and the member for Lee in the other place for bringing this bill forward. I commend the work of the various unions for supporting their members. December 25th, Christmas Day, is a day of huge significance for nearly everybody in our community. For Christians celebrating the religious feast day, for families getting together, for friends and community to be together, to relax, to enjoy, to celebrate.

Yet, we have many people in our community who do work on that day because they work in disability, hospitality, emergency services, health care, transport and various others—people who sacrifice their time with their loved ones on Christmas Day so that we can enjoy our Christmas. Every other state has fixed this problem. Every other state is supporting the people who work on Christmas Day and help us have a good day. Every other state has fixed this. So should we.

The Hon. R.P. WORTLEY (16:46): When I was industrial relations minister I had the pleasure of introducing part public holidays on Christmas Eve and New Year's Eve. During that process, even though we knew there was overwhelming support for it, we did a significant amount of public consultation. I was staggered myself at the amount of support there was for making what was not a public holiday into a public holiday.

There is tremendous support to make Christmas Day a public holiday. It is not very often that the crossbench and Labor vote as a bloc. We do it on occasions but not always. The crossbench have actually got their finger on the pulse and they know how much support this has out there in the community. I know that with the members of the government—and I have spoken to quite a number of them—there is a lot of support for this legislation, for this bill.

When I say 'a lot of support', people only wish they had not been embroiled in this debate because they know how much support penalty rates on a public holiday has. They keep giving the same message, that if they had their way they would just let it go through or they would have the Treasurer proclaim a public holiday. They all say the same thing, that this is a project basically of the Treasurer himself, who really has no skin in the game because he will not be here after the next election. This is an ideological thing that he has and he is running his Liberal colleagues down the valley of death because there is significant support for this.

I would also like to acknowledge the unions involved in this: the SDA, the nurses union, the United Workers Union. They are also supported by the firefighters, the police and the ambulance workers, who will probably spend most of their Christmas ramped up. And what about the carers? Carers who have to go and look after people just to get them through Christmas, just to manage to get them a meal? What about Meals on Wheels and all these people who work to make Christmas

a special day for those people in our society who are very vulnerable? I fully support this bill and I acknowledge the work of Tammy Franks and the Hon. Mr Mullighan from another place.

The PRESIDENT: The Hon. Ms Franks.

The Hon. R.P. WORTLEY: The Hon. Ms Franks. Yes, she is very honourable with this bill. I look forward to the passage of this bill and hopefully a smooth transition through the lower house.

The Hon. K.J. MAHER (Leader of the Opposition) (16:49): I will speak very briefly in support of the bill that the Hon. Tammy Franks has put before us. It is the right thing to do, for a start. It is unequivocally, I think to 99 per cent of the population, the right thing to do for some of our lowest paid workers who are required to work on Christmas Day.

The Hon. Tammy Franks organised a forum earlier this week where some of those workers spoke about the fact that they would be carers looking after people living with a disability. They, out of a sense of duty to what they do and the people they care for, will work on Christmas Day whether they get paid penalty rates or not, but feel completely let down by this Liberal government.

It is the right thing to do, but even in your own self-interest it makes no sense to dig in with the entrenched position that the Hon. Rob Lucas is dragging his party back 40 years to: not supporting people by having Christmas Day declared a public holiday with penalty rates. I am just astounded that his colleagues are allowing this to happen. The Premier, the member for Norwood, the Hon. Steven Marshall, is allowing this to happen.

Come the next election, you will have people like Carolyn Power and Paula Luethen, the members for Elder and King, out in the electorate saying, 'We want to build a \$662 million basketball stadium instead of investing that money in health.' As if that was not a big enough electoral difference already, what the Hon. Rob Lucas is doing is making Paula Luethen, member for King, and Carolyn Power, member for Elder, have to front up to doors in their electorates and when asked about it say, 'I don't support making Christmas Day a public holiday. I don't support carers, I don't support those who work in retail, I don't support those who work in fast food getting penalty rates.'

He is forcing marginal seat holders like the member for King (Paula Luethen), the member for Elder (Carolyn Power), the member for Adelaide (Rachel Sanderson) and the member for Newland (Richard Harvey) front up to doorsteps and say, 'Not only do I think a basketball stadium is the best way we could spend \$662 million instead of the health system, but I don't think people should get penalty rates for working on Christmas Day.'

This is the political genius that is the Hon. Rob Lucas, who is focused on what he is doing afterwards—his ponies out in the pastures—rather than the people of South Australia. Well, that is not where we are. Not only is it the right thing to do; it is what people expect of us.

The Hon. R.A. SIMMS (16:51): I also rise in support of this bill. In doing so I want to begin by praising my colleague the Hon. Tammy Franks MLC for her leadership on this and for her long-time efforts here in this parliament advocating for the rights of working people. I also acknowledge the leadership of the union movement in running this campaign, in particular the SDA and the good work they have done in bringing this to the attention of people in this parliament.

As has been stated, over the last 18 months essential workers—that is, people working in our supermarkets, in our petrol stations, our fast food and hospitality outlets, allied health services, our medi-hotels, our aged-care homes—have been working incredibly hard to keep South Australians safe. They have been doing that during this once-in-a-century pandemic and during a once-in-a-century economic crisis.

What do they get in return for their hard work? A piece of coal from the Liberals this Christmas. I am not referring to the climate change policy, the woeful policy that Scott Morrison has announced, but rather the incredibly—

The PRESIDENT: The Prime Minister the Hon. Scott Morrison.

The Hon. R.A. SIMMS: The Hon. Prime Minister Scott Morrison.

The PRESIDENT: Thank you.

The Hon. R.A. SIMMS: I am of course referring to the Grinch-like behaviour of the state Liberal Party and the appalling way that they have approached this issue, and their refusal to recognise the rights of workers and recognise the fact that Christmas Day should be a public holiday for everybody.

There has been a lot said about the benefits of this bill. I will only speak briefly, but I want to read into *Hansard* some of the stories of people who will be directly affected. There have been some open letters sent to the Premier, talking about the benefits that will flow from this bill for families. I will start with one from Amber, who is a healthcare worker. She writes to the Premier:

Dear Premier,

I am an essential worker at a regional hospital. Throughout all of COVID, I and so many others have gone to work to keep normality and services open.

As life continues to be hard for all families, we essential workers still go to work on public holidays. Like Christmas day. A day when we essential workers would LOVE to be home with our families after everything Australians have endured [over] the last 18 months. But we have jobs to do, and part of what makes our lives a little more worth going to work [for], is the public holiday pay.

That pay helps alleviate a little of the financial burden with the extra pay from working the public holiday. But you don't want to give SA families that. You don't want to help out those families. You don't offer any incentive to hard working people who have gone to work still.

No reward for medical workers, or any workers. No thanks, we know you can't be with your families here is compensation in your pay.

The writer asks:

[Mr Premier] Will you go to work on Christmas Day, while thousands of us do? No, you won't. Will you stand up for the SA people you serve, and give them the public holiday pay they deserve, while you sit at home?

Beth, a Kmart worker, has written:

Dear Premier,

I would...like to know your reasoning for not declaring Christmas Day public holiday, as it should be. Thousands of workers are going to be working that day, and missing out on valuable family time on what is one of the most special days of the year. At a time when we should be at home with our loved ones, and showing them what they truly mean to us, you're more than happy to allow workers to miss out on that time with no compensation.

No amount of money can...compensate for lost family time, but having to go to work and get paid like it's [just another] day of the year is [an absolute] disgrace.

I cannot help but agree with those sentiments; it is a disgrace and it is one that the parliament should put right and we have an opportunity to do that today. It is really disappointing that we are in this position. The Liberals are creating a nightmare before Christmas for South Australian workers and it is time for this parliament to put that right.

The Hon. R.I. LUCAS (Treasurer) (16:56): The first issue I want to address is the issue of process. The established process that we have in this particular chamber is that, at private members' time, when an individual wants to bring his or her bill to a vote, as they are entitled to do, they send an email to all members of the Legislative Council and indicate that they intend to bring their particular bill or motion to a vote on a particular day. It is a well-established process. It has allowed us to manage what is sometimes a difficult private members' process, particularly in the last days of the session.

The Hon. Ms Franks, for whatever reason, chose not to advise members, as is the usual process and custom, that this was going to come to a vote. On Monday afternoons at 4.30pm, I convene a meeting of all parties (the opposition and crossbenchers) where members and/or their staff indicate—in particular they are there to talk about private members' business—which particular motions or bills they want to bring to a vote on the Wednesday. We sat through that process on Monday, just two days ago, at 4.30pm, and there was no indication from either the Hon. Ms Franks or indeed her staff that she wanted to bring this particular matter to a vote.

To all intents and purposes, the rest of us, other than the Hon. Ms Franks and those who she might have confided in, had no idea that the honourable member wished this to come to a vote this afternoon. I have spoken about this before. In the end, the law is the numbers in this chamber, as we have just seen. If you can get the numbers to get your way, you can do it.

But what goes around comes around in relation to this. It is not the way we would generally operate in this particular chamber, but if that is going to be the process, that you do not advise anybody else that you want to bring this to a vote and then all of a sudden you bring on a suspension of standing orders to jam it through without any advice to anybody else, then so be it: that is going to be the process.

I think this chamber will be the worse for it and all I can say is that, over the remaining days, the Hon. Ms Franks has established the ground rules. If the government has the capacity with the support of enough members in the chamber to move in a particular direction differently to the established convention, then certainly if the government chose to do that the Hon. Ms Franks could have no objection at all to the same process being used by a majority in this particular chamber.

If you choose to use the numbers in this particular way, contrary to the way we generally operate, you cannot complain if a majority of members of which you might not be supportive decide to proceed with a bill, proceed with a motion or jam an amendment through that you might not have seen or had an opportunity to consult on or discuss or whatever your concern might be. If they are to be Rafferty's Rules for the remaining days of this session, I think this place is the worse for it in terms of the way we are going to operate.

There was no reason why. If an honourable member, like the Hon. Ms Franks, had the support of the majority of the chamber, that is fine. All she had to do was send an email to people, as everyone else does. It is just a common courtesy to say, 'I am proceeding to a vote on this particular issue.' There are no great shakes. I am not sure why these sorts of conspiratorial games have to be played. Everyone else did it.

We have a dozen or 20 particular issues that people are speaking on—motions being brought to a vote. Everyone else was quite happy to advise other colleagues they were intending to bring this particular matter to a vote, but the Hon. Ms Franks obviously decided the rules that everyone else abides by and she likes to insist that everyone else should abide by do not apply to the Hon. Ms Franks in relation to these issues.

As I said, the reality is that the numbers hold sway and the Hon. Ms Franks had the numbers to do it—so be it. But there will be other occasions when the Hon. Ms Franks will not have the numbers and she certainly will not be in a position to complain that the established process has not been followed by the government or indeed the majority of members on the occasion. As I said, I was not able to address the issue because, as the honourable member pointed out, it was a procedural motion and no-one could address it at that particular time.

In relation to the bill that is before us today, the first thing that strikes me is the stark hypocrisy of all the Labor speakers in this particular debate—the stark hypocrisy of the Labor Party, some of whom were ministers in a former government when exactly the same process that this Liberal government was indicating it was going to proceed down was being adopted.

The advice I have been provided is that this occasion, where Christmas Day falls on a Saturday and the public holiday is declared for the Monday, has occurred on about six separate occasions. It happened in 1976 under a Labor government, in 1982 under a Labor government, in 1993—it would have been right on the cusp because the election was right at the end of the year, possibly around about December or whenever it was, so I suspect the decision was taken perhaps by the outgoing Labor government, but that is a question mark—in 2004 under a Labor government and in 2010 under a Labor government.

So over 40 or 50 years, there have been five separate occasions, so I am advised, where exactly the same circumstances have occurred and on every occasion Labor premiers, Labor ministers, Labor caucus members and union members—all of them—accepted the situation without demur, without opposition that the public holiday and the public holiday penalty rates would be on the Monday and Christmas Day would be treated as Saturday penalty rates. It is wrong to suggest there are no penalty rates because there are clearly penalty rates on the Saturday, but they are the Saturday penalty rates.

The arrant hypocrisy of the Labor speakers in this particular debate is apparent for everyone to see because the difference is that it is a Liberal government on this occasion. On the previous four

or five occasions, they were Labor governments. All the Liberal government has done is indicated that we were going to do the same thing as the former Labor government did at that particular time.

There was no rallying of opposition from the shoppies union or indeed any of the unions. There was support, or grudging acknowledgment, that that was what the Labor government had done and was going to do and continued to do. They had 16 years in government, and the Hon. Mr Wortley was one of a cavalcade of industrial relations ministers over a long period of time, and if this was such a major issue for them someone in the caucus representing the shoppies union or whoever else or any of the other unions could have raised the issue.

The Hon. Mr Wortley decided he would not do it, and the various other industrial relations ministers under the Labor government decided they would not amend the Holidays Act in relation to these particular issues. The Hon. Mr Wortley commissioned a review of the Holidays Act and chose not to take any action in relation to either this issue or a range of other issues as well.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: So the stark hypocrisy, the hypocrisy of the Hon. Ms Bourke and all the other Labor members in this chamber, is quite clear—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —for everyone to see, because Labor governments took the decision that it was fair and reasonable to do what they did, and they continued to do it off and on through the seventies, through the eighties, through the nineties, through the noughties and through the teens. They did it in each of those decades as a Labor government.

The difference this time is that it is a Liberal government doing exactly the same thing, and all of a sudden we see this outrage being confected by the Labor opposition, which says, 'Only a Liberal government would ever contemplate this,' conveniently forgetting 40 years of their own history, where they did exactly the same thing in relation to exactly the same issue, in relation to exactly the same set of workers. Some members have said, 'Well, what's going to happen on the Saturday is people won't come to work.' Well, for 40 or 50 years, when the Labor government did the same thing, we had service stations that were open, we had shopping outlets that were open—

The Hon. E.S. Bourke interjecting:

The PRESIDENT: The Hon. Ms Bourke was heard in silence; she should remain silent.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: Mr President, I think they are a bit sensitive to the criticism, to the stark reality of what is being sheeted home to them that all this government is doing is exactly what they did for 40 or 50 years. Now, all of a sudden, they claim themselves to be as pure as the driven snow: 'Goodness gracious me, this an outrage, a Liberal government is doing this, this isn't something a Labor government looking after workers would do, heavens to goodness no,' but forgetting conveniently—it's convenient when you are a member of the Labor Opposition to have 40 years of amnesia, selective amnesia, just to forget all that they did—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —for 40 or 50 years, every decade through from the seventies onwards, exactly the same thing. All of a sudden, shock, horror, the Liberal government is doing what the Labor government has done. As I said, all of a sudden they claim themselves to be as pure as the driven snow, this is not something they would ever have contemplated and relying on selective amnesia of 40 or 50 years of their own history in relation to exactly the same issues.

The second point I would make—and I respond to Amber, who was quoted by the Hon. Mr Simms, a nurse or a health worker. What the Labor government did as a result of an Industrial

Relations Commission decision in 1976, and what they have done ever since, was pay to their public sector workers, such as healthcare workers, such as emergency services workers, such as police, such as those people who might have to work in residential care in the government sector, all public servants, all public sector workers were paid by the Labor governments, plural, an additional 200 per cent penalty for Christmas Day.

It is incorrect to say that these public sector workers—if we can address them, and Amber in particular, the public sector workers—were not paid by the Labor government an additional penalty rate in recognition of the fact that they had to work on Christmas Day. They were. They were paid a 200 per cent penalty rate. The only difference was that nurses, in an agreement with the government, got a 250 per cent penalty rate on the Saturday because they chose to offset that with the 200 per cent on the Monday.

All other public sector workers under the Labor governments got a 200 per cent penalty rate on the Saturday and a 250 per cent penalty rate on the Monday. The nurses, in an agreement with the Labor government—I do not know whether it was in the early decades but certainly since 2010—reversed that and got 250 per cent on the Saturday and 200 per cent on the Monday.

I have indicated publicly and to the PSA and a number of the unions with whom I have met that we would do exactly the same as the Labor government. Our public sector workers who are required to work—this is funded by the taxpayers—would be reimbursed—

The Hon. E.S. Bourke interjecting:

The Hon. R.I. LUCAS: No, members of parliament will not get an extra penalty rate on the Saturday. The Hon. Ms Bourke wants to ask questions about MPs, but they are the least of my concerns in relation to penalty rates. The Liberal government will give all those workers who are required to work on Christmas Day a 200 per cent penalty rate on the Saturday and the 250 per cent if they are required to work on the Monday.

That is exactly what the Labor governments—plural—did from 1976 onwards. As I said, there was an Industrial Relations Commission decision and they implemented it. Labor governments since then have continued to implement it whenever this has occurred and we have indicated that we will do exactly the same thing.

In relation to the nurses, the default position is 200 per cent for Saturday and 250 per cent on the Monday. They would prefer, of course, having seen this bill, 250 per cent on both days. Under the proposal we have, which is the same as the Labor government's, if they wanted to do the switch as they have done previously, when they did it under the Labor government, that option is open to them as well.

Let us distinguish the two broad sectors of workers. For the public sector workers, the taxpayers are going to pay a 200 per cent penalty rate on the Saturday and 250 per cent on the Monday to reimburse them for the work they do. Let us turn to the private sector workers, because that is not something the government pays for; that is something businesses and employers have to pay for.

The issue in relation to public sector workers is, 'Okay, the government takes a decision, we spend the taxpayers' money and we are going to compensate at a higher level those who have to work on the Saturday.' When we talk about the private sector workers, it is not the taxpayer nor the government but actually small business owners and operators who have to pay the increased penalty rate on the Saturday.

One of the most impacted sectors as a result of COVID-19 has been tourism and hospitality. On any number of occasions, Labor members and crossbenchers in this chamber and in the other chamber have continued to rail about the problems and the lack of financial support and assistance for small businesses, in particular in the hospitality sector and in the tourism sector. The two business organisations that represent the small and large businesses in that particular sector are the Restaurant and Catering Industry Association and the Australian Hotels Association. The Restaurant and Catering Industry Association have written to me and are strongly opposing the provision.

One of the constant themes through the submissions from the Restaurant and Catering Industry Association, individual cafe owners and restaurant owners, the AHA and individual hotel

owners is pointing out that, whilst it is true to say that South Australia's circumstances under Labor governments and under the Liberal government are different in relation to Christmas Day, it is also different in the fact that we are, with one other jurisdiction, the Northern Territory, the only state that actually gives a half-day paid public holiday on Christmas Eve and a half-day public holiday on New Year's Eve.

Whilst we are different in relation to Christmas Day, we are also different in the fact that hospitality workers, unlike anywhere else, any other state, get public holiday penalty rates on Christmas Eve and on New Year's Eve. Again, that is not a cost to the government; that is a cost to the small business owner, the small business operator, who actually has to pay that.

What the AHA submission, individual hoteliers and the Restaurant and Catering association, the individuals in that, point out is, under the proposed arrangement under this bill, small business employers will have to pay 250 per cent penalty rates for 4½ days in a row. They will pay 250 per cent penalty rates for the half-day on Christmas Eve, they will pay a 250 per cent penalty rate for Saturday, they will pay a 250 per cent penalty rate for Sunday, they will pay a 250 per cent penalty rate for Monday and they will pay a 250 per cent penalty rate for Tuesday.

What these small business operators are saying is, 'We are struggling, we are emerging from COVID, and what you are saying to us is that for 4½ days over the Christmas period we have to pay 250 per cent penalty rates.' If someone is being paid at the lower end of a hospitality worker, \$20 an hour, you are paying them \$50 an hour for working on 4½ days through this particular period.

That is why the restaurant and catering association and the AHA are so strongly opposed to the legislation. It is Restaurant and Catering Australia's belief that passing this bill would present extra costs to business on what will be one of their busiest trading days. They highlight the fact that over 93 per cent of businesses in the cafe, restaurant and catering sector are small businesses, employing 19 people or less. In South Australia, the restaurant and catering association represents 2,697 restaurants and cafes, which employ 42,078 South Australians. They go on to say:

For the 93 percent of our industry that is small business, having to pay penalty rates on this day will mean that they will probably stay closed, rendering the point of this Bill redundant.

Not only will consumers miss out on dining in a restaurant or café or purchase takeaway, but it will also mean that workers will miss out on a day's wage. The hospitality sector is the largest employer of young people with 43 percent of the industry being 15-24 years of age.

Given the lack of interstate and international tourism coming into South Australia due to COVID-19 this will be devastating to the local South Australian economy.

The Australian Hotels Association represents both big and small hotels throughout metropolitan and regional South Australia. I will not read all of their 3½-page letter, but just some excerpts:

Impacts of COVID-19

The South Australian Hotel Industry has borne the brunt of the economic costs of the COVID-19 pandemic through lockdowns, the shutting of borders, standing down of staff and ongoing restrictions imposed on our venues.

The November to January trading period is the most crucial time of year for our industry as we see heightened activity through increased weddings, functions and events. There has never been a more important time for our industry than the lead up to Christmas and the Christmas period this year for our industry to recover the financial losses they have suffered so far this year.

Hotels will not want to see opportunities lost through increased operating costs on days such as Christmas Day. The passing of the Amendment Bill would increase operating costs for Hotels at a time when they need to make the most of their economic opportunities coming out of the pandemic.

The AHA goes on to highlight the two half-day public holidays issue that I highlighted earlier in my contribution and also highlight some of the other issues in relation to the arrangements for New Year's Day and the like. They also go on in their submission to highlight the importance of wage costs in terms of the viability of the businesses and the fact, again, that for 4½ days they are going to be required, or they would be required, to pay 250 per cent penalty rates for some of their employees operating within their businesses.

In relation to consultation that we quickly did on this, I think one of the honourable members referred to the submission from the Ai Group, which opposed it. Business SA opposed it, the Motor Trade Association opposed it, so certainly most of the employer organisations indicated their opposition to the legislation.

As I said, this is not a cost for government in relation to their operations. This is a cost for the business owner and operator. Overwhelmingly, in this particular sector it is the small business owners and operators that will be impacted. Of course, there will be some larger operators, as I said, in the hotel industry and some of the other industry sectors that would be impacted as well in relation to all of these issues.

In relation to the consultation on the other side, I think some of the members referred to the fact that clearly the shoppies union, the nurses federation and the UWU wrote to me. There was possibly one other union. I think there were three or four unions that wrote in support. Again, I think some of the members of the Labor Party have highlighted those unions that have opposed the legislation.

That is the government's position in relation to this. I again want to reiterate that, should this legislation not pass through the parliament, I give the assurance again publicly that our hardworking public sector workers, our nurses, police, our correctional services officers, our emergency services workers, some of our residential care workers, will be compensated and reimbursed at a 200 per cent penalty rate in exactly the same way as they were under the former Labor government over many decades.

The Hon. T.A. FRANKS (17:22): I thank all those members who have made a contribution today and those members who understand that time is of the essence. We have possibly five sitting days, as many as eight sitting days, before Christmas. Christmas is some 59 days away. We had all year to debate this, had we wished to do so, with the government undertaking a thorough consultation, as the New South Wales government did back in 2010, when time and time again this matter had been raised.

In New South Wales in particular, they have addressed this issue and ensured that, where Christmas Day falls on either Saturday or Sunday, not only is there a recognition of Christmas Day, 25 December, as a public holiday but the following Monday is recognised as a public holiday as well or, given they also have Boxing Day, they make accommodations for those two days. We have Proclamation Day in South Australia, in our culture, which is not something that New South Wales has. I do commend New South Wales for doing all of the groundwork that shows that Christmas Day is a special day. It is a day that has been in our calendar in this nation for a very long time.

I thank the Hon. Rob Lucas for drawing my attention to process. Most of his speech was about process. I am sorry I did not send you an email. I understand that what goes around comes around. Indeed, it will be the Kris Kringle that keeps on giving. I refer you to the issues and the debate that happened in the other place this morning and say that perhaps karma is quicker than normal today. Perhaps I would have sent you an email if I had not been engaged in the debate that was happening in the other place this morning.

I note that the Treasurer has drawn our attention to the concerns of those who work in the hospitality and tourism sector, and he has indeed said that we are the only ones to have part public holidays. Actually, Queensland followed South Australia's lead and gave those same part public holidays but for longer than we do in South Australia. I think Queensland is pretty much based on hospitality and tourism. Good one day, perfect the next, and indeed following South Australia's lead the next.

With the lead-up to Christmas our retail sector workers will be under the pump and never more so than under this Treasurer. With COVID, Christmas will be more important to families this year than it ever has been in recent times. I note that many of the Treasurer's examples were from decades ago, back when it was only a state IR system. He seemed to forget that we have now moved to ensure those national employment standards that do indeed recognise Christmas Day as a public holiday and the changes that have happened.

In particular, I draw to the Treasurer's attention, because he seems to have forgotten, that under the Fair Work Commission back in 2017 the very workers he now bemoans getting \$50 an hour over this period of time for their public holidays basically faced, under the rulings there, some \$6,000 a year cut to their annual pays. Those workers he wrung his hands about in the last few minutes he certainly did not seem to be wringing his hands or indeed speaking out for back in 2017.

They have suffered under the current system and it would be nice for them to have not just a little extra Christmas pay to pay the bills but for those who are not brought in to work—because in the private sector in particular it will be deemed too expensive—they will actually get some holiday time. Do you know what people do with holiday time? They support the hospitality and tourism sector. So what goes around really does come around. I commend the bill.

The council divided on the second reading:

Ayes 13
 Noes 8
 Majority 5

AYES

Bonaros, C.
 Franks, T.A. (teller)
 Maher, K.J.
 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)

Second reading thus carried; bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. T.A. FRANKS (17:32): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: REPORT 2020-21

The Hon. T.J. STEPHENS (17:33): I move:

That the 2020-21 annual report of the committee be noted.

The Aboriginal Lands Parliamentary Standing Committee's functions include reviewing the operations of the Aboriginal Lands Trust Act 2013, the Maralinga Tjarutja Land Rights Act 1984 and the APY Land Rights Act 1981. The committee can also inquire into matters affecting the interests of the traditional owners of the lands and the manner in which the lands are being managed, used and controlled. Other functions include inquiring into matters concerning the health, housing, education, economic development, employment or training of Aboriginal people, or any other matter concerning the welfare of Aboriginal people.

The committee discharges its functions in part by visiting Aboriginal lands and Aboriginal communities while maintaining strong relationships with the Aboriginal landholding statutory authorities and by inviting representatives from those statutory authorities to appear before the committee to give evidence. During the 2020-21 year, the committee endeavoured to travel to various locations. Unfortunately, the COVID-19 pandemic limited the committee's ability to travel to remote Aboriginal communities. The committee did travel to Port Augusta and Davenport in October 2020 and to Ceduna and surrounding communities in March 2021.

Whilst in Port Augusta, the committee met with the Port Augusta City Council working group, the Aboriginal Legal Rights Movement and discussed client staffing issues with Common Ground

Port Augusta. The committee was also taken on a tour of the Davenport community with local community representatives.

On its visit to the Yalata community in March 2021, the committee met with various groups in relation to housing issues and also visited the Yalata Anangu School. Similarly, the committee also visited the Koonibba Aboriginal School. The 2020-2021 year saw the committee tasked with three active inquiries. The Aboriginal housing inquiry continued on from the previous reporting period, where the committee continued to receive oral evidence from stakeholders.

The committee was also requested to undertake an inquiry into governance standards in Aboriginal community-controlled organisations by the Premier in February 2021. As at 30 June 2021, the committee received written submissions from 40 interested stakeholders and received oral evidence on six occasions. The committee tabled an interim report on this inquiry on 26 October 2021.

On 15 February 2021, the committee also resolved to inquire into Aboriginal heritage issues. As at 30 June 2021, the committee had received 32 written submissions. The committee has only recently commenced receiving oral evidence in this inquiry, with the bulk of the evidence to be received in the next parliament.

I would like to take the opportunity to thank all stakeholders who spoke with the committee on its regional visits and those who provided evidence in our three inquiries, especially those who travelled to Adelaide to speak with us. I thank the current members of the Aboriginal Lands Parliamentary Standing Committee: the Hon. Kyam Maher, the Hon. Tammy Franks, the member for Hammond, the member for Giles and the member for Davenport. I would also like to give special thanks to the committee staff for their assistance, in particular Ms Lisa Baxter, who does an outstanding job. I commend the report to the council.

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

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: INQUIRY INTO ABORIGINAL GOVERNANCE

The Hon. T.J. STEPHENS (17:36): I move:

That the report of the committee, entitled Inquiry into Aboriginal Governance Interim Report, be noted.

The inquiry into Aboriginal governance was referred to the Aboriginal Lands Parliamentary Standing Committee by the Premier in February 2021. The committee has received 46 written submissions to date, many of which have been received on a confidential basis. The inquiry has included 25 witnesses providing oral evidence, many of whom provided confidential evidence to the committee.

A consistent theme from these submitters was that they would fear retribution from members in their communities if they spoke publicly about their concerns regarding individual Aboriginal corporations. The committee respected their request and was careful not to publish evidence containing allegations about individuals or specific corporations.

Throughout this evidence, the committee received consistent submissions detailing concerns about the way in which Aboriginal corporations currently function. Stakeholders submitted that unless you are a director on the board, it can be difficult to ascertain where money received by those corporations is ending up. The committee heard on multiple occasions from submitters alleging nepotism, favouritism and closed dealings within the board memberships from community members across a wide range of Aboriginal communities.

The committee heard from concerned elders and distressed community members worried about the way in which Aboriginal corporations are behaving. The committee received sufficient concerns across numerous communities in the state to warrant it making nine recommendations in its interim report. One important recommendation is in relation to updating the state's trustee legislation. The committee considers this as vital to providing increased accountability and transparency on public moneys making its way into separate trusts established by Aboriginal corporations, which may fall outside of the oversight of the federal regulator.

The committee has also made suggestions to increase the avenues of complaint for community members at the federal level, as the committee was concerned about the number of submissions recounting limited and lengthy response times on the Office of the Registrar of Indigenous Corporations and, on occasion, complaints receiving no response at all. The committee was also of the view that training opportunities for directors and members of Aboriginal corporations could be improved.

In relation to incorporated associations at the state level, the committee encourages this parliament to pass the proposed reforms to the Associations Incorporation Act 1985 in order to increase oversight and dispute intervention powers for the Commissioner for Corporate Affairs.

The committee has also recommended an increase in resources for the Commissioner for Corporate Affairs within Consumer and Business Services to be funded to provide regular governance training and education to Aboriginal community-controlled associations around their obligations under the Associations Incorporation Act 1985 of SA.

The committee was also provided with examples of good governance occurring within Aboriginal corporations and incorporated associations. It was particularly impressed with the way in which the Whyalla and Eyre Peninsula Regional Development Australia branch utilises the expertise of a dedicated Indigenous economic development manager, who assists Aboriginal incorporated associations and corporations with governance practices and training. This has resulted in successful outcomes for the practices and accountability of community-controlled organisations.

The committee also heard about the success of providing simplified training to the directors of Aboriginal corporations, including in the health services sector. It was made abundantly clear to the committee that self-determination can still be achieved by Aboriginal community-controlled organisations with improved governance practices and greater transparency. The committee heard that it is when this transparency to the community is lost that the majority of associated disputes may arise.

The committee is sincerely grateful to the individuals and organisations who have made submissions to the committee in this inquiry to date, both verbally and in writing. The committee also thanks the federal regulator, ORIC, and the state Commissioner for Corporate Affairs for providing it with detailed submissions in the inquiry. All submissions received in the inquiry have added substantial value to the conduct of this inquiry thus far.

I would like to take this opportunity to thank the members of the Aboriginal Lands Parliamentary Standing Committee for their contributions to this inquiry: the Hon. Kyam Maher, the Hon. Tammy Franks, the member for Hammond, the member for Giles and the member for Davenport. I also thank the staff of the committee for their assistance, in particular Ms Lisa Baxter. I commend the report to the council.

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

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: INQUIRY INTO ABORIGINAL HOUSING

The Hon. T.J. STEPHENS (17:41): I move:

That the report of the committee, entitled Inquiry into Aboriginal Housing Final Report, be noted.

The committee resolved to inquire into Aboriginal housing on 2 March 2020. The committee received eight written submissions in the inquiry and received oral evidence from 18 witnesses. The committee heard a number of consistent themes throughout the evidence it received. These included:

- difficulties in Aboriginal people accessing culturally appropriate housing in remote communities, regional areas and in Adelaide;
- a need for engagement with community leaders in relation to meeting their requirements, rather than imposing centralised perspectives;
- waiting lists for Housing SA homes, with it becoming exceedingly difficult for Aboriginal people to access the private rental market;
- a need to support Aboriginal people wanting to return to homelands;

- issues associated with migration and transience, which can lead to overcrowding; and
- the provision of culturally appropriate support services with transitional accommodation for those visiting Adelaide, in partnership with Aboriginal communities.

Prior to this inquiry's completion, the Premier launched the South Australian Aboriginal Housing Strategy 2021-2031. The committee sought a briefing on the overall strategy, its development and implementation from the head of Aboriginal housing in the South Australian Housing Authority. The committee heard that the strategy aims to modernise the Aboriginal housing system and encompasses many of the issues identified in the committee's inquiry.

It aims to open up opportunities for home ownership and economic participation, access to culturally responsive services and reinforcement of the capability of Aboriginal corporations by supporting self-determination. The committee recommended that it review the progress of the South Australian housing strategy in 12 months' time.

I also note the recent announcement of a Parklands hub to operate for Aboriginal visitors arising from recommendations by the Safety and Wellbeing Taskforce. The aim of the Parklands hub is to assist vulnerable Aboriginal visitors who are sleeping rough to return safely to country or find alternative secure accommodation. The committee may be interested in reviewing the success of this initiative in the new parliament.

I would like to take the opportunity to thank the individuals and organisations who made submissions to the committee in the Aboriginal housing inquiry, both verbally and in writing. I would also like to thank the current members of the Aboriginal Lands Parliamentary Standing Committee and the staff of the committee for their assistance. I commend the report to the council.

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

STATUTORY AUTHORITIES REVIEW COMMITTEE: INQUIRY INTO STORMWATER MANAGEMENT AUTHORITY

The Hon. H.M. GIROLAMO (17:45): I move:

That the report of the committee on its inquiry into the Stormwater Management Authority be noted.

The Stormwater Management Authority is a statutory authority. It operates as a body for the planning, prioritisation and funding of stormwater management initiatives. It also implements the agreement on stormwater management between the state of South Australia and the Local Government Association of South Australia.

On 4 December 2020, the Statutory Authorities Review Committee resolved on its own motion to inquire into the Stormwater Management Authority, with particular reference to the function of the authority pursuant to schedule 1A of the Local Government Act 1999, the effectiveness of the authority in carrying out its function, including the application of the Stormwater Management Fund, and any other relevant matters to the operations of the authority.

During the inquiry the committee received evidence from the Stormwater Management Authority, the Gawler River Floodplain Management Authority, the Urban Development Institute of Australia (SA Division), the Local Government Association of South Australia and the Brown Hill and Keswick Creeks Stormwater Board.

Evidence to this inquiry described the current and future challenges that exist regarding stormwater management. Stakeholders spoke of the need for substantial funding required, now and in the future, for significant stormwater management infrastructure investment. Evidence received also referred to the opportunities for institutional and funding reforms in order to achieve better outcomes regarding stormwater management in South Australia.

The committee's report contained three recommendations. This includes that the Minister for Environment and Water develop a cost-sharing framework for all future stormwater projects in South Australia, including local, state and federal governments. The committee recommends that the minister establish a feasibility study into future stormwater management for the state as part of this process.

The committee also recommends that the agreement on stormwater management between state and local government be reviewed to determine whether further official collaboration between state and local government can be achieved in relation to stormwater management and strategic future planning. On behalf of the committee, I thank all the previously mentioned organisations which provided evidence to the inquiry.

I also acknowledge and thank the members of the committee for their hard work during the inquiry, including the Hon. Justin Hanson, the Hon. Frank Pangallo, the Hon. Irene Pnevmatikos and the Hon. Terry Stephens. I also thank the Hon. David Ridgway for his contribution and strong interest in the inquiry while he was Presiding Member of the committee and a Legislative Council member. Finally, I wish to thank the committee's staff for their assistance. I commend the committee's report to the council.

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

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (ADELAIDE PARK LANDS) AMENDMENT BILL

Introduction and First Reading

The Hon. R.A. SIMMS (17:48): Obtained leave and introduced a bill for an act to amend the Planning, Development and Infrastructure Act 2016. Read a first time.

Second Reading

The Hon. R.A. SIMMS (17:49): I move:

That this bill be now read a second time.

The Planning, Development and Infrastructure (Adelaide Park Lands) Amendment Bill seeks to amend the Planning, Development and Infrastructure Act to ensure that any amendment to the Planning and Design Code that relates to development in the Adelaide Parklands must be approved by resolution of both houses of parliament.

This is a simple change but it is one that is vitally important. We know that the Parklands are currently subject to a code amendment process and that the state government has announced plans to rezone the Riverbank area. This rezoning would allow commercial development on the Parklands, including shops, cafes, a Riverbank arena and even high-rise towers, some of which are residential.

The government has been progressing this at lightning speed. This is the most significant change to the Parklands in decades, an enormous land grab from the state government, yet it has been progressing with just six weeks' consultation—totally inadequate. The consultation on the code amendment closes today and the community have been given a meagre six weeks to consider the implications of this. It is an outrage.

What happens on the Parklands has significant implications for all South Australians because this public green space belongs to us all. The Parklands are indeed the lungs of our city but they are also nationally heritage listed. Back in 2010, the then federal environment minister, the Hon. Peter Garrett, included the Adelaide Parklands and the city plan on the national heritage list. One of the concerns around what the state government is proposing here in terms of its code amendment is that commercial development on the Parklands could jeopardise our national heritage listing.

Indeed, many of the things being proposed here, like a Riverbank precinct, could significantly impact on the vista, in terms of the views from the Parklands, and significantly impact on the public enjoyment of that green space. As a result, our national heritage listing could be compromised. That would be disastrous in terms of the future of our Parklands, particularly when there has been a long-term campaign to see World Heritage listing for our iconic green space.

This land is also of cultural significance to the Kaurna people. Kaurna elder Jeffrey Newchurch recently advised the Adelaide City Council Reconciliation Committee—this was reported in *The Advertiser*—that the proposed site for the entertainment arena was of cultural significance. That has not been adequately considered by the government. The History Council of South Australia

has also sent an open letter to Premier Marshall, reported in CityMag today. In the letter, they state that:

The HCSA objects to the Government's proposal to acquire land for Government purposes...and to rezone it for uses other than open space and community recreation facilities.

The HCSA strongly objects to each of these proposals that will decrease the area of the green belt encompassing the city.

There is mounting opposition to these radical rezoning plans: opposition from Aboriginal elders, opposition from the History Trust of South Australia, opposition from Parklands advocates, and opposition from the South Australian community more broadly—those who care about our public space and do not want to see it being commercialised and privatised in this way.

My concern is that if we go down this privatisation path, if we go down the path of commercialising our city's public green space, if we see cafes, restaurants, nightclubs, apartment towers and the like, we will never, ever get it back. The future of our Parklands, the lungs of our city, is really hanging in the balance.

Therefore, given such high stakes, it is vitally important that the parliament has a say. This should not be a decision that resides with the government of the day or indeed the minister. It should be a decision that resides with the whole parliament, and that is what my bill is seeking to achieve. It is simply inserting a requirement on the government of the day that if they are proposing a rezone of the Parklands that will not come into effect until there has been a resolution of both houses of parliament.

That is a vital safeguard. I think it is something that South Australians would welcome, and I hope that all parties will get on board and support it. It is my intention to bring this to a vote before the election so that this parliament has an opportunity to have a say on this important reform. I call on the Marshall government to pause their plans to privatise our public green space until the parliament has at least had an opportunity to consider it.

This is a land grab of historic proportions. It threatens the very future of our Parklands and let me say to the government that if they want to press ahead with this, they will not be able to do so without one hell of a fight from the Greens. We will be fighting them tooth and nail. We will be fighting for the right of the parliament to have a say and for the concerns of the South Australian community to be heard. A six-week consultation period is an absolute disgrace. This parliament needs to have its say on this code amendment, and that is what this bill would do.

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

Sitting suspended from 17:56 to 19:45.

AGEING AND ADULT SAFEGUARDING (RESTRICTIVE PRACTICES) AMENDMENT BILL

Introduction and First Reading

The Hon. J.A. DARLEY (19:46): Obtained leave and introduced a bill for an act to amend the Ageing and Adult Safeguarding Act 1995. Read a first time.

Second Reading

The Hon. J.A. DARLEY (19:47): I move:

That this bill be now read a second time.

This bill regulates restrictive practices used by prescribed aged-care service providers to aged persons in residential care or home care provided under the commonwealth Aged Care Act 1997. The bill establishes an authorisation process for positive behaviour management plans ensuring transparency and accountability.

Restrictive practices are only to be used in limited circumstances as a last resort in the least restrictive way and for the shortest possible time. Restrictive practices are to be limited to circumstances where a person may be at risk of harm to themselves or others. Restrictive practices must be consistent with a person's human rights and proportionate and balanced between the level of risk of harm and the negative consequences arising from the restrictive practices.

Restrictive practices must be undertaken in a manner that maximises the opportunity for positive outcomes and aims to reduce or eliminate the need for their use. Restrictive practices must never be used as a punishment or for the convenience of others. Similarly, restrictive practices must not be used to address inadequate staffing levels or lack of adequate equipment or facilities.

The object of the bill is to bring about a change in community thinking, including amongst aged-care providers, by providing a framework for the significant reduction in the use of restrictive practices by means of a robust authorisation process. A person's positive behaviour plan will ensure restrictive practices are avoided wherever possible and then only used as a last resort for the shortest period possible, with a strategy in place to reduce the need for such practices over time.

The act specifically excludes providing any protection for prescribed aged-care providers who use restrictive practices outside of the authorised positive behaviour plan. However, where a provider uses a restrictive practice, pursuant to the commonwealth Aged Care Act 1997, they must, under the provisions of this bill, within 24 hours provide a report to the senior practitioner.

I would like to acknowledge advice received from Professor Richard Bruggemann, SA Senior Australian of the Year, who has extensive experience in the field and is a noted expert. Dementia Australia, in their submission to the royal commission on people with a disability in August 2020, addressed the overuse of the restraints on people living with dementia, especially in residential aged care, and how to minimise the use of restrictive practices. Dementia is the leading cause of disability in older Australians. The inappropriate use of chemicals and restraints for symptom management rather than effective non-pharmacological alternatives was noted by Dementia Australia. I quote:

The overuse and inappropriate use of chemical restraint (commonly antipsychotics, psychotropics and sedatives) on people with dementia is all too common in residential aged care. It is estimated that just over half of people living in residential aged care are receiving antipsychotic medications and about 80% of those people have dementia.

It is disturbing to read that half of the residents in residential care are receiving antipsychotic medicine, with Dementia Australia pointing out that clinical guidelines indicate that such drugs should be prescribed only after non-pharmacological approaches have been attempted. The widespread use of antipsychotic medicine, before non-pharmacological alternatives are explored, continues.

Physical restraint in residential care facilities is also widespread, ranging from 12 per cent to 49 per cent. Practices of physical restraint include bed boundary markers; deep chairs; lap belts; hand mitts; seat belts or leg, wrist or ankle restraints; and removal of mobility aids or restriction of a person to a locked area or secure ward. The impacts include humiliation, loss of freedom and feeling trapped, depression, withdrawal, stress and agitation, increased risk of falls from struggling to get free, decreased mobility and weakened muscles and pressure ulcers.

Dementia Australia outlines the need to take a holistic and person-centred approach, including high-quality communication with every individual, and suggests the possibility that increased pressure on the aged-care workforce is manifesting in the overuse of restraints. It is imperative, according to Dementia Australia, that psychosocial and non-pharmacological therapeutic approaches, rather than physical and chemical restraint, are used as a first measure to manage behavioural symptoms of dementia.

This bill seeks to address the inappropriate overuse of physical and chemical restraint on people in aged care, identified by Dementia Australia, and the solution of what needs to be done to ensure the restraint is only used as a very last resort. The prevalence of restrictive practices in residential aged care is one of its worst aspects. The Australian government response to the final report of the Royal Commission into Aged Care Quality and Safety was delivered in May this year. Recommendation 17: Regulation of restraints, dictated that restrictive practices should be prohibited unless, and I quote:

...recommended by an independent expert...as part of a behaviour support plan...and reviewed quarterly by the expert...when necessary in an emergency to avert the risk of immediate physical harm, with any further use subject to recommendation by an independent expert...with a report [on the constraint] to be provided as soon as practicable after the restraint starts to be used.

The federal government response was to introduce legislative measures in May, which:

...clarifies the requirements approved providers must meet in relation to use of restrictive practices. Through these tighter requirements, approved providers will only be able to apply restrictive practices [in accord with certain principles].

It remained for the states to complete the next steps and require an authorisation process to oversee positive behaviour management plans, where restrictive practices are necessary in individual cases.

In late April, with the Disability Inclusion (Restrictive Practices—NDIS) Amendment Bill before the Legislative Council, I noted in a media release that residents in residential care facilities also needed strong safeguards against practices that violated their rights and best interests. I noted that South Australia had a tragic history in both aged-care facilities and delivery of services in the home. I pointed out that regulating restrictive practices in aged care should lead to outcomes of higher staffing levels, including 24-hour nursing, and address community concern and disquiet about the level of control over practices and quality of care in residential care and in-home services.

In early May, in a media release, I noted with the successful passage of the voluntary assisted dying legislation the time was right to consider further systemic reform to improve options available to people, including the review of the successful functioning of the palliative care system and ongoing investment; enhancing the opportunities of the frail aged, and those with severe disabilities, to have a maximum level of independence; and a more highly regulated and resourced residential care sector that can provide a more acceptable option for those facing the need of these services.

I pointed out that fears over loss of independence and facing unattractive alternatives had led to several public cases of people heading overseas to use more liberal laws to end their lives. There was a collective social shame felt by many that enough may not have been available to these people. There is also a fear we may in the future also confront similar circumstances. People worry about being a burden to loved ones or facing an unattractive or poorly resourced residential care system with inadequate controls and lacking close supervision. Systemic reform is needed, including the provisions of this bill to improve services and their delivery, and to make options more acceptable to those needing extensive support in aged care.

Nearly 90,000 South Australians who are in residential care or receive home care will be subject to the provisions of this bill. Nearly 30,000 people are permanently in residential care or receive respite care. As a compassionate society, one measure is how well we support and protect our vulnerable citizens. It is with deep regret that I introduce this legislation so late in the parliamentary term, having waited several months in the queue with parliamentary counsel. My office has been particularly focused on this legislation, with one member coming out of retirement to assist after having supported a centenarian parent until her death.

The around-the-clock care many South Australians provide their elderly loved ones is acknowledged. The additional number of South Australians who need the services of residential care for their loved ones is also acknowledged. Those staff who provide the services for our elderly is also acknowledged. But, above all, some 30,000 residents of aged residential care in South Australia really do need to be acknowledged by our support.

Who better than I in my 85th year to introduce this legislation and draw attention to the urgent need for it to proceed as one of our highest priorities. As I have already stated, we considered voluntary assisted dying legislation earlier this year, with some having conscientious concerns about the slippery slope that such legislation may provide. I would expect those members would enthusiastically support this bill.

Systemic reform in the aged-care sector is past overdue. Significant support and further regulation for our aged-care sector is important. I note a bill on requiring a review of palliative care is proceeding through parliament. All these reforms and more, I would argue, are important to those members of parliament who want safeguards and improvements for those who unfortunately face unattractive end-of-life options.

Parliament has been able to expedite consideration of legislation when it considers it necessary, evidenced with the recent ICAC legislation. I would argue that the need for these protections for one of our most vulnerable group of citizens is of the highest priority. I commend the bill to the house.

Debate adjourned on motion of Hon. J.S. Lee.

*Motions***JENKINS, MRS A.**

The Hon. F. PANGALLO (20:00): I move:

That this council—

1. Notes the strong and enduring cultural, sporting, tourism and business ties South Australia and Adelaide continue to have with Malaysia, in particular the 48-year sister-city relationship with George Town, capital of Penang.
2. Recognises that Annapuraneer 'Anna' Jenkins went missing on 13 December 2017 while she was on a family visit to George Town, Penang, Malaysia, and was reported missing the following day.
3. Calls for the Royal Malaysia Police, the Australian Federal Police, Interpol and the Department of Foreign Affairs and Trade to:
 - (a) provide details of any formal investigations carried out into Mrs Jenkins' unexplained and sudden disappearance, and whether they are satisfied with the outcomes of those investigations;
 - (b) confirm the subsequent discovery of skeletal human remains and personal effects, identified as being those of Mrs Jenkins by a member of her own family, in June 2020 has been fully investigated, and that a suspicion of foul play/murder be fully examined;
 - (c) ensure a comprehensive excavation search of the area, and surrounding areas, where the human remains and personal effects were found is undertaken.
4. Calls on the Minister for Foreign Affairs, the Hon. Marise Payne, to:
 - (a) contact the Prime Minister of Malaysia, Dato' Sri Ismail Sabri bin Yaakob, and Malaysia's Minister for Foreign Affairs, Dato Saifuddin bin Abdullah, to ensure these actions contained in paragraph 3 are undertaken as a matter of urgency;
 - (b) demand the Malaysian government repatriate skeletal remains of Mrs Jenkins to South Australia Police for further forensic examination, along with all DNA reports, the post-mortem reports of the Police Report # 2519/2020 and relevant case notes.
5. Requests the President of the Legislative Council write to Yang di-Pertuan Agong, the constitutional monarch and head of state of Malaysia, to express the concern of the Legislative Council of South Australia that the disappearance of Mrs Jenkins, an Australian national, may not have been properly investigated and request he refer the matter to the Royal Malaysian Police Inspector-General as an urgent and high priority.
6. Acknowledges the continuing trauma and distress this is causing Mrs Jenkins' husband, Frank, her children, Greg Jenkins and Jennifer Bowen, two grandchildren and extended families in such harrowing circumstances.

The motion I am moving relates to one of the most upsetting and heartbreaking stories I have encountered. This is a story of the abject neglect of the fate of Annapuraneer (Anna) Jenkins, a loving wife, mother and grandmother from Adelaide, who vanished in Malaysia in baffling circumstances, never to be seen alive again.

What is particularly disturbing and shameful about all this is that nobody seems to care about what happened, especially when foul play, murder, is highly likely—nobody in Australia, her own adopted country of more than 40 years, where she raised her family with her husband, Frank, a retired RAAF serviceman, and nobody in Malaysia, the country of her birth in 1951 and where she went missing during a family visit in George Town, Penang, on 13 December 2017.

The only ones who do care are Anna's distraught and still grieving family, which has been desperately searching for answers and running into brick walls of resistance from inept police in Malaysia to our own federal government and Department of Foreign Affairs and Trade, the Australian High Commission in Kuala Lumpur and the Australian Federal Police. This disgraceful incident defies belief. It is painful beyond words, and all Australians should be shocked. None of us would ever want something like this to ever happen to you or members of your family.

At the time, Mrs Jenkins, aged 67, was in George Town with her husband, Frank, visiting her dying 101-year-old mother. The happily married couple made the trip at least once a year and obviously were extremely familiar with the country and its customs. The facts known so far in the matter are that on 13 December 2017, Mrs Jenkins caught an Uber from her George Town hotel to visit a dentist and then was to call in to see her mother at a nearby nursing home. Following the

dental visit and en route to the nursing home, Mrs Jenkins was alleged by the Uber driver to have asked the driver to immediately stop on a busy road, and she exited the vehicle, something totally out of character. Anna was never to be seen again.

For four years, her devastated family, husband Frank, now a fragile 83, son Greg Jenkins and daughter Jen Bowen—and I will acknowledge that they are in the gallery this evening—and her two grandchildren, Will and Henry, have hit inexplicable roadblocks trying to get to the bottom of this deeply personal human tragedy. Their continued frustration and distress have been compounded by what can only be described as the apathetic incompetence by local Malaysian authorities in carrying out a full and proper investigation.

According to the Jenkins family, Malaysian police do not search for missing persons, as it is not considered a police matter. No proper inquiry was conducted. A thorough search of the area in which Mrs Jenkins was last seen was never conducted by Malaysian police. No footage from CCTV cameras in the area where Mrs Jenkins disappeared was either sought or reviewed in a timely manner before it was lost. No formal interviews or statements were taken with any of the last people to see Mrs Jenkins alive, including the Uber driver. No phone or possession examination was carried out.

The Department of Foreign Affairs and Trade has told the family it cannot and will not get involved in a Malaysian police investigation; it can only provide them with updates. Why can they not examine the poor outcome? Furthermore, the Australian Federal Police has also informed the family that its liaison officers in Malaysia will not assist in Malaysian police investigations—seriously. The family has also been informed that the Australian High Commissioner, based in Kuala Lumpur, has no authority to act on a family's behalf.

The Jenkins family has approached almost 200 lawyers throughout Malaysia to represent them but only one was prepared to assist. The family says there is a reluctance by lawyers to become involved because it involves scrutiny of the Royal Malaysia Police. With nowhere else to turn, the family has been forced to undertake its own ongoing investigation. They have become homicide detectives themselves. The Jenkins family has conducted 87 per cent of the investigation compared with a pathetic 13 per cent by the Malaysian police.

Here is the extent of what Anna Jenkins' distraught son and daughter have had to do. They made 21 trips to Malaysia. They have travelled more than 73,000 kilometres across Malaysia, combing streets, searching hospitals, morgues, churches, back alleys and shelters while distributing thousands of flyers, banners and stickers. They interviewed more than 1,000 people and pursued countless leads. To date, it has cost them almost \$200,000.

The only breakthrough from their own persistence was that they uncovered some vital clues which now appear to confirm that Mrs Jenkins may have been the victim of a robbery that turned horribly violent. They include the discovery of what could be Anna's bone fragments, still to be confirmed by independent DNA analysis that they do belong to Anna, and some personal items found in and around the vicinity of a building allotment where she was last seen alive. Greg Jenkins wants the site scoured in the hope that the rest of Anna's remains will be found.

However, there is resistance because local authorities have no desire to upset the developer of the site. Their ongoing determination and commitment to seek the truth is admirable, yet one can also understand their anger and disappointment at the intransigence they have encountered. Nobody deserves to be treated like that.

Australian media is renowned for scrambling and clawing all over themselves in turning young and attractive citizens banged up abroad into instant celebrities. Some cases of note include drug mules like the Bali Nine. Schapelle Corby goes from Ganja Queen behind Kerobokan prison bars to film and reality TV star. 'Cocaine Cassie' Sainsbury was feted after her arrest and gaoling for drug smuggling in Columbia. Then, of course, there are the cause celebre cases that stimulate global interest. International media coverage can sometimes help put pressure on obdurate foreign governments.

Wrongfully arrested and detained in Cairo, Peter Greste is now a professor in journalism and communications at the University of Queensland and a leading advocate for media freedom. Dr Kylie Moore-Gilbert, a lecturer in Islamic studies at the University of Melbourne, was detained for

two years by Iran as an accused spy. Sustained pressure through media coverage contributed to her release.

WikiLeaks founder Julian Assange garnered immeasurable support. Australian journalist Cheng Lei, once a bright light on Chinese state TV, is now being held in a Chinese detention centre for spying. She has become a human face of the diplomatic fallout from Australia's curdling relations with Beijing. There was the sad case of Australian mother Sally Faulkner, who failed in an attempt to snatch back her two children from their father in Beirut, in the company of a *60 Minutes* crew six years ago.

The murder of 22-year-old American Gabby Petito generated far more coverage in Australia than Anna Jenkins. In September, the ABC posted an online story in which US activists lamented much more coverage was given to Ms Petito, a white woman, compared with missing women of colour in the United States. They lamented that there was deep-rooted racism and stereotypes behind the unequal response when coloured or native women go missing or are murdered.

The Petito family thankfully have had closure, tragic as it was. Not so for the family of Anna Jenkins in Australia. Anna Jenkins was an unassuming, dark-skinned woman of Malaysian Indian background in her mid-60s. Her disappearance and her appearance did not fit the news judgement of a Gabby Petito in this country and that saddens and troubles me as a journalist and a citizen. As Mrs Jenkins' frustrated family poignantly states:

If Mum was a young attractive white woman we would get more attention to her case. Instead, she has been treated like a nobody.

I am pleased to say that might have changed today. Thanks to a taut and provoking human interest feature about the Jenkins case by David Penberthy in *The Australian*, the case has ignited national and international media attention. I can only hope it also sparks some action in Malaysia.

Anna and Frank had been happily married for more than 40 years. They met while he was posted to the RAAF's Butterworth base in Malaysia. She was a diminutive woman and Frank nicknamed her Wen or the Little One. They moved to Adelaide in the early 1970s with one-year-old Jen in tow. To learn English and the Australian way of life, she immersed herself in tireless charity and community work. She was a devout Christian and totally devoted to her family.

Ironically, Adelaide shares a unique, longstanding, 49-year sister city relationship with George Town, Penang, where Anna disappeared. I have written to the Prime Minister and the Foreign Affairs Minister insisting the federal government gets involved. I will also be moving to have you, Mr President, on behalf of the South Australian parliament, write to the King of Malaysia to make representations to the authorities there.

The Malaysians do not need any reminding of how much Australia invested in the costly and arduous search for missing Malaysia Airlines Flight 370, which vanished from radar screens in 2014 with 227 souls lost, including Malays as well as Australian citizens on board. Yet this same commonwealth country we helped, and which we have strong ties with, cannot commit to trying to solve this mystery. After all, any international visitor to that country would want to know they can feel safe walking on their streets.

Despite the tragedy that has befallen them, there remains an unshakeable bond in the Jenkins family. As Frank battles loneliness and the onset of Alzheimer's without his beloved Wen, their promise to one another is indelible: 'We won't stop until we find her.'

Anna Jenkins' memory deserves much better than this. They deserve justice, they deserve closure. Why should we care less about her than any other human being who has had the misfortune of meeting such a terrible fate? Must Anna Jenkins be forgotten? No, of course not. I commend this motion to the chamber, and give notice that I will bring it to a vote on the next Wednesday of sitting.

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

*Bills***SOCIAL WORKERS REGISTRATION BILL***Introduction and First Reading*

The Hon. T.A. FRANKS (20:15): Obtained leave and introduced a bill for an act to make provision for the registration of social workers, to establish the Social Workers Registration Board and for other purposes. Read a first time.

Second Reading

The Hon. T.A. FRANKS (20:16): I move:

That this bill be now read a second time.

Today, I rise once again to introduce a bill for the registration of social workers. It is three years since I last did this. I introduced my original bill in 2018, and it then went to a joint committee that reported at the end of last year. As part of that committee process, we agreed upon and drafted an updated version of the bill I first introduced in 2018.

For over 20 years the Australian Association of Social Workers has been calling for the registration of social workers, and they are not alone in recognising the need for this reform. The current Marshall government promised reform in its 2018 election platform, and the former Labor government was also interested in this reform. It has been called for in the Layton report, in the Children in State Care Commission of Inquiry, and it was called for in the inquest into the death of Chloe Valentine. This reform is a long time coming.

Given the committee reported at the end of 2020, and that we have had this bill drafted since then, I would like to explain why it has taken so long to actually get this new version of the bill before the parliament. It is because, truthfully, I am not the one who was supposed to be doing it. I had received commitment after commitment from the government that they would do so; indeed, we thought it would happen during government time and that the ministers who would be responsible for the bill, once it passed, would be the ones who had carriage of it.

However, it has been so many months now and we are rapidly approaching the end of the year; there are only a few sitting days left, and of course there is a state election. My office and I have tried to follow this up with the government on multiple occasions but have received no response. Similarly, I know stakeholders, very keen stakeholders, who have been trying to find out when this legislation will be introduced but who have had their questions and their requests for a meeting go unanswered for many months, only finally hearing back with an offer of a meeting yesterday.

The joint committee unanimously endorsed both the report and the draft bill that came out of it. All members in this chamber, across all parties in this chamber, have also voted for the original version of this bill and provided their in-principle support. Similarly, I note that the Minister for Child Protection in the other place, during her speech regarding the report of the committee, said that the government would continue to advocate for a national scheme. Certainly, everyone would prefer a national scheme for the registration of social workers, but everyone has also been saying that for decades with no action. So I would draw this council's attention to these lines from the report of the joint committee. It states:

In the absence of a federal scheme, submissions to the inquiry overwhelmingly expressed support for a state-based system of registration. The Committee notes that registration will not, in and of itself, automatically ensure safe and effective social work practice. The recent coronial inquests, while calling for social work registration, have been critical of, among other things, the child protection system's lack of understanding of, and compliance with, its statutory obligations. Notwithstanding, the Committee is of the view that legislative reform is urgently needed. It considers that the proposed legislation will provide a solid framework towards improving the accountability and standards of the social work profession.

I repeat: the committee was of the view that legislative reform is urgently needed. We have done all the groundwork, consulted extensively through the committee process and created a revised bill with a collective understanding that that bill would be introduced and hopefully passed through the parliament. The final recommendation of this committee was that:

Subject to the above amendments the Committee recommends that the Social Workers Registration Bill 2018 be passed.

That is pretty clear. Those changes have been made and we now have the Social Workers Registration Bill 2021 before us. It is regrettably late in the year. We could have and should have had this introduced sooner, and certainly I had been assured that the government would be doing that, but now we are well towards the end of October with no-one getting any further answers from this government and so the Greens are going to introduce this bill, and what could I do but introduce it myself.

There are many eyes on this legislation and people and organisations around the country are watching right now and they will be reading and looking and waiting and watching with great interest to see what this state does. I know they were very interested in the joint committee process. There is potential here for South Australia to lead the nation in this reform. It is a waste of time and opportunity to continue to wait for a national scheme that has not eventuated over the past 20 years.

We cannot keep putting registration of social workers into the too-hard basket. We have a model here that has been heavily consulted and that we have all agreed to. Why waste all of that work by then not even introducing the bill that resulted from that work? So here is the work, here is the bill. The key objects of this bill are:

- (a) to establish and maintain a registration system for social workers;
- (b) to safeguard the public interest by ensuring that only suitably trained and qualified persons are able to practise as social workers;
- (c) to encourage the maintenance of high professional standards of both competence and conduct by registered social workers;
- (d) to ensure that registered social workers are held accountable professionally for the conduct of their practice.

This bill establishes the social workers registration board of South Australia. The role of the board is as follows:

- (a) to administer the provisions of this Act for the regulation of the practice of social work;
- (b) to provide a definition of social work services in accordance with section 17;
- (c) to establish and maintain the register contemplated by this Act;
- (d) to prepare or endorse codes of conduct, professional standards and ethical guidelines for registered social workers;
- (e) to determine the qualifications and other requirements appropriate for registration under this Act;
- (f) to receive and determine applications for registration of social workers under this Act;
- (g) to hear and make determinations in disciplinary proceedings against a person;
- (h) to carry out other functions assigned to the Board under this act or by the Minister.

This bill also defines social work services, outlines the requirement for the board to determine the scope of practice for social work, and has provisions that will ensure that those with prescribed qualifications can become social workers.

This bill requires that all social workers must be registered and that someone cannot work as a social worker without being registered. Similarly, offences are outlined should someone be engaged to undertake social work services without being a registered social worker. It outlines the eligibility requirements for registration and other aspects of this registration process.

I note as well that the bill does include transitional provisions for people who have been practising as social workers for some time but who could not meet the qualification requirements under the bill as it currently stands. A person must also be a fit and proper person to be registered as a social worker.

With that, I commend this bill to this council and given the many years of work and consultation and multipartisan support that went into this version of the bill, I hope we can pass it quickly. I would prefer that the government took carriage of it, but I certainly think we cannot let this parliament forget that this issue has had so much work put into it, has had cross-party support and indeed the social work profession is looking and waiting for us to act. With that, I commend the bill.

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

*Motions***UNEMPLOYMENT**

The Hon. T.A. FRANKS (20:26): I move:

That this council—

1. Acknowledges the socio-economic shockwaves from COVID-19 will continue for years;
2. Notes that unemployment and underemployment were already a significant, ongoing issue prior to the pandemic;
3. Recognises intergenerational inequality has resulted in poor economic, health, and educational outcomes for thousands of South Australians;
4. Accepts that the majority of unemployed and underemployed people are in these circumstances through no fault of their own;
5. Understands access to reliable and livable income is essential to meet basic needs like food, housing, health care, transport, bills, and education;
6. Recognises that providing more work opportunities benefits individuals, society, and the economy as a whole;
7. Accepts that dealing with the colliding challenges of the climate emergency, long-term disadvantage and the impact of COVID-19 will require ambitious government action;
8. Notes that in the decades following the Second World War, the Australian government was committed to a policy of full employment;
9. Notes since the full employment policy was abandoned, the private sector has never employed all willing labour participants, even in economic booms; and
10. Calls on the state government to investigate how a jobs guarantee program could be adopted in South Australia to strengthen our COVID-19 recovery and support an economic transition to tackle the climate emergency.

This motion acknowledges the socio-economic shockwaves from COVID-19 that will continue for many years. It notes the unemployment and underemployment that were already a significant and ongoing issue prior to the pandemic. It recognises intergenerational inequality that has resulted in poor economic, health and education outcomes for thousands of South Australians. It accepts that the majority of unemployed and underemployed people are in these circumstances through no fault of their own.

It also understands access to reliable and livable income is essential to meet basic needs like food, housing, health care, transport, bills, and education. It recognises that providing more work opportunities benefits individuals, society and the economy as a whole, and it accepts that dealing with the colliding challenges of the climate emergency, long-term disadvantage and the impact of COVID-19 will require ambitious government action.

It notes that in the decades following the Second World War that the Australian government was committed to a policy of full employment. It also notes that since the full employment policy was abandoned, the private sector has never employed all willing labour participants, even in economic booms. It calls on the state government—the Marshall state government—to investigate how a jobs guarantee program could be adopted in our state to strengthen our COVID-19 recovery and to support an economic transition to tackle the climate emergency.

I rise to talk about not just the impacts of COVID-19, but to talk about how we move forward, to talk about a jobs guarantee, about how this is an opportunity to us here, and in this state, to go back to the future to revisit the old ways of doing things, the ones that worked, to find ways that we can care for our community, where the economy and the environment are indeed encompassed.

The impacts of COVID-19 have been devastating, and they will likely be intergenerational. Among other things, the pandemic has highlighted once again the power and security of stable employment while also highlighting the insecurity and lack of stability offered in many jobs and industries. It does not need to be this way.

As we work towards emerging from this pandemic, South Australians deserve new hope, new opportunity, old thinking. We have all been reassessing what work we can and should be doing

over these times and whether or not we are really satisfied with the way things are at present. The past year has made it quite clear that normal was not working—it was not working for everyday South Australians, it was not working for our economy, it was not working for our society and it certainly was not working for our environment. We now have the option to do things differently, to go back to the future.

A jobs guarantee works for anyone who wants it. It is work for anyone who wants it. It is nothing new in Australian politics or our history. It is something we have done before. In a 1945 white paper, the Australian commonwealth government made a commitment to achieve and maintain full employment and that commitment lasted for 30 years. Such a commitment is reinforced by article 23.1 of the Universal Declaration of Human Rights, which states that 'everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment'. That is one of our human rights.

The last year of full employment in Australia was 1975. It was also the year when the country had the lowest degree of income inequality in our modern history. Ignoring our history, policymakers and government have gone on since 1975 accepting unemployment and underemployment as somehow inevitable characteristics of a modern economy and, as a direct result, many people have gone on to face severe financial hardship and distress, often through no fault of their own.

When the number of people looking for a job is greater than the number of jobs available, not everyone who wants to work will be able to, and it also means that often those who do take jobs can be underemployed or will accept worse working conditions than one would normally accept just because they are desperate for work.

Anglicare's annual Jobs Availability Snapshot for 2021 shows that there are 27 jobseekers competing for each so-called entry-level job and three out of every 27 of those jobseekers face barriers to work, such as being older workers and having lost their jobs later in life, not having finished year 12, having a disability, living in a regional or remote area, or having a large gap in experience due to either previous or ongoing unemployment, illness or of course caring responsibilities.

I will note that, even in the wake of COVID, these are the figures after labour market conditions have improved dramatically in the last 12 months. Far more jobs are currently being advertised, including those entry-level jobs, and the total case load of people in the Jobactive network has declined since last year, but the problem is that the number of people who face barriers to work and who remain without work has barely changed since last year.

Anglicare have rightly pointed out that those who need the most help to find work and those who are likely to be long-term unemployed are not benefitting from the recovery in the labour force. Our systems are not working for these people and what is further perverse is that, not only are people who are unemployed then put on payments that are below the poverty line, they are also stigmatised. The government's frequent use of terms like 'welfare dependency' is an example of this, branding unemployment as a failure of the individual, not a failure of the economy. Put the blame where it should lie.

This also overlooks the vast number of Australians who do not receive JobSeeker payment but are dependent on government support with lucrative tax concessions for things like superannuation funds, business tax breaks and negative gearing. So while the unemployed and the underemployed are punished for seeking and receiving welfare, the rich and large corporations receive a wealth of support without any of the stigma.

The cost of unemployment and underemployment has not just been purely economic. Unemployment has also been shown in dozens of studies by economists, psychologists and other social scientists to have a wide variety of non-financial costs for the individuals concerned, for their families and of course for the broader community. The experience of unemployment has a permanent impact on the wellbeing of most people and a prolonged period of unemployment makes it difficult to get back to work.

It is particularly damaging to future employment prospects of younger workers and we know that it is young South Australians who have been hit hardest by this pandemic, although we must also recognise that our systems were failing them well before the pandemic started. We have had wage stagnation in this country for the past 25 to 30 years, so the system, by design, keeps wages

low as prices go up. A third of all workers prior to COVID-19 had to live with their wage not growing at all.

We need to understand and accept, instead of paying lip service to this, that access to a reliable and livable income is essential to meet all the basics of life, like food, housing, health care, transport costs and other bills, as well as accessing education and training. South Australia is the only state with a jobless rate above 5 per cent, and this does not even factor in people who are underemployed, in insecure employment or who have simply given up looking. In fact, our underemployment rate is also concerningly high at 8.4 per cent, and South Australia's underutilisation rate has been close to 20 per cent in recent months, and would have been higher of course had it not been for JobKeeper, having been 15 to 16 per cent prior to the COVID-19 shock.

South Australia has had more than 10 per cent labour underutilisation continuously since 1978—1978! This contrasts with the first 30 years after that war, where Australia as a whole virtually had no underemployment and an unemployment rate which only once went to around 2 per cent. There is no greater demonstration of the utter lack of suitable jobs out there than the fact that approximately 23 per cent of people on unemployment payments have a job but do not receive enough pay or hours to live on.

We know that people want jobs, meaningful jobs, jobs where they can use their knowledge and their skills. People want to contribute to their community, and we know that the recipe for stable, prosperous and successful local communities and economies of course is to provide guaranteed work for those who want it, particularly amongst vulnerable groups. There are many, many willing hands seeking paid employment. Our communities have unmet needs; these hands could meet them.

To increase our social productivity and the wellbeing of local communities, we should bring the two together. Untapped human potential exists in our society and is a failure of both our economic system and successive governments that this potential continues to go unnurtured and unrecognised. This human potential, if harnessed wisely, has enormous capacity to lift the nation's productivity and wellbeing, as well as to tackle head on the entrenched cycles of socio-economic disadvantage in our state.

We continue to face the crisis of inequality and climate change in our state, and while a jobs guarantee is not a silver bullet, it is an important tool that we have for addressing these issues. We can pay people to care for their communities and for the environment, to learn new skills while doing so or to finally have the opportunity to use the skills they already have.

We can invest in repairing our landscape, in preparing for bushfires, we can fill much needed positions in health services, aged care and disability, and in short we can look after each other. That is what a society is for isn't it? Reliable and livable income is essential to meet our basic needs like food, housing, health care, transport, bills and education, and we need to recognise that since the full employment policy was abandoned the private sector has never employed all willing labour participants. Even in the economic booms the national unemployment rate has averaged more than 6 per cent since full employment policies were abandoned. In the 30 years before that, unemployment, as I said, only went above 2 per cent once.

A jobs guarantee will help smooth out and smooth over the expansion and contraction in the private sector, and what we have learnt through this pandemic is that when the chips are down the private sector does not come to our rescue. It has been governments, and even neoliberal governments like the Morrison government, that have had to insert policy to make those necessary changes to keep people from becoming homeless, from having nervous breakdowns, from ending up unnecessarily in our health system, and the problem we have—

The PRESIDENT: It would be helpful to the Hon. Ms Franks if that conversation was not taking place in front of her.

The Hon. R.A. Simms: Sorry, apologies.

The PRESIDENT: The Hon. Ms Franks.

The Hon. T.A. FRANKS: Thank you, Mr President. The problem we have is that we entered a period of neoliberalism, where human beings became so-called units of productive measure, and

people were placed in the too-hard basket, and you had an entire economic system that accepted large numbers of unemployed people in order to keep inflation down. That is no longer acceptable.

If COVID has taught us anything, it has taught us that we do not have to do things the way that we were. The work that is available and the whole employment space is changing, but the ones who are still missing out the most are young people and the long-term unemployed. We have to provide a better deal for them, tapping into that human potential. When we have a climate emergency barreling towards us, this is not only desirable, it is absolutely necessary.

Everywhere you look, there are opportunities to connect the untapped potential of people with the unmet needs of the community. I urge this council to support this motion so that we can create meaningful jobs for all who want them and work together for the benefit of our community, our economy and, of course, our environment. I commend the motion.

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

Parliamentary Committees

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: INQUIRY INTO THE COAST PROTECTION BOARD AND COASTAL LEGISLATION

The Hon. T.J. STEPHENS (20:41): I move:

That the report of the committee on its inquiry into the Coast Protection Board and coastal legislation be noted.

The Hon. Tung Ngo and I have collaborated, and he is going to make a reasonably extensive contribution, so I will not cut him off at the pass, but I will say that it was a very tripartisan inquiry that was done on the particular topic. It was a pleasure to work with the member for MacKillop, the Chair, the Hon. Tung Ngo, the Hon. Robert Simms, the member for Playford and the member for Schubert. We were ably supported by the excellent staff, Dr Merry Brown and Ms Joanne Flear.

We travelled extensively through South Australia, and I would like to thank all those people who shared with us their extensive local knowledge. I think they have all made wonderful contributions to the report. It would be remiss of me not to acknowledge the efforts and the hard work of the Hon. Mark Parnell, who was a driving force with regard to this report.

I think when people take the opportunity to have a look at it, it really does shed some light on some of the issues and challenges that we have ahead of us. Some of them are very substantial and will take quite a bit of solving. With that, I commend the report. With the agreement of the Hon. Robert Simms, after the Hon. Tung Ngo has made his contribution we will pass the motion.

The Hon. T.T. NGO (20:43): I rise to support the noting of the sixth report of the Environment, Resources and Development Committee on the inquiry into the Coast Protection Board and associated legislation. As the Hon. Terry Stephens said, I pulled the short straw and I will be giving a longer speech on behalf of all honourable members in this house.

The Environment, Resources and Development Committee (ERD committee) commenced this inquiry in early 2021 on the motion of the Hon. Mark Parnell MLC, a former member of this council. The inquiry's aim was to investigate and report on the Coast Protection Act 1972, which will mark its 50th anniversary next year, and determine whether SA's coastal legislation and the Coast Protection Board are still fit for purpose some 50 years later.

The committee received 54 written submissions and heard evidence from 30 different witnesses. This report makes 11 recommendations, the most important of which is the recommendation that state government develop a statute amendment bill for the Coast Protection Act during the next parliament. The other recommendations to state government aim to contemporise the Coast Protection Act by positioning the Coast Protection Board as a leader in regional and metropolitan coastal areas protection and integrated coastal management.

The committee held most of its hearings in Adelaide and was pleased to hold one regional hearing in Mount Gambier and privileged to visit many beautiful coastal areas in South Australia, including in the South-East, Adelaide Plains, Yorke Peninsula, Eyre Peninsula and Adelaide metropolitan regions.

The committee heard a great deal of evidence from regional and metropolitan stakeholders that statewide leadership in integrated coastal management was vital for the future of South Australia's coastal areas. SA's coastal areas are highly contested, with a number of agencies having jurisdiction over coastal geographic boundaries and responsibility for management distributed over state and local levels of government.

This fragmented approach to governing our coastal areas has led to a complex mosaic of plans, strategies and programs across government agencies and councils that incompletely cover coastal areas. Furthermore, there are gaps in leadership of strategic and statewide policy setting to control coastal development, manage coastal conservation priorities and mitigate impacts from climate change and sea level rise.

The committee met with and heard from many council representatives as it travelled throughout regional South Australia. Their passion for protecting coastal areas in their regions was very evident, but the committee noted with some dismay that councils were apportioning disproportionately large amounts of their base budgets to protecting coastal infrastructure and public access to beaches. This is clearly unsustainable for councils.

One of the committee's recommendations is for the state government to commit to finding an equitable and sustainable long-term funding model for research and data collection and for the protection and management of coastal assets across the state. The committee also heard from regional councils of the urgent need for local data collection to help inform better decision-making. This is particularly the case for councils seeing an upswing in tourism due to the increase in backyard tourism as a direct effect of COVID-19 related travel restrictions.

Submitters were strongly supportive of amendments to the Coast Protection Act and keen to retain an authority, such as the Coast Protection Board, that could collaborate and lead on statewide and strategic coastal issues.

On behalf of all members of the committee—that is, the Presiding Member, Mr Nick McBride, member for MacKillop; Mr Michael Brown, member for Playford; Mr Fraser Ellis, member for Narungga, Mr Stephan Knoll, member for Schubert; the Hon. Terry Stephens MLC; the Hon. Robert Simms MLC; and former member the Hon. Mark Parnell MLC—I would like to take this opportunity to thank the people who took the time to help the committee while it toured SA.

In particular, I thank the mayors, chief executives and staff of the 18 regional councils the committee met with; representatives from the South Eastern Water Conservation and Drainage Board; the presiding member of the Coast Protection Board, Mr Jeff Tate; and Dr Murray Townsend, from the Department for Environment and Water, who accompanied the committee on their regional visits.

I would also like to thank the academics from Flinders University who accompanied the committee on its tour of Adelaide metropolitan beaches. I am also grateful for the community groups who spoke to the committee at Parnka Point, Lucky Bay and Black Point, and thank all individuals, community groups and organisations that provided a submission or gave evidence to this inquiry.

I have learnt so much from this inquiry, I now have an even greater appreciation of our beaches and coastal areas. I had no idea how much of an impact and damage climate change and man-made infrastructure such as boat ramps and groynes, which are meant to protect the beaches, actually will cause to our beaches in the future. Now I can easily explain to my friends and constituents the unintended damage that occurs when humans try to interfere with nature.

Finally, on behalf of the committee, I would like to thank parliamentary officer, Ms Joanne Fleer, and research officer, Dr Merry Brown, for their assistance with organising the committee's site visits and compiling the evidence received into this report.

The Hon. T.J. STEPHENS (20:51): I would like to thank the Hon. Tung Ngo for his contribution. We have already thanked all those who were involved, so I put the motion.

Motion carried.

*Motions***RIVERBANK ARENA**

Adjourned debate on motion of the Hon. R.A. Simms:

That this council—

1. Notes that the site proposed by the state government for a 'Riverbank Arena', Helen Mayo Park (Park 27), is designated Parklands under the Adelaide Park Lands Act 2005;
2. Notes that the Adelaide Parklands and city layout are listed on the national heritage register and parts of the proposed site fall within the area of the listing;
3. Notes that the proposed development of the site could impact adversely on the heritage values of the Parklands; and
4. Opposes the state government developing Helen Mayo Park on the basis that this represents a further erosion of the Parklands that is inconsistent with its status as a nationally heritage listed site.

(Continued from 22 September 2021.)

The Hon. E.S. BOURKE (20:51): I have said before in this chamber that I am proud to call the square that surrounds my young family's house—that being North Terrace, South Terrace, East Terrace and West Terrace—my home. The streets that link these terraces create a picture of our CBD. This feature is protected by a frame. So valuable is this frame, it is heritage listed.

That frame is our Parklands and they hold the stories that symbolise our culture and our heritage, but they also help make Adelaide the world's third most livable city, moving it up seven places to take the top spot in the nation from Melbourne. When you walk, ride, scoot, or for those who can, run around our city's picture frame, you do start to question the names of the parks—just like Helen Mayo.

I thank the Hon. Rob Simms for bringing this motion to our chamber. As the Labor candidate for Adelaide, Lucy Hood, has made clear: Labor will support this motion. The story of Helen Mayo is one I enjoy sharing with my three young city-living girls. Helen was an advocate for challenging the norms, to stand up for those voices who were not necessarily the loudest, like young mums. Public life and community were at the heart of Helen Mayo's distinguished career.

As a young child, Helen had never heard of a female doctor before or seen one, but she was set on pursuing a career in medicine. However, Helen's father was advised by the university that she was too young to commence studies in medicine. Helen went on to seek her father's approval to study medicine in 1898. She was 20. The rest, as they say, is history.

In 2017, the City of Adelaide named a park in honour of a progressive medical pioneer. It is a park nestled on the edge of the Riverbank that connects our established Parklands that are linked together by our city's popular bike and walking trails, the Helen Mayo Park.

Dr Mayo was only the second woman to gain a medical degree from the University of Adelaide. She went on to work at the Adelaide hospital and later established its vaccine department. She was the first woman to be awarded a Doctor of Medicine degree from the University of Adelaide and, in 1914, became the first woman university councillor in Australia. An advocate for educating women for motherhood, Mayo's efforts led to the Mothers' and Babies' Health Association being formed in 1927, which eventually served the whole state. Mayo passed away on 13 November 1967, with the *Medical Journal of Australia* attributing the success of South Australia's infant welfare system to her efforts.

Helen defied the odds against the large institutions that pushed back on her dream to become a doctor. Now we need to push back on this Liberal government, whose only vision is to build a \$662 million basketball stadium that will consume this established park and walking trail space named after Dr Helen Mayo. South Australians are rightfully questioning why this government is pursuing a basketball stadium in the middle of a health pandemic, when we have the worst ramping wait times in our state's history.

The government's strange priority focus does not end there. They are also proposing what has been described by the Adelaide Park Lands Association as the single biggest attack on our open green public lands in their 184-year history. Not only is the Marshall Liberal government proposing to extend an infrastructure footprint over the Helen Mayo Park area but also over Elder Park, Pinky

Flat and the Torrens itself. We took the title as the most livable city in our nation from Melbourne without a basketball stadium, without permanent commercial bars, cafes and shops being built on the Torrens River, Pinky Flat or Elder Park.

One has every right to ask why this government is looking to put this envied title at risk. They have every right to ask why the member for Adelaide, Minister Rachel Sanderson, has been completely quiet on her government building a \$662 million basketball stadium, a new infrastructure footprint that consumes Helen Mayo. They have every reason to ask why the local member did not bother to give her time and join the community rally to save Helen Mayo Park and why she did not stop this from progressing through cabinet.

CBD businesses are calling out for help, and this is help they are looking for. Developers and shop owners are standing with residents and asking why this government is looking to take foot traffic away from the CBD. They are looking to take foot traffic to the other side of the river when their doors are close to being slammed shut. The focus of this government should be on our existing CBD, not on creating further uncertainty by taking the foot traffic away from them. This government has the wrong priorities because they are out of touch and not ready to be leaders. Thank you for bringing this to the parliament.

The Hon. F. PANGALLO (20:57): I rise to speak on behalf of SA-Best in support of the Hon. Robert Simms' motion. SA-Best strongly supports and acknowledges our heritage listed Parklands and the special place this unique space within the square mile of Adelaide holds for all South Australians and, of course, especially Indigenous guardians, the Kaurna people. We recognise that sometimes there needs to be some encroachment for facilities for us to enjoy. We currently have the dilapidated Aquatic Centre, for instance. There is the Adelaide Oval, some of Lot Fourteen, the new RAH and the proposed Women's and Children's Hospital.

You might recall that the Stadium Management Authority at one point wanted a flying fox or a cable ride from the roof of the Riverbank stadium to the banks of the Torrens. That would have led to other ideas to exploit this beauty spot at Pinky Flat. But, as the Lord Mayor has already pointed out, we need to be mindful of just what we build there. We do not want to see monoliths. We would balk at any type of entertainment development on Pinky Flat. She reminded us just how much of the original space allocated as Parklands has already been swallowed up.

It was pleasing to see Adelaide City Council, through a motion by Councillor Phillip Martin, reject a bid by the South Australian government to rezone or subzone 71 hectares of Parklands. According to the PlanSA/YourSAy websites, the proposed changes to the Planning and Design Code would progress projects of state significance, including a multistorey car park associated with the new Women's and Children's Hospital and the Marshall government's 15,000-seated Riverbank basketball stadium that the Premier wants to build at a cost of almost \$700 million. It sits on Helen Mayo Park named, of course, in honour of a pioneering medical practitioner in South Australia. Will that mean it will no longer be remembered as Helen Mayo Park, or will the Premier perhaps dub the basketball stadium the 'Helen Mayo Arena'?

From the outset, there were warnings that the State Planning Commission's changes to planning would wreak chaos, confusion and uproar, and that has certainly eventuated in many council jurisdictions, where ratepayers and residents alike are tearing their hair out, with frustrating delays and indecision from a system that we were promised would be simple and eliminate red tape. Well, it has been anything but—there is red tape, yellow tape, masking tape, Gorilla tape and cellophane galore as council planning officers, PlanSA and citizens grapple with the code's applications.

A constituent, Rob McKibbin, has detailed the total frustration experienced with Murray Bridge Council over contradictory advice and inordinate delays that he has been getting over—now wait for it—a shed on a remote piece of property outside Murray Bridge. The council has been requesting he present an image to scale to be used as the basis of showing the shed's location. Do we really need to do this, Mr McKibbin asks? They used Google Earth imagery only to be told that a satellite image cannot be used adjusted to scale. They provided all the appropriately certified engineering drawings. They have been told that they may need to use a draughtsperson at great cost to them.

The same council that used Google Earth to highlight some discrepancies in the plans told Mr McKibbin and his son they could not use Google Earth. Remember that Mr McKibbin used the perfectly acceptable and accurate Google Earth image that was modified to scale. It has become quite comical, but with serious consequences because the delays have meant a \$14,000 increase in the quote to erect the shed because the price of steel has gone through the roof. But back to Helen Mayo Park: there are of course other matters to consider there. As Jeffrey Newchurch, an Aboriginal elder, has already pointed out, these new projects may well encroach on Indigenous burial sites. That needs to be addressed before things can proceed. I note there is opposition from the History Council of South Australia as well.

In closing, we support the intent of the Hon. Robert Simms' motion, that any development on our Parklands requires parliament to have some oversight and say.

The Hon. R.I. LUCAS (Treasurer) (21:03): The government opposes the motion, and I place on the record the advice from the Minister for Planning and Local Government in the following terms. The Riverbank Precinct is an integral part of the city's identity and a major contributor to its overall vibrancy. The state government is transforming the Riverbank into a world-class health, sporting, educational and biomedical precinct that has strong connections to the city centre and is a drawcard for local, interstate and international visitors, with North Terrace as a premier cultural boulevard. This is being supported through a range of new initiatives in the Riverbank Precinct, such as the new Women's and Children's Hospital.

A number of changes to the Planning and Design Code are being proposed through a code amendment to ensure the government's vision is realised. Since 2018, the government has made in excess of \$6 million of direct investment into projects to enhance the Parklands, including the Quentin Kenihan Inclusive Playspace, the new City Skate Park, as well as event infrastructure upgrades to Rymill Park.

The code amendment changes focus on four areas: (1) a world-class health and biomedical precinct; (2) an entertainment precinct that attracts interstate and international visitors; (3) an innovation precinct that grows jobs in the South Australian economy; and (4) an active waterfront precinct that builds on the cultural value and character of the Parklands.

The expanded entertainment precinct is proposed for Helen Mayo Park, to be situated to the west of Montefiore Road, south of the River Torrens and north of the railway line. A section of land in this area is proposed to be rezoned from Adelaide Parklands to city Riverbank zone, entertainment subzone, and a portion of land already in the city Riverbank zone changed from health subzone to entertainment subzone. Much of the proposed site consists of discarded soil, work and storage yards, and car parking, with the majority of the site fenced off to prevent public access. There is no safe public walkway to the small publicly usable area.

The new 15,000-person Riverbank arena proposed for this site will increase convention space for the Adelaide Convention Centre by 5,600 square metres. As I have indicated often, this is essentially the third extension of the Convention Centre that some of us have seen in 30 years. The first one was in the nineties under the former Liberal government, the next one was under Premier Rann and the Labor government and now this third extension of the Convention Centre under the Marshall Liberal government.

However, it will be a multiuser site because it will also cater for entertainment, concerts and court sports such as basketball, netball and tennis. The need for a new arena is clear. As Ticketek Australia's Managing Director, Cameron Hoy, recently provided, 'Adelaide is going to continue to be bypassed by major acts, such as Billie Eilish, until such time as it gets a larger arena.'

The Environment Protection and Biodiversity Conservation Act 1999 is the federal government's central piece of environmental legislation. This act ensures a consistent approach to protect matters of national significance, including national heritage places. In this context, the rezoning does not trigger the need for assessment under that act. However, that act will need to be considered during the detailed design and decision-making stage of any public infrastructure projects which are consequential to this code amendment process.

Consultation on the code amendment concludes today. Subsequently, a report will be created by the State Planning Commission for the Minister for Planning and Local Government to the either support or reject the code amendment. If approved, the code amendment is referred to the

Environment, Resources and Development Committee of parliament for review, which occurs within 28 days of coming into effect. This is the appropriate avenue for parliament to consider the proposal. For those reasons outlined by the Minister for Planning and Local Government, on behalf of the government, we strongly oppose the motion.

The Hon. R.A. SIMMS (21:07): In summing-up, I want to thank the honourable members for their contribution to this debate. In particular, I thank the Hon. Emily Bourke from the Labor Party and the Hon. Frank Pangallo from SA-Best for speaking in support of this bill. Of course, I acknowledge the contribution of the Treasurer as well and the position of the government.

The arguments here have been well ventilated, but I do want to emphasise that this debate is about much more than the future of the Helen Mayo Park. It is about the future of our Parklands. If the government presses ahead with this rezoning and this arena on the Riverbank, we put the national heritage listing of our iconic Parklands at risk.

I also note, as the Hon. Frank Pangallo has done, the comments made by Kaurna elder Jeffrey Newchurch to the Adelaide City Council Reconciliation Committee, where he advised the committee that the proposed site for the entertainment arena was of cultural significance. This really needs to be taken into consideration.

Members will also be aware that last night the City Council, of which I was previously a member, voted to oppose this development. I recognise the presence of Councillor Keiran Snape in the gallery, who is someone who has been a strong advocate on the Parklands.

As I say, this is about more than just Helen Mayo Park. I fear there is the potential for this arena to be used as a Trojan Horse, something that could enable a raft of other developments on the Parklands. We know that this Liberal government has a much broader vision for the Parklands in its sites—cafes, restaurants, fixed structures, multistorey buildings, residential apartment towers.

The Hon. S.G. Wade interjecting:

The Hon. R.A. SIMMS: This commercialisation of our public green space—I am not sure why the Minister for Health is calling out. He sounds like he is as aghast as most South Australians are about the proposal, because this is actually part of the code amendment that has gone out for consultation. If we lose our Parklands, we can never get them back.

Earlier today, I introduced a private member's bill to deal with the other elements of this rezoning, ensuring that the parliament has its say on the proposed planning code amendments on the Parklands. If this motion succeeds today, it will send the government a very clear message: hands off our Parklands. I submit that if this motion were successful it would be untenable for the government to push ahead with this rezoning on Helen Mayo Park because to do so would flout the will of a house of this parliament.

Members interjecting:

The Hon. R.A. SIMMS: Again, I hear the members of the government guffawing, but I think it is pretty reasonable to say that when you are talking about public space you consult with the parliament. With that, I put the motion.

Motion carried.

Bills

FIRE AND EMERGENCY SERVICES (BUSHFIRES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 October 2021.)

The Hon. J.A. DARLEY (21:12): First of all, I would like to thank the Hon. Tammy Franks, the Hon. Emily Bourke and the Hon. Stephen Wade for their contributions. I commend the bill to the chamber.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C. BONAROS: I have a question in relation to a contribution that was made by the Minister for Health and Wellbeing. I am hoping that the minister may be able to shed a bit of light on some of the comments he made on this bill, as they relate to concerns that have been raised around surveillance technology. I note that during his contribution he said:

...SAPOL undertakes a range of activities to prevent deliberately lit bushfires through Operation Nomad. This includes the use of surveillance technology. The publication of these activities and technologies used may compromise the effectiveness of Operation Nomad.

He further went on to say that he was aware that the CFS held concerns in respect of that particular element of the bill also. I was just wondering if the minister is actually able to expand on those concerns so we have a better appreciation of them as they relate to the surveillance technology?

The Hon. S.G. WADE: I should clarify there were actually two separate concerns. South Australia Police had concerns about the breadth of this bill and that it could impede their activities in relation to Operation Nomad. I have not been briefed on the details of that technology and the point that the police are making is that this bill would require them to give account of the technologies which could actually undermine the operational activity. I would be fascinated to know what discussions the honourable mover of the bill had with police and what his response is to the concerns for police.

We know that a significant threat to South Australia in terms of bushfires is actually arsonists. Sure, climate change is a significant issue but the state of the Hills is one issue. If you like, it is the wick. If this house, by undermining the operations of the police, will actually encourage those who want to light the wick I believe we are being reckless. Police have advised us that they have particular concerns should there be a requirement for, and a reporting on, technologies used to prevent bushfires.

Separately—and my understanding is they are quite separate concerns independently raised by two vital essential services—the concerns in relation to the CFS, I am advised, are in relation to the elements of the bill that would provide the State Bushfire Coordination Committee with the power to essentially direct operational agencies. As an operational agency, the CFS is concerned about this bill and, again, I would be fascinated to know what advice the honourable member moving this bill had from the CFS and why he was willing to discount them.

The Hon. J.A. DARLEY: We had quite extensive discussions with SAPOL and the CFS. We agreed that there was no need to describe in detail what these situations were. They would only be reporting in general terms what they did on the plan.

The Hon. S.G. WADE: As the minister representing the minister who is responsible for this area, I have been given advice that both agencies have ongoing concerns. The honourable member may want to reframe the advice he has received but the firm advice from the agencies through the relevant minister is that this bill is unacceptable. If crossbenchers and members of the opposition want to put at risk our state's capacity to respond to an emergency, the record will show that.

The Hon. C. BONAROS: Obviously, that is an area that we would like to explore a little further. I am not sure how we do that. Is there—

The Hon. S.G. Wade: I have got firm advice.

The Hon. C. BONAROS: No, I appreciate that the minister has firm advice. I am not sure if the mover could expand on the discussions that he had and how these provisions could be used to provide the sort of advice that the mover indicated is intended, as opposed to the broader advice that the minister says the agencies have concern over.

Is the concern that the net has been cast too wide in terms of what is being prescribed in the bill or is it in fact the case that you could actually limit the information that is actually provided? Would that alleviate the concerns that the minister has ventilated?

The Hon. S.G. WADE: Let me be clearer. These are concerns of SA Police and the CFS. I am advised that SA Police believe that the publication of these activities and these technologies in relation to Operation Nomad may compromise the effectiveness of Operation Nomad.

It is a bit like saying, for organised crime, 'We'll publish our protocols, we'll publish how we're going to do things,' and expect that that will somehow not jeopardise the operations against organised crime. It is self-evidently common sense that police should not be required to disclose their technologies to people who may seek to get around them to pursue their arsonist behaviours.

With all due respect, we should respect the advice of SA Police that they believe that publishing their strategies, their technologies, would undermine their capacity to protect the people of South Australia. I would be fascinated to know what the honourable member's discussions were with the police, why they tell the government one thing and the honourable member believes they are relaxed.

The Hon. J.A. DARLEY: My amendment No. 7 covers that. That amendment refers to measures to reduce the incidence of deliberately lit bushfires. It does not require SAPOL to divulge operational details that would compromise their effectiveness: quite the opposite. SAPOL would be able to outline measures that would assist in deterring bushfire arson behaviour; for example, reporting of Operation Nomad does not mean that the operational detail is provided, compromising operational effectiveness.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

The Hon. J.A. DARLEY: I move:

Amendment No 1 [Darley-2]—

Page 3, line 26 to 29 [clause 5, inserted paragraph (ca)]—Delete ' , placement and use of bushfire monitoring and detection cameras, and the use of images and data captured by bushfire monitoring and detection cameras under this Act'

This bill with amendments is focused on enhanced planning and reporting to the minister and parliament on bushfire measures relating to prescribed burns and emerging technologies. It is not prescriptive. The bill focuses on transparency in the reporting of:

1. The annual prescribed burns program against principles, criteria and methodologies set out in the statewide plan for conducting prescribed burns; and
2. Emerging technologies relating to bushfire monitoring, detection and warning.

This amendment deletes reference to bushfire monitoring and detection cameras. Advice from SAPOL was that they have a range of ways of capturing numberplates, including clandestine cameras and aircraft. SAPOL is also satisfied with their present powers relating to any use of monitoring technologies, and therefore do not consider codification of further powers is needed in the bill. Instead, there will be reporting on emerging technologies picked up elsewhere in the bill.

Amendment carried; clause as amended passed.

Clause 6.

The Hon. J.A. DARLEY: I move:

Amendment No 2 [Darley-2]—

Page 3, after line 34 [clause 6, inserted subsection (1a)]—Insert:

- (aa) the annual programme for implementation of the State-wide Plan for Prescribed Burns, set out in the report by the State Bushfire Coordination Committee under section 71G, including—
 - (a) information on the human resources and physical assets required to implement the plan in the present and future years, and
 - (b) the ways in which such resources and assets will be deployed.

This amendment inserts the information requiring an annual program for implementation of the statewide plan for conducting prescribed burns in proposed section 71G to be referred to in 71E—Annual reports of the State Bushfire Coordination Committee.

Amendment carried.

The Hon. J.A. DARLEY: I move:

Amendment No 3 [Darley–2]—

Page 3, line 38 [clause 6, inserted subsection (1a)(a)]—After 'year' insert:

(including information relating to their contribution to non-burn fuel reduction and management if relevant)

This amendment ensures any information relating to non-burn fuel reduction and management is included, where relevant, when considering the statewide plan for conducting prescribed burns.

Amendment carried.

The Hon. J.A. DARLEY: I move:

Amendment No 4 [Darley–2]—

Page 4, lines 5 to 16 [clause 6, inserted subsection (1a)(c), (d) and (e)]—Delete inserted paragraphs (c), (d) and (e) and substitute:

- (c) the developments (if any) in emerging technologies to prevent, detect, warn and respond to bushfires during the preceding financial year; and
- (d) the extent to which such emerging technologies have been examined and trialled in the State during the preceding financial year, or are proposed to be examined and trialled in the current financial year; and
- (e) a summary of the measures referred to in section 73A(3)(ca) and (cb) identified by the bushfire management committees in their Bushfire Management Area Plans; and
- (ea) a summary of the report prepared by the State Bushfire Coordination Committee under section 71G; and

The sections referring to bushfire monitoring and detection cameras are removed in amendment No. 8. Instead, they are inserted, reporting on any emerging technologies or trialling and summary of the report of the State Bushfire Coordination Committee, under proposed section 71G.

Amendment carried; clause as amended passed.

New clause 6A.

The Hon. J.A. DARLEY: I move:

Amendment No 5 [Darley–2]—

Page 4, after line 17—Insert:

6A—Insertion of sections 71G and 71H

After section 71F insert:

71G—State Bushfire Coordination Committee to prepare report on certain bushfire measures

- (1) The State Bushfire Coordination Committee must, on or before 31 July in each year, provide to the Minister a report setting out, in respect of each bushfire management area—
 - (a) the measures (including planning measures) undertaken in the bushfire management area during the preceding financial year for the purposes of reducing the incidence and severity of bushfires in the bushfire management area; and
 - (b) details of each prescribed burn conducted during the preceding financial year in the bushfire management area; and
 - (c) the extent to which the State-wide Plan for Conducting Prescribed Burns was implemented in respect of the bushfire management area during the preceding financial year; and

- (d) any impediments that prevented the successful completion of prescribed burns in the bushfire management area in accordance with the State-wide Plan for Conducting Prescribed Burns during the preceding financial year; and
 - (e) any measures (including planning measures) proposed for the current and future financial years for the purposes of reducing the incidence and severity of bushfires in the bushfire management area; and
 - (f) any other information required by the regulations.
- (2) Without limiting the matters that may be included in the report, the report must—
- (a) include a description of measures taken, or proposed to be taken, to prevent, detect, warn and respond to bushfires in the relevant bushfire management area; and
 - (b) comply with any other requirements prescribed by or under this Act or the regulations.
- (3) The Minister must, within 12 sitting days after receiving a report under this section, have copies of the report laid before both Houses of Parliament.

71H—State Bushfire Coordination Committee may require report etc from State authorities

- (1) The State Bushfire Coordination Committee may, by notice in writing and for the purposes of preparing a report under section 71G, require a State authority to provide to the State Bushfire Coordination Committee such information or documents as may be specified in the notice.
- (2) The State authority must provide the information or documents in the manner and form, and within the period, specified in the notice.
- (3) If a State authority has not complied with a requirement under this section, the State Bushfire Coordination Committee may require the State authority to provide to the State Bushfire Coordination Committee within a specified period a report setting out the reasons for non-compliance.
- (4) The State Bushfire Coordination Committee may, on receiving a report under subsection (3), prepare a report to the Minister setting out—
 - (a) a copy of the State authority's report under subsection (3); and
 - (b) the views of the State Bushfire Coordination Committee in respect of the State authority's non-compliance.
- (5) The Minister must, on receiving a report under subsection (4), prepare a report to Parliament setting out—
 - (a) the Minister's response to the State Bushfire Coordination Committee's report; and
 - (b) any other information required by the regulations.
- (6) The Minister must, within 6 sitting days after completing a report under subsection (5), cause a copy of both the report and the State Bushfire Coordination Committee's report under subsection (4) to be laid before both Houses of Parliament.
- (7) In this section—

State authority means—

 - (a) an administrative unit of the Public Service; or
 - (b) an agency or instrumentality of the Crown; or
 - (c) a person who holds an office established by an Act; or
 - (d) South Australia Police; or
 - (e) a local council constituted under the *Local Government Act 1999*; or
 - (f) a public sector agency; or
 - (g) any other person or body declared by the regulations to be a State authority,

but does not include a person or body declared by the regulations to be excluded from the ambit of this definition;

Proposed sections 71G and 71H set out the information in the report of the bushfire management and coordination committee on the statewide plan for conducting prescribed burns and measures reducing the incidence and severity of bushfires and mechanisms for its compilation and delivery.

New clause inserted.

Clause 7.

The Hon. J.A. DARLEY: I move:

Amendment No 6 [Darley-2]—

Page 4, lines 20 to 33 [clause 7, inserted subsection (4a)]—Delete inserted subsection (4a) and substitute:

- (4a) Without limiting subsection (2), the plan must contain a plan (the *State-wide Plan for Conducting Prescribed Burns*) that sets out the principles, criteria and methodology—
- (a) relating to—
- (i) the conduct of prescribed burns on an annual basis to meet community safety needs and environmental objectives; and
- (ii) a burns programme that ensures an ecologically sustainable cycle of patchwork burns to keep fuel loads at acceptable levels; and
- (iii) any non-burn fuel reduction and management strategies; and
- (b) against which an annual programme for implementation of the State-wide Plan for Conducting Prescribed Burns will be implemented and contained in the reports by the State Bushfire Coordination Committee under section 71E and 71G.

This amendment makes clear that, whilst the State Bushfire Management Plan refers to the annual program of bushfire burns, it removes any confusion and makes clear that the details of the annual program are clearly not part of the four to five-year State Bushfire Management Plan. This is despite the contrary assertion by government; rather, the annual program reports against the principles, criteria and methodology in the statewide plan on prescribed burns, which is in the State Bushfire Management Plan.

Amendment carried; clause as amended passed.

Clause 8.

The Hon. J.A. DARLEY: I move:

Amendment No 7 [Darley-2]—

Page 4, after line 34—Insert:

- (1) Section 73A(3)—after paragraph (c) insert:
- (ca) identify any measures taken, or proposed to be taken, by SACFS to prevent, detect, warn of and respond to bushfires within its area; and
- (cb) identify measures that should be taken by persons, agencies and authorities to reduce the incidence of deliberately lit bushfires within its area; and

This amendment refers to measures to reduce the incidence of deliberately lit bushfires. It does not require SAPOL to divulge operational details that would compromise their effectiveness. It is quite the opposite: it would be able to outline measures that would assist in deterring bushfire arson behaviour. For example: reporting of Operation Nomad does not mean the operational detail is provided, compromising operational effectiveness.

The Hon. C. BONAROS: I do not think that the mover is able to answer this; I think it is a question that I might have to ask the minister. The advice that the minister referred to previously, does that take into account the amendments that the mover has proposed in terms of addressing the concerns that have been outlined by the government?

The Hon. S.G. WADE: I do not have specific advice on the amendment. First of all, (ca) relates to the CFS, not the police. The second element does relate to the issue of arson. The advice I have is the police have concerns. I personally believe the house should give strong regard to the advice of the police.

The Hon. C. BONAROS: I appreciate what the minister is saying and I appreciate that the mover is saying that discussions have taken place which seek to address the concerns that have been raised. I guess the difficulty is that we do not know, in fact, if those concerns have been raised and whether that advice was received pre- or post-amendments, which makes it a little bit difficult. We certainly take on board the concerns that have been raised by the minister in relation to those issues and would not want to be doing anything to undermine the work of Operation Nomad or SAPOL or anybody else.

If this amendment were to be inserted, one way forward, as we deal with all these matters, is to deal with it between the houses in terms of whether it actually continues to pose the risk that the minister has highlighted. I do not think that is a risk that can be dismissed by any of us. I think that is something we need to take into account. I think we also need to afford the mover the opportunity to try to address that risk, and I think he has tried to do that via these amendments. We just do not know whether they actually have that effect.

I place that on the record so that it is clear that we do have concerns around the issues that the minister has raised. We would like some clarity around this issue. I think that is something that will be addressed between the houses, if this amendment is successful.

The Hon. S.G. WADE: I think the Hon. Connie Bonaros makes a good point. The government would be happy to seek further advice between the houses.

The Hon. C. BONAROS: Thank you, and perhaps if I can just elaborate. I think there are a number of other amendments that the mover is proposing which seek to address some of those issues or remedy the problems that the government has outlined, so the comments would apply equally to those in total.

The Hon. E.S. BOURKE: I also put on the record that the opposition feels that is a good way forward, that we have these discussions through the houses and get it to the other chamber.

Amendment carried; clause as amended passed.

Clause 9.

The CHAIR: Amendment No. 8 [Darley-2] is proposing to delete clause 9. The Hon. Mr Darley, you do not have to move that because it is a deletion not an amendment, but you can speak to it.

The Hon. J.A. DARLEY: This amendment removes sections on bushfire monitoring and detection cameras. As previously stated, instead there will be reporting on emerging technologies and measures to prevent, detect, warn and respond to bushfires, including measures to reduce the incidence of deliberately lit bushfires.

Clause negated.

Clause 10.

The CHAIR: We now move to amendment No. 9 [Darley-2], clause 10. Here again this is an amendment related to the deletion of clause 10.

The Hon. J.A. DARLEY: This amendment removes the requirement that the South Australian CFS includes in its report under section 101 information on the statewide plan for conducting prescribed burns.

Clause negated.

Schedule 1.

The CHAIR: We now move to the schedule, and here amendment No. 10 [Darley—2] is referring to the proposed deletion of schedule 1.

The Hon. J.A. DARLEY: This amendment removes amendments to the Emergency Management Act 2004. The amendments necessary for this bill can now be entirely contained within the Fire and Emergency Services Act 2005.

Schedule negated.

Long title.

The Hon. J.A. DARLEY: I move:

Amendment No 11 [Darley-2]—Long title—Delete:

and to make related amendments to the *Emergency Management Act 2004*

This amendment deletes any reference to the Emergency Management Act, as it is no longer needed.

Amendment carried; long title as amended passed.

Bill reported with amendment.

Third Reading

The Hon. J.A. DARLEY (21:37): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

CLIMATE CHANGE CONFERENCE

Adjourned debate on motion of Hon. R.A. Simms:

That this council—

1. Notes the significance of the 'Conference of the Parties' (COP26) UN Conference on Climate Change taking place in November in Glasgow;
2. Recognises the latest IPCC report confirmed that the world is on track for 1.5°C of warming; and
3. Calls on the state government to leverage South Australia's global renewable energy leadership, and Adelaide's ranking as the third most livable city in the world, to petition to host a UN Conference of Parties on climate change, as proposed by Business SA.

(Continued from 8 September 2021.)

The Hon. I.K. HUNTER (21:38): I rise to indicate that Labor will be supporting the motion in the name of the Hon. Robert Simms. Climate action is core Labor business. We have always heeded the science and acted accordingly. It is a legacy of past Labor governments and premiers that we are immensely proud of.

There is no denying the world has reached another pivotal moment in its response to climate change. It is no longer a question of whether to act but a question of how we are supposed to act to keep dangerous global warming below, if possible, 1.5°C. The international community is fiercely determined to address the climate crisis now more than ever. It is just a shame that our federal government is not.

We see this in the increasingly ambitious commitments that are being made by world leaders across the political spectrum and the increasingly sad, lame, empty promises made by the federal Liberal government. This will be on display for all to see at the upcoming COP26 conference on climate change in Glasgow.

With this determination to make a change comes a growing recognition across the world of the unfortunate reality that Australia is no longer pulling its weight in terms of addressing climate change. While the rest of the world is drafting up their interim 2030 targets, our federal government is only now reluctantly committing to a 2050 target, albeit with a cabinet position being held hostage by the Nationals within their Coalition, and no plan on how the target will be achieved.

Despite the absence of the leadership from the federal government, South Australia has led our country in renewable energy, and that is something that all South Australians are very proud of. With a Malinauskas Labor government in this state, we will continue this legacy. Under the leadership of former premiers Rann and Weatherill, our state Labor governments experienced an uptake of solar that is unrivalled still across the country.

In 2017, we built the world's then biggest lithium-ion battery and, in 2020, 60 per cent of our energy was supplied through renewable sources. In addition, in this place under Labor, South

Australia was the first in the nation to legislate emissions reduction targets, a task that our Prime Minister only just yesterday refused to do. He refused to legislate his targets, because he has none.

It is clear from our history that climate action is core Labor business, as I said, and we will continue to make sure that it is into the future. Even in opposition, as the government-in-waiting, South Australian Labor is poised with a plan that will continue to build on this legacy. Our hydrogen jobs plan will not only act on climate change but will create sustainable, clean jobs and clean economic opportunities for our state, as well as helping South Australians with electricity bills.

Despite the inaction and the ineptitude of the current national government, South Australians care about climate change; Australians care about climate change. As we continue to face extreme weather events and growing ecological disasters, we understand as well as anyone that there is no planet B: we have to get this right. Collectively, we are in a race against time, if we are to defy the predictions in the latest Intergovernmental Panel on Climate Change report that states that the world is on track for global warming of 1.5°C or greater.

The international community must continue to work together, and of course Australia must do its part, not shirk its responsibilities, as our Prime Minister and the federal government continue to do. We need strong state and national leadership working together, and that does not come from the Liberal Party in this country. It is for these reasons that Labor wholeheartedly supports the motion, and it is for these reasons that we urge the chamber to do the same.

The Hon. C. BONAROS (21:42): On behalf of SA-Best, I rise to indicate our support for the Hon. Robert Simms' motion calling on the government to petition for a conference of parties to be hosted here in Adelaide, in addition to obviously the other matters outlined in the motion. If you did not know that the conference on climate change was due to begin this coming Sunday in Glasgow, then you really must be living under a rock. There has been much discussion in recent months over our own Prime Minister's attendance, let alone what policy will be delivered at that conference.

Even The Queen has weighed in on the climate change debate, and it is regrettable I must say that, due to health reasons, we now know that she will not be attending, but I do understand that she intends to deliver a video broadcast. As it turns out, and I suspect more as a result of the obvious public pressure, our Prime Minister will now join over 190 world leaders in attending the conference and working towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change.

A crowd of tens of thousands of people from across the globe, from ordinary citizens to business leaders and government representatives, will also descend on Glasgow in an effort to tackle this global emergency. As Sir David Attenborough noted last week, 'If we don't act now, it will be too late.'

I do not need to tell the Greens about the climate change basics. In fact, I do not think I need to tell anyone in here about climate change basics. We all know climate change has no borders. We all know average temperatures are rising, as is the sea level. We all know snow is melting across the globe and our oceans are warming. We all know the predictions are dire and that positive outcomes from Glasgow and, indeed, the next few conferences are absolutely critical.

To quote Sir David again, 'What humans do over the next 50 years will determine the fate of all life on the planet.' Of course, that includes the life of our kids, the custodians of our planet, the next generation, who will have to deal with the history that we have left them and how we move forward. We all acknowledge the importance of this event and the significance in terms of our participation in the conference.

In terms of hosting the conference here, we know that Sharm El-Sheikh in Egypt was recently announced as the host of next year's conference. As the world's third most livable city, I agree wholeheartedly that Adelaide is well placed to be the first Australian city to host the conference, should Australia hold the rotational presidency at some stage in the not-too-distant future. The benefits of that I think will be enormous, and it is a very good goal that we should be aspiring to.

I do not need to repeat what everybody has already said. I think the Hon. Ian Hunter has summed up this debate well today. The Hon. Robert Simms has already done that previously. We

certainly do not need to be questioning the need for our participation in this, but we do have an opportunity here. I think that this motion is a very worthy one and I support it on behalf of SA-Best.

The Hon. J.M.A. LENSINK (Minister for Human Services) (21:47): I rise to indicate support for this motion and to place on the record some comments on behalf of the Marshall Liberal government. I also note that the Minister for Environment and Water, the Hon. David Speirs, will be attending this climate change conference, as will our new Agent General in London, the Hon. David Ridgway, so South Australia will be very well represented indeed.

Our approach as the Marshall Liberal government has a clear path for responding to climate change by building a strong climate smart future. Our climate change leadership is characterised by an acknowledgement of the risks and challenges that climate change poses, a commitment to reduce our emissions to nation-leading ambitious target levels and a desire to adapt and pursue climate change related opportunities, including by engaging with businesses in the market.

In December 2019, this government released Directions for a Climate Smart South Australia, with the goal of net zero emissions by 2050. In the opening of the 2020 parliament, we then set an interim goal to reduce emissions by at least 50 per cent by 2030. In December 2020, we released the most powerful vision for climate action of any South Australian government in history, developed with input and advice from the renowned climate change expert, Professor Ross Garnaut. The Climate Change Action Plan 2021-2025 includes 68 actions across seven focus areas and shows that we could achieve a level of renewable energy that is more than five times the current local grid demand by 2050.

I will now, given the lateness of the hour, just touch on some of the recent climate change initiatives of our government. Under the category of clean energy transformation, South Australia is well on its way to achieving 100 per cent net renewable energy generation by the 2030s, with around 60 per cent of electricity generated coming from renewable sources in 2020.

This includes the Project EnergyConnect interconnector, which the Labor Party have vehemently resisted. South Australia is also well on its way to becoming a net electricity exporter to New South Wales and Victoria through a \$2.3 billion interconnector which is being built. This will deliver cheaper, cleaner electricity and thousands of jobs, and I reiterate that this interconnector was opposed by Labor.

The Hon. I.K. Hunter: Who's going to pay for that? Electricity customers.

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: Secondly, clean green hydrogen—

The Hon. I.K. Hunter: Their prices will go up on your watch.

The PRESIDENT: Order! The honourable minister is on her feet and should be heard in silence.

The Hon. R.I. Lucas: Hear, hear!

The PRESIDENT: That applies to the Treasurer too.

The Hon. J.M.A. LENSINK: Our Hydrogen Action Plan provides 20 actions across five key areas to help scale up hydrogen production for export and domestic consumption. The latest budget includes \$37 million over four years for upgrade of the Port Bonython jetty to support hydrogen and ammonia exports. The proposed 50 megawatt Hydrogen Superhub would be the largest colocated wind, solar, battery and hydrogen production facility in the world, with the potential to produce about 25,000 kilograms of hydrogen a day, using 100 per cent renewable energy.

Thirdly, solar and battery expansion: our latest budget also commits an additional \$10 million towards the Home Battery Scheme. Under the category of low emissions transport, in late 2020 we released our Electric Vehicle Action Plan, which included government investment in a statewide electric vehicle charging network. This includes \$18.3 million over four years for electric vehicles charging infrastructure.

The government is also transitioning the public transport fleet to electric and hydrogen vehicles. In the 2021-22 budget this included 45 of the state's 70 diesel rail cars to be upgraded with

hybrid energy storage and recovery systems. Seventeen new hybrid electric buses have been ordered, and we are also transitioning our annual fleet spend of \$60 million to cleaner vehicles.

Under the category of adapting to climate change, this government realises that aspects of climate change are inevitable, and our climate change response therefore includes some mitigation actions. After decades of inaction by Labor we have committed nearly \$50 million to undertake a mass sand replenishment from an external source at West Beach and the completion of a sand recycling pipeline from Semaphore as part of the Securing the Future of our Coastline project. This investment will have significant economic benefits including through more visitors to our beaches and an estimated 133 direct jobs during pipeline construction and sand replenishment.

There is \$2 million towards Greener Neighbourhoods Grants, which provides funding for councils to improve the livability of our city through increased greenery, reduced urban heat and an improved natural environment.

Under the category of government leading by example, we have committed \$60 million over two years for capital upgrades to government buildings to improve energy efficiency. This is the largest per capita stimulus investment of any Australian government in improving the energy efficiency of public buildings. With those remarks, I think we all look forward to positive outcomes from COP26 and some very strong actions coming out of that and commit to doing our part.

The Hon. R.A. SIMMS (21:53): In summing-up, I do want to thank the honourable members for their contributions. I thank the Hon. Ian Hunter and recognise his work as a former environment minister. I also thank the Hon. Connie Bonaros and the Hon. Michelle Lensink, Minister for Human Services. I recognise that all sides of politics have been committed to wanting to address the climate crisis here in South Australia.

Of course, from the Greens' perspective there is more that can be done. We have been advocating very strongly to move away from gas and other fossil fuels and will continue to do that. I also recognise the role of the Greens in this place in terms of pushing for investment in solar energy and the work of my predecessor as well in that regard.

The fact that South Australia has done so much good work in this space does put us in stark contrast with the federal government. In summing-up, I do have to recognise that when I put this motion forward it was before the federal government had announced their I-can't-believe-it's-not-a-policy policy of zero net emissions by 2050.

I pledge to cut out carbs and sugar by 2050. I will probably still be here in this chamber; you will be able to hold me to account for that promise. It shows how ludicrous it is to be making pledges 30 years into the never-never at a time of climate crisis when really what we need is leadership now. When asked to explain this new policy position, the Prime Minister said, and I quote from a column in News Limited:

We won't be lectured by others who do not understand Australia. The Australian Way is all about how you do it, and not if you do it. It's about getting it done.

I do not actually know what that means. A totally banal and meaningless statement from our Prime Minister that really sums up the Coalition government's position on climate change. They do not understand it, they do not want to do anything about it, most of them do not believe it, and it really is an appalling state of events to see the Prime Minister pedalling such a ridiculous policy at a federal level.

I do recognise the commitment of the Liberals in South Australia to supporting us hosting the COP. I think that would be a fantastic outcome. It is terrific to see all political parties supporting this and it would be a real opportunity I think to showcase South Australia's credentials as a leader on fighting the climate crisis, and also an opportunity to put even more pressure on the federal government to step up and to show the leadership that we know our planet desperately needs. With that, I put the motion.

Motion carried.

SOUTH AUSTRALIAN ITALIAN ASSOCIATION

Adjourned debate on motion of the Hon. F. Pangallo:

That this council—

1. Acknowledges the 70th anniversary of the South Australian Italian Association (SAIA);
2. Recognises the contributions made by the SAIA to the advancement of multiculturalism in South Australia through the preservation and promotion of Italian culture, heritage, services and experiences within the Italian community and the wider community of South Australia;
3. Acknowledges the enthusiastic work by the SAIA in fostering strong business and cultural ties between South Australia and Italy;
4. Congratulates Dr Daniela Cosmini and Professor Diana Glenn on the publication of their book *La Seconda Casa* (The Second Home) marking and documenting the important history of the SAIA;
5. Recognises South Australia's continuing strong business, trading, diplomatic and economic ties with Italy; and
6. Identifies that Italian is the largest non-English language spoken in South Australian homes, and calls on Flinders University to immediately reverse its decision to cut the teaching of Italian.

(Continued from 13 October 2021.)

The Hon. T.A. FRANKS (21:57): With great pleasure, I rise to support this motion, and I rise to also add my praise for the South Australian Italian Association and to congratulate all members, past and present, for all the hard work they have put in over the last 70 years. Today, the Italian community is one of the oldest and largest non-English-speaking immigrant communities in Australia, and Italian is the second most common ancestry among South Australians.

However, due to a variety of reasons, most notably the federal government's White Australia Policy and the enormous distance between the two countries, migrating to Australia from Italy was not an easy option for quite some time, but with the advent of passenger shipping routes being established in the 1920s, more and more Italian migrants started to arrive in Australia.

It was common practice that the migration followed a chain: the settler migrants, who were usually men, arrived first. After they had established themselves they would sponsor their brothers, sons, cousins, or friends to migrate. After this had occurred, wives and children were then brought over, and once the family was well-established, then ageing parents immigrated too.

During this initial period, migrants often purchased properties that quickly became successful concrete, mosaic, marble, mica and, my favourite, terrazzo businesses. I love terrazzo, the Hon. Frank Pangallo. It played a key role, quite literally, in building South Australia. Others turned their land into market gardens that would sell fresh produce at the East End market. This period saw the creation of many Italian-owned small businesses and retail shops with boarding rooms located either at the rear or on the second floor where many migrants would take up lodgings upon their arrival.

Immigration rates from Italy to Australia remained slow and steady following the pattern of chain migration until after World War II, which of course saw immigration dramatically increase right across the globe. There were certainly many challenges with uprooting one's life and moving to a different country with a different language, a different culture and the subsequent feelings of isolation that this brings. Tensions before and after the Second World War saw many Italian migrants subjected to racism and, at the peak of the war, sent to internment camps.

Up until the 1970s, when the benefits of multiculturalism were beginning to be recognised—and indeed there was some good political leadership that led to that—there was a strong expectation for Italian migrants to assimilate to the 'Australian way of life', which saw many either abandon their cultural practices or proudly stand behind them. Another response to this was the formation of clubs or associations, which sought to create a second home, a physical point of cultural reference that became instrumental for the maintenance of cultural rituals and provided an enduring sense of identity and belonging.

It was this response that inevitably led to the establishment of the South Australian Italian Association. The South Australian Italian Association has had a long and unique history consisting of several transformations in its time. It began as the Catholic Italian Welfare Association, which was formed in 1949, which then became the Italian Australian Centre in 1965 following the amalgamation of the CIWA, Juventus United Sports and Social Club, and Lega Italiana Social and Cultural Club Incorporated. Just two years later, in 1967, the South Australian Italian Association was formed.

One of the main priorities of the association, when it was first formed, was facilitating welfare activity and nurturing the social wellbeing of first-generation Italian migrants. Seventy years on, and the association's current vision of a vibrant community centre for all, where Italian culture is preserved and promoted, reflects its origins. Over the years, these visions have been achieved through hosting many events: balls, barbecues, discos, lunches, pasta nights, fundraisers for various charities, International Women's Day celebrations, billiards competitions, weddings and, of course, private functions.

I note that I have seen many a World Cup game at the Italian Centre. I used to live across the road. It was a very handy place to go when the World Cup games were on in the middle of the deep hours of the night or the early hours of the morn. There, in the physical location at 262 Carrington Street, it was known as the Italian Club, and it seemed to be the place to be on a Sunday night for quite some time. It was known as a high-profile location for business lunches and other events. Some well-known historic public figures who visited the centre included Sir Donald Bradman, Gough Whitlam, Malcolm Fraser and various other state and federal politicians.

The principal objective in the creation and development of the South Australian Italian Association was to promote and facilitate activity as an umbrella organisation to connect all Italians in our state regardless of their regional identity and to promote outreach to the wider community. It currently houses many important Italian community organisations, including the Committee for Italians Abroad, an elected consular advisory committee funded by the Italian Ministry for Foreign Affairs, known more commonly by its Italian acronym, Com.It.Es; the South Australian chapter of the Dante Alighieri Society, an organisation charged with promoting Italian language—which clearly I need more training upon—and culture through its language classes and many cultural activities and initiatives; and also the Adelaide Italian Festival.

It also housed many other community organisations, including the Italian Chamber of Commerce and Industry and the Italian Assistance Association, which is an organisation that plays an active role in aged-care coordination for the elderly members of our local Italian community. As the organisation has matured and the Italian community has become more established within the greater South Australian community, the South Australian Italian Association has focused its energy and activities on fundraising for charities. In the last decade alone, the organisation has raised hundreds of thousands of dollars for various charities, including the Central Domestic Violence Centre, Headspace Adelaide, the Hutt St Centre, the Starlight Foundation, the Mary Potter Hospice, the SIDS Foundation, the Dream Ride foundation and Nonna's Cucina, which is an Italian version of Meals on Wheels, just to name a few.

It was in the main hall there that the Italian South Australians came together in the wee hours of the morning to cheer on the Italian national team in the final of the 2020 European football championships between Italy and England. After a thrilling 3-2 victory I am informed in the penalty shootout, it was from that very place that the Italia fans grabbed their Italian flags and banners in joyful strain and took to the streets, marching down Carrington Street, up King William Street, through Victoria Square and onto this place, the Parliament of South Australia, where we were treated to the rapturous chanting, beating of drums, blaring of horns, lighting of flares and the odd tune from the piano accordion—one not attributed to the former Hon. Mark Parnell.

Whilst there have been few women in the leadership and governance roles, it has been noted that the association would not have succeeded without women. There has, in fact, only been one woman president in the association's history—Mary Azzopardi—who served as the social director for many years before becoming president. Mary played a pivotal role in organising events, such as the Sunday night discos, which then became the Sunday night bistros; weddings; dances; christenings; and the annual Carnevale stall. When she was interviewed for *La Seconda Casa*, she paid tribute to the group of women volunteers who worked alongside her to help ensure that functions ran smoothly by setting the tables, decorating the venue, ushering and selling tickets to the events.

Other women who have held leadership roles include Madeleine Griguol, the inaugural president of the women's subcommittee back in 1967, and Teresa Dall'Acqua Leonardi and Silvana Zerella have both served as vice presidents on the centre's board in more recent times. Another notable mention is Ms Vincenza (Enza) Staffiero, who undoubtedly contributed to the high-profile nature of the Italian Club.

Enza arrived in South Australia as a young woman unaccompanied and, despite having initially struggled with the language barrier, she found work making cakes, pies and pasties. She then worked at Chateau Fort in Unley until it closed, which is when she found her way to the Italian Centre. Enza was widely adored for her bubbly personality and incredible food, with one patron stating that they had dined at seven-star restaurants all over the world, but the food prepared by Enza and her team was the best they had ever eaten.

I also wish to pay tribute to the authors of *La Seconda Casa*: Dr Daniela Cosmini and Emeritus Professor Diana Glenn, who have done an absolutely excellent job in conducting interviews, gathering and collating historical resources, and writing and publishing this book which documents the important history of the association.

Dr Cosmini is a Senior Lecturer in Italian in the College of Humanities, Arts and Social Sciences at Flinders University. Her research interests are in Italian migration to Australia, ageing in a foreign land and material culture. Emeritus Professor Glenn is a former dean of the School of Humanities and Creative Arts at Flinders University and current National Head of the School of Arts at the Australian Catholic University.

Also instrumental in helping put the book together was Antonietta Itropico, Publications Manager at the Art Gallery of South Australia, who carried out the preparation, layout and graphic design of the volume, as well as the president, Dr Phillip Donato, who assisted in the sourcing of interviewees, gathering of historical records and photographs, and general fact-checking.

I had the absolute privilege and honour of attending the annual members' luncheon this year where the *La Seconda Casa* lunch was held, commemorating the 70th anniversary of the organisation and launching of this book. It was officially launched by the Hon. Hieu Van Le, the then Governor, Italophile and proud champion of multiculturalism in our state. The event was emceed by renowned chef, Rosa Matto, and attended by many dignitaries, including Mr Adriano Stendardo, Italian Consul to South Australia, and various members of this place and the other place. I would like to thank the current president, Dr Phillip Donato, for his kind invitation. It was a magnificent event. I thoroughly enjoyed it and enjoyed listening to and hearing the stories from 70 years of arduous work, adventure and activity.

The South Australian Italian Association has been an integral player in facilitating social interaction and community development that has crossed regional borderlines of identity. The association's ability to continuously revitalise and reinvent itself and remain current over the last 70 years is no easy feat and yet another example of the many hours that countless members, staff and volunteers have put in to make the association the success it is today.

Socially, culturally and economically, Italian migrants have played such a vital role in the development of South Australia. It would be near impossible to imagine our state without those incredible contributions, so thank you, congratulations and best of luck for 70 years gone, 70 years to come and many more. I commend the motion.

The Hon. T.T. NGO (22:10): I rise to support this motion. In this place last month, the Hon. Frank Pangallo MLC reminded us that one million Australians have Italian ancestry, which is about 4 per cent of the population. I cannot emphasise enough how the Italo-Australian community has greatly enriched all aspects of life in South Australia and throughout Australia. When people think of the Italian community, they say the community is vibrant, rich and powerful, but if we go back 60 to 70 years ago, the Italian community faced racism and high unemployment. Many worked as labourers in lowly paid work, often needing to hold down two or three jobs in factories or on farms so that they could provide for their family.

Life would have been tough and lonely. However, the Italian migrants did not sit on their bums and feel sorry for themselves. They made arrangements to meet their own social and cultural needs. They did not wait for others to provide for them. The Italian community not only helped to transform this state and this country into a great place to live but also contributed to breaking down barriers, paving the way for many migrants like myself and the former Governor and, across the chamber, the Hon. Jing Lee MLC. Our success was made possible because of our Italian migrants.

My early days as a 10 year old arriving in Australia in a boat from Vietnam were very hard. As political refugees, we were broadly welcomed and supported by the community and governments,

but our day-to-day life was challenging, dealing with racism, unemployment and isolation without the diversity and level of support that migrant services provide today.

The Italian community would have experienced similar challenges decades before us. I know that many Italian migrants defended the Vietnamese when our political leaders were debating Asian migration. They employed many Vietnamese migrants and continue to do so today. Our early Italian Australians and their children and their children's children should be thanked. They were people who took the initiative and were not afraid to work hard so that they could make their vision of a better place possible for everyone in Australian society.

Whenever I look at success stories from the Italian community, I like to ponder what it is that makes this community such a success story. What makes the Italian community so successful? The answer is always the same—people. Yes, people, people with foresight, knowledge and skills, people with empathy and compassion, and people who will take the initiative and work hard to make their vision of their community's welfare a reality.

The investment into South Australia by Italian businesses and companies has made our state prosper and contributed much to our employment and economy. The Italian language, traditions and cuisines are an important element of our multicultural society, and we must continue to support and respect this.

In closing, I want to acknowledge the important role our schools and universities play in developing and sustaining this knowledge and cultural diversity in South Australia. We must do what we can to support opportunities for our children and students to develop a sound understanding of the benefits of cultural diversity and the opportunity to learn the languages of other nations. Grazie tutti Italo Australiano.

The Hon. J.S. LEE (22:15): I am pleased to rise today on behalf of the government to speak to the motion moved by the Hon. Frank Pangallo, and thank him for moving this motion to acknowledge the 70th anniversary of the South Australian Italian Association, and to recognise the strong bilateral relationship between Italy and South Australia.

I was delighted to attend a magnificent gala ball held by the South Australian Italian Association to celebrate the 70th anniversary on 10 August 2019. It was a privilege to represent the Premier of South Australia, the Hon. Steven Marshall, on that milestone occasion to recognise the achievements and contributions of the South Australian Italian Association over the last seven decades.

I wish to take this opportunity to honour the outstanding hard work and significant contributions of the current South Australian Italian Association President Mr Phillip Donato, OAM, past presidents and current and past committee members, volunteers and supporters who have carried on the legacy of the founding members in serving the Italian community and enriching the wonderfully diverse multicultural society that we have here in South Australia.

The success stories by our proud and passionate Italian community can be found throughout South Australia, in the business and export sectors, in educational and health settings across all professions and industries and, of course, in politics—I think the Hon. Frank Pangallo is very proud of an Italian heritage—and in every aspect of our society.

The establishment of the South Australian Italian Association was inspired by very passionate and community-minded individuals who were determined to deliver social and welfare services to the Italian community as well as maintaining rich cultural traditions and values. Over the last 70 years, the South Australian Italian Association has been the centre of a range of community services for the Italian Australian community.

The suffering caused by the Second World War and the widening economic gulf between the north and south provided the impetus for many Italians to seek a better life elsewhere. During that time, Australia was embarking on an industrialisation and population program which opened to mass migration. Between July 1947 and 1950, over 33,000 Italians migrated to Australia.

Dating back to 1952, the Catholic Italian Welfare Association became an incorporated association and purchased the renowned Italian home at 262 Carrington Street, Adelaide. In 1965, the Catholic Italian Welfare Association was one of several Italian community organisations which

merged to form the Italian Australian Centre. Following a further restructure, the South Australian Italian Association was formed and incorporated in 1967, and a new Italian Centre was built on the Carrington Street site.

The famous venue has hosted many discos and memorable functions, which other MPs have mentioned in this chamber. Today, the South Australian Italian Association shares the Italian Centre with the Italian Chamber of Commerce, the Dante Alighieri Society and Com.It.Es South Australia, which is the Committee for Italians Abroad.

It is this rich history, remarkable stories of hard work, shared heritage, courage and determination—the hallmark and qualities of members of the association—that were captured in *La Seconda Casa*, a book published by distinguished authors Emeritus Professor Diana Glenn and Dr Daniela Cosmini from Flinders University to mark the celebration of the association's 70th anniversary.

Based on interviews with current and past leaders and members of the association, the book is fittingly titled 'The Second Home' to reflect how the South Australian Italian Association clubrooms have been a second home and a community hub for many members of the South Australian Italian community over the decades.

I wish to take this opportunity to congratulate Professor Diana Glenn and Dr Daniela Cosmini on their outstanding work and for working with other community volunteers in preserving cherished memories and presenting a wonderful window of South Australia's history and recognising the vast contributions made by the Italian community to our state.

While sadly I could not attend the book launch of the 70th anniversary earlier this year, I was delighted that my parliamentary colleague the Hon. David Pisoni, Minister for Innovation and Skills, attended on behalf of the Premier and was also joined by the Hon. Vincent Tarzia, who has a very rich Italian heritage and who is the Minister for Police, Emergency Services and Correctional Services. The event was well supported by other distinguished guests including our former Governor, the Hon. Hieu Van Le AC, other dignitaries and many members of parliament from this place and the other place.

Today, it is my great privilege, on behalf of the Marshall Liberal government, to acknowledge the pioneering and entrepreneurial spirits of the Italian community and to pay tribute to the outstanding contributions that Italian migrants and their descendants have made and continue to make to our resilient and dynamic multicultural society.

Whether it is in a social, cultural or economic sphere of our community, the profound contributions made by the Italian community have permanently shaped many facets of our contemporary Australian life. Many multicultural communities look up to the Italian community as the backbone and successful role model of migration and multiculturalism.

Italian is the largest non-English language spoken in South Australia and we were all very pleased to hear that, on Monday 25 October 2021, Flinders University confirmed that the teaching of Italian will continue next year, with applications for first-year students to be reopened. I wish to thank the many community leaders and the Italian community of South Australia for their strong advocacy in this area, including the incredible work undertaken by Mr Adriano Stendardo, the Consul of Italy in South Australia, who has worked collaboratively with the state government in its discussions with Flinders University.

I would like to also acknowledge the Hon. John Gardner, Minister for Education, for his great support in this matter, along with the Premier, the Hon. Vincent Tarzia and SAMEAC board member Maria Maglieri. They are all passionate about preserving and promoting the Italian language and culture in our state. We wholeheartedly welcome the decision by Flinders University to retain the Italian program and are glad to see that an amendment will be moved by the Hon. Connie Bonaros MLC to reflect this positive news, which is indeed well received by everyone in the Italian community and the broader multicultural community.

On behalf of the South Australian government, congratulations once again to the South Australian Italian Association for their outstanding achievements and for delivering over 70 years of dedicated service to the Italian community in our state. I acknowledge the Hon. Frank Pangallo for bringing this very important motion to this chamber. Bravo. Congratulations.

The Hon. C. BONAROS (22:24): I would like at the outset to echo the sentiments expressed tonight by other honourable colleagues. You could be forgiven for thinking that my colleague the Hon. Frank Pangallo is best placed to talk about the contributions of the Italian community to our way of life in this place but I can assure you I reckon I may just be able to do a little bit better because I married one. I assure you it is a constant reminder of the contributions the Italian community has made to our way of life here in South Australia and indeed in Australia.

When it comes to us Greeks and Italians there is a lot to be said for the *una razza una faccia* that we often hear about. It is a contest, a constant contest, of traditions, of cultures, of contributions to our communities: 'We gave you democracy, you gave us cement. We gave you philosophy, you gave us pizza.' The list is absolutely endless and it is constant.

The Hon. F. Pangallo: Don't forget the roads.

The Hon. C. BONAROS: The roads—

The Hon. F. Pangallo: And toilets.

The Hon. C. BONAROS: Toilets—here it is, right before your eyes. I think it is fair to say that my colleague the Hon. Frank Pangallo has shared in the same contest of ideas with his own wife, Angie, who happens to be Greek. So there you go, it is one of those ongoing discussions that we all enjoy, with of course a great deal of banter.

Obviously I echo the sentiments of this motion and recognise the advancement of our multiculturalism here and the preservation of our Italian culture in South Australia, as well as all the contributions the Italian community has made to our way of life. I will not say any more because I know it will cost me dearly, but I indicate my overwhelming support for this motion. In doing so, for the reasons that have already been outlined and as the Hon. Jing Lee has just alluded to, I also move to amend the motion at paragraph 6 as follows:

Leave out 'immediately reversed its decision to cut the teaching of Italian' and insert 'continue to teach Italian language beyond the current commitment of 2022'.

The Hon. F. PANGALLO (22:26): Signore Presidente, vorrei ringraziare i miei onorevoli amici qui presente che hanno sostenuto la mozione. Mr President, thank you to all my honourable colleagues, the Hon. Tung Ngo, the Hon. Tammy Franks, the Hon. Jing Lee and the Hon. Connie Bonaros, who have spoken in support of the motion today. I would also like to thank the South Australian government and the intervention of the Premier and other ministers, as well as the Hon. Jing Lee. I was not aware they had also made representations to Flinders University, and they should be congratulated on twisting the arm of the Vice Chancellor.

As the Hon. Jing Lee mentioned, there has been some good news since I first spoke about this, when it seemed the Italian language course was set to be cut at Flinders. Thanks to the intervention of those parties I have already mentioned, as well as the Italian Consul, Dottore Adriano Stendardo, Dr Phillip Donato from the South Australian Italian Association and Dr Christian Verdicchio from Com.It.Es, the Italians Abroad, as well as the many thousands of people who signed an online petition and those who wrote to the university and the Vice Chancellor, it announced this week that it had relented and that the course will not be cut.

It will continue for at least another year; however, we hope the university follows the wishes of the Legislative Council tonight and maintains Italian beyond 2022—and not just Italian but other languages that are taught there in their humanities department. They also have a magnificent Greek centre, and Indonesian and many other languages are taught there. One can understand in part why Australian universities are being forced to look at cutting these courses. It is because of a rather poor policy call by the Morrison government to limit arts and humanities courses in favour of subjects like industry, health, science and technology, etc.

This motion is not just about keeping a foreign language at one of our august learning institutions: it is also the principle of maintaining arts and humanities learning. Here is what Michelle Obama had to say about the importance of the arts and humanities, and I quote:

The arts and humanities define who we are as people. That is their power—to remind us of what we each have to offer, and what we all have in common. To help us understand our history and imagine our future. To give us hope in the moments of struggle and to bring us together when nothing else will.

Thank you very much again to all the contributors to this motion.

Amendment carried; motion as amended carried.

Bills

EQUAL OPPORTUNITY (UNLAWFUL ACTS AT WORKPLACE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 May 2021.)

The Hon. C. BONAROS (22:31): I rise to speak on behalf of SA-Best on the Equal Opportunity (Unlawful Acts at Workplace) Amendment Bill 2021. The bill has arisen from recommendation 3 of the Equal Opportunity Commission of South Australia's report of the review into the harassment in the South Australian legal profession, and I quote:

That, consistent with Recommendation 15 of the Parliamentary Review, the Attorney-General consider amending the Equal Opportunity Act 1984...impose a positive duty upon employers to eliminate discrimination, sexual harassment and victimisation.

I was extremely pleased to see the implementation of that review following its introduction into this place and the discussions that have taken place as a result. At the outset, I would like to thank the acting equal opportunity commissioner, Steph Halliday, who provided that report, and I would also like to thank acting equal opportunity commissioner, Emily Strickland, for her report of the review of harassment in the South Australian parliamentary workplace.

We have the recommendations and it is time that we see them implemented. We asked what the problems were, we asked how to fix them, and in both instances the acting commissioners provided those responses, so it should come as no surprise to anybody that we support all 32 recommendations made, 16 in each report.

But of course now we are at the pointy end of business and we are at that stage where we need to implement those recommendations. This place has taken steps towards implementing the recommendations that relate to this workplace and I would hasten to say that the legal profession—certainly the discussions I have within the profession—is concerned about those recommendations languishing and not being implemented in a speedy fashion.

All 32 recommendations of the respective acting equal opportunity commissioners' reviews into sexual assault, bullying, harassment and victimisation in both the legal profession and in parliament itself should be comprehensively and urgently addressed. Insofar as they sit within the Attorney-General's basket, then it falls upon the Attorney-General to ensure that is done. There are many outstanding issues that do sit within that basket and the concern is that in some instances those recommendations are languishing. This is one of those recommendations that fits within the legal profession's remit, but of course would not apply only to that profession.

It is my firm view that we all have a role to play to get this done and to get it done right. Given the government's responsibilities in this area, I hope this bill will sufficiently focus its attention to effectively implementing at least recommendation 3, but of course, ideally, all 32 recommendations. To that end—and I say this respectfully—the bill before us is, as I often refer to when I introduce them, a skeleton bill of sorts, if you like. It aims to address the issue that has been highlighted by the acting commissioner.

There may be changes that we need to make because there may be issues that have been addressed. There are some concerns that have been raised already in relation to, I think, the proposed deletion of the current section 87(7) which provides for the situation where an employee is sexually harassed by someone who is not a fellow employee:

If an employee reports to his or her employer specific circumstances in which the employee was subjected, in the course of his or her employment, to sexual harassment by a person other than a fellow worker, and it is reasonable in all the circumstances to expect that further sexual harassment of the employee by the same person is likely to occur, it is unlawful for the employer to fail to take reasonable steps to prevent the further sexual harassment.

I think we can all think of lots of situations where circumstances have been perpetrated by someone other than a fellow employee, and it is imperative that these situations are covered. I do not think that that is not the intention of these provisions, but I think that we need to take into consideration

some of the advice that we have received in relation to the deletion of clauses and the replacement of clauses with others.

I think it has been suggested that the wording of the new section 90A could potentially be improved as per the suggestion of the Law Society of South Australia, which suggests it could be amended to 'take all reasonable steps' for instance, or the wording for the commonwealth Sex Discrimination Act and the Victorian act be adopted. Rewording that clause to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment and victimisation as far as possible is one of the suggestions that has been made.

There are going to be suggestions. I think the important thing to keep in mind here, though, is that we do not need to reinvent the wheel. The Hon. Tammy Franks has introduced the bill and it seeks to remedy a problem in our law and we have that before us. We do not need to go and draft another bill from scratch. If there are amendments to be moved or if there are improvements that can be made or if there are issues to be addressed, we can do it on the bill before us. As I said before, we all have a responsibility and a role, I think, to play in ensuring we get this right.

I commend the Hon. Tammy Franks for introducing this bill and for ensuring that it is dealt with this side of the sitting calendar and not languishing until after the election, which really is not a reasonable outcome. The Law Society has also noted the bill extends these positive obligations that are referred to potentially, I think, beyond the recommendations of the EOC in that it extends the duty beyond employers to persons with management and control of a workplace. The current act does not reference this definition.

We know where that definition comes from, obviously, but if that is a concern that the Law Society has then I am suggesting that we explore that further and see whether there is a workable solution that can be found to addressing that issue. I say that because, when the Law Society provides us with advice, we take that advice into account and ensure that we have addressed any of the issues that the Law Society may raise. We do not always agree with the Law Society and, in this instance, I do not know that we will, but we may very well do so.

I do not think those problems are insurmountable. I think that, if they are indeed problematic, they can be addressed by way of amendment between the houses. I think that this is a very good opportunity to implement a recommendation which, to be quite frank, I think we would have all liked to see introduced into this place already.

The Attorney-General has carriage of this portfolio, in so far as it relates to the legal profession. We have not seen those changes brought before the parliament by the Attorney to date. I do not expect that we are going to see the remainder of the recommendations in that report implemented this side of the election, but I think that we do have a very good opportunity right here, right now, with the bill that we have before us, which was introduced by the Hon. Tammy Franks, to address at least one of those issues. It is a very important issue and it will go a long way towards addressing the problems that the commissioner highlighted in her report.

Basically, we should not be throwing the baby out with the bathwater. If it can be fixed, we should fix it. If there is advice that the Attorney has received, we should be privy to that advice. If there is advice that the commissioner has provided to the government in relation to the amendment, we should be privy to that advice. My understanding—and I have asked the question—is that to date no such advice has been provided to the Attorney, but I am not sure whether, subsequent to my request for that information, that information was made available.

Soon we will have the opportunity to consider the report of the joint committee of parliament, which addresses some further recommendations relating to this place. These are all steps forward and that is what we are all trying to achieve. We are trying to move forward when it comes to these issues and it is my firm view that we should get as much of this work done as possible this side of the election.

As I said, I cannot see that happening with the remainder of the recommendations relating to the legal profession, aside from those things that perhaps do not require legislative change, but, as I have said, and I have repeated a number of times, we have an opportunity with this bill to get one step further to implementing the intent of the EO commissioner's recommendations. I commend

the Hon. Tammy Franks for getting us one step closer to that and I think we need to take that opportunity. With those words, I indicate our support for the second reading of the bill.

The Hon. R.I. LUCAS (Treasurer) (22:43): I rise on behalf of the government to indicate that I think all members in this chamber and the government acknowledge that the principle or the objective behind this is shared by us all and that is that we want to have safe workplaces and we want to have workplaces that are free from harassment and sexual harassment. However, I think there are—and I will also refer to the Law Society's submission and some other submissions—differing views as to what the current laws provide and what this particular proposal might entail and what is the best way of achieving what is a shared objective.

If I can place on the record the advice that I have as the minister for work health and safety, and workplace safety in particular, is that the existing obligations under the Work Health and Safety Act are that:

A person conducting a business or undertaking (PCBU) ensure so far as reasonably practicable the health and safety of workers and others while they are at work and the elimination or minimisation of risks. This includes risk to physical and psychological health, and therefore it is unnecessary to amend regulations—

and I interpose there, and legislation—

to make specific reference to psychological health. SafeWork SA has undertaken successful prosecutions for breaches of the Work Health and Safety Act in relation to incidents involving harassment, including sexual harassment.

I place on the record, on behalf of the duly-appointed, parliament-endorsed regulator of work health and safety laws in South Australia, which is SafeWork SA, that they have, with existing laws and regulations, successfully prosecuted harassment cases and sexual harassment cases. Their advice is that there is already an existing duty on employers (or persons conducting businesses and undertakings, I should say) to have safe workplaces, and that safe workplaces have to involve both physical and psychological health-related issues.

One of the challenges I think in relation to what is proposed here is, in essence, a conflation of the roles of the equal opportunity commissioner and SafeWork SA. As we read this bill, it is proposing that the equal opportunity commissioner would in some way have the power to investigate in effect what are, in his or her view, unsafe workplaces, when that is actually the role of SafeWork SA. This parliament has given that role to the independent regulator, SafeWork SA, and it is their responsibility to investigate work health and safety issues within worksites in South Australia.

I note that one aspect of the Law Society's contribution to feedback on this particular legislation canvasses similar and related issues, that is, that the bill in their view omits a reference to compliance mechanism, thereby imposing an obligation but not providing a framework for what is to occur if such an obligation is breached. That is not our reading of the situation. Our reading is that, whilst it is not explicit, the only logical interpretation of the proposed legislation is that it is intended that the equal opportunity commissioner would be responsible for the enforcement of what might be incorporated into her act, and that is not in our view a role that the equal opportunity commissioner is suited to do and to undertake and is indeed tasked to do.

I think those who for good reasons want to support the legislation need to think through what in practical terms this all means. We have a SafeWork regulator. We have work health and safety legislation, and there have been proposals nationally and interstate in terms of changing work health safety laws, which have been hotly debated, but at least they acknowledged that work health safety legislation is essentially the responsibility of SafeWork SA or its equivalent regulator in each of the other jurisdictions.

This issue, which is the subject of this debate, has been debated at the national level as well. As I understand it, the Attorney-General's ministerial council (whatever that is called) has canvassed the issue. I know that at the recent meeting of work health and safety ministers this issue was canvassed, because a similar recommendation, albeit the recommendation at the national level had a significant number of caveats incorporated into that particular recommendation, that is, whilst they recommended a positive duty for all employers to take reasonable proportional measures to prevent sex discrimination, sexual harassment and victimisation as far as possible, it went on to say:

Noting that, this recommendation also proposes limiting factors such as the size, nature of the business or operation, resources, business operational priorities, practicality and cost.

This issue has been addressed at the national level in relation to national worksites, and a similar recommendation in relation to placing a positive duty on employers, as versed in the national recommendation, does have those significant riders to it, that is, practicality, cost, size of operation. All those sorts of things were included as part of the recommendation, and one would therefore infer the recommendation is that in some way any implementation of that would need to take into account all those different aspects. As the Law Society say in their submission, in point 7:

The Society suggests there is a need for any consideration of this important matter to be thorough and well-informed, having regard to addressing the present issue but also the current obligations on employers pursuant to a raft of State and Commonwealth legislation.

I am only addressing here the issues of an apparent overlap, or attempted overlap, between the responsibilities of the equal opportunity commissioner and SafeWork SA or the equivalent work health and safety regulator. At the national level, as I said, you have work health and safety ministers and Attorneys-General addressing these related issues as to how we approach at a national level.

Clearly, there are many who argue that there should be harmonisation with work health and safety laws. Everyone will probably support that, but in reality even when it was claimed that we had harmonisation it did not occur, because various jurisdictions opted out completely and one or two jurisdictions, whilst they said they would harmonise, made significant amendments to their legislation. South Australia was one of those as well. So, yes, there is a good degree of harmonisation of work health and safety laws, but it is not to the extent that many claim when you look at the actual detail of the laws in each of the jurisdictions.

One of the key points—and again the Hon. Ms Bonaros referred to this—from the Law Society submission was current duties on employers versus PCBUs. The Law Society notes that in the Hon. Ms Franks' second reading speech she referenced recommendation 3 of the EOC report, implying her bill addresses this recommendation:

We note, and highlight, that Recommendation 3 suggests the positive duty should be imposed on 'employers'.

9. Conversely, your amendment would place a duty on 'the person with management and control of a workplace' within the meaning of section 20(1) of the Work Health and Safety Act 2012 (SA), which we note involves the following definition:

They go on to quote the following definition. Then they say:

10. We understand the Equal Opportunity Act in its current form does not reference this definition.
11. The Society's Industrial Relations Committee has advised your proposed amendment appears to create an additional obligation on a person conducting a business or undertaking ('PCBU'). In this regard, the Committee observed that it appears two issues have been conflated, namely:
 - 11.1 the issue as to placing a positive obligation on employers to prevent sexual harassment; and
 - 11.2 extending any such obligation beyond employers to also include PCBU's.
12. The Society's Industrial Relations Committee has queried how the positive obligation on a PCBU might operate in practice.

The Law Society is actually raising the same issues that I am raising, that in practice how is this intended to be implemented if it is going to be passed through both houses of this parliament. Those who support this are going to have to contemplate how it is going to be implemented. The Law Society is raising the question.

They have highlighted the significant difference in law between an employer and a person conducting a business or undertaking. We have had that debate before. Various levels of management or operational control significantly below the level of, in essence, the business owner or the employer come within the definition of a PCBU, and therefore this parliament might be seeking to place an obligation on someone. Clearly, it is placing, or intending to place, an obligation on someone who is not the business owner or the employer but a PCBU, which are people at various levels of management, potentially, within a larger organisation.

This is a positive requirement on each and every one of those PCBU's. The Law Society is saying, 'In practice, how is this going to operate?' and that is a not unreasonable question for those who are supporting the legislation.

Again, the Law Society, as I indicated earlier, raised the question about compliance. As I said, I have a slightly different view: I think the only inference can be—and this is certainly the advice I have received—that it is intended by those who support this that the equal opportunity commissioner would have to be the compliance officer and would have to do the investigations and come to whatever conclusion as to whether or not something has been breached or not under this new provision.

The Hon. Ms Bonaros has referred to other aspects of the Law Society. I should say that the members of the Law Society's Women Lawyers' Committee noted the bill also appeared to lack any reference to an independent, appropriately qualified person having the ability to step in and investigate potential breaches with a view to potentially making appropriate sanctions against the relevant person. Again, I understand the point that the Women Lawyers' Committee of the Law Society is making, but I think the only reasonable interpretation of this bill, if it is passed, is that that would rest with the equal opportunity commissioner, because there is not any reference to any other independent, qualified person.

The reality is we have independent qualified people: they are in SafeWork SA, and SafeWork SA are saying 'We are required to have safe workplaces. We are successfully prosecuting people for harassment and sexual harassment. It is possible under the legislation that we have in our state to do that.' But if there is to be at debate about this, it would seem to make more sense to me to be having the debate and the argument in the work health and safety legislation nationally.

To the extent that you can get agreement, great. I understand the frustrations of some in jurisdictions saying that is a never-ending objective; therefore, some jurisdictions will proceed, and so be it. I can understand that particular argument. All I say to what might be the majority in this chamber—and I do not know what the other chamber will do—is there are not unreasonable questions being raised by the Law Society and others.

Whilst I do not propose to ask—and I should, but the lateness of the hour means I do not want to keep people into the early hours of the morning—a whole series of questions of the mover during the committee stage, I do ask just one simple question, I guess, and that is: which particular employer organisations were consulted on this legislation, and, if they were, what, if any, response did any employer organisation provide to the mover of the legislation?

Clearly, as the Law Society is highlighting, this potentially places significant, new and different requirements on PCBU's within their organisation, and I would be interested to know, as I said, which organisations were consulted and what, if any, response they gave on the legislation.

For those reasons, as I said, whilst I think we all have a shared objective in this, it is the government's view that this is not the way to achieve the shared objective, and for those reasons we cannot support the bill.

The Hon. K.J. MAHER (Leader of the Opposition) (22:58): I will be very brief on this. I note the Treasurer speaking of a shared objective to bring about change in this area. I think it is incumbent then, if there is such a shared objective, for the government with all the resources of government to help shape this sort of change. I do not think it is good enough just to point out any deficiencies that are viewed in here. I think there is an obligation, if there is a genuine shared objective, to come up with ways to bring about such change.

We do have a shared objective to stamp out the sort of discrimination and harassment that does occur in workplaces, and there are penalties in place for things that occur after the fact. I think the point of this is not having to wait until after the fact but making sure that there is a better and more substantial incentive for the workplace to be safe so you are not having to look at penalties after the fact.

We have looked at the submissions the Law Society has made and do take on board some of the interactions between the work health and safety legislation regime and the Equal Opportunity Act, but again, if the government is serious about these shared desires and objectives to bring about change, then help formulate some ideas about it.

We occasionally put legislation into this chamber to prod the government to do things. I made a contribution earlier today about the custody notification service—the Hon. Tammy Franks and I both had very similar legislation—which was brought into this chamber and it did bring about change. It was not the change that the Hon. Tammy Franks and I sought, that was a legislative scheme, but it brought about a scheme that has been implemented by regulation. It is not exactly what we sought but by bringing it in here and debating it in this place, it did bring about change.

I think this is what this ought to do, and I would encourage the government, if they are serious, to engage more thoroughly. If there are, as the Law Society has noted, some things that need refining, particularly interaction between different schemes and different legislation, let's see what alternatives the government have to bring about that change. I can indicate that we certainly will be supporting this second reading. It is something that does need examining, and I think in supporting the second reading, it will help to focus the government's mind on it.

The Hon. T.A. FRANKS (23:00): I thank those members who have made a contribution this evening and I offer some concluding remarks at this point of the debate. This is a very simple bill that could have a significant impact on workers and their workplaces. As I have explained, this bill would amend the Equal Opportunity Act in order to impose that positive duty on employers to eliminate discrimination, sexual harassment and victimisation.

Every single person does deserve to be safe at work and employers do have a crucial role to play in creating that safe environment. I certainly do not want people being harassed in their workplace and I hope this sentiment is shared by all members of this parliament. I thank the Hon. Connie Bonaros for her thoughtful contribution this evening, and I also thank the Hon. Kyam Maher for his words.

The Hon. Rob Lucas raised points which I think are valid and are certainly worthy of consideration. What I would say is that in my negotiations on this bill with the government, this is the first time that those things have been raised with me or my office, so I find it very disappointing that, having worked and tried to collaborate with the Marshall government on this, we actually have to bring it on to a vote to find out what their true thoughts are on the bill. Indeed, we kept being asked, 'Just hold off. Just hold off. We might have some minor amendments. We have to take it to our party room and have a conversation.'

It was actually the internal politics and politicking of the Marshall government that seemed to be the priority in the debate on this bill, and not fleshing out what the real concerns were, if they are the real concerns. I am interested in what the Treasurer had to contribute tonight because it is the first time it has been raised in that way. I would have thought there would be an exchange of correspondence. Perhaps if he was so interested in it, his office could have taken part in those discussions that were taking place between my office and the Attorney-General's office, but they certainly to my knowledge had not been communicated thus far.

It was my intention tonight to take this to a vote and stop at clause 1 and it still is. I thought, given that in these discussions with the Attorney-General there seemed to be some minor amendments that might need to be made in the other place if it passed the council tonight, that perhaps we could come back on another week, and the Attorney-General or the Treasurer could make those minor amendments that they feel necessary known to the rest of the members of parliament rather than just their party room, or indeed perhaps just their cabinet, or indeed just one or two members of their party.

With that, I commend the bill to the council on this very important issue. I believe this is a conversation that should not languish without being progressed to a point where there is impetus for change, there is impetus for reform, and there is transparency about what true views are held by members of this parliament.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: Sorry, Mr Chairman, I might have misheard the Hon. Ms Franks. If I could just clarify whether she indicated that she was proposing to adjourn the debate at clause 1 or not, whether I misheard that. Putting that to the side, I did ask one question in the second reading and the honourable member did not address it in her reply to the second reading, and that is: did the honourable member consult any employer organisations in South Australia in relation to their views on the bill and, if she did, what if any response did she receive to the proposed legislation?

The Hon. T.A. FRANKS: I did indeed say that I sought to stop at clause 1, so the Hon. Rob Lucas did hear that correctly. I also will take that question on notice and get an answer back to him. I also put a question on notice for him: can he please outline the number of sexual harassment prosecutions that have been undertaken, both successful and unsuccessful, by SafeWork SA in the last five years?

Progress reported; committee to sit again.

INQUIRY INTO PALLIATIVE CARE BILL

Second Reading

The Hon. C.M. SCRIVEN (23:08): I move:

That this bill be now read a second time.

I rise to support this bill. The aim of the bill is to ensure that South Australians have a world-class palliative care system, the reason being people need to have a real choice in how they wish to be cared for at the end of their lives. The bill directs the South Australian Health Performance Council to undertake an inquiry into the South Australian palliative care system and to make recommendations on how it can be improved so we can better ensure that all South Australians have equitable access to palliative care.

Equitable access refers both to access geographically and financially. Both of those things are impediments to people accessing palliative care and both of them need to be looked at and overcome. In terms of the inquiry, the Joint Committee on End of Life Choices—with the member for Light, who moved this in the other place, being a member of that committee—made a number of findings in relation to palliative care. Based on submissions from professionals in the field, there were a number of consistent themes that emerged. Quoting from the report, the recommendations stated:

1. Palliative care is a critical part of our health and wellbeing system although it requires a greater level of funding to ensure that it provides more consistent and equitable access.
2. Any improvements to the Palliative Care system should design services that are appropriate and accessible for people in regional areas, Aboriginal people and those for whom English is not a primary language.
3. A key focus of Palliative Care should be on the dignity of people who are approaching the end of life.
4. There is a general need to improve data collection and reporting on palliative care—including the experiences of patients, their families and loved ones, clinicians and carers.

The bill proposes that the Health Performance Council should undertake the review, and that is based on feedback received by the member for Light. He also consulted with the Health Performance Council to ensure that they were (1) able and (2) willing to undertake such an inquiry.

The Health Performance Council has indicated to the member for Light that the inquiry could be undertaken and could be done in the time frame that was suggested: probably around about 12 months to complete. The functions of the Health Performance Council are consistent with being able to undertake that kind of an inquiry.

We know that the voluntary assisted dying legislation has passed and will come into effect perhaps in 12 or maybe 18 months' time. Whilst we all had different opinions on that legislation, one thing that I think was universally agreed was that people need to have a choice. We can only have a choice if we have both palliative care and voluntary assisted dying as two of the options. If palliative care is not accessible, if palliative care is not available, it is not a choice. People do not have choices if they are merely theoretical. This is relevant for everyone but particularly in regional areas, and of course being from a regional area this is a particular concern for me.

The bill has come to us in amended form, with the government having made changes, which means that the investigation or the inquiry would probably not be completed and presented to parliament until the end of 2024 and therefore would not be considered by parliament until 2025. This is unacceptable and inappropriate, and I will certainly talk about that more when we come to the committee stage.

I will move an amendment to remove that so that the inquiry can be done straight away, that it will be completed in 12 months and therefore provide an appropriate benchmark and appropriately inform both this place and the other place, and indeed our state, on the state of palliative care, what the gaps are and what needs to be done.

Debate adjourned on motion of Hon. N.J. Centofanti.

CONSTITUTION (INDEPENDENT SPEAKER) AMENDMENT BILL

Second Reading

The Hon. F. PANGALLO (23:12): I move:

That this bill be now read a second time.

I rise to speak in support of the Constitution (Independent Speaker) Amendment Bill, which was passed in the House of Assembly on 12 October 2021. On that day, we saw the installation of a new Speaker in the House of Assembly, Mr Dan Cregan, and I congratulate him on his appointment to that very important role in this parliament. I have great respect and admiration for the way in which Mr Cregan has conducted himself and executed his duties in that place to date, beans and all.

This bill, which was introduced to the House of Assembly as a private member's bill by the member for Florey, Frances Bedford, seeks to enshrine in the South Australian constitution very strong safeguards to ensure that the Speaker of the House of Assembly is, from this time on, completely and unambiguously independent. I congratulate Ms Bedford for having the courage and, quite frankly, the guts to introduce this bill.

We need to have an independent Speaker who is beyond political affiliation, who has removed themselves from the party room and is there to facilitate fair, independent and impartial deliberations. The Speaker is the ultimate arbiter and the adjudicator, who needs to act without fear or favour. To best achieve this, the Speaker needs to be entirely independent. We have seen how effective this works in the British parliament in the House of Commons.

This place may well recall one of those polarising figures who held the position as Speaker in the House of Commons, the Rt Hon. John Bercow. He was the Speaker from 2009 to 2019. He started off as a Conservative and showed no fear or favour during that time. In fact, he was known to indulge backbenchers and give them latitude for questions. People will also remember that he certainly expressed feelings openly and in defiance of perhaps both houses.

You might recall that in 2017, Mr Bercow was the one who opposed President Donald Trump addressing the House of Commons. He was a person who was strongly opposed to racism and sexism. He also created an independent body in the parliament to investigate harassment and bullying. I note that in the British parliament they have a Parliamentary Commissioner for Standards, and they are appointed by the House of Commons.

Like the member for Florey, I believe that we are all here to serve and protect this state and its people. Every South Australian is entitled to have their voice heard and heard equally in the parliament. This bill upholds our time-honoured Westminster traditions from the House of Commons, but it ushers in a new era for the South Australian parliament, where we can better reflect the standards expected by our constituents, the citizens of South Australia and those beyond our borders.

I believe that this bill will be a good thing for democracy in this state. It is a good thing for freedom of speech and a very good thing for conducting more respectful debates, where the Speaker can independently exercise the substantial powers vested in them under our constitution. I understand that there will be several amendments to this bill. Some have already been flagged to me by the Treasurer, which will come from the Attorney-General for us to consider. With those brief

words, I commend the bill to the Legislative Council and seek an adjournment until the next day of sitting.

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

Motions

SCHOOL LIBRARIES

Adjourned debate on motion of Hon. T.A. Franks:

That this council—

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

(Continued from 3 March 2021.)

The Hon. C.M. SCRIVEN (23:18): The Labor opposition supports the motion as moved by the Hon. Ms Franks and thanks her for bringing this important motion to the council's attention. The motion mentions that libraries are at the heart of teaching and learning in our schools. This is an important phrase that the opposition certainly agrees with. Libraries, and by extension librarians, play a very important role in our public schools.

Being from the regions myself, I know that in the South-East there are several schools that do not have librarians, and therefore students do not get the benefit and wisdom that librarians can offer to our students. I hope all members in this place remember with some joy the experience of discovering literature and the feeling of becoming lost in stories.

The impact of librarians cannot be understated. I had the privilege of having Mrs Pam O'Connor as a librarian at Tenison College when I was at high school. She had a profound effect on many within our school. Mrs O'Connor was a well-known historian, author, humanitarian, volunteer and Catholic leader in the Mount Gambier community, in addition to her role as librarian. She started at Tenison College in 1974 and provided 16 years of service as a librarian before moving into a classroom support role.

Pam and her husband, Brian, also supported the college in many ways. I remember Brian O'Connor. We used to have something called mini-course week at Tenison College and different people within the community would run courses every morning for the week or every afternoon and one of the ones that I chose was learning card games. I recall that Mr O'Connor was involved in teaching us canasta, and I seem to remember poker also, but I am not sure if that is actually something that I am embellishing in my memory. But it was certainly enlightening. However, I digress.

Pam was a significant leader in the school and I think her role as librarian was a really central part to the way that she involved everyone within the school and was such a respected person. She was part of the inaugural Tenison College board which oversaw, with the Marist Brothers, the conceptualisation and implementation of the very first co-educational Catholic secondary school for the region. In fact, she was recognised in 2015 in the Australia Day Honours, with a national accolade of Member of the Order of Australia. She is just one example.

The Hon. Ms Franks mentioned the School Libraries in South Australia 2019 Census which was commissioned by the School Library Association of South Australia and conducted by the Australian Council for Educational Research (ACER). I know the member for Wright, the shadow

minister for education in the other place, has met with the School Library Association of South Australia to discuss the report, and I acknowledge that the association has been proactive in putting forward the findings of the report to emphasise the importance of school libraries and librarians.

The Hon. Ms Franks quite eloquently provided in her words a summary of the findings of the census report which was nation-leading research and the first of its kind in Australia. One area I did want to touch on is the move towards digital delivery of learning and how libraries, as we know them, can and must continue to coexist with digital delivery. There has been a big push to equip schools with science, technology, engineering and mathematics (STEM) labs. The former minister for education, the member for Port Adelaide, in her time funded the STEM works program, investing \$250 million into creating STEM labs rights across our state.

This has changed in a positive way the outcomes for students, and will continue to do so, no doubt, for generations to come. But sometimes—and the census report mentions this—the library was first-place to either lose a little bit of room or lose its entire space and be moved somewhere else in the school in a smaller fashion to accommodate that growing demand for STEM. It is a matter of planning and costs but I think we need to place a greater value on our libraries and ensure that they are not expendable as the first pick when it comes to rearranging educational space in our schools. We need to ensure that, as policymakers, we emphasise the importance of libraries and librarians, and this motion and the work from the association is doing that.

Secondly, I want to mention what is almost the digital by default move in society, and the impact that has potentially on libraries as we know them. There is of course a switch to digital products—iPads, laptops and Kindles and so on for reading purposes—and while I use some of these platforms myself, nothing beats a physical book to flick through the pages, staying up way too late just to read one more chapter. It will be a sad day when we have only a digital library in our schools and no longer have books, although it might mean that I get to bed a little bit earlier.

As I said earlier, we need to ensure a balance between technology and the benefits of books. That balance needs to be maintained. I think a lot of schools without adequate resources struggle to transform traditional libraries from just rows of books into how libraries should be when delivering a 21st century curriculum. When a library is not staffed by a qualified librarian and has either an SSO, part-time teachers or volunteers or, indeed, a combination of all three, it can struggle to provide the best library experience.

That is no reflection at all, of course, on those staff and those volunteers but librarians possess specialist qualifications, as much as a science or tech teacher has specialised training. I understand again it comes down to a question of resources and priorities. Again, this is no way a reflection on any school or how they manage their school but, generally speaking, our society does not value the resource of libraries or librarians as much as perhaps previous generations did.

Librarians, after all, do not just offer advice to students on books or help to get a reference or look something up. They play a critical role in challenging students, helping them develop their skills, particularly critical and creative thinking. I am sure many members here in this place and the other place attend either their own children's schools or other local schools during Book Week and see the happy faces of children engaging with literature.

Some may say librarians are indeed the most passionate of educators. They have that love of literature and the joy that they get from passing this on to their students. As members of parliament we are often privileged to see this when we visit schools across this state. I know the member for Wright and in fact all members on this side are cognisant of this, and we are very thankful for the discussions we have had with the association and the ongoing discussions that we are continuing to have.

I do think this report and the continued advocacy from the association is highlighting the work of qualified librarians in our schools and that is positively affecting the view in the community. Finally, I will finish by again thanking the honourable member for bringing this motion to the council and to the School Library Association of South Australia we also thank you for your advocacy. Thank you to your members, our librarians, who continue to play a critical role in developing our state's youngest minds. I commend this motion to the council.

The Hon. C. BONAROS (23:26): I rise to indicate the support of SA-Best for this motion and echo the sentiments of the Hon. Tammy Franks and indeed the Hon. Clare Scriven. Mrs Hunt was my school's librarian. I remember her well and I remember her fondly. I can still picture my favourite book on the shelves of Plympton Primary School's library and borrowing and reborrowing the same book week after week.

I do not know why I did not ask my parents to buy it for me but I think half the fun was actually going to the library, borrowing that book and getting my card stamped. I suspect that is because I also remember being absolutely obsessed with that cataloguing system and getting that card stamped, and the erasers and the lead pencils that were used when you needed to fill out those little cards.

The Hon. C.M. Scriven: What was the book? What was the book over and over?

The Hon. C. BONAROS: This is the interesting part about this story. I can picture the front cover of the book very vividly. I cannot remember its title. I always do wonder what the title of that book was. It was a big book, I know that much. I have very fond memories of my library. I remember Book Week and dressing up as a witch and being gifted my very first poetry book by our head librarian.

A well-resourced library should be a prerequisite for every South Australian school. There is no question that they play an integral role, a vital role, in the development of a student's literacy and overall achievement. For the little ones, library day brings with it the chance to swap for a new book or two. They foster a positive reading culture and lifelong love of reading. For older students, libraries are a vital tool for developing research skills. I do not have such fond memories of my university library, mainly because that always entailed lots of hard work that I tried to avoid and the nightmare of assignments and exams.

For some kids, a library is also a safe place. It is a place to go when they have no-one to play with perhaps or need some quiet time when they have nowhere else to go. My little boy spends much of his playtime, as it turns out, accompanying one of his best mates to the library and that is his mate's safe place in our school. It is minus the hustle and bustle and loud and screaming noises of the schoolyard that makes an otherwise difficult lunchtime enjoyable for this little boy. I am really pleased to know that my little boy accompanies his little mate to the library during those times when things get a bit rowdy for his little friend.

I understand that while about 96 per cent of South Australian schools have a library on site, the quality and qualifications of staffing varies considerably. Again, I am grateful for our school's recent upgrade to its library, because I know how vital it is to our kids' learning.

The School Libraries in South Australia 2019 Census, conducted by the Australian Council for Educational Research and commissioned by the School Library Association of South Australia, shows us that there is a direct correlation between schools with a qualified teacher librarian and the literacy outcomes of the students. This is particularly concerning when you consider that whilst 94 per cent of South Australian school libraries are managed by someone, only 23 per cent are managed by a qualified teacher librarian and 20 per cent by a library-qualified SSO or ESO.

Trained librarians are highly skilled in assisting students develop research skills and in improving reading engagement. The data clearly shows that students at schools without qualified staff are at a distinct disadvantage, and NAPLAN data qualifies these findings. Small, remote schools with under 400 students are less likely to have a staffed library, as are special schools and schools with lower budgets.

Community libraries are also extraordinarily important. They have certainly moved with the times, and a library of today is unrecognisable in terms of the services available and the access they provide those who visit, as well as the tools they provide to individuals that would otherwise be out of the reach of those who visit them regularly.

SA-Best joins the Greens in calling on the government to ensure that the role of librarians not only does not become redundant but also that the benefits of a qualified librarian can be enjoyed by every single school and therefore every single student. Those students can go on to make fond memories, as we have shared in this place tonight and just as we all enjoy here at Parliament House.

I could not let a motion on libraries go by without speaking about our very own Dr John Weste. While far from a librarian—in fact, we do not have any librarians—Dr Weste has transformed the library of Parliament House into a very unique place to visit. It is peppered not only with our history but with many interesting stories, hidden facts and gems. It is certainly one of my favourite places in this building.

Librarians are much more than keepers of books, and there is a lot to be said for what they can offer our children. The importance of having trained librarians in our schools cannot be overstated or underestimated. With those words I commend the Hon. Tammy Franks for introducing this motion and echo the sentiments of this motion.

The Hon. I. PNEVMATIKOS (23:33): I rise today to speak in support of this motion, and in so doing I thank the Hon. Tammy Franks for bringing this motion to the chamber. I will be quick.

There can be no doubt that teacher librarians have an incredibly important role to play within schools as well as playing a significant positive role on a child's learning and wellbeing. Last sitting week I spoke with the School Library Association of South Australia. Their passion was palpable, and they were committed to providing what they class as an essential service, educating students and giving them the ability to research and access information. It was inspiring.

Unfortunately, they were not meeting with me to share the good stories. They met with me to share the harsh realities teacher librarians are facing and the education system as a whole. The School libraries in South Australia 2019 Census found that only one-quarter of South Australian school libraries are managed by a qualified teacher librarian. We know that qualified teacher librarians support students, enhance digital and information literacy, resourcing the curriculum and help students become critical and creative thinkers.

As it stands, it is at the school principal's discretion as to whether a teacher librarian is hired for the school. COVID-19 has highlighted many issues within our education system, school libraries included. The difference in performance between students who had a teacher librarian was significantly better than students who did not. Students in schools with a qualified teacher librarian had up to two months' learning gain compared to students in schools with no staff member managing the library.

Considering this, it is hard to think about children who have never had access to a teacher librarian. The stories they shared reminded me how essential it is that we have trained librarians within schools. Having grown up relying on the school's and public library to assist my studies, I know the importance of having qualified teacher librarians. Like many in our state, I did not have many books at home, so the library became an integral part of my life. Without them, I would not have been able to complete my studies, nor would I have learnt skills that I use in every aspect of life.

My story is not too dissimilar to many around the state. Books come at a price and they are a luxury to many people. Having well-resourced libraries with teacher librarians provides a fairer and more even playing field for everyone. As the Hon. Tammy Franks has outlined in her speech, the biggest barrier for schools to hire a teacher librarian is funding. Every student deserves every opportunity to reach their full potential, but they cannot do that if the tools are not provided.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (23:36): I have enjoyed listening to the range of positive contributions on libraries by a range of members, both the benefits to themselves and to others. For my part, some of my early career achievements were based in my school library. I was a proud library monitor. I held an audiovisual licence. I was certainly a mean operator of an overhead projector. I will need to spend more time reflecting on the Hon. Connie Bonaros's observation that libraries are a safe place for people with no friends.

In 2011, the then Labor government introduced the Student Centred Funding Model. Under this model, principals were given increased autonomy in shaping staffing configurations. It seems that opposition members have short memories. The formula to allocate staffing for a teacher librarian according to student numbers was no longer specified. Some principals made the decision to no longer employ a teacher librarian.

As a result, schools started to experiment with different ways to operate libraries and provide services to students, including the use of school support officers to support basic operations and

provide advice to students on research. The government accepts that principals have the responsibility to allocate staff to meet students' learning needs and to encourage them to be aware of the benefits of teacher librarians and the benefits that may bring to their students.

The government recognises and applauds the contribution that teacher librarians make. They have a broad range of valuable professional skills, which contribute to student learning growth and assist classroom teachers to access appropriate resources to plan lessons, to adopt appropriate pedagogies, to implement the Australian curriculum in ways which engage students.

We encourage schools to act to provide the best learning resources and opportunities for their students and utilise the flexibility they have to deploy staff in a way which best meets the needs of their students. In recognition of the value of autonomy, as recognised by the former Labor government, I move the amendment standing in my name:

Leave out paragraph 4 and insert new paragraph as follows:

4. Noting that, since 2011, public school principals have had autonomy over staffing configurations in their schools, encourages public school principals to give due consideration to the findings of the School libraries in South Australia 2019 Census report and its findings regarding the benefits in student literacy outcomes which flow from high-quality library services.

The Hon. T.A. FRANKS (23:40): Thank you to those members who did speak on this motion today, and it is a very late hour of today. I think it is safe to say that most of us would have warm memories of spending time in libraries in our youth, and in particular we remember our school libraries fondly. School libraries are at the heart of teaching and learning in schools and are places where a love of reading can be sparked and nurtured, often with the guidance of the school's teacher librarian.

Having qualified library staff matters. Schools with a qualified teacher librarian are more likely to have improved student literacy outcomes. Students in schools with a top qualified teacher librarian had up to two months' learning gain compared with students in schools with no staff member managing the library, taking into account the effect of the socio-economic status with regard to that NAPLAN data and the COVID impact, as the Hon. Irene Pnevmatikos covered.

It is well recognised that the ongoing situation will impact at least a generation. Students in schools with a qualified teacher librarian had up to two months' learning gain compared with those students with no staff there managing the library during COVID-19. Schools with teacher librarians of course were better able to upskill their staff for digital learning. Teacher librarians enhance digital and information literacy, resource the curriculum and help students become critical, creative and collaborative thinkers.

Teacher librarians have a fundamental and powerful contribution to make in preparing students to face the challenges of the future. They have a leadership role in the school to ensure that students are given the opportunities to develop information literacy and to promote resource-based learning as the methodology that facilitates this. But since I moved this motion, I note that the future is looking bleaker.

Indeed, I am told by those I have consulted with regard to this motion that at least seven schools in this past term alone have decided they will not have a teacher librarian next year. I am told of a school library that is in an area where the students are already having critically low literacy rates, that there are 1,000 books for 1,350 students. The recommendation is 15 to 20 books per student. That school does not even have enough for one book per student, yet that school is already up against it. Those children are being let down by our lack of leadership.

Well-resourced school libraries are essential. They become a learning hub for the school. They offer access to print and non-print resources and a gateway to resources from around the world. They also provide ease of access to information technology. The School Library Association of SA believes that one of the best outcomes for children and students of the National Inquiry into Teacher Education is to ensure every school in Australia is staffed with a teacher librarian with the dual qualifications of teaching and librarianship, based on student numbers, and that all states have access to universities offering excellent teacher librarian courses, ensuring the supply of qualified and committed teacher librarians for all Australian schools and, of course, all South Australian schools.

That is why I have put this motion before the parliament. I will leave the chamber with this: it is important, now more than ever, to ensure that all students—no matter where they live, no matter where they go to school—have access to a teacher librarian. I will be opposing the Liberal amendment to this motion. I think it is an indication that the Marshall government have shown no leadership on this matter. They are not willing to take action.

They have, in their contribution, blamed the Labor opposition for moves they made in terms of funding models when they were in government, without addressing the recommendations before us, without addressing the importance of having trained teacher librarians in each and every school and without accepting and embracing and taking on the challenge of the issue at hand. With that, I commend the motion.

Amendment negatived; motion carried.

Bills

STATUTES AMENDMENT (STRATA SCHEMES) BILL

Introduction and First Reading

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

COORONG ENVIRONMENTAL TRUST BILL

Final Stages

The House of Assembly agreed to the bill with the amendments indicated by the following schedule, to which amendments the House of Assembly desires the concurrence of the Legislative Council:

No 1 Clause 2, page 3, line 2—Insert:

'Within' after the word 'operation'

No 2 Clause 4, part 2, page 3, line 32—Insert:

After the word 'established' to insert the words 'to raise and administer philanthropic funds to support the ecological wellbeing of the Coorong.'

And after line 36 Insert:

'The Minister will approve an initial set of rules relating to the membership, management and operations of the Trust.'

'Thereafter, the Trust will maintain the rules of the Trust.'

'The Trust must publish any variations it makes to the rules of the Trust in its Annual Report.'

'The Crown does not incur any liability for the Trusts / all costs associated with the Trust are to be met by the Trust.'

No 3 Clause 10, part 3, page 6, lines 6 and 7—To delete 10(1) and insert in lieu thereof:

'(1) the Minister will appoint an initial board of management of the Trust to carry out the day to day operations of the Trust and to manage its general affairs. Thereafter, 2 voting members will be appointed by the Minister.'

At 23:48 the council adjourned until Thursday 29 October 2021 at 11:00.