

LEGISLATIVE COUNCIL

Tuesday, 8 February 2022

Parliamentary Procedure

PRESIDENT, ABSENCE

The CLERK: I have to advise the council of the unavoidable absence of the President this day.

The Hon. R.I. LUCAS (Treasurer) (14:18): I move:

That the Hon. T.J. Stephens do take the chair as Deputy President.

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): Seconded.

Motion carried.

The DEPUTY PRESIDENT (Hon. T.J. Stephens) took the chair at 14:19 and read prayers.

The DEPUTY 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.

Members

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. T.J. STEPHENS (14:20): Members, in June 2020, allegations were made by the ABC about my claims for the country members' accommodation allowance. Those allegations were referred to the former Independent Commissioner Against Corruption, who commenced an investigation. As a result, I stood down from the presidency of the council. I have always maintained my innocence.

On 2 February 2022, I was advised by the current ICAC that I will not be prosecuted in relation to my claims for the country members' accommodation allowance. This has been confirmed by the Office of the Director of Public Prosecutions. I seek leave to table the correspondence from the ICAC confirming the position.

Leave granted.

The Hon. T.J. STEPHENS: From my perspective, the matter is now at an end. Now is the time for my family and I to move on with our lives. I will not be making any further comment and have nothing further to add. I thank the many members of this council, who know me well, for their support.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Deputy President—

Report of the Auditor-General titled Update to the Annual Report for the year ended 30 June 2021, Report No. 1 of 2022

Report of the Auditor-General titled SA Health's Management of Personal Protective Equipment, Report No. 2 of 2022

By the Treasurer (Hon. R.I. Lucas)—

Management Plan for the South Australian Commercial Lakes and Coorong Fishery

*Parliamentary Committees***BUDGET AND FINANCE COMMITTEE**

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): I bring up the report of the committee, together with minutes of evidence.

Report received and ordered to be published.

COVID-19 RESPONSE COMMITTEE

The Hon. T.A. FRANKS (14:23): I bring up the third interim report of the committee, together with minutes of evidence.

Report received and ordered to be published.

SELECT COMMITTEE ON MATTERS RELATING TO THE TIMBER INDUSTRY IN THE LIMESTONE COAST

The Hon. C.M. SCRIVEN (14:23): I bring up the interim report of the committee, together with minutes of evidence.

Report received and ordered to be published.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. T.T. NGO (14:24): I bring up the report of the committee on its inquiry into the disposal of per- and polyfluoroalkyl substances (PFAS) contamination waste in South Australia.

Report received.

*Parliamentary Procedure***ANSWERS TABLED**

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

*Question Time***COVID-19 MEDIA**

The Hon. K.J. MAHER (Leader of the Opposition) (14:47): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding COVID management.

Leave granted.

The Hon. K.J. MAHER: Over the last week, we have seen the daily COVID media conferences hijacked by party political campaign announcements before people are allowed to hear the facts. The government is now exploiting people's need to know the latest about the pandemic by promoting conferences about COVID and then forcing them to tune into extended political ads before they hear the facts. It's not just the Labor Party who are calling this bait and switch scheme scam out, it's our own independent media.

On Friday 4 February, the respected journal of record InDaily reported on this issue, and I quote:

It's that conflating it with the daily COVID update that deliberately politicises the pandemic response. Six weeks out from an election, this should not happen.

InDaily were quoted that, 'Six weeks out from an election, this should not happen.' My questions to the minister are: why are you and the government using daily COVID updates as party political tools just weeks before an election? What advice have you sought and what concerns have you as the health minister raised that members of the public may be less inclined to listen to critical COVID information updates because they are now being forced to sit through extended political advertising?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): SA Health issues a daily COVID update every afternoon. That is the authoritative update in terms of the public health

messages that need to be put out. I think it is somewhat extraordinary that the opposition would think that the Premier of the day would stand up and give a press conference without referring to a once-in-a-century pandemic and to take the opportunity to reinforce the public health advice that has been given by SA Health.

Members interjecting:

The DEPUTY PRESIDENT: Order!

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): Supplementary arising from the answer just given.

The DEPUTY PRESIDENT: Just hang on. The Hon. Mr Wortley, your leader is on his feet to ask a supplementary question arising from the answer. He doesn't need your help, I don't think.

The Hon. K.J. MAHER: Specifically, why are the COVID-19 updates by the Premier now following partisan political conferences, instead of being separated as they have been throughout this pandemic?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): Basically, the government can't win. When we don't do a press conference for whatever reason we are accused of hiding.

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: When we do press conferences they say, 'Please don't mention the pandemic.' I would love to see the Leader of the Opposition, whether in this house or in the other house, give a commitment that they will not mention the P word for the rest of the campaign.

Members interjecting:

The DEPUTY PRESIDENT: Order!

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:50): A supplementary arising from the original answer: has your department, minister, raised any concerns with you along the lines that the media have raised that you are now politicising the pandemic response by conflating party political ads with important health information?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): It might surprise you, but my department has not raised concerns with me that I'm politicising the pandemic. They have noticed a pandemic exists.

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:50): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding the COVID pandemic response.

Leave granted.

The Hon. K.J. MAHER: The minister referred to his department's response to the pandemic. I would like to quote briefly from an Ombudsman's report in December 2020, and I will quote:

I am of the view—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. K.J. MAHER: The Ombudsman wrote:

I am of the view that the department—

that is the health department—

promoted, or has given the appearance of promoting, the Liberal Party and/or Mr Marshall, and so has not acted in a manner that is 'detached from political influence and the influence of partisan interests within the community'.

The Ombudsman went on to say:

...the social media content in these instances was clearly of a party-political nature.

That was referring to social media of the department. The Ombudsman went on to say:

...the potential promotion of partisan interests in this instance was especially acute, having regard to the timing and circumstances of the post.

Recommendation 4 from the Ombudsman in December 2020 was:

That the department publicly acknowledge and apologise for the above errors on its website and the SA Health Facebook account. Prior to publishing, the department should provide me with a draft of its acknowledgement and apology for review.

My questions to the minister are: why has the minister sought to use his agency to politicise the COVID-19 pandemic right from the beginning? After being put on notice by the Ombudsman, our independent umpire, more than a year ago that the department was acting in a party political manner, what exactly has the minister done to protect the integrity and independence of the Public Service?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): SA Health did have conversations with the Ombudsman in relation to—

The Hon. K.J. Maher interjecting:

The DEPUTY PRESIDENT: Order! The honourable Leader of the Opposition, you have asked your question, it has been heard in silence and now the minister will be heard in silence.

The Hon. S.G. WADE: As I said, SA Health did have conversations with the Ombudsman and the Ombudsman did come to findings. But I think the mere fact that the opposition leader, the Leader of the Opposition in this place—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —has to go back to 2020—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —14 months ago—14 months ago—demonstrates, and the fact that he can't provide a more recent example of so-called misbehaviour, indicates—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —that the Department for Health and Wellbeing has been mindful of the concerns raised and has acted in accordance with the advice given.

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:53): A supplementary arising from the original answer to this question: is the minister concerned that issues are being raised as recently as Friday by InDaily about the politicisation, and as far back—as the minister notes—as December 2020?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): If the honourable member wants to make vague allusions to an article without any reference, I would like to see where InDaily criticised SA Health's communications department for partisan activity. Either put up or shut up!

The Hon. K.J. MAHER: Further supplementary arising from the original answer.

The DEPUTY PRESIDENT: Just before you ask your supplementary question, you are asking your supplementary questions and there is silence; when the minister gives an answer, I expect silence so that at least I can hear the answer.

The Hon. R.P. Wortley interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Wortley, hopefully it is your last few days, go out with some dignity. Okay, enough!

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:54): Supplementary arising from the original answer: will the minister ensure that his department complies with the directions and recommendations of the Ombudsman and issue an apology for the partisan political nature of the reporting?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54): Unlike a so-called Labor Party that seems to relish smearing public servants of this state, I have complete confidence in the integrity of my officers.

COVID-19 MEDIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:55): I seek leave to make a brief explanation before asking questions of the Minister for Health and Wellbeing regarding the COVID-19 pandemic response.

Leave granted.

The Hon. K.J. MAHER: In March 2021, in between the damning report from the Ombudsman and the most recent commentary from the media about the politicisation of the pandemic response, the ABC reported that SA Health webpages with critical COVID-19 information included embedded redirections via NationBuilder, the Liberal Party's election campaigning database.

The ABC reported, and I quote, 'The links can be found on media releases and across parts of the SA COVID-19 website, as well as on other state government department-run sites.' All this came after the Ombudsman found that SA Health had acted in a party political manner by streaming materials from the Premier's personal website. It came before the daily COVID-19 media conferences that have now been hijacked in the last week by extended 10-minute announcements and ads for the Liberal Party. My questions to the minister are:

1. Can he please explain exactly how the largest department in government, with the greatest responsibility for managing the pandemic, has become under his watch so repeatedly politicised?

2. Can the minister explain the difference between an agency serving the government of the day and actively promoting a political party?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): I understand the honourable member is referring to NationBuilder, which was in relation to IT resources of the Department of the Premier and Cabinet. I will refer the honourable member's question to the Premier and see whether he wants to provide a response.

UNEMPLOYMENT FIGURES

The Hon. H.M. GIROLAMO (14:57): Can the Treasurer please outline to the house the latest unemployment and employment figures for South Australia and how they compare with four years ago?

The Hon. C.M. Scriven interjecting:

The Hon. R.I. LUCAS (Treasurer) (14:57): Don't tempt me.

The Hon. C.M. Scriven interjecting:

The Hon. R.I. LUCAS: I've still got two more days.

The DEPUTY PRESIDENT: The Hon. Ms Scriven, don't bait him, please.

The Hon. R.I. LUCAS: Exactly, Mr Deputy President, I am easily baited. I thank the honourable member for her question. I think it is useful, four years into this parliamentary term and as we imminently approach the state election just five weeks away, to take stock of where we were and where we are currently. I am sure all members in this chamber will be delighted that the unemployment rate, recorded in the most recent unemployment rate figures, shows South Australia's unemployment rate at 3.9 per cent—an unemployment rate with a '3' in front of it.

Back in February 2018, just prior to the last election four years ago, the unemployment rate in South Australia was 6.2 per cent. For the whole of the 12 months leading into February 2018 unemployment averaged 6.8 per cent. I remind members: 3.9 per cent in December of last year, just a month ago, an average of 6.8 per cent and 6.2 per cent. During the last two to three years of that government, that sorry and tired government, there were unemployment numbers on a monthly basis of 6, 7 and 8 per cent, as it varied during that particular period.

I am also, more importantly, delighted to be able to report that when we look at the total number of people employed in South Australia at 882,600, that is an increase of just under 44,000 on the number of people who had jobs and were employed in March 2018.

So, in the period of this particular government, there is an increase in people employed in South Australia whilst we have been fighting a global pandemic. I remind members that in March 2018 there was no global pandemic, so in the midst of fighting a global pandemic, saving lives, trying to save businesses and jobs, we have still managed to employ nearly 44,000 more South Australians, with an unemployment rate of 3.9 per cent.

The Hon. Ms Girolamo, as a newer member, and all the other members of this particular team and the government should be delighted with the government's record in relation to this critical area of providing jobs for South Australian families.

STATE ELECTION

The Hon. C. BONAROS (15:00): I seek leave to make a brief explanation before asking the Treasurer, as the Leader of Government Business in this house, a question about the impending state election.

Leave granted.

The Hon. C. BONAROS: Last week, my colleague the Hon. Frank Pangallo revealed that tens of thousands of South Australians may not be able to vote at the March election or the federal election due to the COVID pandemic. This followed a briefing from the Electoral Commissioner, Mr Mick Sherry, and despite calls by SA-Best for both houses of parliament to be urgently recalled, not just this chamber, to address this issue.

Mr Sherry revealed that about 30,000 people are currently in self-isolation in South Australia and, if this figure was repeated in the coming days before the election and after postal vote applications close, he estimated up to 20,000 people eligible to vote would be in isolation and prevented from leaving their homes. This figure also includes thousands of people living on the APY lands, as the region remains closed due to the pandemic, preventing ECSA staff from setting up polling booths there.

My questions to the Treasurer are: what is the government doing to ensure that the estimated 3,000 or so people living on the APY lands will be able to cast their vote at the state election, and what is the government doing to ensure that many hundreds of Indigenous people, many of them currently itinerant due to not being able to return to their home on the APY lands as a result of lockdown, will be able to vote?

The Hon. R.I. LUCAS (Treasurer) (15:01): The honourable member will be delighted to know that the government is looking at hopefully constructive, genuine solutions, not political stunts which are not going to have any practical impact, such as the issue we are about to debate sometime later today or this week, I assume, in relation to trying at this very late stage to implement telephone voting.

The Electoral Commission is in active discussion, as it is the responsible agency for managing the election, to look at all options that will maximise the opportunity for all South Australians who want to vote to be able to vote on election day. The COVID-Ready Committee, on which the Minister for Health and I sit, has discussed this issue on a number of occasions, in relation to various options, and they are being actively canvassed as we speak.

As the Premier indicated only as recently as at this morning's press conference, he is hoping that in the not too distant future the Electoral Commission and/or the government—depending on where the responsibility ultimately rests—will make announcements in relation to maximising the opportunities for South Australians, in a practical way and in a workable way, to be able to vote.

I hasten to say that, as Treasurer, I have made it absolutely clear to the Electoral Commission that, should they require even further supplementation, I have already approved a significant increase in the Electoral Commission budget. I think the Electoral Commissioner himself, or his staff, at one of the parliamentary committees outlined some of the proposed expenditure that we have provided in terms of additional expenditure that is going to be used in terms of trying to make voting as COVID safe as possible.

I have also indicated again that if further resources are required then the government is prepared to provide those further resources. Some of the options have been publicly canvassed already in relation to various options that have been suggested, whether it is drive-through clinics, whether it is greater flexibility in terms of earlier voting, the issue of whether or not it's possible to either have separate booths or have special booths—all of those options, together with many others, I am sure, are being considered by the Electoral Commission, as they have responsibility for managing the election.

I hasten to say that what we are talking about is that anybody who in the early stages is identified as either a close contact or who has isolated will be able to make appropriate arrangements in relation to postal voting or pre-poll voting. We are talking about those in the final days of the campaign who might find themselves being isolated. What that particular number is will be known much closer to the time. No-one can predict at the moment. It wasn't that long ago that the peak number of daily cases was around about 5,600 on one particular day. Yesterday, we were at 1,100 and today we are at 1,290 or 1,280. I think the last few days we have averaged around about 1,200 cases from a peak of 5,600. Pleasingly, hospitalisation is down today to 204, I think it is, from a peak that was well over 300 at one particular stage.

As the Premier, the Minister for Health and others with direct responsibility have highlighted, there has been a pleasing going over the top in terms of the peak and emerging from the other side. There are still challenges, and as everyone highlights we need to continue to do the things that we are being urged to do. But within that context I think it is impossible to say with any precision as to how many people might be impacted in those final days. Whatever that number is, we are going to do all we can, together with the Electoral Commission, to maximise the opportunity for everyone to exercise his or her vote should they want to do so.

COVID-19 MEDIA

The Hon. C.M. SCRIVEN (15:06): My question is to the Minister for Health and Wellbeing regarding COVID information. Given that SA Health has now stopped streaming the Premier's daily COVID media conferences, can the minister explain exactly why the agency that is responsible for the health response to COVID will no longer broadcast the daily COVID information? Secondly, what exactly prevents SA Health from releasing COVID information before the Premier delivers his election advertisement? Are the minister and Premier scared that if people can just click a link to see the latest COVID information that they won't tune into live updates where they are forced to watch the government's political advertising?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): I am sorry that the honourable member wasn't able to follow my earlier answer to her leader. I made the point very clearly that SA Health's COVID update is the update that is published on the SA Health website every afternoon.

The honourable member is asking me: why is it published so late? It's published so late because SA Health wants to get the information right. Not only do they get detailed epidemiological information, they also have to crosscheck it with what information is provided by the local health networks (LHNs) to make sure that, in particular, the deaths haven't been double counted. We have had problems of inaccuracies with death information and at times that relates to discrepancies between LHN information and information that's provided to the department.

Of course, I would remind honourable members and the South Australian community that the SA Health daily updates published on the website also often include information in relation to exposure sites, outbreaks and the like. SA Health has consistently published that information midafternoon. It has varied from time to time, but that has been the pattern. I have no doubt it will continue to be the pattern.

COVID-19 MEDIA

The Hon. C.M. SCRIVEN (15:08): Supplementary arising from the answer: if indeed the timing is about getting it right, why is it that the Premier has that information before it goes up on the website?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I would actually encourage the honourable member to read the updates because it's quite clear a lot of that information—

The Hon. K.J. Maher: Does the Premier not allow SA Health to publish before he gets a go?

The DEPUTY PRESIDENT: The Hon. Mr Maher!

The Hon. K.J. Maher: Was there an instruction from the Premier? Did you ever think of asking the Premier to let SA Health go first?

The DEPUTY PRESIDENT: The Hon. Mr Maher, you will have your opportunity to ask another question further down the track.

The Hon. S.G. WADE: As I was saying to the honourable Deputy Leader of the Opposition, the SA Health updates are very information rich and they are not—

The Hon. K.J. Maher: They have to go after. As long as the stuff goes before the Premier.

The DEPUTY PRESIDENT: The Hon. Mr Maher!

COVID-19 MEDIA

The Hon. C.M. SCRIVEN (15:09): Supplementary.

The DEPUTY PRESIDENT: Supplementary question arising from the original answer?

The Hon. C.M. SCRIVEN: Yes, indeed, Mr Deputy President. Is SA Health allowed to publish the COVID data before the Premier announces it and, if not, why not?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): If I could put the question in another way: is SA Health able to publish the information before they check it and publish it? No. SA Health is expected to maintain public sector standards. They will check the information before they publish it.

COVID-19 MEDIA

The Hon. C.M. SCRIVEN (15:09): A further supplementary.

The DEPUTY PRESIDENT: Final supplementary, the Hon. Deputy Leader of the Opposition.

The Hon. C.M. SCRIVEN: Does the Premier receive the information before it goes up on the website and, if so, why? Why doesn't it go straight on the website for the public's information and the information of all the people of South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:10): I'm certainly not aware of the Premier receiving an advance copy of the afternoon update. My understanding is that it's often not finalised until shortly before it's published.

DOMESTIC VIOLENCE

The Hon. N.J. CENTOFANTI (15:10): My question is to the Minister for Human Services regarding survivors of domestic violence. Can the minister please inform the council on how the Marshall Liberal government is providing extra support to survivors of domestic violence and their children to secure safe long-term housing?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10): I thank the honourable member for her question. I am delighted that one of the services that the state government has been able to provide is safe and well housing, safe homes for women and children fleeing domestic violence. This particular program, Safe and Secure Housing (SASH), has been developed to provide case management and support in crisis accommodation—which is hotel/motel clients, our emergency assistance program—to help people in that situation to transition from insecure housing to secure housing in the private rental market, community housing or the public housing system, where that is feasible to do so.

The program has been funded for 12 months from 1 July last year until June this year and became operational on 1 August last year. It's delivered by Neami and provides the following: information services and engagement and risk management; diversion of victim survivors of DV away from crisis accommodation, where that's appropriate; improvement in the capacity of specialist responses to DV and homelessness services for women and children who are at risk; and greater stability and autonomy for victim survivors of DFV.

We know that a lot of people do experience domestic and family violence, and we have a suite of services which aim to address people's needs at the point at which they are experiencing domestic and family violence, depending on where they are on that journey. We are very keen into the future to ensure that we are pushing services upstream so that, before people are getting into crisis situations, they are able to receive support so that they can escape that situation, if that is what their wish is, or through some of our perpetrator beds, where the family remains at home and the perpetrator leaves.

The data that we have received from the frontline is that we have provided services to 112 households, I understand. That's referrals so that would be households, I am assuming, rather than number of clients. That has assisted people into a range of different exit points to ensure that they are escaping from that particular situation.

COVID-19 INFORMATION LINE

The Hon. R.A. SIMMS (15:13): I seek leave to make a short statement before asking a question of the Minister for Health and Wellbeing regarding COVID-19.

Leave granted.

The Hon. R.A. SIMMS: As the minister would be aware, I, along with thousands of other South Australians, was unfortunate enough to catch the COVID-19 virus during the Christmas holiday period. On one of my days in isolation when I was feeling unwell, I called the COVID helpline provided through text message communication with SA Health to discuss my symptoms. When I rang the number provided and answered a series of prompts, I was told by an automated voice that I was No. 60 in the queue.

Rather than waiting for hours on the phone to speak to a human being, I hung up and arranged a telehealth appointment at my own expense. Of course, many South Australians are not in a position to do that. Can the minister advise what the standard wait time was for people calling the dedicated COVID-19 line over the Christmas period and what the wait time is today?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14): I make the point to the honourable member that I can't actually advise how long a 60-person queue would take to get through. I wasn't going to assume, like the honourable member did, that that would have been an inordinate amount of time.

The honourable member refers to the period between Christmas and the new year. Coincidentally, that period on 31 December was the first time active cases went over 10,000, in fact almost 11,000 active cases on New Year's Eve. It had only for the first time gone over a thousand active cases on 22 December, when there were 1,214. In the space of about 12 days, we had roughly a nine or tenfold increase in the number of cases.

I certainly regret that the honourable member found that the service was not prompt enough for him, but what I would remind the honourable member is that during that period we had hundreds of SA Health team members giving up their Christmas, their new year, to rapidly escalate a support network which has supported thousands of people during the pandemic. I think I saw a figure—

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter, put your mask back on.

The Hon. S.G. WADE: —earlier today that suggested that since the borders were opened on 23 November, we had 115,000 cases in South Australia, so that has been a massive—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —effort from the SA Health network—

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter!

The Hon. S.G. WADE: —to respond—

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter! I'm not going to throw you out and reward you.

The Hon. S.G. WADE: —to the care needs of South Australians with COVID-19. I can't immediately identify the wait time for what I think would be the COVID Response Care Team, not the COVID-19 Information Line or the COVID-19 Mental Health Support Line, but I do have current figures for those two lines. In relation to the SA COVID-19 Information Line—1800 253 787—the average wait time is 11 seconds and the average talk time is three minutes 25 seconds.

In relation to the SA COVID-19 Mental Health Support Line, which is 1800 632 753, the average wait time is 19 seconds and the average call duration is 20 minutes.

COVID-19 INFORMATION LINE

The Hon. R.A. SIMMS (15:17): Supplementary: can the minister provide the wait time for the information line that I and others suffering with COVID-19 would have been referred to—that is the line that provides medical assistance—and if the minister doesn't think that 60 callers in a queue is a long period of time to wait, how long does he think South Australians should wait on a line before they receive medical assistance when dealing with a potentially deadly virus?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): Let me clarify: I wasn't reflecting on the honourable member in the sense of his view that he wasn't getting an adequate service. I was just raising the point that, with a large call centre, 60 calls could be gone through quite quickly. Certainly, in response to the honourable member's direct question, I will certainly perhaps get indicative wait times over the period.

COVID-19 RESPONSE

The Hon. E.S. BOURKE (15:19): My question is to the Minister for Health and Wellbeing regarding COVID. Why are members of this chamber being given N95 masks and free RAT tests when teachers in classrooms, with unvaccinated children, are not being given them?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19): I have certainly had nothing to do with the RAT tests and masks given to members of this chamber.

Members interjecting:

The DEPUTY PRESIDENT: Order! When we have some silence we are moving on.

HEALTH AND WELLBEING

The Hon. N.J. CENTOFANTI (15:19): My question is to the Minister for Health and Wellbeing. Can the minister update the council—

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Dr Centofanti, sit down, please. We will move on when we have some silence so I can hear what the honourable member is about to ask.

The Hon. N.J. CENTOFANTI: Thank you, Mr Deputy President. My question is to the Minister for Health and Wellbeing. Can the minister update the council on how the Marshall Liberal government is helping to improve the health and wellbeing of all South Australians?

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): If I could just add to my previous answer in relation to RAT tests, I have been advised that neither the Chief Public Health Officer nor the Deputy Chief Public Health Officer has provided advice to the Legislative Council that RAT tests should be done by members. The chief executive of the department has asked the Chief Public Health Officer to review that advice.

Members interjecting:

The DEPUTY PRESIDENT: Order! Minister, answer the question when you have some silence, because I want to hear the answer.

The Hon. S.G. WADE: I would like to thank the honourable member for her question. Nearly four years ago, the Marshall Liberal government was elected with a strong commitment to reinvest in prevention and health and promotion. We made a commitment to rebalance the health system to support improved physical, mental and social wellbeing for all South Australians. We made a commitment to—

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter! Put your mask back on. Minister, please continue.

The Hon. S.G. WADE: We made a commitment to put a strong fence at the top of the cliff to prevent people from falling rather than focusing on rescuing people after they had fallen. Successive Labor governments had pillaged preventive health funding, cutting the primary prevention and health promotion workforce, reducing programs and support services, and adding significant pressure to the health system.

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter! The honourable Leader of the Opposition! I don't want to call you all out. Minister, please continue.

The Hon. S.G. WADE: The Marshall government has worked tirelessly to reverse the damage successive Labor governments inflicted on our health system. We are reinvesting in preventive health. We are reinvesting in non-hospital-based services, in primary prevention and in community health care.

A key strategy was the creation of Wellbeing SA to lead this essential work. We have invested in the workforce. A health promotion branch has been established within Wellbeing SA, with a focus on the early years, chronic disease prevention and Aboriginal health promotion.

We have invested in hospital avoidance programs. Wellbeing SA has led the establishment of five Priority Care Centres in metropolitan and peri-urban centres, developed and launched My Home Hospital to deliver better health care closer to home, and established the Chronic Disease

Integrated Partnership Grants to support South Australians living with chronic disease to better manage their health.

We have invested in community health care. Wellbeing SA has established a \$2 million co-investment fund for preventive health initiatives through partnerships such as the partnership with the South Australian Lymphoedema Compression Garment Subsidy Scheme. We have delivered the Get Healthy Information and Coaching Service, and we have established a community resilience and wellbeing grants program. We are investing in the community.

Wellbeing SA has delivered our SA Healthy Towns Challenge initiative, which has provided grants to regional and rural towns to develop preventive health programs within their community. Two wellbeing hub pilot sites have been established in partnership with local government, in particular the City of Playford and the Naracoorte Lucindale Council.

We have strengthened community wellbeing through bushfire grants. The Billion Steps program has helped increase physical activity, and most recently we have launched the inaugural Walking Strategy. The Walking Strategy will encourage people in South Australia to move more by increasing the amount of walking they engage in for transportation, for recreation and sport, and for health and wellbeing. In partnership with the Heart Foundation, the strategy has been co-designed with advice from the community and experts across sectors and it champions making pedestrians a priority in urban planning and design.

The strategy takes a holistic view, looking at how to make walking easy and enjoyable for everyone. As a reflection of the importance of the integrated approach to encourage more walking, there are government agencies spanning six ministerial portfolios collaborating to deliver this single strategy. Investment in health promotion benefits everyone: individuals, communities and government.

HEALTH AND WELLBEING

The Hon. K.J. MAHER (Leader of the Opposition) (15:25): Supplementary: minister, what do you think the question was that you have just spent eight minutes answering?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:25): The question was about how to improve health and wellbeing.

The DEPUTY PRESIDENT: I am not sure that we want the minister to repeat—

The Hon. I.K. HUNTER: Supplementary, sir.

The DEPUTY PRESIDENT: The Hon. Mr Hunter, a supplementary question.

HEALTH AND WELLBEING

The Hon. I.K. HUNTER (15:25): Minister, the question you began to answer, what was that an answer to? To which question that you haven't been asked yet?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:25): That's hardly a supplementary question.

The Hon. I.K. Hunter: Well, it is. You began answering that question. What was it an answer to?

The DEPUTY PRESIDENT: I am not sure that it's a supplementary question.

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Darley, move on. I am trying to get through everybody here.

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Darley will be heard in silence.

FOSTER AND KINSHIP CARE

The Hon. J.A. DARLEY (15:26): I seek leave to ask the Minister for Human Services representing the Minister for Child Protection a question regarding the care of children who have been removed from the family home. Can the minister advise if they agree that it is best for children in state care to be cared for by foster and kinship carers than to be placed in residential care, taking into account the following factors: (1) the average cost difference to the taxpayer per child in foster and kinship care, as opposed to residential care provided by the Department for Child Protection; and (2) the emotional needs and development of the child?

The Hon. J.M.A. Lensink: What was the actual question?

The DEPUTY PRESIDENT: The Hon. Mr Darley, I'm sorry, can you please repeat that?

The Hon. J.A. DARLEY: The question is: can the minister advise if they agree that it is best for children in state care to be cared for by foster and kinship carers than to be placed in residential care, taking into account the following factors—

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:27): Yes, that's right; I heard the last bit. I thank the honourable member for his question and for his ongoing interest in this very important policy area. I think I have said previously in this place in response to—it might have actually been his bill last year. Clearly, the provision, subject to caveats of a range of things, that is, safe environments and those sorts of things, when clearly there is a case that has been in the media where foster carers abused a boy, which is now before the Coroner.

So subject to all of those things—that the environment is safe and loving—it's certainly my belief that it's preferable for children and young people to be placed with actual families in the community, rather than in residential care, for all of those reasons that he has outlined.

The DEPUTY PRESIDENT: Supplementary, the Hon. Mr Darley.

FOSTER AND KINSHIP CARE

The Hon. J.A. DARLEY (15:28): The second part of the question was: having regard to the average cost difference to the taxpayer per child in foster and kinship care, as opposed to residential care provided by the Department for Child Protection; and, secondly, the emotional needs and development of the child.

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:28): Certainly, honourable members would be aware that the cost of residential care where we have paid carers caring for children is much, much higher than it is for foster carers or kinship carers to be providing that. That's obviously not the only consideration, but certainly for children and young people to be placed in a homelike environment which normalises that experience for them as much as is possible certainly is preferable. He has identified a number of parameters which form part of that consideration.

COVID-19 RESPONSE

The Hon. J.E. HANSON (15:29): My question is to the Minister for Health and Wellbeing regarding COVID. On Sunday 6 February, why exactly was it necessary for the community to listen to nine minutes of talk about electricity prices with the member for Stuart and the member for Elder?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:29): I would like to make the point that I am not the Premier, I am not the Deputy Premier and I am not the member for Elder. It's got nothing to do with me.

The DEPUTY PRESIDENT: The Hon. Ms Lee.

Members interjecting:

The DEPUTY PRESIDENT: The Hon. Ms Lee, don't start until we have some silence.

Members interjecting:

The DEPUTY PRESIDENT: Order! Can we move on so we can get right through the crossbench?

HOMELESSNESS

The Hon. J.S. LEE (15:30): My question is to the Minister for Human Services regarding children of homelessness. Can the minister please inform the council how the Marshall Liberal government is supporting vulnerable South Australians into housing through a very unique, state-first partnership?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:30): I thank the honourable member for her question. This unique partnership between the southern homelessness alliance, known as Toward Home, and Harcourts Packham is very exciting, and I mean that in all sincerity.

When I went to visit there quite recently, I was bowled over by the amenity of the standard of accommodation that we are providing through this done-up site, which is a former backpackers' hostel in the heart of the CBD. All credit goes to the Toward Home alliance and Harcourts Packham for coming together to do this site up. The advantage that Harcourts Packham have is that they can clearly leverage things: they are able to dress the rooms so that they are much more presentable than a lot of the other accommodation that we have provided for people who are experiencing homelessness.

They have installed wi-fi, they have installed security and people who are resident there have their own wristband, which means that they have exclusive access to certain areas. They can also have their pets with them. It is very pleasing to be able to visit there and see a site which has had so much thought put into it and is providing the sort of accommodation that I think we should aspire to be providing in this sector.

The new Terra Firma beds form part of the 96 crisis beds in southern Adelaide. From Harcourts' point of view, this is part of their social corporate responsibility and it is to be commended. This particular site has 11 individual rooms as well as common areas that one would expect with a former backpacker site and provides support to singles and couples—couples and pets being a cohort that we have sometimes struggled to accommodate through some of our previous built form that has been used. I am very hopeful that this is the sort of model that we will see more of in the future.

COVID-19 RESPONSE

The DEPUTY PRESIDENT: The Hon. Mr Pangallo.

The Hon. F. PANGALLO (15:33): Thank you, Mr Deputy President, and good to see you back in the chair. My questions are for the Minister for Health and Wellbeing:

1. What is the number of teachers and students infected by COVID since the start of the school year?
2. Who checked with all aged-care facilities in South Australia that they were prepared to live and die with COVID?
3. How many unboosted aged-care residents have died?
4. When did SA Health accept that two doses were inadequate against Omicron?
5. How has the public health plan changed now that the three doses may be required?
6. Why didn't the State Coordinator and the chief medical officer consider at any time before opening borders that other COVID variants were highly likely, as any competent health advice would have warned?
7. Does anyone accept any responsibility for the more than 110 deaths since 23 November?

The DEPUTY PRESIDENT: The Hon. Mr Pangallo, that was a number of questions. I am sure the minister will work his way through as many as he can, but you might need to refresh him at some stage.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:34): I certainly will need assistance. In relation to the first one, the numbers in relation to currently infected children and

teachers, I will seek further advice. In relation to the aged-care issue, I think the honourable member seems to be operating under a misapprehension, both in relation to his question and also in relation to the notice of motion that he has given for tomorrow.

The fact of the matter is that residential aged-care facilities are primarily funded and overseen by the commonwealth government. We certainly believe that citizens of nursing homes are of course South Australian citizens. They have every right to access SA Health services and we are very keen to work with the commonwealth to support outbreak responses.

In that regard, in line with the Communicable Diseases Network Australia guidelines, both the commonwealth and the state operate on the basis that an outbreak is declared when either a resident of a residential aged-care facility has been diagnosed with COVID and has been on the site during their infectious period, or when two or more staff are diagnosed with COVID-19 at the same time with at least one having worked at the residential aged-care facility while infectious. I think many people would be surprised at that because it's a relatively low bar, but we accept that, as I said, both the commonwealth and the state; we work on that basis.

That prefaces my remark in terms of current outbreaks. The status of COVID-19 outbreaks in South Australia is rapidly evolving, with new cases and recoveries advised daily. As of 24 January, there were 113 outbreaks open or being monitored, and these outbreaks included 189 active staff and 311 active residential cases of COVID-19. There were 27 residents at that time hospitalised with COVID-19, and 29 residential aged-care facilities' residents had died with COVID-19.

In relation to the collaboration between the commonwealth and the state, we have a joint protocol that we operate under, and an Aged Care Emergency Response Group meets every day. It is chaired by the Director of the Office for Ageing Well, which is a state government agency, and attended by representatives from the commonwealth, the Department of Health, the Aged Care Quality and Safety Commission, the State Control Centre—Health, the Communicable Disease Control Branch, Clinpath and the Aged Rights Advocacy Service.

SA Health and the commonwealth work together to support residential aged-care facilities experiencing outbreaks, with clinical inreach teams coordinated by State Control Centre—Health deployed to high-risk sites as required. We will continue to work with the commonwealth and the operators of residential aged-care facilities to try to minimise both the morbidity and mortality within residential aged-care facilities.

In terms of the honourable member's assertion that the Chief Public Health Officer and the public health team are planning on the assumption that whichever variant we are dealing with at the time will be the last variant, I just dispute that. The public health team is constantly developing plans, and those plans of course foresee the possibility that there could be another variant.

COVID-19 MEDIA

The Hon. I. PNEVMATIKOS (15:38): My question is to the Minister for Health and Wellbeing regarding COVID. On Saturday 5 February, why exactly was it necessary for the first five minutes of the daily COVID media conference to deal with a local road upgrade and a local soccer club upgrade with the local MP in attendance?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:39): Could I just clarify that I am the Minister for Health and Wellbeing; I am not the Premier's press secretary.

Members interjecting:

The DEPUTY PRESIDENT: Order!

Members interjecting:

The DEPUTY PRESIDENT: The honourable Treasurer, order!

ELECTIVE SURGERY

The Hon. H.M. GIROLAMO (15:39): Can the Minister for Health and Wellbeing please update the council on the resumption of elective surgery?

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:39): I am very pleased to do so, Mr President—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —very pleased to do so. I'm delighted to inform the house that, since the government needed to temporarily suspend elective surgery on 4 January—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: Sorry—

Members interjecting:

The DEPUTY PRESIDENT: Order! I cannot hear the minister. Order, please! I want to know about elective surgery. Minister, please, elective surgery—let's do this.

The Hon. S.G. WADE: Apparently the opposition only cares about the Premier's press conferences. I stand here to say I care about elective surgery for ordinary South Australians, so let me tell you about what a priority it was for this government to return to elective surgery.

Members interjecting:

The DEPUTY PRESIDENT: Order! I want to hear the answer. Please, minister.

The Hon. I.K. Hunter: Have you got the right one this time, Stephen?

The DEPUTY PRESIDENT: The Hon. Mr Hunter! Minister, please.

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter!

The Hon. S.G. WADE: Considering that they have already wasted two minutes of my response time, I hope that you won't be timing the bits when they are drowning me out.

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: On 4 January 2022, in the context of an Omicron wave in South Australia, the South Australian government took the very wise step of suspending elective surgery—

Members interjecting:

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

The Hon. S.G. WADE: —and then in the impending days, while other states and territories were experiencing a similar Omicron wave, progressively more and more states introduced elective surgery bans. I'm very proud to tell this house that it was only 25 days after that suspension that the Marshall Liberal government—

Members interjecting:

The Hon. S.G. WADE: Sorry, Mr President—

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —I'm concerned you can't hear me, sir.

The DEPUTY PRESIDENT: I'm struggling. I'm doing my best. Please, minister.

The Hon. R.P. Wortley interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Wortley!

The Hon. R.P. Wortley: He is slapping his own back.

The DEPUTY PRESIDENT: The Hon. Mr Wortley, I will slap your back.

The Hon. S.G. WADE: So 25 days later, paediatric—

The DEPUTY PRESIDENT: You would like that.

The Hon. S.G. WADE: —elective surgery was restored and on 7 February, just yesterday, we started resuming elective surgery for adults. That was 25 days, only 25 days before we resumed elective surgery. That's what pricked my ears when today I heard on the grapevine that the Western Australian government has decided to suspend elective surgery. They have decided that they are going to suspend elective surgery at the end of February because they want to restrict the elective surgeries in a bid to ease pressure on the hospital system.

Members interjecting:

The Hon. S.G. WADE: This is Western Australia. They are saying they are not going to take any bookings—there will be no new bookings taken for non-elective elective surgery in categories 2 and 3 after 28 February, and they are predicting that their suspension will be for between six and eight weeks. I would just point out, members, that this government started introducing surgery in 25 days.

The same article also pricked my ears, I must admit, when Dr Duncan-Smith, the Australian Medical Association, Western Australian President, Mark Duncan-Smith, urged the state government to follow South Australia's lead on introducing low-level restrictions to reduce peak case numbers. They are not arduous restrictions, it's not a lockdown, but what it has done is reduce the actual peak case numbers in South Australia from 30,000 to 40,000 new cases a day down to a peak of only 6,000 cases a day, he said. South Australia has provided Western Australia with a blueprint of how to go through COVID and Omicron without bursting our medical system.

Members interjecting:

The DEPUTY PRESIDENT: I will take a supplementary, but I am going to get to the Hon. Ms Franks for her question.

ELECTIVE SURGERY

The Hon. K.J. MAHER (Leader of the Opposition) (15:43): Why did the Premier, Steven Marshall, promise before opening borders that there would be no cancellation of elective surgery?

The DEPUTY PRESIDENT: I'm not quite sure how that comes from the original answer. The Hon. Ms Franks.

Members interjecting:

The DEPUTY PRESIDENT: Order! The Hon. Ms Franks, you have the call; you will be having your question. We will just wait until there's some silence.

Members interjecting:

The DEPUTY PRESIDENT: Please show the Hon. Ms Franks some courtesy.

COVID-19 RESPONSE

The Hon. T.A. FRANKS (15:44): My question to the Minister for Health and Wellbeing is: will he lay on the table of this council documents detailing the full modelling commissioned by SA Health, and undertaken by Professor Joshua Ross at the University of Adelaide, that projects the impact of COVID-19 and the Omicron variant in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:44): The Department for Health and Wellbeing has been progressively releasing modelling that has been produced by Professor Ross—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —and will continue to do so.

COVID-19 MEDIA

The Hon. R.P. WORTLEY (15:45): My question is to the Minister for Health and Wellbeing regarding COVID:

1. On Friday 4 February, why exactly was it necessary for the first 19 minutes and 40 seconds, almost 20 minutes, of the daily COVID media conference to involve talking about local roads with the Liberal candidate, not even an MP, for the marginal seat of Mawson, along with a backbench federal senator?

2. Has the health minister ever expressed to the Premier that it is inappropriate to use COVID briefings as a political tool?

3. If not, will the health minister talk to the Premier in regard to the inappropriateness of using COVID-19 briefings for political purposes?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:46): I have only been in parliament for 16 years, but I must admit being a political tragic since about the mid-1970s. One thing I am very impressed with is Premier Marshall's communication skills. He is one of the most effective political communicators that I have had the pleasure to work with.

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: I believe that, whether it has been standing alongside him during innumerable press conferences in relation to COVID or whether it has been listening to him on television, time and time again—

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —Premier Marshall captures the mind of the people—

Members interjecting:

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

The Hon. S.G. WADE: —and communicates public health messages in a way which I believe has substantially strengthened our response.

The Hon. I.K. Hunter interjecting:

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

The Hon. S.G. WADE: He is always respectful to the public health team, learning from them to the point where some have threatened to make him an honorary member—

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Hunter!

The Hon. S.G. WADE: —of the public health college.

The Hon. R.P. Wortley interjecting:

The DEPUTY PRESIDENT: The Hon. Mr Wortley!

The Hon. S.G. WADE: But he is diligent in understanding the issues, and he is a great servant of this state—

The Hon. I.K. Hunter interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —in making sure that the public health messages that need to get out to the community during a pandemic do get out, and I am not going to ask him to stop. No, don't stop, keep getting the message out, Premier—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. S.G. WADE: —for as long as this pandemic may last.

Bills

ELECTORAL (ASSISTED VOTING) AMENDMENT BILL

Standing Orders Suspension

The Hon. K.J. MAHER (Leader of the Opposition) (15:50): I move:

That standing orders be so far suspended as to enable me to introduce a bill forthwith.

Motion carried.

The DEPUTY PRESIDENT: I note the absolute majority.

Introduction and First Reading

The Hon. K.J. MAHER (Leader of the Opposition) (15:50): Obtained leave and introduced a bill for an act to amend the Electoral Act 1985. Read a first time.

Second Reading

The Hon. K.J. MAHER (Leader of the Opposition) (15:51): I move:

That this bill be now read a second time.

The bill before the chamber makes a very simple amendment to the Electoral Act. It allows for telephone voting during this pandemic. This bill is an exact copy of the provisions that passed in the Legislative Council as part of the Electoral (Electronic Documents and Other Matters) Amendment Bill 2021 towards the end of last year. That bill was introduced towards the end of last year and attracted some criticism in this chamber from non-government members for being introduced so late in an electoral cycle. It was drawn to our attention that it was like trying to change the rules in the last quarter of a football game.

There is one very important element to that bill, and we expect the government to have no criticism of it coming to the chamber at this time given that they introduced their own bill so late in the electoral cycle. Having stripped back everything else from the government's bill, there are no other changes that were in the previous bill.

There were matters on which members of this chamber and the government disagreed in the Electoral (Electronic Documents and Other Matters) Amendment Bill, issues such as reducing the amount of time potential electors could have to get on the electoral roll. This bill before us has one function only, and that is to allow for the potential of telephone voting during this pandemic. It is very simple. It would allow for telephone-assisted voting for potentially thousands of people who are following directions to isolate but are too late to apply for and receive a postal vote.

South Australia has a proud history of extending voting rights to all citizens; however, for this election that could be at risk. There are people in South Australia who may be disproportionately affected by the potential of not being able to vote because they are following isolation directions. For example, people in regional areas, if it is true that there is a suggestion of just one or not many drive-through centres, could be disproportionately affected.

I am receiving daily communication and phone calls from Aboriginal communities, particularly the APY lands and the West Coast—Koonibba, Scotdesco and Yalata—about the very high incidence of Aboriginal people in those communities contracting COVID or facing isolation due to being close contacts for COVID. I think there was a report that at one stage recently 10 per cent of new cases were Aboriginal people—between five and 10 per cent higher than the non-Aboriginal population. So there are groups of people already disenfranchised from the political system who, if

not given an opportunity for telephone voting, may face further disenfranchisement as a result of this bill failing to pass.

We have faith in the Electoral Commissioner and in the voters of South Australia, but we could have a situation where without this bill passing, despite the very best efforts of the Electoral Commission, we do not have an election result that reflects the will of a majority of the electors. We are a little over two years into a global pandemic. According to media reports, up to 20,000 eligible voters could be ordered to stay at home on election day, having missed the cut off for postal voting or without casting a pre-poll vote.

Even more people who are in aged care or in hospitals would, under normal circumstances, avail themselves of a vote by virtue of having their residence declared a designated institution, but that will not be an option this election. We saw in the publication of the *Government Gazette* on Thursday that it was made clear that the dozens and dozens of places usually declared institutions will not be this election, leaving thousands looking for a different way to vote.

Based on a report of the boundaries commission, under the new redistribution that will be the boundaries for seats at this election, the top 10 most marginal seats will be decided by a collective total of less than 8,000 votes. In recent times, we have seen the seat of Fisher decided by nine votes in the by-election of 2014. The Leader of the Government in this place and I will both remember that, having been scrutineers at the count in the Fisher by-election.

In the Queensland state election in 2020, the seat of Bundaberg was decided by the same margin. Only the Leader of the Government in this place will remember in 1968 Des Corcoran originally being declared the winner of the seat of Millicent by one single vote prior to disputed returns overturning that by-election. It is entirely possible that a number of seats in the next parliament could be decided by very small, even single digit, margins. It is in no-one's interest to bring about a result that could be casting doubt by the potential denying of tens of thousands of South Australians a vote.

This government had a long time to deal with these issues. The date of the election did not just creep up on the government. Since the Electoral Act was changed to allow for fixed-term elections on the third Saturday of March, the government has known since the very start of this pandemic that the state election would be on 19 March this year. As I said at the start, the government dragged their feet on introducing electoral legislation to parliament.

It was then debated in the other place. Despite in the other place the original bill that provided for telephone voting at the government's suggestion and provision in that form in that Electoral (Electronic Documents and Other Matters) Amendment Bill, the Attorney-General conceded many of the amendments that were proposed in the House of Assembly were very reasonable. The government adopted a number of opposition amendments that were actually moved and passed in this place. It is extraordinary that the government, despite having a bill of their own that would allow telephone voting and being on the *Notice Paper* in the House of Assembly for many weeks, would refuse to consider it in their rush to shut down parliament.

Some of the commentary is saying that now there is not enough time to pass the bill and administratively implement the changes necessary. Quite frankly, that is rubbish. The regulations to support telephone voting were finalised in September last year. How do I know that? I know that because the Attorney-General in exile, the member for Bragg, Vickie Chapman's office, in September last year emailed around the regulations.

The government has had the regulations, the administrative things necessary to support legislative change for telephone voting, since September last year. We are ready for this change. We are five months overdue ready for this change.

We were told this week that the federal government is intending to implement changes to allow for telephone voting for those affected by isolation orders during the pandemic. The federal election could be before our election. Under the commonwealth electoral provisions, the writs for a federal election need to be issued 33 days before polling day, making a 12 March federal election still a possibility. If the federal government can make provisions for telephone voting to occur even at a date possibly before this state election for the whole of the country, then we can do this in SA. I will also point out this is not something we are going to have to reinvent in South Australia. This is not something unknown around Australia, the idea of telephone voting.

'We have had vision-impaired electors using telephone voting—in Victoria, since 2010; in New South Wales, since 2011; in Queensland, since 2015; and in Western Australia, since 2017. I am sure we would have heard if there were major problems in relation to that.' What I have just read out are the words of the member for Bragg, the Attorney-General in exile, Vickie Chapman. They are not our words. They are the words of the person charged with the administration of the Electoral Act, the member for Bragg, Vickie Chapman, imploring this parliament to allow telephone voting. On this occasion—and it is not often—I agree with the member for Bragg, the Hon. Vickie Chapman: it is time for telephone voting.

I think it is beyond the comprehension of many South Australians why the government is not allowing telephone voting. Someone I know who does not particularly like politics summarised it very succinctly in terms of making sure we pass it in this chamber and then that the lower house come back for the minutes it will take to pass it in their chamber. That person said to me, 'Get off your backsides, do your job, make sure people are able to vote.'

The Hon. R.I. LUCAS (Treasurer) (16:01): I think it is very disappointing in the remaining days of the parliament that the Leader of the Opposition in the Legislative Council should refer to the advice of the independent Electoral Commissioner, Mr Mick Sherry, as 'absolute rubbish'.

The Hon. K.J. Maher: No, I said—

The Hon. R.I. LUCAS: No, that's what he said. The Leader of the Opposition said that if anyone says that, it is absolute rubbish. We have here the Leader of the Opposition, the shadow attorney-general, referring to the independent Electoral Commissioner and the advice that he provides, and he says—

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

The Hon. R.I. LUCAS: —that the independent Electoral Commissioner's advice is absolute rubbish. It is a disgrace.

The DEPUTY PRESIDENT: Order! Sit down, Treasurer.

The Hon. K.J. MAHER: I am being misrepresented by the Treasurer. I said that anyone who says we do not have the administrative regulations ready is talking absolute rubbish, not the Electoral Commissioner. It is a deliberate misrepresentation and I take offence, sir.

The DEPUTY PRESIDENT: You may care to withdraw, Treasurer.

The Hon. R.I. LUCAS: No, I do not care to withdraw at all. It is my contribution to the second reading and I will make the contribution as I see fit within the standing orders.

The Hon. K.J. Maher interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. R.I. LUCAS: The shadow attorney-general has referred to comments made by the independent Electoral Commissioner as rubbish—

The Hon. K.J. MAHER: Point of order, sir: I wish to raise it again, it is—

The DEPUTY PRESIDENT: Order!

The Hon. R.I. LUCAS: —and it is a disgrace. It is a smear.

The Hon. K.J. MAHER: —completely unparliamentary.

The Hon. R.I. LUCAS: You do not have the chance to speak. I am speaking.

The DEPUTY PRESIDENT: Order, Treasurer! Please sit.

The Hon. K.J. MAHER: The Treasurer is just not telling the truth.

The DEPUTY PRESIDENT: Do you have a point of order?

The Hon. K.J. MAHER: The point of order is that the Treasurer is completely misrepresenting what another member has said. I said nothing of the sort. I spoke about—

The DEPUTY PRESIDENT: The Hon. Mr Maher, sit down. Treasurer, move on, please.

The Hon. R.I. LUCAS: Mr Deputy President, just remind the honourable member that if he wants to take a point of order on having been misrepresented, he has the opportunity after I have contributed or at some later stage to claim that he has been misrepresented.

The Hon. K.J. Maher: I will do it now.

The Hon. R.I. LUCAS: Well, just standing up and screaming does not mean you have the right under the standing orders to do so.

The Hon. K.J. Maher: Like you were on ABC this morning, screaming your way through an interview?

The DEPUTY PRESIDENT: Order!

The Hon. R.I. LUCAS: We have the shadow attorney-general, as I said, referring to the advice that the independent Electoral Commissioner has given as being rubbish. It is a disgrace. It is a smear of the independent Electoral Commissioner. To have a situation—

The Hon. K.J. Maher interjecting:

The DEPUTY PRESIDENT: Order! The Hon. Mr Maher, you will have your opportunity to sum up.

The Hon. R.I. LUCAS: —where someone who wants to hold himself out to potentially be the senior law officer in this state—

Members interjecting:

The DEPUTY PRESIDENT: Order!

The Hon. R.I. LUCAS: —to actually be referring to the advice of the independent Electoral Commissioner as rubbish—

The Hon. J.E. Hanson interjecting:

The DEPUTY PRESIDENT: Order! The Hon. Mr Hanson, if you are going to interject, do it from your seat and then it will be out of order.

The Hon. R.I. LUCAS: —is a disgrace and he should really withdraw that reflection on the advice of the independent Electoral Commissioner. The advice of the independent Electoral Commissioner to the office of the Hon. Josh Teague—when asked about the issue which is the subject of this particular debate, which is whether or not, if a bill is passed in this parliament this week, telephone voting could be established—was, 'Due to the proximity of the 2022 state election, it is not feasible to establish a telephone voting centre,' full stop, end of story.

We can play games, we can have political stunts, we can have cardboard cut-outs or people sitting in another chamber. We can require the parliament to vote on the bill, we can jam it through without people having had the opportunity to debate it in the normal course of events. We can do all those things, but the reality is that, if the bill passes this week, nothing is going to happen because the assembly is not going to be sitting.

Even if the assembly did sit and the bill was to pass, the independent Electoral Commissioner' decision on this is final. He is the one who runs the election. Unless the shadow attorney-general is going to say that the Labor Party's position is that they are going to dictate to the independent Electoral Commissioner how he runs an electoral process, well then heaven help the people of South Australia if the people responsible for what goes on within the Australian Labor Party are to be given control and direction over the independent Electoral Commission.

Whatever criticisms we might have of electoral processes or whatever it is, for better or for worse, it is better than anything else we are going to see around the world. We have an independent Electoral Commission process in Australia and in South Australia. We have an independent Electoral Commissioner, Mr Sherry. He is the one. He is not partisan. He has given the advice that even if this bill passes this week, which it is not going to—well, it is not going to pass the parliament, it will pass

the Legislative Council because the numbers are there, so I am told—the reality is we are not going to have telephone voting.

I responded that way to the question from the Hon. Ms Bonaros in question time to say that we need to look at the other issues—and we are—in terms of how we can maximise the opportunities for South Australians who want to vote, to be able to vote on election day. We had the chance to resolve this issue in this chamber back in November, three or four months ago, but the Hon. Mr Maher and his colleagues played games in this particular chamber and moved a whole series of amendments to the bill.

I remind honourable members that one of those amendments was one of the great proposed rorts of our time from the Labor Party and, given their history, that is a fair accolade to give them. This is the party where dead people voted for years in relation to affiliated unions, within the AWU and the like, just to increase their conventional delegate votes. They dug people up to make sure that they could vote for certain people.

The reality was that what we had was a series of amendments to the bill. For example, everyone knows that if you move to a new house or apartment or accommodation or residence in South Australia, under our electoral laws you have to be able to demonstrate that you have lived there for a month to qualify for eligibility in the new seat. If you move from the safe seat of Napier to the marginal seat of Adelaide, you are buying an apartment in Adelaide, you have to live there for a month before you can qualify to vote in the marginal seat.

What the Labor Party moved and successfully had passed in this chamber was that as long as you said you intend to move to the marginal seat of Adelaide from the safe seat of Napier, you were going to be able to vote in the marginal seat of Adelaide. One of the great proposed rorts of all time which was added to this particular legislation and they got it through. That is why the bill went nowhere in the House of Assembly, because not only government members but enough crossbench members said, 'Give us a break. You expect us to vote for that sort of rort, proposed by the Australian Labor Party, just to get telephone voting through?'

The Labor Party were quite open. The Hon. Mr Maher was the chief proponent of this. He said, 'Irrespective of COVID and all those things, we want more people voting on election day,' even though the public health advice was, 'Don't have everybody voting on election day. Spread the votes out over a longer period of time because of public health safety reasons, because of the pandemic.'

But the Australian Labor Party's position was, 'No, what we want to do is force more people to vote on election day,' contrary to the public health advice, and what did they do? They successfully reduced pre-poll voting periods from 10 days, or 12 days or whatever it was, down to seven. It is down to seven days. If the Electoral Commission does what it normally does and we cannot dictate to them—that is, they do not work on long weekends—there would only have been four pre-poll voting days prior to the election.

Even if they changed all their past practices and they worked on the Saturday, Sunday and holiday Monday, there would only have been seven pre-poll days, because the Labor Party's view was to force everyone to come together on polling day even though the public health advice argued against it. They got that amendment through as well. They played games in this particular chamber. They could have just accepted things like the telephone voting provisions and the other, where there was the capacity for some sort of agreement between the various sides, but they played games.

They jammed through amendments which were completely unacceptable to most thinking people in the community, and when it went down to the House of Assembly there were enough government members and crossbench members who said, 'Give us a break. We're not going to jam that particular bill through with all those rorts and changes that the Labor Party and the Legislative Council majority have put into the particular bill.'

That is why the bill went nowhere. In November, if we had been able to process the telephone voting then there was at least a prospect that the independent Electoral Commissioner would have been able to do what they were obviously contemplating, and that was to have some version of telephone voting up and going for this particular election.

We are going through the charade today. As I said, we acknowledge that we do not have the numbers in this particular chamber to prevent the first stage of the charade, and so we are not going to delay the house by having everyone speaking and excessively long contributions during the committee stage of the debate and the like.

We will allow the Labor Party and those who want to support them to go through the charade in the full knowledge that the independent commissioner has said it is not going to be done anyway, and in full knowledge that the House of Assembly is not going to be meeting and this bill will just end in the never-never somewhere, having passed the Legislative Council but not having been debated at all prior to the election.

Another point I think it is important to note is to at least put some sort of rationality into the debate about impacts. The advice that I have been provided with for today's debate is as follows. Presently, pursuant to the regulations recently introduced, in the case where a person is in directed isolation or quarantine in the lead-up to the election they can apply for a postal vote at any time up until 5pm on the Thursday before the election, that is Thursday 17 March.

A lot of people are saying there are 20,000 people or 30,000 people—or pick a number; no-one can actually guarantee one way or another whether it is right or wrong, because it depends on the passage of the pandemic. As I said in question time, encouragingly the numbers in the pandemic are trending downwards significantly from the peak of 5,600 daily cases. The advice is that right through until 5 o'clock on the Thursday before the election someone who is in quarantine or directed isolation will be able to apply for a postal vote; that is what I am told.

The advice I have is that the group of electors we are obviously contemplating are those electors who are directed to isolate or quarantine after 5 o'clock on the Thursday night. We are talking about after 5 o'clock on Thursday night, Friday and potentially Saturday. It depends what time on Saturday, but you can start voting at 8 o'clock on Saturday morning. If you get directed into isolation at 2 o'clock in the afternoon, you could have voted in the morning anyway. So we are essentially talking about seven hours on Thursday night and 24 hours on the Friday.

I know there has been an estimate given by somebody that there could be 20,000 people impacted. For that to occur, I assume, on reading that, we would have to have a maximum of 20,000 cases somewhere, or cases and close contacts, because we are talking about those who might be going into isolation. You would have to be talking about 20,000 of those between 5 o'clock on Thursday and midnight on Friday night, or 8 o'clock on Saturday morning.

As I said in question time, we are down to 1,100 or 1,200 cases a day—that is in terms of cases. There is obviously a number, which I do not know that anyone is able to accurately estimate, and that is people who go into isolation because they happen to be a close contact. Clearly, the fewer cases you have, the fewer close contacts we are going to have.

So at the time when we had 5,600 cases a day, or the like, there were obviously many more people who were prospectively close contacts. If we get the numbers down, as we have, to 1,100 or 1,200 and if they go even lower than that over the next four to five weeks, then there will be fewer close contacts. No-one can guarantee the passage of the pandemic. What we are seeing at the moment is encouraging and we hope we are going to see that continue.

As I said to the Hon. Ms Bonaros, whether it is 1,000, 2,000 or whether it is 20,000, clearly it is in everyone's interest. The government has given the commitment to do all that it can. It will not be through the lack of resources. As the Treasurer, I have assured the Electoral Commission that if they need additional resources to provide for drive-through booths or special booths where people are kitted out in full PPE, or whatever it might happen to be, so that people who are in this particular position of isolation are able to vote or not, the government will provide whatever resources the commission says they need to ensure that the majority of people who want to vote are able to vote.

There are a range of other options that are being actively canvassed at the moment—not just those particular options are being canvassed, but a range of options. There is no intention, contrary to some of the claims from the Australian Labor Party on social media, that Steven Marshall does not want people in isolation to vote. That particular claim is a load of rubbish. The Premier and the government, and I am sure the opposition and the crossbench, all have a shared objective and

that is that for those people who do want to vote we should do all we can to allow them to vote, even in the midst of a pandemic.

As I said, in terms of quantifying the group of people we are talking about, the advice I have been given on behalf of the government and speaking on this debate today is that we are talking about that group of people broadly who, from late Thursday afternoon through to the Saturday, might be directed into isolation or quarantine during that particular period. That is the group that we should be most concerned about.

I accept there are other issues, whether it be aged care or whether it be the APY lands. The APY lands and the like have been issues for a period of time and clearly the Electoral Commission is looking at what it is they need to do to try to ensure that those who wish to vote are going to be able to vote in those particular areas as well.

So, as I said, we are not going to unnecessarily delay the first part of this charade. Those who want to be actors in the charade: go your hardest. The bill can pass this particular chamber, but it ain't going anywhere.

The Hon. F. PANGALLO (16:18): SA-Best is going to support this bill, even though we need to acknowledge what it is. You have to call it for what it is—it is a rather symbolic stunt, I guess we must say. I am astounded that it has only come about that we are discussing it in the past week or so. It came about only after I and my Chief of Staff, Sean Whittington, attended a briefing at the state Electoral Commission with the commissioner, Mr Sherry, who made a point to express his dismay at what happened in parliament and the fact that the bill was actually just sitting on the House of Assembly *Notice Paper* after it had been passed in November in this place.

You only have to go back to November. There were calls even then that parliament needed to continue sitting. We said it in this place and they were saying it in the other place, that we needed to continue sitting in December, and if necessary even in January. Well, the Premier was not having any of that. He pulled up stumps and that was it. That bill was left languishing there. It could easily have been passed if the Premier and the others in the House of Assembly decided to try to get it through.

I am sure they would have been having earnest discussions. Certainly, the commissioner himself would have been having earnest discussions with the Premier at the time. By the time we pulled up stumps last year, I do not think the COVID powwow was going on; I think the Transition Committee had been disbanded sometime in December. Nonetheless, it is disingenuous to suggest that it was all the fault of the opposition and the crossbenchers that it sat there, when there has been ample time and ample opportunity for the House of Assembly to return, consider the amendments that were passed here and bring it back to the Legislative Council.

The Electoral Commissioner would not have been under the enormous pressure that he has been put under now in regard to ensuring that every South Australian—and there are more than 1.2 million people who are on the electoral roll and are entitled to vote—has the ability to exercise their democratic right to vote.

The Treasurer just gets up and says of infections, 'Oh, well, the numbers could be going down.' They actually went up today, Treasurer. Even yesterday, Dr McGowan at the Budget and Finance Committee told us that there is at least 20 per cent under-reporting of COVID cases. I was reading where the health department in Queensland had to undertake a project to survey how many people had symptoms and did not know that they actually had it, and it was an alarming figure. What is to say that is not happening here? Of course it is happening here.

Even more disconcerting was that when the matter was raised last week, and we spoke about it, the State Coordinator and police commissioner was posed some questions on ABC radio and it seemed to be the first time he realised that there was an issue with voting. What is going on here? Why does it take up until now, late January/February, for the people running the state to realise, hang on, there could be a problem on election day? Where was the planning for that? Where was it discussed?

When we were in here going through the bill, it was before the borders opened and before Omicron developed. Nonetheless, there should have been planning put in place that in the event that

you do open the borders there could be a spike in infections. It has happened everywhere else around the world—everywhere. I do not know why South Australia would have thought it would have been different from places like the UK, Denmark, countries in Europe, the United States, the Netherlands, where there was this massive spike in infections again.

I was on radio on Sunday night discussing COVID with some of the listeners, and a call came in from a listener in Tokyo. He was telling me that currently in Japan they are going through their fifth wave. This is only after some months ago that it looked like they were on top of it. So we are not really on top of COVID. It is easy for the Premier to have his press conferences and say in a reassuring tone that figures are down, the numbers of deaths are down, trying to put a good spin on these things and that the figure is perhaps nowhere near what the modelling suggested.

We have never seen that modelling. We do not know what that modelling was. It could have been in the tens of thousands. Last year, when somebody suggested that the infection rate in Australia could peak at 200,000 in a day, we had the Prime Minister come out and pooh-pooh all that. He said, 'Hang on, that is in the most extreme situation that it could reach that number of figures.' I am just wondering whether the Premier himself was conflating that and also saying, 'Well, that may have been the Doherty modelling in South Australia, that it could have hit 40,000.' But was that in the most extreme way?

Nonetheless, we did hit high figures, and even a thousand or 1,200 is still very high. You may recall that a year ago they got spooked by two or three cases in the community and locked down the entire state. Things have changed quite considerably obviously, because we were told last year that we needed to live with the virus. It is quite clear that we cannot live with the virus without being spooked, second-guessing and making things up as we go along because simply the appropriate planning was not there.

It is still quite possible, perhaps, for the government to consider online voting. I do not know why that did not come into consideration at all. We are able to get apps in a very quick, short space of time to QR code and so on. We have had apps for vaccination come up pretty quickly, and I am sure there are apps in the works or that have been developed for online voting, where the government could easily have gone back to the creators and said, 'Let's have a look and let's consider and see if this is quite possible.' They could have even done that before this dilemma had arisen in the event, if anyone had foreseen, that there could be problems on voting day. They could have thought, 'Well, if we do have these issues, what can we do to get around it?'

There is a problem in aged care, and this is a problem that has been created by the decision to open up borders on 23 November and allow COVID to come into the state. We see a high number of residents being forced to be in lock-up, locked up in their own rooms. We have seen aged-care operators having to lock down and not allow residents to see their families or other visitors permitted to be there. The Electoral Commissioner said that this problem was something they needed to overcome because none of their staff could now go into aged-care facilities to assist and advise on the appropriate way to conduct a ballot. They cannot do that now.

They have to create a video that will be shown to some of the residents in there. If you have been in a nursing home, as I have, sometimes videos are not exactly as effective as you would like to think and certainly do not replace the human contact people will need because they will obviously have questions afterwards about what happens if they make a mistake and how they correct it and whatever. That right has also been denied to aged-care residents.

Another suggestion—and I do not know if it was from the Premier or somebody else—was that you could have staff in there who could assist them in making a vote. Quite frankly, if I had a mum or dad in a nursing home, or a grandfather or whoever, I would not want a staff member telling them how to vote or who to vote for or whatever. I do not want them to be influenced by a staff member. That is just another problem that has been created from this mess of a refusal to bring back parliament at an opportune time to deal with this bill.

Another important aspect of that legislation we did pass was in relation to pre-polling, and I acknowledge that the Hon. Tammy Franks will address that in her bill. The Treasurer has been bleating about the fact that the number of pre-polling days is not as long as they would have wished and also because of issues that would have arisen out of social distancing and everything else. Quite

frankly, I do not think that even washes. The longer you extend pre-polling, the more it is going to diminish voting day in itself. That was the indication, and that was what we were quite concerned about.

At the time, we were told we were going to have to live with the virus: 'Here you go. It's going to happen.' We were prepared to do that. At the same time, we can now expect that pre-polling will be far greater because of the COVID scare. It is out in the community, and we can see now that people are afraid to go out. We are going to see more people lined up at pre-polling. Quite clearly, there is that issue of how that is going to be managed and whether there will be enough staff to manage that.

So we are going to have that issue with pre-polling, and it could be that up to 50 per cent of the votes are cast in pre-polling booths. The legislation would have addressed the fact that we do not want to have to wait seven days, as applies for declaration votes. They would have been considered as ordinary votes, as the legislation that we pass here, and the Electoral Commission would be able to count them on polling day.

All those votes, and who knows how many—tens of thousands, hundreds of thousands—would have been included in the vote on the night, and it would have assisted in getting a result a lot sooner than is probably going to happen now. It could be days or it could be weeks or a month or two before we know the result of the South Australian election all because of this mess that has been created. I would have thought that that would have been even then a good reason for the House of Assembly to return so that we could manage the situation with pre-polling and have those votes counted.

The problem with the APY lands has been mentioned. They are in total lockdown, so how are they going to be able to vote? They do not have a post office there, I understand, so that is going to be a difficulty as well. We are hearing all these new ideas coming out now. Here we are, just over a month out from an election and we are hearing these solutions of, 'Maybe we will convert Victoria Park into a massive polling station and people who have COVID can drive through and cast their votes that way.'

Again, that is putting pressure on the Electoral Commission because they need to have the appropriate equipment at hand to ascertain that these people are eligible to vote. We know that they do have an app they can access even on polling day to try to circumvent the delays involved in having to manually check through the electoral roll data to see if those people are enrolled to vote there. The technology is there, we know it is there, and we do know that technology is also there for online voting.

Going back to the local government bill, when we were looking at that, I think I remember bringing it up then that perhaps we should have used the City of Adelaide elections later this year as a bit of a trial for online voting. I think that is something we do need to consider when parliament resumes after the election. We are now going to have to seriously look at having online voting and having a trial of it, starting with the local government elections, perhaps in the City of Adelaide and elsewhere, to see how that works. We have to see whether we can utilise this new technology, this technology that we know is already there, to be able to ensure that people do have their right to vote recognised so that they are not disenfranchised.

In closing, I would like to reiterate the fact that the forthcoming election will pose problems that probably were not foreseen, and will pose even more problems when the voting period does emerge. Whether we have seven, 10 or 14 days of pre-polling—I do not think it makes a difference—we will see this massive rush of people who will want to go and vote. That will mean that there is a likelihood of infections happening while people are waiting in line or at pre-polling booths.

That is what is likely to happen. People will be pre-polling in the week leading up to the election, which could mean that people could come down not just after Thursday, in those hours after the closing, but they will probably come down that week and will have to isolate. They may not be able to file for a postal vote in time or not realise it until it is too late.

These are issues that could have been avoided. They could have been avoided last year if the Premier had not pulled up stumps and decided to take his bat and ball and go away and not

consider one of the most important, fundamental rights of every citizen in a democratic society, and that is the right to exercise their vote.

The Hon. C.M. SCRIVEN (16:37): I rise today in support of the Electoral (Assisted Voting) Amendment Bill 2022 and urge the government to get on board and support this as a matter of urgency. This bill is about ensuring that people who test positive for COVID, too close to the election to receive a postal vote, are not deprived of their right to vote. That means it is about democracy and it is about integrity.

We are less than six weeks out from the state election, and still the government is yet to address this incredibly important issue. As the Hon. Mr Pangallo said, it is almost unbelievable that it has not been addressed sooner. Here we are on the eve of an election, and it is clear that the state government has not given due consideration to the effects COVID will have on this year's state election.

According to the SA Health dashboard today, there are 14,635 active COVID-19 cases in South Australia. I think it is probably a fair assumption or guess to say that at least double that would be close contacts and therefore in isolation. There are some seats in South Australia where the margin between winning and losing is less than 1,000 votes. There are some seats in South Australia where it is far less than that.

The reality is that a handful of seats may decide who governs the state for the next four years, and possibly a handful of voters in that handful of seats, yet the government is happy for potentially thousands of voters to be left out. If the state does not provide the ability for everyone who is eligible to vote, clearly this may play a role in the outcome of who forms the state's next government.

Free and fair elections are a foundation of our democracy, and it is vital that we continue to provide this to every eligible person. As a parliament we need to send a message to the state that it does not matter your circumstances, you will get a direct vote and a direct say in who runs this state for the next four years. This should be non-negotiable. However, the message that the state government is sending is that of course you can have a say, so long as you do not get sick; that of course your democratic rights will be upheld, so long as you do not get sick; and that everyone's vote matters, except those who get sick.

Democracy that excludes some people is not a democracy at all. We have heard that there may be proposals for the option of a single drive-through polling booth based in the Adelaide CBD. Would that be good enough? Would that be good enough for residents in the outer suburbs who, while sick, would need to drive into the city? Would it be good enough for regional residents who, while sick, may have to travel a round trip of 10 or 12 hours or more to cast a vote? Would this be good enough for someone who actually does not have a car? What would their options be? There should not be a differential on democracy, where city residents are prioritised over everyone else. We need everyone to have access.

During this term of parliament, we have seen a regular pattern of a state government that is so out of touch with regional residents that I wonder whether that may be reflective of a recent poll taken in the seat of Mount Gambier where the Liberal Party primary vote has dropped nearly 5 per cent since the 2018 state election.

In terms of regional residents, I can assure the Treasurer that regional residents have no confidence whatsoever that Australia Post services will ensure that they can vote with a postal vote in the allotted time. Postal services have been problematic, shall we say, for some time and relying on the postal service for a postal vote if you come down with COVID at the last minute is clearly not going to be what is needed for regional people. The Marshall Liberal government needs to ensure that all residents across South Australia have other options to vote in the state election if they come down with COVID in the last days of the election. These options must be safe and they must be accessible.

It is fair to say that throughout this pandemic our frontline workers have been one of the main reasons why we as a community have stayed relatively safe. Doctors and nurses, police, and emergency service workers have all done an absolutely wonderful job and deserve our gratitude, but

so too do the unsung heroes, such as supermarket workers, transport workers or the people working to continue to provide the goods that we all need—people like Liz and Robert in Mount Gambier.

Robert works in a sawmill and Liz works in retail. They have continued to work throughout this pandemic. Even right at the beginning, when everything was so uncertain, when people were scared to go out of their houses, they continued to work because they and their jobs and their colleagues meant that the rest of us could continue to get the products that we needed. They also deserve thanks. They worked without fanfare, without thanks. It is those workers and all frontline workers who are most likely to come into contact with COVID and potentially be subject to quarantine requirements and potentially miss out on a vote. Why should they be told that they will not be able to vote in the election because they have continued to do their jobs, to do their jobs for the rest of us?

Of course, this could have been addressed last year but the Marshall Liberal government shut down the House of Assembly until May. When the Marshall Liberal government made the decision to reopen the borders on 23 November last year, the Premier kept telling us that the government was prepared. But, instead, we have seen crisis after crisis. We have seen elective surgery cancelled, the hospitality industry crushed from the restrictions and, of course, we all know about ambulance ramping: it is the worst in history. These are just a few of the issues that every South Australian is suffering from as a result of this government's mismanagement. They claimed they were ready when they clearly were not. They certainly were not ready to deal with an election, although we all knew it was coming.

All the state government needs to do is turn up for a day of work this week in the lower house to pass this critical piece of legislation. That is all that is needed. It is about democracy and integrity, which I would hope is important to all of us here, and I urge all those who do value democracy and integrity to support this bill.

The Hon. E.S. BOURKE (16:44): I am going to go on a very different tangent from what I was planning because the performance that we just saw from the Treasurer was quite astounding. You stand over there and you point your finger at us. Look closer to home. You said in your speech that we should all give every opportunity to every person to vote. You could have. You are in government. How about you perhaps act like you are in government. You have the power and you have the numbers to bring back the parliament, if you so choose. You are a government. Any normal government should have the numbers, but not your government because you cannot even keep your own party together.

The ACTING PRESIDENT (Hon. T.T. Ngo): The Hon. Emily Bourke, could you address the Chair, please.

The Hon. E.S. BOURKE: It is a very simple thing to do, to do your job. It is a simple thing to show leadership. It is a simple thing to do the right thing by the community. That is why you have been elected and that is why you became the government—but not for long.

It is really no surprise that we are having this debate 38 days out from an election. In December, we saw there were numbers of around 900 COVID cases. On 16 January, we saw 3,450 cases. There was no surprise. This was not a secret. We could see that the numbers were increasing and they were increasing fast. At any point, you could have brought the parliament back, but you have decided not to. You have decided to stand over there and take the easy option and point the finger at the opposition, and that is disrespectful to every South Australian.

You laugh about it. You shrug your shoulders through your debate and you say, 'Oh well, it's only the last day. It's only the last few hours of the election period. They're not important, those people. They can figure it out. Their voices aren't needed to be counted. If you get sick on the Friday and you cannot get there on the Saturday, I don't care. Your voice doesn't matter.' That is what you are essentially saying to every South Australian.

You have stood here in the parliament today, shrugged your shoulders and said, 'It doesn't matter. Figure it out yourself. Get to a COVID station, get tested and maybe even get to go and vote as well, if you're lucky.' That is the dismissive attitude that you are showing the South Australian people and no wonder it is time for you to go.

The government has claimed that it is prepared. You are far from prepared. You only have to go out into the community and hear the stories time and time again of the hurt and the pain that you have caused. You need to take responsibility and you need to start showing leadership.

The Hon. T.A. FRANKS (16:47): I rise to speak in firm support of this bill. Anyone with a lick of common sense could have foreseen that if you are to have a state election in the midst of a global pandemic, there might be some people who would be sick or isolating on the day of that election and they might not be able to make it to a polling booth. Before 23 November, the commissioner, who is currently the State Coordinator, said that 23 November will be the day we let COVID into this state.

I know that people will also be voting early in greater numbers than ever before, and I do not just know that because I have a hunch. We have seen in every election in this country and across the world, under the pandemic, people are voting early. Of course, we do not want them to vote more than once.

We know that if you are going to catch COVID or become a close contact, whatever it is that ends up with you in isolation, for the good of the public health response it means that even with the best intentions, even if you allow more people to go and vote early, there will be people who do not have a postal vote, who have not voted early and who will be in isolation come the day of the poll.

We have a very proud tradition in South Australia, and in Australia, of people having access to the franchise. That is why we do not hold elections on a weekday when they are at work. It is why we actually have democracy sausages and celebrate the fact that we allow people to get to that polling booth over reasonably long hours. It is why we do not have too few polling booths for them to access that vote. It is why we do not have long lines normally, like in some countries where they will close the polling booths on those voters and deny them their franchise.

All South Australians deserve the same right to vote if they are on the roll and to have their voice heard. We do know, as other members have said, that sometimes elections come down to the line. The then electorate of Fisher came down to some eight votes. Martin Cameron would often tell me the story of the one-vote election, where he learned that you just have to keep campaigning no matter what because sometimes elections do come down to one vote.

But should elections come down to a number of votes in close contests on the poll this March that are able to be influenced by the number of people in that electorate who are confined, who are isolating, who are quarantining, or who are sick, I think we will see the Court of Disputed Returns get a real run for the money. I hope we do not see elections having to be re-run in those seats. That would be a sad day for our democracy because all of this was entirely foreseeable.

The bill is an exact copy, I believe, of the provisions that were passed in this place in the Legislative Council last year as part of the Electoral (Electronic Documents and Other Matters) Amendment Bill. It was good enough for us last year. It was good enough for this council to pass these measures last year. Of course, it was the House of Assembly who rose, who suspended their sitting, and did not consider that bill to ensure that this election could be run in a way that anticipated the challenges of the COVID pandemic.

What I find quite concerning, other than the fact that the House of Assembly rose before that bill could be considered, is that this simple bill—which would allow for telephone-assisted voting for anyone with a disability and any class of voter outlined in the directions, which under the Emergency Management Act could be made—was in anticipation of the pandemic, but it has been the lax attitude of the Marshall government, not just to the pandemic but to this parliament, that has seen us do what the Treasurer calls a stunt.

I know the Hon. Frank Pangallo said that he raised to the public the issues of voting after the Electoral Commission's (ECSA's) briefings to all political parties and Independents contesting the election, which I gather were very feisty briefings, very critical of the parliament not passing the legislation that had been put before this place at the behest of the Electoral Commission of South Australia through their advice, which was not heeded and was not respected.

I have to say that, last year when parliament rose, I went down to my staff and said, 'So how are people going to vote on election day if we have COVID?' I have been saying that for quite a while.

Sadly, that was many months ago. We are now 39 days from that election day. Worse still, we are 11 days from the issuing of the writs, when we go into caretaker government. So we have 11 days of the Marshall Liberal government being able to act as a government on this before we move into that caretaker period, when of course the rules will change and a more bipartisan approach will be taken.

What we have heard on the radio this morning from the Treasurer was that he has some sort of advice that he believes the member for Croydon, the Leader of the Opposition in the other place, also has in writing. I invite the Treasurer to provide that advice to this council for our consideration. I am certainly a little bemused that the Electoral Commission would give such feisty briefings in the last two weeks to all who received them, urging legislative reform, yet such a letter would exist.

If that technological issue is such a challenge, if we cannot get the systems up and running that already currently exist for some to vote at these elections, you would imagine that there might be some more simple paper-based solutions. Perhaps that is what we could be considering right now to give the full force of the parliament in a not just bipartisan but cross-party solution to this COVID challenge.

It is a challenge, as I say, that has been faced in many elections already in this country alone. Queensland has seen more people pre-poll and postal vote than ever before, and New South Wales currently has four by-elections. Indeed, they have arranged for postal voting packs to be sent out to all people on the electoral roll as a COVID-19 safety measure. This is information I take from the New South Wales Electoral Commission website.

Additionally, those postal ballots must be completed on or before election day, but they must be received by the New South Wales commission by Friday 25 February 2022. I note, in fact, that the election day is 12 February 2022. They have made a provision there in New South Wales not only that everyone gets access to a postal vote but that they can still turn up and vote on the day. To make it easier, to cut the lines and to basically abide by public health advice and not have people travelling about needlessly, they have made it as easy as possible for those people in the four New South Wales electorates to vote.

They have also looked at the postal voting challenges, at the timeliness of Australia Post, and they have allowed them more time to get those postal votes in. Why on earth are we not here, with the government, saying, 'Well here's a solution. You can have a postal vote and we will get it to you,—I would prefer with your free RATs if you were a close contact, as you would receive from the NHS if you were in the UK—'We will put this in your letterbox and you can get that into the post. We will assist you to do that somehow and, as long as you get that done by the end of the day on election day when you have been put into isolation, we will ensure that that postal vote is counted as part of our electoral processes and that our democracy is respected.'

These are simple solutions, certainly a little simpler than a drive-by polling booth, which one imagines cannot be replicated right across the state, which one imagines would be enormously labour intensive. As I have noted before, one simply has to imagine what might have been discussed in the COVID-Ready Committee because of course the COVID-Ready Committee—which has apparently, according to the Treasurer on radio this morning, discussed this matter—does not have agendas, does not have minutes, and so we do not actually know what possibilities they have considered.

Certainly, anything to do with the election should have been done in a bipartisan or, preferably, cross-party way. We do know, as members of the crossbench, as members of the opposition, that certainly the government had not considered discussing any of these solutions with us—fellow members of parliament, duly elected, who would come to the table and work in a cross-party fashion had the Marshall Liberal government simply either picked up the phone or had the courtesy to have these conversations with us before now.

Here we are: we know that perhaps 20,000 people could be isolating or live in places where they might find it difficult to vote in just 39 days' time. Indeed we know, as I say, that sometimes elections do come right down to the line and that those votes may well change the course of the result of the election. If they do, those who have been affected, who can prove that the number of people who were denied a vote is more than the number of people they needed to change their votes

to be elected or not to be elected, will be quite within their rights to take these things to the Court of Disputed Returns—yet again, more chaos from the Marshall government due to a lack of planning.

A failure to plan has been a plan to fail. This situation can be fixed today. Of course the House of Assembly could resume tomorrow. You know that you have 25 members already who have signed to call for the House of Assembly to be recalled tomorrow. It would only take a handful of Marshall Liberal government MPs to stop their leafleting and letterboxing and to turn up next door to the other place, turn up to work. We know that the Prime Minister does not hold a hose and we know that the Prime Minister is fond of saying, 'It's not my job,' but, seriously, the one job of a parliamentarian is actually to turn up to parliament to pass legislation that is pressing.

This is pressing. It may not be the exact solution. It was certainly the solution three months ago when we had the opportunity last time—before we lost an Attorney-General and found a new one and then still had another—but it really is the least that this government could do to ensure confidence in our democracy. Some people will find themselves in the Squid Game that we find ourselves in of COVID, where meeting somebody on one day could see you in isolation the next day or the next week. We do not know who it is ever going to be, and we are not able to plan that by pre-polling or postal voting, because we are actually denying people currently the ability to pre-poll or postal vote unless they fulfil the exact criteria, and those criteria are narrow.

At the moment, I note that the Hon. Rob Lucas—who was happy to go on radio this morning, but has yet to table the correspondence he spoke of—in his speech earlier about postal voting suggested that the relevant period of concern is Thursday 17 March until Saturday 19 March, the actual polling day. He certainly belittled how many cases this might possibly be.

You can still submit your postal vote on the 17th and presumably have it stand. That is technically true, but when that postal vote actually has to be received at ECSA by the 17th, if you filled it out and posted it in country SA, that last safe day to post your application for it to be received by the appropriate day would potentially be 10 days of possible disenfranchisement, which is actually quite a longer period and a larger number. I think the Treasurer in his defence of the indefensible opened up a whole new can of worms of a further problem with the system we currently have.

It is extraordinary that we are here in parliament arguing that everyone should have a vote come 19 March. I cannot see how it is defensible to argue that it is the luck of the draw. Do not catch COVID. Do not come into close contact with somebody who has had COVID. Do not find yourself in isolation. Certainly, it is pretty disappointing that this government is happy to deny those people a vote, not that they know who they are at this point in that Squid Game approach that we have.

It is pretty disappointing that the government could not do its job and continue to sit last year and get this particular piece of legislation, which had passed the council, passed in the House of Assembly, where they actually do control the numbers, where they had the numbers to pass that legislation and they simply either forgot or chose not to do so. Certainly, I have learnt in politics not to think it is a conspiracy, that it is usually simply a stuff-up. Who knows whether it was deliberate or accidental that they forgot to pass this important legislation?

The Electoral Commissioner is now left with a much more difficult job, but the South Australian people have been let down yet again on what is the fundamental part of our democracy: ensuring their vote. I am sure they would in some part probably like to vote all of us out. They do not have that option. Sadly, the option they are currently being given is just going to lead to more chaos, whether it is the chaos of the Court of Disputed Returns or whether it is the chaos of still not knowing, 39 days before that poll, 11 days before we see caretaker government in place, what on earth the solutions are that the Marshall government is going to put up to address this issue. I look forward to the committee stage of this debate. I look forward to the COVID-Ready Committee considerations being shared with this council. With that, I support the bill.

The Hon. R.P. WORTLEY (17:04): Just a few brief words, Mr Acting Deputy President. When the government opened up the borders, they did that based on modelling. The modelling showed the apocalyptic sort of numbers we could expect. They actually opened up the borders based on those numbers. Many at the time thought, 'Well, the modelling numbers are only as good as the information fed in.' The reality was that their numbers would not be as bad as that and that the Premier, the Hon. Mr Marshall, would spend months slapping himself on the back because the

numbers were not as bad as what occurred. This is what is happening now: every COVID briefing the Premier spends slapping himself on the back because not as many died or got infections as the modelling says.

What is happening at the moment now is that, based on that modelling, this government should have known that there were going to be a significant number of people with infections or with social contacting arrangements around the election time. We were assured in this parliament by the health minister, the Hon. Mr Stephen Wade, that they were fully prepared for the opening of the borders. Well, we all know that was not the case. They were not prepared. They were actually quite ill-prepared.

The number one responsibility of any government is to keep the people safe. That is one of the leading responsibilities a government has. This government have failed. It has probably been one of the greatest failures of public policy in the history of this state, the way this government have handled COVID. Getting past all that, this government would have known, based on that modelling, that there were going to be a significant number of people who would not be able to attend the ballot box on the day of the election.

What we have now is that there are going to be problems with the very principle that parliament allowed to get through back in the seventies, the very basis of 'one vote, one value.' There is the issue of the number of seats that had probably under a couple of hundred votes—I know King is lucky to have 100-odd votes, Newland may have only about 70 or 80 votes, Adelaide has around 150 votes, there is only 2 per cent in Elder—and I imagine there are nursing homes where there are far more people in nursing homes than the votes required to win those seats, so there is going to be a big question mark on the results of those elections if people are denied the right to perform their vote.

Obviously, the government understood, really, the problems that were going to occur. That is why they refused to come and attend parliament prior to the election. For a December sitting to decide, near an election, not to return to parliament in five months is probably one of the most disgraceful acts of government, especially during a pandemic. It is one of the most disgraceful acts of any government that I have known in my lifetime.

I support this legislation. I think it is common sense, I think it is responsible and I think this Liberal government has an obligation to come back to this parliament—even if it is only for a few hours—and support this legislation. I do not accept the fact that we do not have time to actually implement the technology that is required, purely for the fact that this government opened up the borders.

The modelling showed there were going to be far greater numbers infected and die than has occurred, and thank God for that, and that is certainly a good thing, but to say they were caught unaware with the Omicron and they were not aware of this, that and the other, as has occurred with numerous different issues which have gone wrong under this pandemic in this state over the last few months, I think is just unacceptable. I support the legislation and look forward to, hopefully, a good and proper debate in the lower house tomorrow. I urge everyone to support the bill.

The Hon. J.E. HANSON (17:09): Everyone has had a pretty good debate about this, and I think that it has really identified a number of the issues which are in place. The best way to categorise a lot of that into what I would like to say is to look at what we might be saying after the election. What if we were to look back on the election and ask, 'How on earth did this chaos happen? How on earth did a government that got less than 50 per cent of the vote get into government? How on earth did we have 20,000 or 30,000 people unable to vote on election day? How did that happen? How disenfranchised did our state become out of this election? How on earth did we get a chaotic Legislative Council, with some people elected, major parties losing people, people elected for the "I really like sheep" party coming in and forming part of what we have here in the Legislative Council? How did it happen?'

You would look back and you would ask, 'Well, when did it start? Did anyone see this as a problem?' Actually, yes they did. In fact, both the major parties got together last year and they said, 'Oh, geez, there's a bit of an electoral problem due to the pandemic. We had better adjust a bit of the act around how we're going to do voting, because this could be a problem.' So it was identified. If

you were writing your article, you would say, 'Well, everyone knew.' Boring as it may be, and I accept that many voters were not sitting there in November or September last year saying, 'Geez, how am I going to vote on election day?', but I guarantee that after the election they might.

What else do we know? We know that there was a bill. It was voted on. It went through this house with very similar measures to those we have here today. Was there a level of understanding of what we were going to put through, what we were going to do about it? Yes, there absolutely was. It passed successfully through here and then hit the lower house, and then for some reason—that actually creates a bit of drama, does it not?—the Premier decided, 'No, I'm not going to pass that.' In fact, the Premier decided, 'I'm going to call off parliament early so that that can't happen.' Does that not have some significance? If you were looking at it after the election, would it not have some significance?

As we know, we also now have a Treasurer who is sitting there saying, 'I'm going to create a lot of straw men around this. I'm going to say that it's the Labor Party who was at fault for this'—even though it is his government that got rid of parliament early—I am going to say that somehow there is a history of the Labor Party having some voting problems,' which really requires all the tinfoil hats that we could possibly muster to believe that that is any way the case.

We have to believe that in some way, once again, for the Marshall government, it is not their fault; it is someone else who is to blame. I know some other members have gone to this, and they have said that the government taking a hands-off-the-wheel approach to governing has brought it again to the electoral reform act. They have said, 'How many people could it possibly disenfranchise?' We know that the Treasurer has already commented. He said, 'Oh, look, it's just a couple of days. How many people could there be?' We know it is probably likely to be about 10 days, which, if we look at the current rate of infections, could be 10,000 people.

I know that the Treasurer is on his way; he is off into the sunset. Maybe he does not care all that much about 10,000 votes going to the side, but I do. I care a great deal about that. Anyone who actually believed in what this chamber is about and indeed what this building is about and, I think, what the South Australian people are about would care that 10,000 people lost their ability to turn up on election day and cast their vote, hopefully, I would say, against this Marshall government.

Frankly, they could do whatever they wanted on election day. They could toss their ballot away if they wanted to, but they have to have that choice. They should not have that choice taken away from them by people who, like the Treasurer, say, 'Oh, look, it's just not that bad. It won't be that many people', not knowing who that is going to be, where they are going to live and who that may end up electing. We do not know. It may occur in every single marginal electorate across this state. We know that nine votes can decide an election, let alone 10,000 or half that number, 5,000. When you start looking at the numbers of chaos that this could create, why would you not sharpen your mind to actually say, 'You know what? We should do something about it.'

So looking backwards after the election, once again we would sit there and we would say, 'Gee, did parliament try to do anything?' even though we have a government saying, 'No, we're not going to do anything about it,' we have a premier saying, 'No, I won't recall parliament. I'm not going to do anything about this,' and we now have a Treasurer saying, 'Well, the Electoral Commissioner has also said that it would be hard to implement it.' Did anyone try to do anything about it would be the article that you would write.

Here we are—something that the Treasurer also called into question—doing something about it, saying this is a problem and doing exactly what the South Australian people elected us for. As a parliament, as the crossbench, as the Greens, as the Labor Party, we are here telling the government, 'You must be held to account for this. You can't just sit there and say, "Look, it's all a charade, it's all a game, it doesn't matter.'" Yes, it does matter. It really does matter. That is what parliament is.

I would have thought the Treasurer would have known this after spending half his life here, but it appears this critical lesson seems to have evaded him, which is that the parliament is here to call to account issues even if you do not carry the day. Even if you do not get it the first time, you might get there eventually.

Parliament after parliament—and sure enough we have had enough social bills this year and last to establish just how much being persistent about legislation can eventually carry the day for you.

The Hon. R.A. Simms: That's why the Greens are here, that's it.

The Hon. J.E. HANSON: That is why the Labor Party is here. We hope that what we will have is a bill that we get through here that actually says what we should be doing, even if this government say they are not going to. It is really quite simple: it is to say that if you are stuck at home, get on the phone. Not to the Premier because he will not pick it up, but you can get on the phone to the Electoral Commission and you can vote against the Premier, and you can tell the Electoral Commission how you would like to vote because we have passed laws that say you cannot leave the house and you should not leave the house.

The primary reason we should do that, if nothing else, is to reinforce people's belief in democracy. We sat here and we passed laws saying you cannot do this, you will not do that, and those laws were incredibly severe. They said you could not leave your house—that is how severe they were. Now, someone deserves to have the right to say they did not like those laws. Someone deserves the right to say, 'I want to change the government,' or, 'I want to change how this state is running.'

If there are thousands of those people, even if you do not go to some of the examples we have used where you say 20,000, if there are 2,000 or 3,000 of those people that is a lot of people. That is a lot of people, and all we are saying here is that they deserve the right to have their say, and that is through a very small amendment to an act.

I would hope, much like the Hon. Mr Wortley, that we might see the government in the next 24 hours change their mind about recalling the lower house. The Treasurer in fact laughs at me from his seat as I say that. It is something that I think betrays the level of arrogance that we saw, not only in his speech today but from the Premier about this issue: 'I am not going to recall parliament, it is not needed.'

What could be more fundamental about recalling parliament than voting at an election? That is why we are here. That is why they accept that we can pass laws. It is because they vote us in and they say, 'Here you are, you get this enormous power to say: if you get COVID you will stay at home. If you are next to someone who got COVID, you are a special case and you must also stay at home, even though you are not sick.' What amazing, incredible power we have. To then say, 'If you do get COVID or if you are a close contact you have to stay home and you are going to miss out on the right to vote,' imagine if when passing those laws we had said that?

I go back to my article, written after the election. Imagine if that is what is in that article. We have a government that gets elected on the back of thousands of people who were disenfranchised in their vote. Do you reckon those thousands of people might stand out on those steps? They might say, 'I didn't vote for this. I had my right taken off me.' I think they might. And do you know what? They would be right. I might even stand with them.

That is not what we are here for, that is not what we are about, not when the answer could be so simple as for the Premier to say, 'I am going to recall the lower house, I am going to deal with this bill,' which the Treasurer has already conceded is going to pass here because it is the right thing to do, 'I'm going to recall it for 20 minutes, 40 minutes—however long it takes—just to run a piece of legislation through the lower house.' It is as fundamental as saying, 'You can pick up the phone and cast your vote,' and we can have a proper election where everybody gets the chance to do that.

What is wrong with that? Why would you not do that? What is wrong with you? Where are your priorities? Are they in hiding that vote? Are they in creating straw men, as we saw the Treasurer making where apparently it is all someone else's fault? No. It is in the person who is making that decision, who is saying, 'This bill will not pass, and I will make sure it does not because I will not convene parliament so that it does not.' That is Premier Steven Marshall, who 100 per cent has the power to change this whole debate to make this a non-issue, to give everybody a vote. He has that power. Why does he not exercise it? It is a valid question that we may be asking ourselves after election day.

The Hon. K.J. MAHER (Leader of the Opposition) (17:21): I thank honourable members for their contributions: the Hon. Frank Pangallo, the Hon. Clare Scriven, the Hon. Emily Bourke, the Hon. Tammy Franks and the Hon. Justin Hanson. I was not going to, but I will just make a few brief remarks about the contribution from the Leader of the Government: the Treasurer, the Hon. Rob Lucas.

Other people have mentioned it, and it is a truly extraordinary thing that the Hon. Rob Lucas talked about today—to downplay and to concede that, as the Hon. Justin Hanson said, it might only be a few thousand people who are going to miss out. To make that concession and say, 'We do not need to act because it might only be a few thousand people who will not get to vote' is just extraordinary, and then to talk about and make the concession that, yes, there are problems in areas such as the APY lands where Aboriginal people might not get to vote—'But so what? We are not going to act.'

Mate, do you even listen to yourself sometimes? Go back and have a look at what you said today and really reflect on your attitude. I know you are fond of telling us, Treasurer, that times change around you but your views hold fast. If you go back and reflect seriously on the views you have expressed today, you might even be concerned about the way you expressed yourself today. Other comments made by the Hon. Rob Lucas are a blemish on an otherwise blemished 40 years in parliament. The Hon. Rob Lucas regularly misrepresents what people say in this chamber. He does so cowardly under parliamentary privilege in a way he would never step outside to do.

I was not going to say anything, but in my comments about the administrative procedures in place for telephone voting I clearly referred to regulations that were circulated by the Attorney-General—the member for Bragg, the Hon. Vickie Chapman—back in September. In his usual cowardly manner, the Hon. Rob Lucas sought to mischaracterise that as having a go at the Electoral Commissioner. It is not us who do that.

The Hon. Rob Lucas will remember back in 2014 that Isobel Redmond, no less than the leader of the Liberal Party, called the Electoral Commissioner at the time 'utterly corrupt'. That is what former Liberal leader Isobel Redmond did. It is not us who do this: it is the Hon. Rob Lucas mischaracterising, as he is wont to do. It is something that I think a lot of people just accept, take what the Hon. Rob Lucas says with a grain of salt, whether it is other members of parliament or journalists: 'But it's only Rob Lucas. You know what he's like. That's what he does'. It is what he does, and I guess in the dying days of his political career, why would he change the habit of a lifetime, misrepresenting what others say?

He misrepresented completely the motivations for different things that other members have said in this chamber. He went further—it was not just misrepresentations, there were bald-faced lies from the Hon. Rob Lucas about amendments that were successful in this chamber, and for once I will put them down to gross, incompetently ignorant views rather than deliberate malice, which I would usually credit the Hon. Rob Lucas with.

Having said that, I will once again state that we can do something about the issue of people missing out on voting. We can make an attempt to rectify the situation where Rob Lucas says, 'Well, it's only a few thousand people. It's only Aboriginal people on the APY lands who are going to miss out'. I for one will not stand by and not do everything I can to make every effort to have those people vote.

As I said, we are told that the federal government is looking at moving on these exact issues, looking to allow telephone voting for an election that could still be a week before our election. I have to say that if you are compared unfavourably to Prime Minister Scott Morrison and Peter Dutton in terms of your defence and ability to protect democratic processes, then I would not want to be the one who is compared unfavourably to the Prime Minister who 'doesn't hold a hose'.

With those comments, I endorse and recommend these changes to the Legislative Council. Hopefully, we will see a change of heart and the government might pass this legislation. All it takes is one minister. We have the environment minister, the Hon. David Speirs, publicly canvassing how disappointed he was that his colleagues—people like the Hon. Rob Lucas and others—did not see his leadership qualities when he lost the ballot for the deputy leadership of the Liberal Party. Well, this is the time for someone like the Hon. David Speirs to shine. As a minister, he can recall

parliament, he can be a champion of those who will not get to vote, he can do this: he can show those leadership qualities that the Hon. Rob Lucas and his colleagues did not see in him, and we would ask him to do that.

As a final reflection on why we are here in this situation today, it is because the Hon. Rob Lucas and his colleagues in the lower house decided to shut down parliament. They did not want the scrutiny. They left other things, not just this, unfinished. There were bills to increase the penalty on dangerous child sex offenders that they did not complete, that they left unfinished in the lower house.

You have members like the member for King, Paul Luethen; the member for Elder, Carolyn Power; and the member for Adelaide, Rachel Sanderson, shutting down parliament, which has not only the consequence of not allowing for telephone voting but also the consequence of, in the future, seeing any dangerous paedophile who is charged and convicted before we can come and finish those bits of legislation getting lighter sentences. This has real-world consequences: this is just one of them we are seeking to address today.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. T.A. FRANKS: My question is to the Treasurer in terms of the Marshall government's plans to ensure that there is full enfranchisement on polling day for the state election of 2022. What measures does the Marshall government have that they have discussed or recommended to ensure that those who are in isolation, quarantine or the like, whether they have COVID or whether they are a close contact, are able to vote?

The Hon. R.I. LUCAS: This bill is not my bill. I have indicated the government's position earlier and I do not intend to expand on the comments.

The Hon. T.A. FRANKS: The Treasurer this morning on ABC radio, in response to discussion on this bill, said that these matters had been discussed at the COVID-Ready Committee. On what dates were these matters discussed at the COVID-Ready Committee, who was part of those discussions and what was discussed?

The CHAIR: The Treasurer does not wish to contribute. Are there any further contributions at clause 1?

The Hon. T.A. FRANKS: Does the Treasurer have anything to say about what the Marshall government's plans are moving forward to ensure that people are able to vote on 19 March if they are in isolation?

The CHAIR: The Hon. Ms Franks, I think the Treasurer has indicated he is not making any further comment. The Hon. Mr Maher, do you have something?

The Hon. K.J. MAHER: I have a very quick question to the Treasurer. Will the Treasurer discuss with the opposition and other members of both chambers of this parliament the plans that the Treasurer foreshadowed in his radio interview this morning about how this election will be conducted so that all members of this place can now have a say and input into those?

The Hon. R.I. LUCAS: Chair, I have indicated that I have nothing further to add. If the opposition believe that this bill solves all the problems, let them go through with their charade.

The Hon. T.A. FRANKS: The Treasurer indicated that the Electoral Commissioner opposes these measures because they will not be able to be implemented in a timely way, despite the fact that these measures are the measures that the Electoral Commissioner previously asked for. He also indicated on the radio this morning that both his party and the Labor Party were privy to correspondence indicating this position. Can he table that correspondence and can he attest whether this correspondence actually exists?

The CHAIR: The Hon. Ms Franks, I have an indication from the Treasurer that he is not going to make any further comment.

The Hon. K.J. MAHER: I will follow up with a question. The correspondence that you referred to, the written advice from the Electoral Commissioner, Treasurer, were you telling the truth on the radio this morning?

The CHAIR: The Treasurer has indicated he has nothing further to add.

The Hon. T.A. FRANKS: I will try a new tack, Chair. Does the mover of this bill or any member of the Labor opposition have any correspondence from the Electoral Commissioner saying that he is unable to implement these measures in the time frame that will now be required?

The Hon. K.J. MAHER: I thank the honourable member for her question. I can indicate as shadow attorney-general and as the spokesperson from the Labor Party who is responsible for the Electoral Act that I am certainly not aware of any correspondence or written advice, or verbal advice even, from the Electoral Commissioner. I will check my records, but I almost certainly would remember receiving such a letter, and I have absolutely no recollection or record of such a letter whatsoever.

I again invite the Treasurer to substantiate the things he said on radio, otherwise I think his silence will damn him in terms of what he says on radio and what he is not prepared to come in here and say with all the conventions of misleading parliament. I would invite him to repeat what he said on radio in parliament and see if he misleads parliament or not. Over to you, Treasurer.

The CHAIR: The Treasurer has already indicated he is not making any further comment. I am going to put that clause 1 stand as printed.

Clause passed.

Remaining clauses (2 to 6) and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Leader of the Opposition) (17:34): I move:

That this bill be now read a third time.

The Hon. R.I. LUCAS (Treasurer) (17:34): I will speak briefly at the third reading to reiterate the comments I made during my second reading contribution. From the government's viewpoint, this whole exercise is just a charade. We are not going to stand in the way of the start of the charade. I think the Hon. Mr Pangallo summarised it very well. I need to get the *Hansard*, but I think the two words he used were 'symbolic stunt'.

I think he aptly described what we are going through here. It is a charade from our viewpoint. We are not going to delay the proceedings by calling 'divide'. We understand the opposition members and crossbench members are supporting this particular passage of the bill, this part of the charade. Good luck to them, but as I said at the end of the second reading, it ain't going anywhere.

The Hon. T.A. FRANKS (17:35): I have a very short third reading contribution to make in the spirit of the Treasurer's note that this is a charade, indeed, three words: farce, failure to plan, don't need any further clues because this government has none.

Bill read a third time and passed.

MARTINDALE HALL (PROTECTION AND MANAGEMENT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 December 2021.)

The Hon. R.A. SIMMS (17:36): I want to use this opportunity to put on the record the Greens' opposition to this bill, the proposal from the Marshall government that Martindale Hall be sold off for future privatisation. What this bill seeks to do is to abolish the Martindale Hall Conservation Park and

to extinguish the charitable trust established by the gift of the hall to the people of South Australia. We consider that to be an absolute travesty.

This is a building that is iconic. It belongs to all South Australians, and it should be protected as a vital piece of our history. We know, of course, what happens when the Liberals sell off our beautiful iconic buildings. We know what happens to those buildings: they sit there idle and they fall into disrepair. Such is the casualty of the Liberals' fire sale of our beautiful and iconic buildings. I recognise that the Labor Party also undertook some of that privatisation work during their time in office.

Looking around the City of Adelaide, sadly we see the consequences of this privatisation: Edmund Wright House, which has been vacant since 2015; the Adelaide GPO, which has been vacant now for two years; Davaar House, a long-term vacancy that is now in disrepair; Hotel Tivoli has been shut for eight years; Freemasons Hall is another one that is about to fall; the Newmarket Hotel has been vacant since 2017; Gawler Chambers, vacant since 2004; the former Primitive Methodist Church in North Adelaide, vacant since 2014; and the list goes on.

They are beautiful iconic buildings that have been left to decay because they have either been sold off to private enterprise or they have not been brought back into public hands. Certainly, what the Greens are calling for, as well as opposing this particular piece of legislation, is the next government to put some money on the table to buy back these beautiful buildings, to ensure that they are managed for the public good, to take steps to actually punish developers and landholders who allow these buildings to fall into disrepair and to put some money on the table to encourage activation of these beautiful buildings.

It is an absolute travesty that we have people sleeping on the street in the middle of this heatwave whilst we have beautiful buildings such as this sitting there idle, sitting there vacant, gathering dust. The Greens will not allow that to happen to our iconic Martindale Hall, and that is why I wanted to take this opportunity to put our opposition to this legislation on the public record. I hope that this legislation does not find its way back onto the *Notice Paper* in the new parliament.

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

HERITAGE PLACES (ADELAIDE PARK LANDS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 December 2021.)

The Hon. E.S. BOURKE (17:41): I have mentioned on several occasions in this place that my young family and I call the CBD home. Our home is surrounded by green gold: the Adelaide Parklands. The Parklands are our city's lungs, our backyard that you do not need to personally mow, a playground meeting space and a significant cultural site for the Kurna people.

We know that the Adelaide Parklands are unique because Colonel Light's design was a world first. Adelaide was the first planned city to be in a park creating Australia's biggest backyard for local residents and the broader South Australian community to enjoy. Only this week, I doorknocked a proud CBD resident called Joseph. Joseph shared a story with me on how he often FaceTimes his overseas family and friends from the Parklands and they ask what country town he is in. He said it never gets old, the sound of disbelief when he says, 'I am in the CBD.'

This uniqueness has been recognised time and time again as we continue to climb the ranks in the livability of our great city. In 2001, Adelaide became the third most livable city in the world and the most livable city in Australia. More than ever before, we have looked to the Adelaide Parklands to keep us connected, to keep us local and to keep us safe. They have become our escape from confined rooms during the pandemic and a drive-through COVID testing station. Perhaps this was not ever envisaged.

The bill before us today has been introduced to formally recognise the significance and uniqueness of the 760 hectares that create the Adelaide Parklands. As described in the Heritage Places Act, the object is to recognise the importance of the state's history, including its natural history.

A state heritage area may include areas notable for their distinct heritage characters or a sense of place formed by buildings and structures, spaces and allotments, patterns of streets and natural features or the development of the landscape.

The Adelaide Parklands fits well within all the above qualities of what makes an important and valued sense of space. This sense of place is also home to celebrating cultural and creative diversity through pop-up festivals that have become truly unique to the Parklands and their landscape. It is these festivals that help create a sense of place for South Australians, festivals like WOMADelaide, which attracts artists from around the world and close to 20,000 people per day over the four-day festival.

The unique space of the Adelaide Parklands enables Adelaide to create a space that is the envy of the world right at the doorstep of our CBD. There are also many more permanent establishments like the West Terrace Cemetery, the university campuses, the hospital and the Zoo, just to name a few. They call the Adelaide Parklands and their surrounds home.

It is the diversity of the natural and built landscape of the Parklands that makes them a place for everyone, a place that must be identified and recognised. The bill before us today seeks to do just that. The bill seeks to amend the Heritage Places Act and recognises the Adelaide Parklands as a state heritage area.

If we amend the Heritage Places Act, the Parklands would join the 17 current state heritage places located across South Australia, like Port Adelaide, Gawler Church Hill, Colonel Light Gardens and Moonta Mines. Like the Adelaide Parklands, these areas carry with them historical values of importance, but there is a defining difference I would like to touch on, a difference that should not distract from the importance of this bill but nonetheless should be considered.

I will use the Port Adelaide heritage area as an example to explain why we need to discuss this because, after all, that was the first heritage area to be listed in South Australia. The Port Adelaide state heritage area includes the commercial administrative core of early Port Adelaide, an area that is identified as containing South Australia's most substantial continuous group of colonial buildings.

The heritage area is situated between St Vincent Street and North Parade and extends from Nelson Street on the west to Jubilee Street on the east. Those in the chamber who know a little about Port Adelaide will know that this is a relatively small area, an area consisting of similar era colonial buildings like the South Australian Maritime Museum, but not the National Railway Museum, which is located on the other side of St Vincent Street.

The relatively small landscape and narrow diversity in the building structures located within this area could help when it comes to the implementation of the development standards one must follow when carrying out the changes to the state heritage area. The state heritage area developments as defined by the Development Act include land division, change of use, new constructions, demolition, removal, alterations, additions, painting and signage, and any other work that could materially affect the heritage value of the state heritage area. All development applications in the state heritage area that are lodged with the council would then be referred to the Heritage Council of South Australia in the Department for Environment and Water for heritage assessment.

I want to have this discussion because this is a much smaller area than the area of the Adelaide Parklands. I do not want to distract by any means from the importance of this bill, but they do need to be considered. While I have several questions I want to ask during the committee stage, I would like to confirm that the opposition will support this bill, with the proviso that further consultation is considered and undertaken. We would usually say between the houses, but we do want to see a little bit more consultation undertaken.

I raise that point because I know the Adelaide City Council, which would be considerably impacted by these changes—not for the worse necessarily, but it is a good change to be looking at—has not been consulted yet. These are considerations that need to be put forward and looked at during the committee stage of this bill.

The Hon. F. PANGALLO (17:47): I rise in support of the bill by the Hon. Robert Simms and his very meritorious intent to save our precious Parklands from intrusion and to prevent further loss

of the Parklands, particularly in view of the type of developments that the Marshall government wants to push through, including the basketball stadium on one section there, where the Helen Mayo reserve was, and also their thwarted plans through the changes to the planning code about Pinky Flat and other areas around the Riverbank area.

It was that proposal, the proposed basketball stadium and other things, that put the Parklands firmly back in focus and certainly after, of course, we had the debate about whether the Adelaide Football Club could build their much-vaunted future headquarters on the site of the Aquatic Centre at North Adelaide. So the issue about building on the Parklands continues to burn deeply within our community.

I can tell you that there are many people out there who want our Parklands preserved for what they stand for, for what they have achieved for this state, and the historical significance that goes right back to the planning of this great city. It is acknowledged everywhere that we have an amazing piece of land surrounding the CBD. I find it quite special.

As a youngster, I think I would have been about 10 years old, I learnt to play soccer at the West Parklands. As a schoolboy, I would often walk up Henley Beach Road for soccer practice during the evenings and we would also play our games there on weekends. The playing fields were not in great shape at the time, but it was fantastic to see that there was this open facility available for the community to enjoy. We enjoyed that as youngsters, and today the community continues to enjoy the spacious facilities that those Parklands provide.

What the Hon. Robert Simms' bill has put in focus, of course, is the protection of heritage—not just the Parklands, but heritage buildings, heritage areas in our community. It brings it really sharply into focus and the debate continues. It is interesting that just over a week ago I was sitting on my balcony at home, and I can see the skyline of the city from my place. I was there with a friend, and I started to lament the appalling skyline that we have created in the City of Adelaide and I thought, 'Actually, it looks ugly, what has actually sprouted there in the last few years.'

I notice that plans have been announced for the builder of the \$400 million Central Market arcade redevelopment. It is great news for that area to see that type of development, but it is a 38-storey tower. The old market buildings, the Sir Samuel Way building, some of the more historic buildings around the City of Adelaide will be in shadow. We are just starting to lose a lot of that quaint, historic feel that the city used to have. It used to be known as the city of churches. It is now becoming the city of skyscrapers.

The other day, there was the announcement of the 55-storey apartment hotel complex on the corner of Pulteney Street and Flinders Street. There is no maximum building height on that block of land. From memory—and correct me if I am wrong, the Hon. Robert Simms—I do recall that originally there was a nice heritage home that was on that building site and they demolished it. It went, and now we are going to see this 55-storey monstrosity there.

There is also a proposal for a 160-metre tower at the Freemasons area on North Terrace. We have a 36-storey Frome hotel at the East End. This is massive development that is going on in the City of Adelaide, and of course it can only go on when properties are sold and others have to be demolished to make way for it. We have saved some important cultural buildings in the city, but we have lost many significant ones. I am not going to go through that at this point.

Earlier in the week, a former colleague of mine, Meno Toutsidis from my days in the newspapers and on Channel 7, happened to send me an article that was written by our first boss, Ron Boland. Ron was the very colourful editor of *The News* newspaper and also a former editor of the *Sunday Mail* and was Rupert Murdoch's right-hand man in Australia at the time. He was a very well-respected man.

After Ron retired, he had an active interest in heritage in the city. Meno sent me this article that Ron wrote on 29 April 1984. At that time, just as it is today, the debate was raging about what was going on in the City of Adelaide as far as heritage protection. I just want to read some paragraphs from Ron's article, which was headed 'What's wrong with old-world style? Our unique heritage must be preserved.' He says:

Never before have Adelaide's special attractions and their preservation come under such scrutiny.

Remember this is 1984. The article continues:

And all to the good, because never before has there been such a need to look at our special heritage, our historic and cultural associations, and decide whether we are to retain this unique character of Adelaide, or lose it.

It's no easy task to define this special uniqueness, but it is there and I believe it can be fostered, nurtured and developed in a manner to give Adelaide the reputation of a model of heritage preservation.

Ron goes on to say that he had unearthed a report by Adelaide's former Town Clerk, Russell Arland. I do not know if many of you younger members in here would remember the term 'town clerk', which of course has been since superseded by the very highly paid job of chief executive and many other staff who work in the Town Hall, but in those days Russell Arland was the lone hand who ran the Adelaide City Council.

Russell had compiled a report to the council following a world tour, where he visited many cities in Europe that were also greatly concerned with their preservation and their early history and old buildings. He went on to talk about places like Amsterdam naming all buildings having a frontage to a canal as historic monuments.

He talks about the rebuilding of Munich, much of which was destroyed during World War II, but the Germans in the postwar rebuild decided to try to retain and bring back the old character. In fact, when I was in Munich for the World Cup back in 2006, I was actually quite surprised. I thought, 'Wow, these buildings look fantastic for their age.' In fact, they were actually rebuilt in the postwar period to make them look and retain that cultural heritage. They look fantastic. Anyway, Ron went on to say:

Retention of old environments is more aesthetically attractive and gives the city a character that we like to be part of.

Our history is part of our heritage. We must preserve its built form to the best of our ability.

Then he was talking about the establishment of a special committee that was put together to try to protect heritage buildings. I would say that it would probably be the precursor of the National Trust or the History Trust. He then went on and noted the words of noted Sydney urban architect and expert Francesca Morrison, who spoke in Adelaide during the Adelaide Festival of Arts. Francesca said, and I quote:

Buildings will become cheaper and nastier each year. They are not inspiring, environmentally uplifting or satisfying. They are basically brutal...alien...soul destroying.

At the rate we are going our cultural continuity will be severed. It is not just our Victorian or colonial heritage, it is our complete historical and cultural consciousness which is at stake.

That is a very interesting comment. Certainly, in light of what I have just said about the changing skyline of Adelaide in the CBD, it is great to see new architectural structures going up that are aesthetically pleasing, but I think we have lost sight of that now. It has just become one mushroom after another and see how tall you can get and beat the record. It is certainly different from what you see in London—and London, as we know, is a very old, historic place—where they have managed to integrate new buildings, aesthetically designed to fit in with their environment, and it is pleasing to see that.

Another thing that was pleasing to see was the announcement by the City of Norwood Payneham & St Peters. The mayor, Robert Bria, is a very strong, passionate advocate for retaining the heritage in that particular area—in the Premier's own seat, actually, of Dunstan. Mayor Bria and the staff at Norwood Payneham & St Peters work extremely hard to protect a lot of those heritage homes and buildings in Norwood, in that area. It is important that we protect those places for future generations. They may only be 150 or 200 years old, but of course they were our beginnings and we should not stand back and allow progress to just sweep them aside.

Mayor Bria's motion was passed unanimously by the council, and I commend them for what they have done. The idea is that they protect these historic buildings in what they claim to be Australia's oldest suburban municipality, which could well be true. They have their urban planning and environment general manager, Carlos Buzzetti, who is going to be focusing on an area of construction, streetscapes and the types of buildings that need to be protected.

They highlight that we have seen the incursion of some subdivisions that are present in Glenelg, Kensington and also in my vicinity, Colonel Light Gardens, which is a garden city, a beautiful suburb, but there are fears—and there were fears—that this garden city suburb could find itself being enveloped by new and far more grotesque buildings and homes that certainly do not fit in with the heritage area of it. It is great to see that councils like Norwood Payneham & St Peters are doing so much to protect that heritage.

This is why it is important that we support what the Hon. Robert Simms is doing here simply because, as my old boss pointed out, heritage is not just about buildings. It is also about the environment that we have and that we have had for more than a century. It is important that we do protect it, and I am hoping that it does lead to World Heritage listing eventually because protection is certainly required here. I urge members to support the Hon. Robert Simms's legislation.

The Hon. J.M.A. LENSINK (Minister for Human Services) (18:04): I rise to speak today to support the Heritage Places (Adelaide Park Lands) Amendment Bill 2021 and advise that the government has amendments which I understand have been filed. The process to establish the Adelaide Parklands as a state heritage area is well underway. The South Australian Heritage Council has already determined the heritage significance of the Adelaide Parklands and city layout and has prepared a statement of significance, which states that they are:

...an outstanding representation of a nineteenth century planned colonial settlement. The principal components of Light's 1837 plan are the original layout, width and grid pattern of the city streets; surrounding outer ring of parklands; six internal squares; and the topographical response to terrain. These components remain clearly legible today and served both the economic and well-being needs of early settlements.

The South Australian Heritage Council has requested that the Adelaide Parklands and city layout be recommended to the planning minister for state heritage area consideration, with the area of the proposed state heritage recognition replicating that of the national heritage place, and this has been progressed as required by the relevant legislation.

Heritage standards for the Adelaide Parklands and city layout state heritage area are currently being written to guide future development decisions within the newly created state heritage area. It is anticipated that these should be available for public consultation in mid-2022 and finalised before November 2022. The standard will clarify how the heritage values at the Adelaide Parklands and city layout state heritage area will be managed and streamline the process for any development applications and referrals. This work should be completed before the act comes into operation.

While there are approximately 70 individually listed state heritage places located in the Parklands already, these listings do not recognise the heritage values of the Adelaide Parklands and city layout as a whole. The 70 places will remain entered in the register in their own right. The inclusion of the Adelaide Parklands and city layout as a state heritage area in the South Australian Heritage Register, and the creation of the state heritage area overlay, under the Planning, Development and Infrastructure Act 2016, is an important step to recognising the value of our iconic Parklands and city layout.

The government thanks the Hon. Robert Simms for introducing the Heritage Places (Adelaide Park Lands) Amendment Bill into the parliament. In doing so, this bill circumvents the current two-stage process for creating state heritage areas, in particular: the South Australian Heritage Council determines the significance and heritage values of a state heritage area, and the planning minister approves a code amendment so that its heritage values can be appropriately managed within the state's planning system.

To ensure the bill can operate effectively, on behalf of the Minister for Environment and Water I propose three government amendments, which do the following:

- the entry of the Adelaide Parklands in the South Australian Heritage Register also includes the city layout and mirrors the National Heritage List 2008;
- only the state heritage area overlay under the Planning and Design Code, and not the state heritage place overlay, is applied to the Adelaide Parklands in the city layout state heritage area; and

- the act comes into operation on 1 November 2022. This will allow the proposed heritage standards to be consulted and approved, providing clarity on how the heritage values relate to the development in the state heritage areas.

I note that the Hon. Emily Burke said in her contribution that the City of Adelaide council has not been consulted at this stage. With these minor government amendments, we support this important step of recognising the value of our Adelaide Parklands and city layout.

The Hon. R.A. SIMMS (18:08): I want to thank members for their contributions. I acknowledge the contribution of the Hon. Emily Burke, the contribution of the Hon. Frank Pangallo and the contribution of the Hon. Michelle Lensink. I do want to acknowledge the fact that we are at an exciting moment where all political parties are supporting the heritage listing of our iconic Parklands and Adelaide's iconic green space. I think that really is a breakthrough moment in terms of protection of our Parklands.

This has been a long-term campaign by Parklands advocates. It is over 10 years ago that we saw the Adelaide Parklands included on the National Heritage List, and since that time there has been a long-term push for the Adelaide Parklands to be included on the state heritage list. It is terrific to see such strong support for this bill, and certainly, whether the Labor Party claims government or whether the Liberal Party is returned to government in March, the Greens will be reintroducing this legislation into the new parliament to ensure that the two major parties make good on their commitment and their support for this legislation so that we can make this a reality. I see today's vote as being an important step in that regard, and I acknowledge the support of my colleagues in making that happen.

I will respond very briefly and directly to one of the comments made by the Hon. Emily Bourke. The Hon. Ms Bourke has asked about the involvement of the Adelaide City Council. Whilst it is true that I have not negotiated directly with the council on this bill, the council has had a long-term position of supporting state heritage listing for the Adelaide Parklands and also supporting World Heritage listing for the Parklands. I would certainly see that this bill, were it to become law, would strengthen that campaign for World Heritage listing.

In the interests of time, I indicate on behalf of the Greens that we are supportive of two of the three amendments that are going to be put forward by the government. We support amendment No. 2 [Lensink-1] and amendment No. 3 [Lensink-1]. We do not support amendment No.1, which relates to the time frame in which the bill would come into operation. There may well be a change of government in March, and they may well have very different priorities in terms of the work of the bureaucracy, and it may be possible to expedite this.

People have been waiting a very long time for state heritage listing, and I do not want to see more delays put in place. It is for that reason that we are opposed to that first amendment from the government. I acknowledge the support of all parties in terms of making this happen.

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

New clause 1A.

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

Amendment No 1 [Lensink-1]—

Page 2, after line 5—Insert:

1A—Commencement

This Act comes into operation on 1 November 2022.

The government proposes to delay the commencement of the bill until 1 November 2022 to allow time for the heritage standards for the state heritage area to be developed, consulted on and published. Under the new Planning, Development and Infrastructure Act 2016, and the Planning and

Design Code, the heritage standards are a supplementary tool of the code and are referenced in the state heritage area overlay.

If the Adelaide Parklands and city layout are listed as a state heritage area, any applications to undertake development in the state heritage area will be referred to the Department for Environment and Water and Heritage South Australia as a delegate of the minister responsible for the Heritage Places Act 1993 for referred development applications. The heritage standards are used by Heritage South Australia as a key part of assessing development proposals that are referred to Heritage SA. Although Heritage SA is currently working on the heritage standards, they will need to be publicly consulted on and finalised.

The Hon. E.S. BOURKE: I indicate that we will not support this first amendment.

The Hon. R.A. SIMMS: I also indicate that the Greens will not be supporting the amendment for the reasons I outlined in my previous contribution.

The Hon. F. PANGALLO: We will not be supporting the amendment either.

New clause negated.

Clause 2 passed.

Clause 3.

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

Amendment No 2 [Lensink-1]—

Page 2, lines 12 and 13 [clause 3(1), definition of *Adelaide Park Lands*]—

Delete 'has the same meaning as in the *Adelaide Park Lands Act 2005*' and substitute:

means the Adelaide Park Lands and City Layout described in the Schedule to the notice published in the Commonwealth of Australia Gazette under the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth for the purposes of including the Adelaide Park Lands and City Layout in the National Heritage List (see Commonwealth of Australia Gazette No. S238, Friday 7 November 2008);

This amendment ensures that what is entered onto the South Australian Heritage Register is consistent with the entry in the National Heritage List. In addition, this is what has been recognised by the South Australian Heritage Council as having heritage value worthy of listing as a state heritage area.

The Hon. E.S. BOURKE: I rise to indicate that the opposition will be supporting this amendment and thank the government for introducing it. We feel it does address some of the concerns that were within the bill and I think it is a good addition to be including in this bill.

The Hon. R.A. SIMMS: I feel like we have a unity ticket happening here, Chair. We are all on the same page. I also support this amendment, on behalf of the Greens, and I agree it enhances the bill. I thank the government for putting it forward.

The Hon. F. PANGALLO: SA-Best will be supporting both amendments from the Hon. Michelle Lensink.

Amendment carried; clause as amended passed.

Remaining clauses (4 to 6) passed.

Schedule 1.

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

Amendment No 3 [Lensink-1]—

Page 3, clause 1, lines 24 and 25 [Schedule 1, clause 1, inserted paragraph (ca)]—

Delete 'any overlay relating to State heritage' and substitute 'the State Heritage Area Overlay'

The bill proposes to apply all overlays relating to heritage under the Planning, Development and Infrastructure Act to the Adelaide Parklands and city layout. This amendment ensures that only the

State Heritage Area Overlay applies to the listing. To apply both the State Heritage Area and State Heritage Place Overlay would be inconsistent and unnecessary.

The Hon. E.S. BOURKE: The opposition will also be supporting this amendment.

The Hon. R.A. SIMMS: Likewise, Chair.

The CHAIR: And we have had an indication from the Hon. Mr Pangallo.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. R.A. SIMMS (18:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 18:20 the council adjourned until Wednesday 9 February 2022 at 14:15.

*Answers to Questions***COPPER COAST COUNCIL**

In reply to **the Hon. J.A. DARLEY** (9 June 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Infrastructure and Transport has advised:

The Department for Infrastructure and Transport (DIT) is investigating treatment options for this section of road for inclusion in the pavement reseal and rehabilitation program.

Landscaping upgrades is a matter for the Copper Coast Council. If council has developed landscaping plans DIT will work with council to ensure coordination of upgrades.

The matter of an exchange of the road responsibilities of council's heavy vehicle Wallaroo bypass road for the state-maintained Wallaroo Road has been the subject of discussions with council.

DIT and council have used the approach outlined in the Road Classification Guidelines in South Australia to assess the proposed exchange.

Given the investigations into treatment options for the Wallaroo main road, DIT will ensure the current investigations are completed before any future negotiations with council occur.

BUILDING WHAT MATTERS CAMPAIGN

In reply to **the Hon. T.A. FRANKS** (9 September 2021).

The Hon. R.I. LUCAS (Treasurer): I have been advised:

A total of \$1,109,157.53 (ex GST) was spent on the Building What Matters campaign that ran over 10 months in FY20-21.

The government's record \$16.7 billion infrastructure expenditure (over four years) is delivering significant economic and social benefits, including across health, education, transport, housing sectors and the environment, as well as considerable associated job opportunities.

It forms a critical part of SA's strong economic and jobs recovery from the bushfires and COVID-19 pandemic.

The Building What Matters public information campaign informs South Australians about critical infrastructure projects in their local community and, importantly, highlights prospective business and job opportunities available via government tenders and contracts.

A key part of the campaign was to drive its audience to a website (SA.GOV.AU), enabling users to search for specific projects in each sector and by geographic area. This is significant because it provides the community important information about how their hard-earned taxpayer dollars are being spent, as well as giving businesses and people (i.e. apprentices, tradespeople, etc.) who might be looking for job in a particular industry sector or area, an avenue for further inquiry and action.

Funding for the media expenditure for the strategy was derived from the existing budgets of in-scope government departments: the Department of the Premier and Cabinet, the Department for Health and Wellbeing, the Department for Infrastructure and Transport, the Department for Education and the SA Housing Authority.

AGE OF CRIMINAL RESPONSIBILITY

In reply to **the Hon. R.A. SIMMS** (16 November 2021).

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

On 12 November 2021, at the Meeting of Attorneys-General, the Marshall Liberal government was pleased to support the motion for state attorneys-general to develop a proposal to increase the minimum age of criminal responsibility from 10 to 12, including with regard to any carve outs, timing and discussion of implementation requirements.

The government has consistently indicated its preference for there to be national consensus on this issue where possible, and so the Marshall Liberal government will continue to work with our state counterparts to consider this issue.

For the year 2020 in South Australia, 489 charges were laid against 78 children aged 10 or 11 and 27 per cent of these children were of Aboriginal or Torres Strait Islander heritage.

The Marshall Liberal government is supportive of the national push to develop a proposal to raise the age of criminal responsibility to 12 years of age.

LAND TAX

In reply to **the Hon. F. PANGALLO** (17 November 2021).

The Hon. R.I. LUCAS (Treasurer): I have been advised:

RevenueSA does not hold records in relation to the number of assessments issued due to a principal place of residence exemption being removed.

If a landowner receives a land tax assessment for their principal place of residence, they should advise RevenueSA with a view to getting the exemption reinstated.

RIDESHARE VEHICLES

In reply to **the Hon. F. PANGALLO** (30 November 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Infrastructure and Transport has advised:

As the honourable member has noted, the transport industry has changed significantly over the last five years. The laws pertaining to taxis and rideshare vehicles are contained in the Passenger Transport Act 1994 (the act) and the Passenger Transport Regulations 2009 (the regulations).

The minister and the Department for Infrastructure and Transport (DIT) continue to administer and manage the legislation. DIT has a team of dedicated compliance officers who are rostered over irregular shifts over a seven-day week to detect and deal with breaches of the act and regulations.

The act and regulations include provisions relevant to taxi licences, such as the exclusive right to rank and hail work. Further, both rideshare and taxi operators are required to hold the appropriate accreditation to operate and must adhere to all requirements. DIT conducts compliance activities across all sectors of the industry to ensure compliance with all requirements.

When a complaint is received, a formal investigative process is followed and depending on the sufficiency of evidence, sanctions and fines may be applied.

FLAMMABLE BUILDING CLADDING

In reply to **the Hon. F. PANGALLO** (2 December 2021).

The Hon. R.I. LUCAS (Treasurer): The Minister for Planning and Local Government has advised:

The state government initiated a thorough and comprehensive statewide cladding audit (the audit) of high-rise residential and assembly buildings to identify the use of aluminium composite cladding (ACP) and assess the risk to life safety.

To assist with evaluating the buildings, the former Department of Planning, Transport and Infrastructure developed the South Australian Life Safety Assessment tool, to assess and allocate a risk rating to each building from low through to extreme. With low having a minimal safety risk, moderate having provisions sufficient to allow safe egress from the building in a facade fire event, high where occupant life safety is not adequate or extreme where occupant life safety is unsatisfactory. The risk assessment tool was provided to councils to allow for a consistent and uniform assessment of buildings.

The audit examined the use of ACP on publicly and privately owned buildings and focused on residential buildings greater than two storeys in height including motels, hotels, aged-care facilities as well as hospitals, schools and other assembly buildings. The initial review identified 224 buildings of potential interest. Following further investigation, 213 buildings were confirmed as having ACP's attached to their facades.

ACP is regulated under the National Construction Code (NCC) and is safe for use on, and in buildings if it is selected and installed in accordance with the NCC. Buildings that were assessed as low to moderate risk using the assessment tool were seen to have sufficient existing inbuilt safety provisions to allow safe egress in a facade fire event.

The majority of these buildings will most likely not require any remediation work and will remain on the audit register with a low or moderate risk rating. However, a building with an assessment of high or extreme risk requires action by building owners to treat risks to reduce them to a tolerable level.

Initially there were 28 privately owned buildings rated high or extreme which has now reduced to seven and there are currently no publicly owned buildings with a high or extreme risk rating.

It is expected the number of buildings with ACP will continue to reduce as ACP is removed from the high and extreme buildings but this number is expected to plateau as the moderate and low rated buildings remain on the audit register.

The Attorney-General's Department (AGD) is the coordinator of the audit, and responsible for engaging with local councils and government agencies to progress and report on matters regarding ACP.

1. Private buildings:

The council Building Fire Safety Committees in conjunction with fire authorities (the Metropolitan Fire Service or the Country Fire Service) determine what remediation (if any) is required for a building identified as having ACP present and liaise with the building owners accordingly. Many of the buildings have had their original level of risk lowered. This can be due to several reasons, including ACP has been fully or partially replaced with a non-combustible product, building owners have provided further information on the annual maintenance reports, the ACP has been

tested to determine the flammability of the cladding product installed or remedial work has been undertaken on the building (installation of additional fire safety features).

It has not been a formal requirement of the local councils to report to AGD on the number of buildings that have had the ACP removed and replaced with a product compliant with the NCC. The only formal requirement by the local council is to inform AGD on the number of buildings within their locality with ACP present, the life safety risk rating applied to the buildings, and if and when it changes.

Public buildings:

Audits were undertaken in collaboration with the fire authorities and considered all NCC building classifications owned by, or the responsibility of the government.

Government agencies have been provided with detailed audit reports which included building risk assessment results and recommendations to remedy the threat to life safety risk in the short, medium and long term. It was expected the agencies would consider the audit results against their own appetite for risk. It is important to note; government agencies are not bound by legislation to carry out any remedial work.

2. Private buildings:

Although it is not a requirement for councils to advise AGD on the number of buildings that have had the ACP removed and replaced (with a NCC compliant product), AGD is actively monitoring the progress of negotiations between the council Building Fire Safety Committees (BFSC) and private owners where buildings were identified with high and extreme risk ratings.

AGD can report that of the three extreme rated buildings, the building owners have committed to removing all of the ACP and are at different stages of completing the works.

Of the four buildings rated high, the building owners are at varying stages of conciliation between the relevant council BFSC. One building body corporate is currently seeking quotes from suitable contractors to remove all of the ACP.

The remaining buildings with moderate and low risk ratings, may not require the ACP to be removed or it may only need to be partially removed. These discussions are ongoing between the building owners and the BFSC.

Public buildings:

The government agencies are at different stages of seeking professional advice on fire engineering reports and independent technical advice to determine what action will be undertaken.

At this time, four publicly owned buildings are scheduled to have the ACP completely removed and one building will have the ACP partially removed.

3. The financial implications of government agencies to remove or remediate ACP is not a reportable requirement to the AGD under the audit.

4. The initial review identified 224 buildings of potential interest. Following further investigations, 213 buildings were confirmed as having ACP's attached to their facades.

Councils, BFSC's and building owners have worked collaboratively to significantly reduce the risk ratings to tolerable levels resulting in 192 buildings currently having ACP on their facades. It is expected this number will continue to reduce as ACP is removed or partially removed from buildings, particularly from the seven high and extreme rated buildings, and as building owners consider their risks; but the number of buildings contained in the audit will plateau due to the low and moderate risk rated buildings remaining on the register.

5. Of the 213 buildings initially confirmed as having potentially flammable cladding, 52 are publicly owned buildings and 161 are privately owned buildings.

6. Under the *Planning, Development and Infrastructure Act 2016* the authority to assess the safety provisions of buildings rests with the relevant council. It was the responsibility of councils in collaboration with their Building Fire Safety Committee to assess and apply a risk rating to each privately owned building within the scope of the audit. Each council BFSC is required to have a representative from the relevant fire authority on the committee.

For buildings assessed as low or moderate risk, it is likely the existing inbuilt fire safety systems are appropriate to provide the occupants the ability to safely egress the building in the event of a facade fire. However, a building with a high or extreme rating is likely to require action by building owners to treat risks to reduce them to an acceptable level.

At present in South Australia the responsibility for ensuring buildings remain safe resides with the building owner, including ongoing costs such as maintenance and repairs. Council BFSC's continue to engage with building owners to ensure that the fire safety of the building is made adequate.

PUBLIC SECTOR WORKFORCE REJUVENATION SCHEME

In reply to **the Hon. T.A. FRANKS** (2 December 2021).

The Hon. R.I. LUCAS (Treasurer): I have been advised that as at 21 January 2022:

1. 574 employees have separated from the public sector as part of the workforce rejuvenation scheme.
2. The total amount paid to the separated employees is approximately \$29 million. This figure includes the \$50,000 payment (or part thereof) and the payout of residual leave entitlements.
3. The following table identifies which departments the 574 employees have separated from.

Agency	Scheme Acceptances Completed	Net Payment Made (\$)¹
Arts SA	11	523,831.30
Attorney-General's Department	25	1,208,979.14
Auditor-General's Department	1	47,177.98
Barossa Hills Fleurieu Local Health Network	2	124,663.62
Central Adelaide Local Health Network	55	2,686,665.84
Compulsory Third Party Insurance Regulator	2	60,146.21
Country Fire Service	10	509,750.97
Department for Child Protection	43	1,972,471.97
Department for Correctional Services	15	600,845.81
Department for Energy and Mining	9	435,065.18
Department for Environment and Water	17	867,276.32
Department for Innovation and Skills	6	269,131.48
Department for Health and Wellbeing	43	2,685,271.97
Department of Human Services	13	551,383.54
Department for Infrastructure and Transport	23	1,476,954.27
Department of Primary Industries and Regions	23	1,100,464.01
Department of the Premier and Cabinet	11	574,565.32
Department of Treasury and Finance	63	2,889,496.15
Environment Protection Authority	3	151,306.73
Eyre and Far North Local Health Network	4	236,201.97
Essential Services Commission	3	97,635.07
Green Industries	1	28,664.56
History Trust of SA	5	136,827.46
Metropolitan Fire Service	19	1,041,596.10
Murraylands and Riverland Landscape Board	1	51,236.08
Northern and Yorke Landscape Board	2	70,683.25
Public Trustee	14	828,819.46
Riverland Mallee Coorong Local Health Network	5	260,142.91
SA Ambulance Service	2	119,333.17
SACE Board of South Australia	1	39,756.43
South Australian Fire and Emergency Services Commission	3	150,481.75
South Australian Housing Authority	30	1,850,706.12
State Emergency Service	2	79,073.30
TAFE SA	48	2,217,367.87
Wellbeing SA	6	282,667.37
Women's and Children's Health Network	6	309,539.65
South Australia Police	47	2,449,696.81
Total	574	28,985,877.14

Notes

1. This is the amount paid to employees less the tax component.