

## HOUSE OF ASSEMBLY

Wednesday, 30 October 2019

The **SPEAKER (Hon. V.A. Tarzia)** took the chair at 10:30 and read prayers.

**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which the parliament is assembled and the custodians of the sacred lands of our state.

### *Bills*

#### LANDSCAPE SOUTH AUSTRALIA BILL

##### *Conference*

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (10:31):** I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

#### STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

##### *Second Reading*

Adjourned debate on second reading.

(Continued from 25 September 2019.)

**Mr TEAGUE (Heysen) (10:32):** I rise to complete my remarks that were commenced on the last occasion, so I do not propose to take a fresh chunk of time even if that were to be offered to me. I think I had about a minute to go on the last occasion. What I do want to say in concluding my remarks, and what I did not quite have a chance to acknowledge in my remarks on the last occasion, was the level and depth of engagement that I have received from community organisations of a wide variety.

I have had the opportunity over a period of time to sit down with individuals and groups expressing a range of views from the point of view of the community groups within which they work, and I want to particularly acknowledge the work of the YWCA and of Zonta. I have also engaged with the Australian Christian Lobby. Those communications have been ongoing. This has been a process of engagement that I have valued and found informative. Most recently among those, I received a letter from Bishop O'Kelly of the Catholic Archdiocese of Adelaide. That is a letter dated yesterday.

If there is one thing that characterises the engagement that I have received and participated in, and I think this point might fairly be made, it is that in no area of that—and it is fair to say that there is a fairly wide range of views that have been expressed—is there a desire to criminalise prostitutes, to criminalise sex work. That is a position that has been reiterated by Bishop O'Kelly in his letter that has been sent, it seems, to a number of us in this place, including me.

While he notes, indeed suggests, that his community of Catholics ought to have deep reservations about legislation, he reiterates that there is no wish on his part personally to see people engaged as prostitutes classified as criminals. I want to make that observation to underscore what I said at the outset, and that is my support for the second reading. I look forward to participating in the debate as it proceeds.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (10:35):** I appreciate the opportunity to speak on this bill and have fairly similar views to those of the member for Heysen, I suspect. In making a contribution on the Statutes Amendment (Decriminalisation of Sex Work) Bill, I seek to put on the record both my views and some of the matters that have been raised during engagement with my community in Morialta.

I have been in parliament for about nine years now and a number of these conscience vote debates have taken place. Those are the matters on which our respective parties do not form a firm view. We have 47 House of Assembly members who must each form their own view. I take the view

that MPs must vote on these matters in the way they believe will serve their states and communities best.

Our job requires us to consider the status quo as a starting point and ask: are we best served by making no change at all on whatever the matter at hand may be? If our existing laws are not serving our community well, then once the bill has had a second reading, if indeed it does, we must consider amendments from the point of view of how we might believe our community can be best served. The perfect is ideal, but we should not let the perfect be the enemy of the good.

Sometimes we compromise and sometimes, across 47 points of view, negotiation and compromise are not possible. I think that is why issues of conscience often fall short, despite prevailing views in the community that might think that with a simple proposition, if it was a yes or a no, you might get one answer, but when you look at the nuance and details, sometimes, with 47 different points of view, the compromise does not get there.

Usually, these bills also attract a fair deal of public interest. It is not unusual for many constituents to share their points of view. Our own principles in the application of our judgement must come first. It must be the basis on which we cast our vote, but it is really important for us to be informed of community sentiment and views on these matters and give serious consideration to the arguments put.

Obviously, during the course of debate, we need to keep in mind the unforeseen consequences of well-intended laws and that the nuance and detail of legislation sometimes can be a great deal more complex than can be hacked in a survey. I also think it is important for us to listen to each other's speeches on these matters in particular. People are arguing and they may well sway debate with a well-made argument. I am not claiming ever to have done that myself, but I have certainly been swayed by others on occasion. We must listen for perspectives that we may not have considered, and for that reason I thank all those members who have made considered contributions. I have appreciated the opportunity to hear and read them, too.

Also, many people across the state—stakeholders, academics, researchers, people who are interested in the bill—have provided their perspectives to all members. Some have come and given briefings in the parliament. That is a community service and I thank people who have done that. I have read the material more than I have met with community stakeholders, but I have been particularly interested in the views of people from within my electorate.

On this bill, I have not only read the correspondence and listened to the views of a number of constituents who proactively contacted me but I have gone to the next step on this occasion and written to everyone in my electorate seeking their views to help inform my considerations. Given the level of response that that provokes, time willing, in the future on these matters I will propose to use the same approach to similar issues.

In the correspondence I provided to members of my community, I also directed them to a website that included the debates from the Legislative Council so that those constituents who wanted to better inform themselves of the arguments can do so. I received nearly 800 responses from constituents and I thank that large number of Morialta residents who have taken the time and trouble to share their views.

I want to make clear that it is not and nor was it meant to be a scientific survey. For the reasons outlined, I am not seeking to outsource and I do not think people should outsource their decision-making to a simple test of which side provides more responses in the mail. For what it is worth, if that had been the goal, it would not have worked anyway because the opinion in my electorate is very close. It has gone back and forth from week to week, and next week there may be a different response from this week.

At the moment, there are more than 350 responses in either direction, so that would not make sense. It also reflects similar research that I am aware of conducted in my electorate before the last election that showed 40 per cent in favour, 40 per cent against and 20 per cent somewhere in the middle. I wanted to encourage residents to share their point of view, but I particularly wanted residents to provide some of the arguments that informed their point of view.

I can tell all those residents that I have read their responses and I appreciate their contribution. While the points of view of citizens in my electorate are spread evenly across the spectrum, there was a lot of clarity and passion and some really good arguments were put forward, and I propose to share some of those with the parliament now so that those constituents' voices can be heard.

For people with concerns about the bill, some of their arguments were that it would create problems for councils. They were concerned about the potential that it would become 'wide open for future crime'. One person wrote, 'Although this is a complex issue, and we want sex workers protected, in my view decriminalising it will make it easier for other young women to see this as a career or be coerced into this in various ways.'

There were some people who wrote variations on a description of prostitution being legal as immoral. Somebody wrote, 'It will increase crime and sexual abuse.' Someone wrote, 'Keep our mothers, sisters and daughters safe.' There were a number of people who suggested that decriminalisation would result in an increase in prostitution, which they saw as certainly a negative or immoral thing.

Some people wrote in favour of the bill. Some of the quotes included, 'Health care is needed for sex workers' and that decriminalisation would 'keep organised crime out of it'. One person wrote, 'Ensure the law concerning the clients is fair and does not cause harm to the sex workers.' Another person wrote, 'Decriminalisation would lower the rate of abuse of sex workers by pimps, criminals and police and the fear they live in.' It was written that sex workers should be supported to prevent exploitation and slavery. A couple of people wrote that it was a 'long overdue reform'.

A number of people expressed their concern that under the existing arrangements we have an industry that is controlled by bikies, and they suggested that law reform is necessary to get bikies out of a position where they control women. One person wrote, 'This may stop other sex crimes,' and someone else wrote, 'It has been around for millennia and is never going away.'

Perhaps one of the most persuasive arguments that came across was from somebody who did not necessarily themselves feel that they wanted prostitution to be legal but expressed support for the bill on the basis that it would prevent the situation where women feel at risk when going to police to express that they themselves were in fear of being vulnerable to abuse or violence because they were concerned that the nature of their profession would leave them exposed in that circumstance, and that is a risk that we are very concerned about.

Other comments were that people with criminal records or gang relations should not be allowed to own brothels. There were a lot of suggestions on how the bill should operate if it were passed. A lot of people wrote about restrictions being required regarding where they could be located, police powers and advertising. A number of people were in favour of or against the reforms, but they also wrote about their concerns regarding brothels operating in residential areas or in school or church precincts.

A number of people wrote of their concerns with the practice often described as street walking, and the police commissioner's concerns were raised by a number of people. At the same time, a good number of people also wrote that brothels should be treated like any other business. I included some specific questions in the survey in relation to some of the issues that have been raised as potential amendments, and there was strong support in the survey responses for some of the issues raised by the police commissioner. Should this bill get to the committee stage, I indicate that I will be supporting those amendments foreshadowed that deal with a range of the issues raised by the police commissioner.

On the principle of the matter, does our current legislation serve our community well? Can the reforms suggested in this bill, albeit potentially subject to further amendments, serve our community better? I believe that we can do better than the status quo and I will support the second reading. I anticipate supporting the amendments that will be presented by the Attorney-General and encouraged by the police commissioner to improve the bill, and there may be other amendments.

On a potential third reading vote, we will see what the bill looks like after the committee stage, but my decision will be based on whether the bill will improve on the existing legislation in a number

of areas. Are we reducing the risk of exploitation in relation to people who may have found themselves in a position they do not wish to be in and to maximise opportunities for people to live the lives they want to lead? Are we reducing the risk of people trafficking or sexual servitude? Will we reduce the risk of criminal elements and organised crime from profiting from prostitution and using it as a vehicle to support criminal activities?

I think an important question to ask is: will changes make people in our community, particularly people in vulnerable circumstances, safer or more at risk from violence, exploitation or harm? To be clear, prostitution exists in our communities at the moment. Whether or not people believe that that should be the case, I do not think there is anybody who can satisfactorily argue that the current legislative arrangements work well for anybody.

Are they serving anyone's interests? Whether or not you believe that prostitution should be taking place, or you are benign on it, our legislation is not working as intended. The question we must ask is: what would be the impact of a change? These are the bases on which I would support the second reading of the bill and the foreshadowed amendments I have identified. There may nor may not be others. Should the bill be successful in passing the second reading, those are the questions I will be considering once amendments have succeeded or failed and the final third reading is put.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (10:45):** It is an interesting job, this one. It is a particularly interesting job when you are a member of a major party and you reserve most of the debates for inside your party room rather than in this chamber. Most of the time, you are resolving your collective position behind those closed doors.

The beauty of a conscience vote is that we get to resolve our debates collectively in front of the public and in front of each other. We get to articulate exactly how we as individuals feel about an issue. These issues tend to be very difficult. Some are not—some are straightforward and, to my mind, quite mystifyingly labelled as conscience votes—but some are of weight and complexity. Anyone who accuses a person with a different view of being simply wrong is probably being unfair.

This bill is the product of so much work from the community, so much work from the sex work industry and so much work from individual members of this parliament. I do not include myself in that number; I am grateful to be allowed to speak on this and to vote on this, but I pay tribute to the women, largely, and some men, who have gone to extraordinary efforts to make sure that we have the opportunity to debate this. This bill has in so many ways been a very long time coming. This is the time and this is the bill, where we finally have the opportunity to decriminalise sex work in this state.

This is the bill where we finally have the opportunity to say that the people—again, largely women—working in this industry deserve our recognition and our protection. This is the bill that confronts all that weighty complexity and all those issues that some of us do not really want to have to deal with and would rather look away from. This is the bill that gives us the opportunity to stare them in the face and do what I regard to be the right thing: to put the workers front and centre in our thoughts and our considerations.

There are people who are opposed to this bill. I would like to make it clear that, in my view, that opposition is legitimate and fair. However, it is their view on how they want to manage the issue of sex work, rather than a legitimate or fair criticism of this bill. This is a good bill and, in my opinion, it will be better still when several of the proposed amendments are able to be considered and incorporated.

This is not a flawed legislative approach. This is a strong and well-considered approach, particularly with the addition of some of those amendments, that allows us to make a moral choice. Which side do we want to be on at the end of this complex debate? For me, that has not been an easy 'yes, whatever; tick, happy to do it' process. For me, it has been a journey. As a feminist, I do not want women to be exploited. As a humanist, I do not want anyone to suffer because of a decision I have made in here.

So I have asked the question: does this bill mean that there will be less suffering and less exploitation? Yes, it does, in my opinion, and that is why I will be voting in favour of it. It is not because I think we can get rid of sex work if only we try harder, because we cannot, and not because I think sex work is a profession that every person should aspire to, because it patently is not. I am voting in

favour of the bill because it is a profession that many people work in, have always worked in and will always work in, and we can make the conditions of that work better by the decisions that we make in this chamber. That is a legitimate moral position to hold.

In the journey of my decision to support this bill I have learnt about the journey of the industry itself. This is not an industry, as one might consider from the very privileged and safe fireside when thinking about how one wishes the world could be, that is simply full of downtrodden, exploited people. There is an element of that for sure, but this is an industry that has been evolving its internal capacity to have a voice, to ask for what it deserves, for what its workers deserve, and it has been increasingly able to articulate to this parliament what it expects of us as the representatives of all people in South Australia.

This bill can only help that evolution. If you have an industry that is complex and hard and has exploitative elements, the best thing that you can do is empower the people who want to make it better and safer. In my opinion, the only way to do that is to decriminalise it and to reform the law to facilitate that. I have also learnt on my journey about how important this industry is for vulnerable South Australians.

I even had—a little disconcertingly, I must admit—a card put in my letterbox at home by someone I do not know, or maybe I do know but I do not know who it was who put it in there, telling me about their use of the sex industry and, because of their PTS and their disability, how important that intimacy and human contact were, and how the generosity and kindness of the people they employed had made a difference to their lives. That is one little tiny story amongst many.

I would like to pay tribute to the people who have been advocating for this reform, particularly from the industry, for the way in which they have been able to personalise those stories for us, to understand that beyond our safe little middle-class environments there is a whole world of experience and a whole world of generosity and kindness that we may not have first thought of when thinking about the sex work industry. I want to pay tribute to the women and men, but largely the women, who are engaged in that work and who make people's lives so much better and so much fuller of human intimacy and a sense of connection.

As I have noted, there are many elements to this bill and many amendments we will be considering, but I am not going to canvass all of them. I know that some of the criticism which has been made, and which I have received in my office, of course, is completely unfounded. There is nothing in this bill that facilitates children being anywhere near sex work, let alone participating in it. There is nothing in this bill that encourages the exploitation of anybody. There is nothing in this bill that adds to the harm in our society.

However, I would like to note the importance of the three-year review. If we in this parliament pass this, we are doing something that, for South Australia, is bold and new. I accept that in many ways we are behind some of the other states, but I am grateful to the people who crafted this bill, that they saw fit to say, 'We know what we want from this and we know that we want to make sure that is what happens.' A proper review done at the conclusion of three years of having this in place will help determine whether there is more that could be done to make sure that the workers are safe.

A sex worker came to chat to me when I was standing outside a supermarket in North Haven, as I do from time to time as part of making sure that I am accessible to my community, and she talked to me about the way she has been treated by law enforcement. This is a woman who is older than I am, who is leading a dignified life in a profession that suits her, yet she has been fearful of engaging with the police when she has had threats to herself. She has felt threatened at times through the fact that what she is doing is regarded as illegal.

I want to help that woman. I want to help every woman and man involved in this industry to feel safer, more dignified, supported by this parliament and recognised by the community of South Australia. I fervently hope that this bill gets through, and I congratulate everybody who has been involved in bringing it together.

**Mr PATTERSON (Morphett) (10:55):** I take this opportunity to speak in parliament today about this amendment bill, which sets out to decriminalise sex work in South Australia. I acknowledge

from the outset that it is certainly a difficult issue for all of us here in the house to consider. It has come to parliament quite a number of times in previous years.

In my case, it is the first time that I have had to consider a bill to reform prostitution and how it could affect not only my electorate of Morphett but also the wider South Australian community. I will say from the outset that I come to this debate seeking to understand whether this bill will reduce the amount of prostitution in our community. I believe that this bill, which seeks to treat sex work like any other business, will normalise prostitution over the years. In so doing, it will increase prostitution in our community, so I will not be supporting this bill.

I think about what is going on at this time of year. I have started attending school graduation ceremonies. I attended Brighton Secondary School's graduation, where 350 year 12 students graduated, many of whom have studied hard and look forward to entering the workforce, either immediately or after their tertiary studies or VET. In the same month, I also attended my daughter's graduation from her school alongside 200 students. They were announced to the proud audience, who were told the career hopes of each of those students, what they wish to pursue after school.

Unsurprisingly, none of them indicated that they hoped to enter prostitution or run a brothel. I feel that I would be letting down both my daughter and her fellow female graduates—I will say why I concentrate on females a bit later—if they are sent off into the next stage of life where an option to get by financially is to become a sex worker, if legislation that this house and I look to pass makes it easier to buy or procure them for sex work.

I make this decision with respect for those who are trying to make changes to legislation to improve the health and safety of sex workers who operate under the current laws. I agree with them that, as many others have said here in the house, change in this area is required, but the way this bill proposes to address the issue is not, in my belief, the way to go about it. The bill seeks to address the issue by taking a decriminalisation approach rather than a more regulated approach. In so doing, the bill seeks to treat a brothel as any other business and leaves things to the open market.

The effect is that brothel owners would be considered to be reputable business owners. It would have the effect of normalising sex work. The bill as it stands would also allow sex workers to solicit work on the street. In a popular tourist destination like Glenelg, which is in the heart of Morphett, this could see an influx of sex workers setting up on and around Jetty Road in places that the local council has worked hard to make family friendly.

The bill provides no restrictions on where brothels can be set up and operate. Again, streets close to Jetty Road would be attractive places to set up. Also on the streets close to Jetty Road are schools, such as St Mary's Memorial School, and churches, such as St Andrew's by the Sea, St Peter's and Our Lady of Victories. They all fall within the Jetty Road catchment. I acknowledge that there are filed amendments associated with the bill that seek to address some of these issues, but the bill as it stands allows for this. Further to this, there are a number of commercial zones throughout Morphett that are on the boundary of residential zones. The bill would offer the opportunity for brothels to be set up close to nearby residential houses, a prospect that I believe would horrify many in our community.

If we turn to the characteristics of the sex work industry in general, which this bill seeks to treat the same as any other legal business in South Australia, studies indicate that over 90 per cent of the prostitutes are women, hence my reference before to the graduation ceremonies and the female cohort going through, but I acknowledge that males are also involved in prostitution. Interestingly, what surprised me was that 98 to 99 per cent of sex buyers are men. So, it is an industry driven by men and their attitudes to women predominantly, but also to men, in purchasing their bodies for sex.

The reasons that primarily women but also men turn to prostitution is, in the majority of cases, a story of poverty, financial disadvantage, isolation and homelessness, a story of turning to prostitution as a last resort. As I said, no graduates from school envisaged their career being in prostitution, I am certain. Overseas reports indicate that 60 per cent of workers were sexually assaulted as children and 75 per cent had been homeless at some point in their lives.

Further, a study into prostitution and trafficking in nine countries found that 68 per cent of people in prostitution met the criteria for post-traumatic stress, with symptoms in the same range as

battered women, rape survivors and combat veterans. While the legislation does set out to improve the health and safety of workers I think in the physical environment, we should also consider the psychological harm that could result from prostitution. Out of those statistics, it is little wonder that over 80 per cent of sex workers indicate that they want to leave the industry. Even the bill we talk about today recognises this. It recognises and writes into legislation the requirement for the minister to help people leave the industry.

If we are talking about treating sex work as any other business, I ask myself and others in this house: what other business explicitly has to put an obligation in law for a minister to arrange assistance for persons to leave the industry? I do not see the Minister for Skills and Industry trying to promote people leaving; I see him trying to promote jobs in our community. At the same time as encouraging sex workers to leave the industry, the bill would see prostitution less regulated than alcohol, gambling, hydroponics and tattoo parlours.

I refer to a 2015 parliamentary committee report into the regulation of brothels in New South Wales, where they have a decriminalised approach. The committee received evidence of serious instances of criminal involvement, with around 40 brothels having a recorded connection to outlaw motorcycle clubs. With this in mind, it is imperative to keep outlaw motorcycle clubs from being able to own or control brothels.

If we touch on jurisdictions that have decriminalised, New Zealand being one, it was found that an advantage of decriminalisation was that it did reduce the power of the police over the sex workers. However, after about six months of decriminalisation, the newly legitimised business owners running these brothels realised that they now had power over the sex worker, and similarly the buyer of sex also realised this. This has led to New Zealand brothels offering all-inclusive deals, whereby buyers pay a flat fee and they can have sex with as many sex workers as they please. The sex workers have little choice or control, as the brothel owner has the power, the control.

So, while I acknowledge that decriminalisation has given sex workers access to employment benefits and rights that others in other industries are entitled to, the power the brothel owners exert really limits the access in a practical sense to these benefits via contracts and power. In fact, violence is still occurring in the industry.

Another consequence of decriminalisation is that it leads to the normalisation of sex work in terms of the attitude towards sex of the general community and society, and as a result of this acceptance there is an increasing demand that is about 90 per cent related to men. The Netherlands, which introduced a decriminalised model as an early adopter, is starting to understand the impacts of sex workers, where they have sex tourism. People come from other countries to their jurisdiction, and they have moved to increase the legal age of prostitutes from 18 to 21 because they understand that young vulnerable children—I call them children—young adults, are being exploited.

I feel that, as a parliament, we need to look at laws that shift the focus to men's demand. Sweden has enacted laws, which have become known as the Nordic model, which criminalise the purchase of sex and decriminalise those being paid for sex. Under this model, sex workers would be able to receive the health and safety protections this bill is seeking to achieve. It could also be augmented with policies to assist them to leave the industry.

In the time remaining, I briefly note that other countries have adopted this Nordic model—Norway, Iceland, Canada, France. I think laws that contemplate this approach can only be considered by this parliament after the current bill is not proceeded with, if that is the will of the house. Again, I indicate I will not be supporting the current bill but I indicate that I look forward to members of both houses looking at this Nordic approach to try to deal with and address the adverse conditions that sex workers are facing in order to give them the health and safety benefits but also to put pressure on and remove the acceptance of sex buyers, predominantly men, in this state.

**The Hon. S.C. MULLIGHAN (Lee) (11:05):** I, too, rise to speak on the Statutes Amendment (Decriminalisation of Sex Work) Bill. As the member for Morphett has just said, we are the latest iteration of multiple attempts of the parliament over many years to try to grapple with reform in this area. It has certainly been my view that, being a relative newcomer to this issue, perhaps in the same way that many other members have thought throughout all those iterations of parliament attempting to deal with this issue, there is certainly a need for reform in this area. In that respect, I think the

Hon. Tammy Franks in the other place and the Deputy Premier need some recognition and adulation for being willing to take on the stewardship of trying to achieve some reform in this area.

The bill, if I can be so general to describe it as it started out in the other place, is a full decriminalisation bill in an attempt to bring in a pretty radical reform, as I understand it, to try to substantially change the operation of the industry as we have it today and to provide those people who are engaged in the industry with much greater freedom, much greater legal protection and much greater access to support services than what they currently are able to under the current operation of the industry. I understand and appreciate the thinking that goes behind that.

I have been very grateful for the representations I have received as a member of parliament from both proponents of the bill and opponents of the bill, and those representations have only reaffirmed the view in my mind that there needs to be something quite substantial done in this area to improve the conditions of the operation of the industry. From both the proponents and the opponents of the bill, I heard similar stories about the shocking and appalling treatment of people who are involved in this industry.

Sex workers have long been open to the worst sorts of abuses—assaults, rapes, at times murders—and, throughout, exploitation. I am sure it is not fair to generalise the whole industry as being like this, but it is my understanding that there are very strong and predominant criminal gang interests in the operation of much of the industry. Those criminal gangs, I think it is reasonable to say, would certainly be exacerbating and significantly contributing to the exploitation of sex workers, if not some of that behaviour also leading to abuse, assaults, rapes and murders of participants in the industry.

That is an abhorrent situation in which we find ourselves in South Australia, let alone in any other places where reform is needed where this industry is in operation, which I think we can be honest enough to admit is in most places around the world. I have spent a lot of time thinking about what sort of reform is needed and I still do not feel that I know the answer to that question. I have been very sceptical of the concept of decriminalisation, as it has been put to me, and in the original form of the bill, as it was first presented to the other place.

I acknowledge that there were a number of amendments put, some of which were accepted. There is also a further range of amendments slated for the committee stage of the bill in the house, if it proceeds to that basis, to try to provide some restrictions around how the industry could operate if it were to be decriminalised in some form.

I realise that there are some proponents of the bill who brook no regulation whatsoever. The view of those individuals is that only full decriminalisation will be effective in ensuring that they have unfettered access to the protection of the state and the protection of the law and better access to support services and so on.

There are also some people—and perhaps I could go so far as to characterise some other members in this place—who think that there needs to be some regulation and some restrictions on how the industry can operate in the community to provide some balance or some comfort to the community that a decriminalised model for the sex work industry will not mean that those members of the community who would prefer not to be exposed to the industry are not inadvertently exposed to it. I see from information that has been circulated by the Deputy Premier that there are proposed amendments on restrictions around soliciting, for example, and proximity to churches and schools and so on.

I represent a part of the western suburbs dominated by housing, with very little, if any, industrial precincts or manufacturing precincts. Those housing areas are really only interrupted by institutions such as schools, churches or retail shopping precincts in the suburbs of Semaphore Park, West Lakes, Grange, Seaton and Royal Park. It has been my experience in the representations that I have received from my constituents that many people are very concerned about the prospect of things like solicitation on streets—and, again, I understand that is to be addressed through amendments to be brought to the house—and they are very concerned about living in close proximity to a brothel.

I understand the motive of the filed amendment to restrict the operation of a brothel to fewer than five people as some sort of compromise between having a fully decriminalised model and a



free-for-all in terms of how the industry can operate throughout metropolitan Adelaide, and that is designed to try to provide some restriction to alleviate some concerns in the community about having mega brothels or large operations in their local area.

In my opinion, that model still leaves the ability for criminal gangs, if not people who are not sex workers but seek to run these operations, to run such brothels restricted. Whether it is five people, 10 people or fewer than five people, it still provides the opportunity for there to be some form of employer-employee relationship or pimp and prostitute relationship, as it has traditionally been called for many decades, where the sex worker is still liable for exploitation. It is the exploitation of the sex worker and the associated mistreatment of that sex worker that I believe is what we need to be focused on addressing.

There are many members, both here and in the other place, who advocate the Nordic model. Maybe that would be successful, maybe not; I have to admit I have not done sufficient research to understand whether it would, in my mind, be a better alternative to what we are looking at here. However, I cannot condone a decriminalised model where there can be brothels with up to five people operating, exposing their neighbours or schools—which, in all instances in my electorate are across the road from houses—churches or community and sporting clubs or shopping strips.

I indicate that this stage I remain opposed to this bill. Like perhaps all the 69 members of both houses of this parliament, I would desperately like to do something in this area, but I do not believe a decriminalised model in the way it is being referred to at the moment is the answer.

**Mr MURRAY (Davenport) (11:15):** I, too, rise to speak to the Statutes Amendment (Decriminalisation of Sex Work) Bill. I said at the outset that there is no doubt in my mind that some form of reform is required. The status quo we currently have is simply not working and, more particularly, the burden of that failure is falling on those who, in many respects, are least able to bear it. There is considerable distress and exploitation, and we collectively owe it to the South Australian community to do something about it.

Before I go too much further I want to make the point that I have read considerably and spoken with a large number of people in my community and a large number of former and current sex workers. The member for Port Adelaide talked about a learning journey; I, too, have learned considerably, and the impact of the discussions I have had has helped form my view.

When talking about prostitution or sex work, call it what you will, I will use the term 'prostitution', but I am mindful of the fact that there is a distinction drawn by people, and I wish to be respectful of that. Similarly, when talking about women being involved in prostitution it is not simply women, of course, but for the sake of clarity and the sake of keeping it as short as possible that is what I will do in this instance.

In my view, the struggle before us essentially distils down, for me at least, into three questions, and those questions are whether we want much the same or more levels of prostitution than we currently have, or are we, in fact, desirous of less. If you take the view that sex work is work, then by its very definition you are not looking to decrease the amount of work available. If you take an alternative view then you are obviously disposed to a view that less is better.

I submit that the second question before all of us is: do we want to continue to criminalise women? As I said, it is not just women who are sex workers, but the question before us is whether we still wish to criminalise this activity. As my opening comments indicate, I do not believe that is sustainable or fair, and as a result I believe that collectively we need to do better than what we currently are.

The final question, for me, has been easily the most important and the most vexed. It is something I have put to both proponents of this bill who have come to see me and who I have spoken to as well as opponents, and that is the question of exploitation. It is the question of exploitation today and the question of how much exploitation will be possible—permitted, desirable, inevitable in some respects—with either this full decriminalisation model or any other prospective methodology that is on offer.

Insofar as the first question is concerned, I am of the view that on balance less prostitution, not more, is what we collectively can and should be aiming for. I note the previous comments about

the need for police intervention in an industry. I note the comments about the desire for a pure decriminalised model, and I reiterate the view I have shared about the undesirable outcome of having SafeWork SA, with all its well-publicised issues, being the sole means by which the industry would be regulated were it to become fully decriminalised.

To build further on the member for Morphett's points, as the father of a daughter, I have issues with an industry which by its very nature is focused on the objectification of someone else. I am sympathetic to the view that it is wrong to enable the purchase of someone else for sexual pleasure, and of the view flowing from that, that that is something we should be seeking to discourage.

As to the second question, I am strongly of the view that we should be decriminalising women sex workers especially and, as a result, I flag that I am strongly in favour of the Nordic model. I have spoken to my community, I have spoken to members of the Liberal Party and little old ladies and there is overwhelming support for decriminalisation of some form. Things have to change. The question simply is how we change it.

Moving to the final question of exploitation, this has been the major concern for me and in many respects my view has been informed by the New Zealand experience. I spoke to several women who were former sex workers in New Zealand. One of the issues with full decriminalisation in New Zealand was the unbridled excesses of capitalism let loose on those least able to resist. More particularly, some of the experiences of people working in a decriminalised environment with what could best be described, in my view at least, as fully industrialised sex work, whereby the strong prey on the weak and market forces dictate everything: the rights of workers to negotiate what they will and will not do, prices, etc., and their working conditions. All those things were tremendously impacted by something that seemed to be fairly Dickensian in relation to its impacts.

As to the desirability of the industry, I am swayed by some of the statistics the member for Morphett referred to. In particular, some psychologists are quoted as saying that some 68 per cent of industry practitioners suffer from PTSD. I do fully appreciate and with the greatest respect understand the point that stats can be made to say anything, but I am compelled.

I will give the final word to Ally-Marie, who is a former—she does not like the use of the term 'sex worker'. She has had a traumatic time. I attended a function where she gave one of the most harrowing and personal accounts of her time working in the sort of environment that this legislation seeks to implement here in South Australia. She made this point:

This is my story and I don't speak for all girls in this trade, some may have been lucky enough never to experience this form of violence, and sadly some may have experienced much worse.

In Australia and New Zealand, Indigenous, Maori, Thai and Pacific Islander women and girls are enormously overrepresented in the sex trade. We are living a combination of racism and sexism. I am here to speak out for the [vulnerable], for the lost, for the weak, for the majority with no voice, for the majority too scared to speak up, for my sisters, and inasmuch as imploring you to please hear me.

She asked us to be the voice for these people who cannot speak for themselves, and she said:

So, tell me Who protects them under Full Decriminalisation, where are their rights? who will protect your children in your communities.

She asked who would protect them from criminal organisations, pimps and brothel owners and the demand? She said:

Can you honestly tell me if you vote yes for Full Decriminalisation you will be able to go home to your own children, you will be able to walk into the schools in your communities, and look those children, and their parents straight in the eyes and say

'Today was a great day, today we voted that it is a mans right to buy your body!'

For that reason, I shall be voting against the legislation.

**Mr PICTON (Kaurua) (11:26):** I am no defender of our current laws in South Australia in this area. They are muddled, unworkable and out of date, and they deal with a practice that is inevitable, despite what laws are passed to prohibit it. I should make clear that I do not bring any personal religious perspectives to this topic. Also, I would like to make clear that I have listened

carefully to all the constituents who have contacted me, both pro and against, and considered their opinions and considerations.

There are good arguments for decriminalisation, particularly for allowing workers to have greater access to laws, protections and health services than if those workers were operating in the black economy. However, I do not believe that there are good arguments for completely deregulating the industry, leaving it open to the free market, and that is what this bill does. As a Labor member of parliament, I support a market economy, but I also support the need for regulation where it is needed, such as to protect the safety of the community and the rights and protections of workers.

It is naive to believe that this industry does not have the threat of infiltration by organised crime. We have been told as much by the Commissioner of Police, and industries with a high risk of organised crime need consideration in our law. That is why Labor introduced extensive regulation on industries, such as tattoo artistry, hydroponics dealing and second-hand dealing, given that there were considerable law and order concerns in those industries. In my view, similar regulations should also be in place in regard to this industry.

In a briefing, the police advised members of parliament that there is written advice on the bill from the Commissioner of Police to the Attorney-General. However, that has not been provided to members, despite a request made. It is naive to believe that this industry does not include threats to workers in an unregulated environment. Labor introduced regulation for labour hire companies because of the significant risk of exploitation of workers in that industry. I am unconvinced that there are no similar risks of exploitation of workers in this industry.

It is naive to believe that councils will be able to manage the local planning and nuisance concerns that are inherent in this deregulation. Particularly when I think of the issues my constituents face with the City of Onkaparinga's often mismanagement of planning issues, I do not believe that my constituents would have confidence in their council to manage these issues under current planning laws alone. Particularly when you compare this industry to other industries that are regulated or licensed, I believe that regulation is required. In this state, we have licensing for pubs, bars, food trucks, builders, plumbers, gambling, conveyancers, second-hand dealers, security, private investigators, real estate agents, pest control and electricians, and the list goes on.

Proponents of this bill of deregulation clearly view those industries as higher risk than this one. Having considered the legislation, I believe it is drafted to be a deregulation bill, not a regulatory model. I do not believe that it is drafted in such a way that it would allow regulation to be inserted through amendment, hence I cannot support it on the second reading. I think it is unfortunate that, rather than building broad community support for a sensible regulatory model and decriminalisation law reform for this industry, the government and proponents of this bill have sought to introduce such a hands-off, free market deregulation. If this regulation is not successful, I hope a better process is pursued in the future, using the full resources of the government.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:29):** I rise to firstly thank all members for their contribution. I will be addressing a few of the matters on this. I seek leave to continue my remarks.

Leave granted; debate adjourned.

### *Motions*

#### **COMMUNITY VISITOR SCHEME**

**Ms COOK (Hurtle Vale) (11:30):** I move:

That this house—

- (a) recognises the important role the Community Visitor Scheme plays in protecting the rights of South Australians living with a disability or mental illness who may be receiving care in a mental health treatment facility, attending a community mental health facility, living in disability accommodation, attending a day options program or living in a supported residential facility;
- (b) accepts the independence of the Community Visitor Scheme and the Principal Community Visitor as a statutory officer as important components of the South Australian bureaucracy in holding the government of the day to account;

- (c) expresses regret at the troubling findings of the Principal Community Visitor in his reports to parliament tabled October 2018 regarding the treatment and care of several clients living with a disability under state care; and
- (d) calls upon the Marshall government to ensure all concerns, complaints and irregularities as identified by the Principal Community Visitor and the Community Visitor Scheme are addressed as soon as possible to provide clients of disability and mental health services and their families peace of mind.

Firstly, I acknowledge the great work of Mr Maurice Corcoran, who has recently left his role as the Principal Community Visitor for South Australia. He spent eight years protecting the rights of vulnerable South Australians as the visitor, and his whole life as a social worker, advocate and all-round good guy in the sector.

I wish him well in his future role, which he has taken up with the commonwealth Disability Royal Commission. We wish him well and know that he will hold the commission to account, and the findings, and ensure that all people living with a disability in our community are represented. My motion almost seems superfluous now, a year down the track since tabling it. Whilst all the things in it are true, there is a very real issue in the current state of the Community Visitor Scheme, and I will explain why.

Prior to the transfer of disability funding to the commonwealth through the National Disability Insurance Scheme, the community visitor had the very important role of having a legal right to enter all disability and mental health services facilities and properties in the state, no matter who they were run by. Since the transfer, the community visitor can only enter state-operated day services facilities and properties, which are only a very small number of facilities that people with disabilities actually reside and participate in. This means there is a significant shortfall in the ability of the visitor to actually undertake their role.

During estimates, I asked questions of the Minister for Human Services in another place about what was being done to ensure that the Community Visitor Scheme could continue to operate under the new arrangements with the commonwealth government. I was told that it is very complicated and that someone was working on doing something. Who knows? The answer was not actually that clear, and I have not had any updates or heard any news to tell me anything other than what I was told several months ago.

The role of the community visitor is foremost to promote the proper resolution of complaints and advocate for the rights of individuals in care. Whilst I applaud the inclusion, if they are unable to do so, then what is the point? I will tell you the point and the reason the community visitor role needs to be protected. The minister should sort the issues with their entry into NDIS services and properties, just as has been done in other jurisdictions, such as Victoria. Last year's Principal Community Visitor annual report had really troubling findings, findings that reflected on the treatment of individuals in care. Clearly this is not isolated to South Australia; this is a national shame. That is why we are having a royal commission into people with disabilities in care.

Within that report, the family of a young man with complex care needs found a very disturbing and threatening letter left in their letterbox allegedly from a staff member who blamed them for the site manager being moved—obviously the site manager of where this young man resided. The letter went on to state that 'the staff who are affected by this are angry and pissed off which puts your nephew at risk'.

It was very emotive language, which was in the report. The letter further details forms of harm that could be applied to the client and which could be masked as an accident. I will not go into the full details of the rest of the letter. It is pretty vile, it is hard to read and anyone particularly interested in that case, which is worrying and disturbing, can read it in the annual report. It does reinforce, I believe, and it should reinforce to all of us the importance of independent monitoring of the services provided to some of our most vulnerable citizens.

What we are told is that people residing in state-owned, state-operated services can have a visit by the community visitor, but those people now who are within services operated and serviced by the NDIS—a non-government organisation, for example—the community visitor cannot visit. To be clear, that is the vast majority. I understand that this is being explained as a subject of legislation.

This legislation, as I said before, has been changed in Victoria. There are other jurisdictions that continue to have community visitors visit their premises, but not here in South Australia as yet.

The Minister for Human Services in the other place would well know the duty of care she has in regard to protecting all people in South Australia with a disability and the role that she has within that process and, I am sure, takes it very seriously. I have written a number of times to various people, including federal ministers and the Minister for Human Services here in South Australia. I have written directly as well to the NDIS, and I respect and commend the work of Graeme Head AO, who is the commissioner with the NDIS Quality and Safeguards Commission.

I got advice from him stating that the NDIS Act itself does not prevent community visitors from accessing environments in which NDIS participants receive supports and service. So they are very clear that they are not preventing state-authorized visitors from entering the non-government organisations funded through NDIS. In fact, it seems to me and to other people who have made presentations to me that the state Liberal government is currently moving as fast as it can to abdicate all those areas of responsibility which ensure the delivery of quality services—and the Community Visitor Scheme is a big part of this—in terms of visiting South Australian institutions, when the Quality and Safeguards Commission actually appears to welcome as much oversight as is available and is very happy for state visitors to participate in this oversight.

It is important to note that the Quality and Safeguards Commission, versus the community visitors, actually has a different process and mandate in respect of the visiting that they can do in premises to support people who reside within them. The Quality and Safeguards Commission does not make unannounced random visits to premises. They go only if they are notified of an issue.

Many of us who have taken great interest over the years in what happens to vulnerable people living in institutions will have followed and read about some of the work of our Community Visitor, Maurice Corcoran, when he enters a premises to do a random and unannounced visit: 'I am coming to meet with residents to see how they are travelling.' He has saved lives. He has changed conditions because of some of the terrible situations he has borne witness to.

That will not happen with the Quality and Safeguards Commission because they do not do these visits. They are notified of things that are wrong. They are told about incidents. There are things reported to them, and they will go and look and investigate and do a great job. This is not about saying that the Quality and Safeguards Commission are not the best placed people to investigate and support best practice in terms of the NDIS. What it is saying, from my point of view, is that the visitor operated under very different circumstances. We know the visitor has saved lives and pointed out atrocities, and there have been changes in practice because of it.

I urge the Marshall government to do something about this, to fix this problem and ensure that the community visitor in South Australia has the power to enter and assess and ensure that all concerns and complaints relating to vulnerable South Australians across the scope are addressed. I commend motion.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:41):** I rise to firstly move an amendment to the motion moved by the member for which she has presented her argument. I move:

- (a) Delete 'plays in protecting the' and insert 'has played in advocating for the'
  - (b) Delete 'accepts' and 'as important components of the South Australian bureaucracy in holding the government of the day to account' and insert 'work of the' after the words 'values the independence of the Community Visitor Scheme and the'
- Delete paragraphs (c) and (d) and insert the following in lieu:
- (c) notes the findings of the Principal Community Visitor 2017-18 Annual Report tabled in parliament in October 2018 regarding the treatment and care of several clients living with a disability under state care;
  - (d) notes that the state government is committed to investigating, addressing and responding to matters raised by the Principal Community Visitor within its scope of responsibility;

Insert:

- (e) notes that the role of the Disability Community Visitor Scheme has changed due to the transition to the NDIS with the NDIS Quality and Safeguards Commission now having legislative responsibility as an independent agency to protect NDIS participants, complaints, incident investigations, and improve quality and safety supports;
- (f) recognises the work the state government is undertaking to navigate broad and complex policy, governance and legislative issues regarding the role of the CVS for people with disability going forward to ensure nationally consistent, high-quality and sustainable safe supports for people with disability; and
- (g) acknowledges the exemplary service of Maurice Corcoran AM as the Principal Community Visitor for over eight years.

I am advised that, in relation to paragraph (d), there is an addition of the words:

notes that the state government is committed to investigating, addressing and responding to matters raised by the Principal Community Visitor within the scope of responsibility.

I am providing a copy of the amendment proposals, together with the rewritten paragraphs, which I hope is of assistance to the house.

The Marshall Liberal government acknowledges the outstanding efforts of Maurice Corcoran AM, who has led the South Australian Community Visitor Scheme for over eight years. I note that the mover of the motion has done so also. We join with her in that regard. The government continues to be committed to protecting the most vulnerable in our community. It is important to note that independent statutory officers, such as the Principal Community Visitor, play an important role in line with their legislative functions and powers.

As a government, we welcome their independent scrutiny, advocacy and advice. In fact, the Principal Community Visitor was established under the Mental Health Act 2009, and I was proudly a member of the then opposition that moved amendments to ensure that this scheme was established under the Mental Health Act and to confer the powers and functions in respect of mental health. At present, it does not apply to disability facilities, as has been acknowledged.

The Disability Services Act 1993 and the Disability Services (Community Visitor Scheme) Regulations 2013 conferred additional functions on the Community Visitors, enabling them to visit disability accommodation premises and day option programs to assess certain matters relating to the services provided. This scope is limited to disability services either provided by or funded by the state government under the Disability Services Act. However, the scope of the disability component of the CV scheme is changing due to the transition to NDIS, as disability services are no longer funded by the state government. The mental health component of the scheme will continue under the Mental Health Act 2009 until such time as the state parliament amends or revokes that legislation. I hope that is of some reassurance to members.

Under the NDIS, the Quality and Safeguards Commission now has legislative responsibility for complaints, incident investigation and quality standards. That previously sat with the state government. The role of the disability CVS under NDIS is therefore a complex issue which involves the interaction between state and commonwealth legislation, powers and responsibilities.

Our state government is continuing to work through these matters around the role of the CVS going forward. This involves navigating interrelated policy areas, including the NDIS and the role of the Quality and Safeguards Commission, as well as the legislative powers and governance responsibilities at both the state and commonwealth level. Whilst I acknowledge the mover's indication of her view on the limitation of the usefulness of the Quality and Safeguards Commission in respect of random audits, for example, these are matters that are currently under consideration and being navigated.

In the meantime, South Australia is continuing to advocate for national consistency and approaches to quality and safeguarding for people with disability. It is also important to remember that the response in South Australia is sustainable, carefully considered and fits within the legislative landscape and statutory responsibilities in our state. In addition, the role and approach of the Quality and Safeguards Commission is continuing to evolve.

On 16 October, the government announced an expanded mandate for the scheme through a legal deregulation of powers under the Guardianship and Administration Act. The CVS can now

visit vulnerable people who are NDIS participants who are under the guardianship of the Public Advocate. Around 550 National Disability Insurance Scheme participants are currently under guardianship and this number is expected to grow. As the Attorney-General who is responsible for matters relating to the Public Advocate, I am pleased that she took up this role to ensure that we have continuity in relation to the obligations in this area.

There are many mechanisms in South Australia that individuals and families can utilise to raise issues and complaints, depending on the nature of the complaint. These include the Department for Health and Wellbeing, the Department of Human Services, the local health networks, the Office of the Chief Psychiatrist, the Office of the Public Advocate, the Health and Community Services Complaints Commissioner and the South Australian Ombudsman.

NDIS participants or their families who have any concerns can contact the NDIS Quality and Safeguards Commission directly. I think it is incumbent on all of us who, as members of this parliament, have a leadership role in our communities to ensure that, if members of our community or their family require assistance in this regard, we continue to advocate for them and ensure that we utilise the services and that they have access to the services that are available.

Transition can be difficult. Obviously, big change comes with those consequences, but we are committed as a government to see this through and to ensure we have a better service for those in our community who require this as it transitions. Any matter of care concern referred by the Department of Human Services by the Principal Community Visitor has been followed up, investigated where necessary and appropriate action taken. I am assured that that will continue and, as a member of the government, I will support any action to ensure that that occurs. I commend the amended motion to the parliament.

**Mr BELL (Mount Gambier) (11:50):** I rise to speak on this motion and recognise the important role services such as the Community Visitor Scheme play in giving vulnerable people in our society a voice. Since 2011, the scheme has given clients and their families advocacy and assistance to ensure that not only are services appropriate to the needs but that also there is an independent person who has their best interests at heart. These trained volunteers perform regular visits and inspections of supported residential and mental health facilities and disability accommodation, and they can also make inquiries into ongoing client treatment and care. They provide a report that goes back to the Principal Community Visitor, who can then act accordingly and work to resolve these concerns.

All of us have a fundamental right to be treated with dignity and respect and to speak out when we believe our rights have been breached. When we entrust our care or the care of a loved one to a care or treatment facility, we put our faith in the system, and the rights of those with a disability or mental illness can be lost. Never has it been more important to have processes to protect these rights and also have checks and balances when these rights are breached.

The fact that we have an upcoming royal commission into violence, abuse, neglect and exploitation of people with a disability clearly demonstrates the need for independent eyes on this sector. When submissions are aired, I expect there will come shocks and sobering facts for all of us about how people with a disability have been treated. However, commissions also have the potential to lead to major change and an overhaul of regulations and legislation if needed. I expect a common theme in the commission to be around the implementation of the National Disability Insurance Scheme.

There are around 32,000 people with a disability in this state who have undergone major changes to services and life in general as a result of the implementation of this scheme. In my electorate of Mount Gambier, I have heard from local families who have waited lengthy periods to have their plans accepted and difficulties in accessing funding and not being able to access the same services as they had prior. Following the transition to NDIS, the role of the CVS in South Australia is limited to the services either provided or funded by the state government. This means that CVS visitors no longer have the authority to visit the homes of people with a disability, and service providers cannot invite the CVS to inspect private homes or facilities.

To raise concerns about services through non-government organisations, disability clients and their families now have the NDIS Quality and Safeguards Commission, an independent

commonwealth body. The commission has a range of quality checks, such as audits, registration and complaint handling, and will visit clients if concerns are raised through a combination of these checks. Meanwhile, the Community Visitor Scheme will continue to visit state government funded accommodation sites and, as Minister for Human Services, Michelle Lensink recently announced that the CVS has been extended to include people with disability under the guardianship of the Public Advocate. This includes around 550 National Disability Insurance Scheme participants who are currently under guardianship.

A measure of a society is how we deal with our most vulnerable citizens. We are coming up to a period of change for both the mental health and disability sectors. Schemes like the CVS act as a valuable early intervention tool, and they are also an opportunity for real change at ground level. In closing, I would like to commend the many people across South Australia who give or have given their time to this service.

**Ms COOK (Hurtle Vale) (11:54):** I thank the Attorney for her contribution on behalf of the government and, of course, the member for Mount Gambier for his contribution. I am also willing to say that we will support the amendments. They reinforce the acknowledgements that were moved in the motion around things that have been happening within institutions that we as a collective community should have deep shame and regret over, and we acknowledge the role of government moving forward in terms of following up those matters. The amendments also reinforce what was said by the member for Mount Gambier around the royal commission.

As the shadow minister for disabilities, I have spent many hours talking to loved ones and people with lived experience in institutional care. I have also worked for quite a few years in an area of institutional care for people with disabilities. I think the journey that we are about to take as a community in regard to the royal commission, its stories and findings is one that will be challenging. We should look deeply within ourselves at how people living with disability—people with vulnerabilities in all parts of our community—are treated, respected, given voice and protected in terms of these incidents never being allowed to happen again.

In order to do that, we must look at how we recruit, train, support, regulate and monitor staff working in those environments. We need to look at how we encourage volunteers to participate in the visiting of these communities and institutions and how we provide the best possible monitoring through schemes such as the Community Visitor Scheme, in combination with the NDIS Quality and Safeguards Commission. I am sure there is not one member in this place who does not support the need for that and does not have within their own communities families and people with lived experience. With that, I again thank members for their contributions. The intent of the original motion is kept with the amendments and I commend the motion.

Amendment carried; motion as amended carried.

### **WORLD TEACHERS' DAY**

**Mrs POWER (Elder) (11:58):** I move:

That this house notes that 25 October was World Teachers' Day and acknowledges the achievements of dedicated teachers across South Australia in supporting our next generation.

In the very first speech I made in this place, I spoke about my passion for policy reform that focuses on raising the quality of education and training in our state. I spoke about my belief in education as the foundation for a modern society. Education creates a pathway to jobs and prosperity. We need to see education as a lifelong process, with opportunities for people to participate in education at various points in their life.

This is even more important as we face significant changes in the employment market, and people are likely to have multiple careers in their lifetime. Ensuring that South Australians have access to quality education and training to develop the knowledge and skills for the jobs of today and the jobs of tomorrow is essential for better living not only for the individual but for our state as a whole.

I believe quality education is more than great infrastructure, efficient systems and funding investment. Rather, quality education often lies with the passion, competence and support structures surrounding teachers. That is why I think World Teachers' Day is one of the most deserving days on



the world appreciation calendar. Celebrated in more than 100 countries worldwide, World Teachers' Day was established in 1994 to recognise the role of teachers in society. The day is a great opportunity for everyone to recognise and appreciate teachers and the important role they play in shaping the next generation.

This year, there is a focus on the #BrightFuture of the profession, including beginner teachers starting their career. We continue to highlight the critical importance of this career and the value brought to society. We encourage and support all new teachers to be the best they can be and bring their passion to the classroom—pre-service teachers, those just starting out, and those pursuing a career change in education.

World Teachers' Day is also about celebrating the role experienced teachers play in the classroom and supporting those teachers just starting out on their teaching journey. For me, it is not only about teachers; it is also about recognising the contributions of others who work with and alongside teachers, such as the leadership teams, the principals and deputy principals, the SSOs and the pastoral care workers. Their contribution to our communities cannot be underestimated.

I think all of us can reflect on our years as students and recall a particular teacher who had an impact on us. Hopefully, for most of us that memory is a positive one. Whether that was a teacher who motivated us, inspired us, connected with us on a level that was not experienced with anyone else in our lives or simply saw our potential, there are many amazing teachers who are no doubt responsible for why many of us are here today.

It is undeniably a challenging job, leading students from all walks of life, abilities and interests, educating them not only on subject matters but taking into account their personal wellbeing and things that might be happening outside the classroom. Teachers have so many great qualities. Dedicated to positive outcomes, they lead, encourage, support, listen and challenge. World Teachers' Day is a day when we stop to recognise this and everything they bring to students in shaping the future. In this spirit, I would acknowledge all the teachers, administration staff supporting teachers, SSOs, pastoral care workers, principals and leadership staff at the schools in the seat of Elder, namely:

- Clapham Primary School;
- Clovelly Park Primary School;
- Colonel Light Gardens Primary School;
- Edwardstown Primary School;
- Westbourne Park Primary School;
- Hamilton Secondary College;
- Springbank Secondary College;
- Cabra Dominican College;
- St Bernadette's School;
- St Therese School;
- Suneden Specialist School; and
- Sacred Heart College Middle School.

I would also like to make mention of schools across South Australia. In my local area, Clapham Primary School is a vibrant and exciting primary school. In my short time as the member for Elder, I have already seen big changes at the school, with its STEM facilities, newly painted school fence, and its gardens, which are always improving.

I am sure that the parents at the school know Jodie Kingham, the school principal, to be a friendly, warm and welcoming face at the school, along with other staff members. I have dropped in unannounced to Clapham Primary School on numerous occasions and Jodie has always made herself available to chat, say hello and share with me what is happening at the school. There has

indeed been much happening at Clapham Primary School, such as their Halloween disco, making beeswax candles, community action day, and their upcoming quiz night on Saturday 2 November, which has a *Great Gatsby* theme. Well done to everybody at this school.

Clovelly Park Primary School is an inclusive and welcoming school. I am always impressed by the artwork at the school, which is a powerful reminder of the importance of community and inclusivity. I understand the school students have helped to create the latest masterpiece with artist James Parker.

Last year, when I attended the graduation I was so impressed by the ceremony and in the manner in which the school presented it. It was almost similar to one I have seen on television during the Oscars. The students spoke incredibly well, with humour and intelligence. There is no doubt that result came about because of the great teachers and staff at that school supporting those students. I look forward to this year's graduation ceremony and to meeting with the school's principal, Tereina Pope, in the upcoming weeks.

Colonel Light Gardens Primary School is headed by principal Rick Bennallack who, with his teaching staff, has no doubt helped to create the caring and warm culture at this school. I know that the school goes above and beyond in its educational duties and has recently run a number of parenting workshops. Several times I have enjoyed visiting the school with its unique culture and the way in which it sprawls out onto Mortlock Park—a great playground—and the students who just melt my heart with their incredibly intelligent and sensitive questions.

Edwardstown Primary School is in our local area and is, indeed, achieving great things, with principal Kathy Papps and deputy assistant principals Vicky Bashford and Shane Atkins. This weekend the school will be holding its annual Strawberry Fair. Anyone who has attended this event knows what an incredible feat this is, with its many stalls and family fun activities. I encourage everyone in our local community to attend the fair at the school this Sunday between 10am and 3pm and support this fantastic local school.

Westbourne Park Primary School's principal, Julie Gallaher, leads a great school with a rich history. It was established in 1914 and has a focus on the wellbeing of its students. In 2011, Westbourne Park Primary School received an International School of Excellence in Habits of Mind Award in recognition of their work in developing and embedding the habits of mind. More recently, their annual sports day, which was held on World Teachers' Day, was a great success. There were a few light showers, leaving the grass a bit too wet for the schoolchildren to sit on, but apparently everybody had a great day nonetheless. Well done to the sustainability and grounds committee on their recent working bees over the weekend and in getting the school grounds spick and span ahead of Special Persons' Day next week.

I would especially like to acknowledge Hamish Price, who is part of that committee, and I have met with several times. He is absolutely committed to seeing Westbourne Park Primary School lead the way with initiatives around trees and stormwater harvesting. It has been an absolute delight to work with someone in our community to ensure that our schools are the best that they can be.

Hamilton Secondary College, a school in our local area, is really leading the way with its space school and recent STEM classroom upgrades. On Friday 6 September, an innovative new collaboration between high school students and some of Australia's leading space scientists was launched right here at Hamilton Secondary College. I commend Peta Kourbelis for leading the way in making these projects a reality and ensuring that Hamilton Secondary College is a flourishing school delivering high-quality education in our community. This includes not only the space school but also an arts showcase that will take place on Thursday 14 November. The community is encouraged to come along and support the talented music, drama and art students.

Springbank Secondary College is a school that most people in our local community will be aware has recently undergone quite significant transformation. It has not just been a name change for the school. The staff there, both teachers and leadership, and the governing council members have worked really hard to transform the culture and the education principles, and to ensure that that school is set up for future success. I acknowledge Wendy House, the principal there, and her team.

In Elder, we also have a range of Catholic schools that make a great contribution to our community: Cabra Dominican College with its principal, Dr Helen Rieke; St Bernadette's School with

its principal, Ray Higgins; St Therese School with Amanda Humeniuk; and Sacred Heart College Middle School. I have enjoyed visiting all those schools, and again I am always impressed by the quality of engagement with their students and the intelligent remarks of those students.

Recently, when I attended the assembly at St Therese School I had the pleasure of meeting a young student who was principal for the day—I think she was set to do great things—and heard about how the school was working with the Department of Planning, Transport and Infrastructure on the way to school project.

I would also like to especially acknowledge Suneden Specialist School in Mitchell Park. This year, I saw Heidi Payne and Helen Motta take on the roles of co-principals. It is indeed a special school, not just by name but by nature. It does an incredible job in working with students who have special needs and ensuring that they have the opportunity to learn independent living skills, enjoy their learning experience and really thrive.

They are the schools in my local area but, as I mentioned, World Teachers' Day is not just about the schools in Elder. It is about the schools and teachers not just in our state but across the world. I really commend every single teacher out there, whether in a formal role or even an informal role because I know that there are lots of parents who take on the role of being a teacher after hours.

Particularly for those who are working formally in the education system, it is challenging. We know that they are faced with unique challenges that are different from what they were generations ago. I pause to celebrate the work of all the dedicated teachers and school staff who continue to strive every day to ensure that inclusive and equitable quality education is a reality. I commend the motion to the house.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (12:10):** I thank the member for Elder for bringing this motion to parliament. There is absolutely bipartisan unanimous support for such a motion. Indeed, for our teaching profession, how could that not be the case? I take this opportunity, as I have for the past several years, to thank the teachers I had at school many years ago now. I particularly remember fondly Mr Swanson, who I understand has now passed away, who was an extraordinary classics teacher for me in year 12.

I did not do English because I had had an argument with the English teacher the year before over the interpretation of a poem. In my arrogance at the age of 15 or 16, I felt that such a subjective approach of simply disagreeing with my interpretation was not to be tolerated, so I determined to do classics instead, which is essentially literature but with Greek classics at the time. I very much enjoyed Mr Swanson for his sense of humour and his extraordinarily broad education that he conveyed to us.

Again, as I do every year, I thank the teachers my children have had and are still having. We still have a few more years left of the school experience. I thank them for their generosity, their wisdom and also, at times, their patience with my beautiful children. As the member for Elder has done, I thank the teachers involved in teaching my community, and by that I mean not only my electorate but our shared community of South Australia. They are truly making a difference every day. There are not many professions that can claim that, although there are others. I thank them for the sacrifices that they make in order to do that.

I would like to turn briefly to some of the challenges that I think our teachers face. On World Teachers' Day it behoves us to acknowledge not only the very great efforts that they make and our gratitude for their contribution to individuals and society but also the pretty stiff challenges they face every day, some of which we in this parliament can do something about and others that are more complex than we can simply manage.

One issue at the moment is their enterprise agreement, not only their pay but also their conditions. I note that South Australian teachers are slipping to the bottom of the pay rates. I hope that we are able as a state to settle an enterprise agreement that means that teachers are paid sufficiently well and that teaching remains, and in fact becomes even more so, a profession of choice. We desperately need people who could do anything to choose to do teaching in greater numbers. The pay and conditions are no small part of that, although they are not the only part.

I also note the challenges that teachers are set in the classroom. They come from many directions. One is the complexity in every classroom, more in some than in others, that comes from having very different children sitting in the classroom who require differentiated teaching: a child who could do with some stretching and a child who needs a hand to catch up to age level. We expect teachers simply to absorb that difficulty, and they do, but it is not easy. The more support they can have to do that well, the better.

That also includes the professional development offered to them after they get into teaching and the training that leads up to that. We need to constantly scrutinise whether it is good enough, whether there is enough of it and whether there is enough support, particularly once people start working as teachers, to undertake that professional development. We brought in an initiative, which I am absolutely certain this government is continuing, to support early career teachers—so important that it is a bipartisan approach—to make sure that once they start and go from the experience largely of being at university, with a little bit of time prac teaching, to suddenly being in charge of a class by themselves, they have all the support in mentoring, professional development and time to reflect on their practice, that they are able to feel that they can do that well and that this is a profession that they should stay in.

When I talk about complexity, there are two very strong elements I would like to highlight. One is the number of students with disabilities who sit in our classrooms, as they should and as they are entitled to. I think that South Australia has, over a period of time, developed a pretty good range of ways to deal with students who have a variety of disabilities. There are schools dedicated to students with highly complex needs and there are units and special classes in schools that also cater to students who are best taught in a very small group and taught by teachers who are well practised and, it is hoped, trained in looking after students who have particular needs associated with their disabilities.

Then, of course, there are a lot of students who are identified as having disabilities who sit in what is otherwise known as a mainstream class. I am not sure what 'mainstream' means anymore—we all come in such a wide variety. Nonetheless, it has to be acknowledged that there are some disabilities students have that make teaching them slightly more complex, and that is where we need to make sure that we are offering those teachers sufficient support and also that the SSOs who work in the classrooms have sufficient support to do that work well.

We never seem to have quite come up with enough money to really deal with all the issues that all our students have. We must not stop on that quest of properly supporting students. What breaks my heart is how often I hear about students with disabilities simply not going to school, either because they have been excluded or because it has been suggested that they might be better off homeschooled (or parents feel that they should be homeschooled), or that there is an arrangement whereby they are able to attend for part of the time but not at all of the time as a feature of their disability. We have to keep doing better on that: every child deserves an education; every child deserves for us to have a system that is able to respond to them.

The second of the complexities that I would like to highlight is the complexity of poverty. By the measure of ACOSS, working with the University of New South Wales recently, we have the highest percentage of poverty of all the states—higher than Tasmania. That means that, when you are a child in a family who is experiencing poverty, particularly experiencing poverty when the allowances provided by the national government have become so mean, you are experiencing real deprivation every day.

It is trite, but it is true: it is very hard to get a good education when you are living out of a car with your parents or with your mum or your dad. It is hard to get a good education when you are really hungry. It is hard to get a good education when home life is chaotic and difficult because of the stresses placed on the family unit, so that homework cannot be a priority, so that wearing the same quality of uniform and having a proper schoolbag is not easy for your family. That is very, very rough on those children.

Our education system still does not sufficiently respond to that. We still have the replication of disadvantage going into our school system and disadvantage coming out of our school system, and the only thing we have in between that are our teachers. Our teachers every day in the public

schools in low SES areas, and in every public school and in every school that addresses low SES communities, are the chance that those children have.

There are transformative experiences that children from very difficult backgrounds can have thanks to the teacher who recognises their potential and who acknowledges the difficulties that they face are not insurmountable. I want to pay particular tribute to those teachers: teachers who choose to work in a school that is harder than other schools; schools, principals, SSOs and all the staff who choose to be in a school where they know they will deal with more students of disadvantage, and they do that because they believe that is where they make the most profound difference.

We as a state—and I do not want to make this political—and we as a parliament can and must do better to support the teachers in those circumstances to make sure that they have more resources, to make sure that there are the right policy signals to diversify those schools so that there is not such a concentration of students who require additional support as a result purely of the poverty of their parents. On World Teachers' Day I thank all teachers, but particularly teachers teaching the poorest of our children.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (12:20):** I am grateful for the opportunity to speak on the motion from the member for Elder recognising World Teachers' Day and, in particular, being able to talk about some of the amazing work that is done by teachers, SSOs and support staff in our schools, as the member for Elder rightly recognised.

Of course, World Teachers' Day is actually at the beginning of October. Every year, it fits right in the middle of our school holidays, so we celebrate World Teachers' Day on Australia's World Teachers' Day, which we call 25 October, to ensure that we can have that celebration at a time when our teachers are at school and their work and the acknowledgment of that can equally be felt.

I believe that this motion comes to the parliament pretty much every year now, so I will do my best not to repeat things I have said in previous years, although it is hard, as the Deputy Leader of the Opposition said, not to take a moment to reflect on some of the amazing experiences that we have had ourselves in our interactions with teachers throughout our lives and the impact they have had on our careers.

Today, I will just reflect briefly to acknowledge that there are teachers who have impacted on my life through my experience at school and at university, and teachers who have interacted with me in the rest of my life, who have changed the direction my life was going, who have inspired me to be a better person and who have directed me towards interests that I might not have realised I had. I am forever grateful for that work, and I know the impact that our teachers sometimes have on our lives. They may not realise the impact they have had on hundreds of lives throughout their careers, and on World Teachers' Day we take the opportunity to say thank you to them for those positive influences they have had on us for such an extended period of time.

As Minister for Education, it is a real privilege to see some of the great work that is done across our 700 schools, our 500 public schools, our 400 public preschools, or thereabouts, and a range of other early learning settings across South Australia where our teachers are going about their business; of course, teachers also do work in our post-school settings to an extent.

I have particular responsibility for groups of teachers who are in our public schools, and I am grateful for that. We also have some recognitions. We asked Educators SA, which used to be the council of education associations of South Australia, to particularly look after some of those celebrations. It was a privilege to be able to share that time with a number of teachers, as well as with the Deputy Leader of the Opposition and a number of educational stakeholders. It was particularly pleasing to see a great number of early career teachers who came along to the award celebration for World Teachers' Day last Friday night.

For a number of years, a range of awards have been sponsored by ministers for education, so I particularly take this opportunity to acknowledge the finalists in the Minister's Arts Education Award Primary: Indra Benson, Port Pirie West Primary School; Adam Broadbent, Christie Downs Primary School; Tracey McKenna, Woodville Primary School; and the winner was Lily Gower, SA School for Vision Impaired. It was wonderful to be able to see some of the work she is doing, which was showcased.

The Minister's Arts Education Award Secondary saw finalists from all over South Australia: Roma Mitchell Secondary College, Natalie Andreou; Brighton Secondary School, Catherine Carter; Henley High School, Megan Cooper; Heathfield High School, Lindsay Crowe; Glenunga International High School, Julianne Hall; Adelaide High School, Tim Moors; and Henley High School, Jackie Reichstein. These were all worthy finalists, but the winner was Wanda Jarvis from Port Lincoln High School in the Deputy Speaker's own electorate. It was wonderful to see a teacher from regional South Australia take that award.

This year, as part of the government's approach to enhancing languages education in our schools, encouraging more students to undertake languages education and enhancing the status of languages education in our schools, we also had the introduction of three new awards for languages teachers, scholarship awards, as part of these World Teachers' Day awards. This is in addition to a range of scholarships that are now provided in our public school system as part of this government's languages strategy that have been introduced in the last year as well.

There is a range of teachers in our public system who are eligible for those languages scholarships but, particularly on World Teachers' Day, we also acknowledge the work of languages teachers across South Australia with three new awards, one for each system in languages teaching. In the Catholic Schools category, Maria Callisto from Sacred Heart College was a finalist, but the winner was Amanda Measday of the School of the Nativity/McCauley Community School. In the Independent Schools category, Sarah Burrow from Emmaus Christian College was a finalist, as was Leah Wardle from St John's Grammar School. The winner was Georgia Heynemann from Immanuel College.

In the Public Schools category, finalists included Cathryn Miegel from Lameroo Regional Rural School, Malgorzata Sztoic from the School of Languages. The winner was a wonderful Indonesian teacher called Tanya McCulloch from Naracoorte South Primary School. Interestingly, I had met Tanya two days prior when I visited Naracoorte South Primary School with the member for MacKillop on a range of school visits I was able to do with the member for MacKillop over the course of last week. Seeing the practice in her classroom was inspirational enough earlier in the week, then to see her recognised for that with a scholarship that will help her enhance her teaching and share that teaching style and capacity with the rest of the school to the benefit of the school on the Friday night was a real privilege.

I highlight the World Teachers' Day awards for two reasons, firstly because I think it is important for the teachers who are demonstrating this best practice who are giving their all to their profession—and there are thousands throughout South Australia. To have some of these high achievers highlighted for their achievements is a wonderful inspirational and aspirational thing in and of itself. I think it also highlights that, while we have a focus in our system in our state, and rightly so, on STEM learning (science, technology, engineering and maths) which is important, they are also important for our future economy and getting our children and young people set up to get the jobs of the future.

There are many jobs of the future that are not going to rely on STEM capabilities and there are many children in our communities whose inspiration and future are going to be in non-STEM pathways. So the teaching of arts education and the teaching of languages education can be in addition to STEM learning as well. But it is important that the work that goes on in those areas, as we seek to ensure that our children get the best support to help them live what is going to be a successful life for them, is also highlighted. Languages teaching and arts teaching in those areas are very important.

I agree with most of what the Deputy Leader of the Opposition said and I appreciate that she took the opportunity to talk about challenges largely in a positive way. I do not have time to reflect sufficiently on the EB issues to talk about that, other than to say that I agree with the Deputy Leader of the Opposition that our teachers should be paid well.

They deserve a good agreement. They deserve good resourcing. That is why the government has put on the table a generous agreement substantially above CPI and, as the Deputy Leader of the Opposition said, that goes hand in hand with the fact that we must always be striving to do better. That is why the South Australian government sees education as an investment. In signing the National School Funding Reform Agreement last year, to get the commonwealth

agreement to release their money, we had to commit to increase state government resourcing into public education by \$700 million over the next decade.

We are putting substantial extra resources into this area than were in the budget in the settings left to us when we became elected, and that is as it should be because this is an area where more resourcing is necessary. It is also important that we spend that resourcing very wisely, and we are seeking to make that investment wisely. We have substantial new resources going into education through ensuring that we target those resources effectively and, as more resources become available, no doubt there will be further investments in the future. We can best support our teachers to help our students be all they can be.

The Deputy Leader of the Opposition made some comments about early career teachers, students with disability and complexity and indeed poverty that I utterly agreed with, and I thought that she put them well. She was talking about some of the complex issues in our classes on which our needs-based funding model is based, where we recognise that we have some extra capacity required to support students with high levels of poverty or disability and complexity.

One area that I want to briefly focus on in the short time remaining is a complexity that she did not talk about it—although I know she cares about it—and that is regional differences. The fact is that schools that are remote, that may be smaller, that may be a long way from larger communities or even towns that are a long way from Adelaide, have a level of complexity that some metropolitan schools do not have, whether that is in relation to transport, the availability of TRTs or particulars, or some specific challenges in certain areas. One school we visited has had to advertise for a principal on a number of occasions because it is tricky to get people to understand how wonderful some communities are if they have not lived there before.

Thank you to all those teachers who go that extra effort, particularly in our country areas all across South Australia. I know that this motion will be supported by everyone in the house.

**Mr BOYER (Wright) (12:30):** It is a great pleasure to rise today to speak on this motion and to note this very important occasion that is World Teachers' Day. This morning, I have enjoyed listening to the speeches from the member for Elder, the member for Port Adelaide and the member for Morialta about recollections of their schooldays. I know that everybody in this place has memories of teachers they had when they were at school. Hopefully, they are positive memories about a teacher who inspired them or made a huge difference to their life.

I was fortunate enough to have several of those, but the one I wish to focus on today is my father, who I was fortunate enough to have teach me in high school on three separate occasions. Ivan Boyer taught for more than 40 years in public high schools. He taught mostly English and history, which remain passions of his today. In fact, I constantly get messages on my phone from mum and dad, who watch my Facebook page with some interest, which is a bit unnerving.

They like to write to me to correct my grammar, my punctuation and my spelling. I have actually stopped using the words 'fewer' and 'less' because my mum has me so confused about which is the right one to use in which situation that I do not use either of them anymore, just to make sure that I do not make a mistake and get an embarrassing SMS from my mother telling me to change my Facebook page.

As I said, I was lucky enough to be taught on three occasions by my father. You might think that was potentially an awkward situation to be placed in, but I did not find that to be the case. I enjoyed it greatly. As you would with any good teacher, I learnt a lot and I respect what my father was able to impart to me. He was certainly what would be referred to now as an old-school teacher. He put a lot of stock in the fundamentals of learning, particularly English, around writing, sentence structure and how to form a coherent sentence.

One thing that he has always been really big on and that he has impressed upon me is the power of brevity. As I get older and in this role that I now find myself in, there is no doubt that the ability or skill to communicate something in plain English and using—and I am going to break my own rule—as few words as possible is a very important skill, particularly in the job that we perform here, where we are trying to communicate a message that is sometimes a complex one to so many people.

I think the most important thing that my father gave me, both as a teacher and as my dad, was a love of reading. This has been a lifelong gift. In this place, there are many parents of young children, which is great to see because it helps make sure that we are in touch with the priorities and challenges of the communities we represent.

However, I am sure everyone agrees that it takes time and devotion to impart that gift of reading to your children. It is not necessarily an easy thing to do, and now we lead busier lives than ever before. Many households that are dual-parent households have both those parents working and of course for single-parent households it is even more difficult to find the time to spend with your children to do the kind of reading needed to instil in them that love of reading that means when they get older, and perhaps finish their studies, they do not stop reading but keep doing it just for the love of it.

Sometimes in my life I have gone away from reading a book. I have decided, for whatever reason, that I did not have the time, and these days it is also very easy to sit down and watch whatever streaming service you might have a subscription to instead of picking up a book, but I have always come back to it. It is great to have a conversation with a family member or a parent or a friend about whatever book they are reading at the time, and get inspiration about what you might like to read. I am forever grateful to my father for giving me that love of reading.

For all those reasons, and all the reasons that have been very well set out by previous speakers this morning, teachers deserve our respect. They also deserve our acknowledgement that, more than ever before, we ask more of our teachers. Because of the busy lives parents have, more than ever before we are asking our teachers to do more things in their workplace than just teach our kids.

I echo the words of the deputy leader, the member for Port Adelaide, when she touched upon the enterprise bargaining negotiations currently underway between the state government and our teachers. I will only make a few brief comments about the EB process, but on occasions I have been disappointed to read that there are some who have tried to characterise these negotiations as being only about money for teachers. That is certainly not the case, although paying our teachers the wage they deserve is really important. There are other things that are important as well, things like class sizes. It is one thing to stand in this place and very easily spout motherhood statements about how teaching should be one of the most respected and rewarded professions, but it is another thing entirely to actually make that a reality.

The observation made on countless occasions by my father, as he progressed through his career towards the end, was that he was spending a greater and greater proportion of his time in the classroom managing behaviour and less time teaching. He was also very frustrated that he thought parents were increasingly siding with their children and attacking teachers when that teacher spoke to the parent about what might be some learning difficulties their child had or about some poor behaviour.

He always said to me that when he started the job, in the early 1970s I think it was, when a teacher called a parent and said, 'Listen, Johnny's acting up in the classroom, he's not paying attention, he's not doing his work. Would you help me in speaking with Johnny and doing something about it?' the response was usually, 'Yes, we accept your advice that we need to do something.' In his later years as a teacher, on many occasions he had been abused by parents who said, 'Well, if Johnny's not behaving in the classrooms it's your fault. You're the teacher. You're supposed to be doing something about it. Why are you asking me to do something? We pay you as a teacher to fix it.' He found that very disappointing.

For my father, and I know for many other teachers, teaching was very much a calling and a vocation. Of course, over that more than 40 years he had many opportunities to become an administrator of some description in a school, and that would undoubtedly have meant more money for him, but what he always said was that he did not choose to go into the profession to be an administrator. He certainly did not choose the profession for the money either. He stuck to those words and he stuck to that commitment and remained in the classroom all the way through to the very end.



I accept that my father was of the old school category, but I discussed with him the commitment made earlier this year by the Leader of the Opposition and the Deputy Leader of the Opposition around banning mobile phone use in classrooms and got his thoughts on that. He was certainly a supporter. I have also made an effort in my role as a local member of parliament to speak to principals and teachers in the north-eastern suburbs about what they think about this commitment and I have been pleased to hear that there is broad support for that.

In that vein, I encourage members of this place to use our positions not only to do the enjoyable and easy thing—that is, to attend all the school events, the graduations, the sporting events, have photos taken and meet teachers and parents and staff—but also to use the position of influence that we have in here to work out what we can do to make it easier for teachers who are out on the front line teaching our next generation and to make sure that the next Ivan Boyers can spend their time teaching in the classroom and not managing children's behaviour. We owe it to them to do that.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (12:40):** I, too, rise to support an excellent motion from the member for Elder. Importantly, this motion recognises in a small way the people who play such a huge part in our lives, whether it be growing up as school students, as young children in kindergarten, or as primary school students or secondary school students.

I note that we have a number of schoolchildren in the gallery now. The motion recognises the important part our teachers play in our lives, not only as a teachers but as mentors, coaches and people who instil values into students. I have many fond memories of growing up in the regions of South Australia, then following my mother to Adelaide, attending the Paringa Park Primary School at Brighton, and further moving to Henley Beach and attending Henley High.

I have some very fond memories from along the way. I urge all members in this chamber to reflect on their memories. Some are good and some are bad, but they are all memories etched into the way we walk life in today's society. I have fond memories of many teachers, but one in particular at Henley High was my tech teacher, Roger Rowe. He came up to me one day during class and said, 'Whetstone, it's time. Here's your letter. Go and get yourself an apprenticeship,' so I did.

It is probably one of my greatest memories of exiting school and going into the workforce. It is a memory I cherish. Forty years later, I met my tech teacher, Roger Rowe, over at Port Lincoln. He left teaching and became a property developer. He is also a professional fisherman and a farmer, so his walk of life certainly changed and became more diverse. On reflection, we had some very good catch-ups.

We look at the way in which teachers influence our lives. I have memories of good teachers, good mentors and sports coaches. They were also great community people. As has been pointed out in a number of contributions made here, it is about the legacy they leave and the values they instil. I have now moved into a representative role. I have over 30 schools in Chaffey. I try to make sure that I get around to all of those schools on an annual basis, whether it is to attend an assembly or a presentation or whether it is to present an award to a student who has contributed to that school in some way. I leave up to the school what they would like to give the student the award for. It has proved very successful, and it gives me greater opportunity for connection with the students and with the school as well.

As I said, I have a lot of schools in my electorate, as many of the regional MPs do. It creates a lot of travel, but it also gives me a greater connection not only to the students in the school but also to the teachers. It is about understanding what life is like as a regional teacher and understanding the needs of the school in order to give the students the best experience and the best education that they can get. In reflecting on teachers and mentoring, I would like also to focus on teaching outside of school—that is, we are always learning. Whether it is a mentor or a teacher within the workplace or in sport, there is always a reflection on learning.

The member for Wright has outlined what we expect of teachers nowadays: we expect more. People have busier lifestyles now more than ever, and so we often depend on the teacher not only to instil values but, to the best of their ability, to give our students the skills that they need. They transfer their knowledge through their capacity to teach and educate a student in the values of life.

This gives a teacher the ability to be very passionate about their job. I also think that having the ability to be a good communicator is very important.

Visiting many of the schools in my electorate, I was very proud of some of the great awards that have recently been given out. Obviously, teachers get recognition for outstanding service and outstanding capacity in some shape or form. I want to acknowledge some of the outstanding teachers in the electorate of Chaffey, who are continually recognised at the Public Education Awards.

Justine Fogden from Loxton High School is an outstanding teacher. She is the winner of the Secondary Teacher of the Year award for 2019 here in South Australia, and she also received the Agricultural Teachers Association of SA's award for excellence. Congratulations to Justine. She does an outstanding job. Loxton High School is a very highly recommended regional school. They have a number of strengths, not only in academics and education but also in sports. They have won the sports day points award for more than 30 years. It is an outstanding achievement.

Brenden Baldock from Glossop High School is a Secondary Teacher of the Year finalist in South Australia's 2019 Public Education Awards. Gale Hansen, director of the Renmark Children's Centre, was recognised at a convention at the Adelaide Convention Centre for her 30 years of service to the field of public education.

Mai Schloithe from Berri Primary School was awarded a scholarship through her role as the Vietnamese teacher at Berri Primary School as part of the state government's Languages in Schools initiative. These awards recognise the outstanding teachers who are dedicated to inspiring students through exceptional mentoring. I was pleased to see the Riverland teachers acknowledged by their peers for their outstanding commitment to and enthusiasm for the profession.

Our local students, particularly in Chaffey, have a very exciting future. We have a very good public education system here in South Australia: it is the sheer dedication and commitment that these teachers bring to mentoring, teaching, instilling values and making sure that our students have a lasting memory of a great education system. We have to acknowledge that not all students have a great experience in our education institutions, but, by and large, all the stories in the contributions presented here today are about the great work that our teachers do in mentoring and teaching our students.

We were all students once and we are always learning—we understand that. In those first years going through school, we are instilled with the memories and the skills that we take for granted in many walks of life today. I commend the motion to the house. It is an acknowledgement of what teachers present in today's society.

**The Hon. A. PICCOLO (Light) (12:49):** I would like to say a few words in support of this motion. I will not repeat all the fine words spoken by other members already, but the first point I would like to put on the record is my thanks to all the teachers in my community, who do a wonderful job in developing and nurturing young people in our community to be good citizens and to be the best that they can be.

I would also like to put on record my thanks to the teachers who taught me. I am sure I probably was not the easiest student to deal with at times. Certainly, in my early days when I started school, I could not actually speak a word of English, so that would have been quite challenging for the teachers. That said, I do not recall the experience, so it must have been less traumatic for me, but perhaps more traumatic for them.

I would like to thank Ms Bouchier, who was my prep school teacher and whom I met some years later. In terms of teachers, I would also like to acknowledge John Chambers, who was my economics teacher in years 11 and 12. He was a great teacher. Unfortunately, he passed away from cancer some years ago. He was not only a great teacher but a great mentor and friend, to the extent that at that school where I went to school, Gawler High School, I now sponsor an award in his name.

One thing I would like to quickly touch on is the complexity of the work involved for teachers these days. Teachers have a whole range of complexities and compliance issues they have to deal with. There is one thing I hear from teachers in terms of the parts of their work they do not like doing: they love teaching, they love the interaction with young people, they love the inquiring minds, but the bureaucracy is really making life difficult for our teachers. I understand that there is a whole range of

issues around child protection, etc., but I do sometimes question the level of reporting required of teachers and what purpose that actually fulfils.

The other thing I would like to touch upon is that, for whatever reason that I do not understand, teachers in our society—and I am talking about Anglo-Australian society predominantly—do not seem to command the respect from the community that they do in other cultures. If you go to Europe, teaching is a highly regarded profession. In Asia, teaching is a highly regarded profession, yet in Anglo societies, for whatever reason, teachers are not respected or valued as much as they should be. They do play an important role. They play an important role in developing not only young people but also the culture of our society. I think sometimes we forget how important they are.

I would also like to put on record my thanks to the Adelaide North Special School, which does a wonderful job teaching young people with quite profound disabilities and invited me to share World Teachers' Day with them last week. I would also like to put on the record my thanks to St Patrick's Technical College. I will be sharing their celebrations for World Teachers' Day this Friday. Like other people in this chamber, I think the least we can do is actually acknowledge the contribution teachers make to the wellbeing of our society.

**Mr TEAGUE (Heysen) (12:53):** I am glad to have the chance to rise to support the motion of the member for Elder in noting that 25 October is World Teachers' Day, as celebrated in Australia, and to take the chance to acknowledge the achievements of teachers across South Australia, supporting, as they do, the next generation.

I want to take the chance, in particular, to highlight the extraordinary achievement, which was marked on 16 October just recently, as has already been recognised by the Minister for Education in this place, as well as by our federal Minister for Education, the Hon. Dan Tehan MP, of Sarah Finney of Stirling East Primary School, who was presented with Australia's highest science teaching honour, the Prime Minister's Prize for Excellence in Science Teaching in Primary Schools.

She was presented with that award by the Prime Minister, and it is indeed significant recognition for a tremendous science teacher. The students of Stirling East Primary School and the Stirling East Primary School community can be proud that the science teacher of the year recipient of the prize for excellence at the primary school level is among the teachers at Stirling East.

Sarah Finney has been a strong advocate for science teaching over the time she has taught at Stirling East. In particular, she has shone a bright light on Science Week activities, she has led a particular focus on STEM, leading a STEM club at lunchtimes at school and she has guided teaching staff at school through the opportunities that are available to their students. It is certainly a special event to be recognised as a teacher of excellence and, in this case, to be singled out for particular recognition by the Prime Minister of Australia and ministers for education, state and federal, and I wish to join that group in recognising this extraordinary achievement of Sarah Finney.

It would be remiss of me to fail to take the opportunity on an occasion such as this to once again note my appreciation personally of and to recognise my mother's lifetime's work as a teacher in secondary school education in South Australia. I know she has had an extraordinarily fulfilling and rewarding career as a teacher, together with colleagues over a long period of time and what are now generations of students who have benefited. So to all teachers on this occasion I very much commend this motion to the house.

**Mrs POWER (Elder) (12:57):** I thank all members who have made a contribution on this motion today. I would also like to especially acknowledge the Minister for Education. As I mentioned, I believe quality education often stems from the passion, confidence and support structures surrounding teachers. In terms of support structures, the Minister for Education has indeed made a profound positive impact in his short time as minister, with record investments in education and the successful passage of the Education and Children's Services Act 2019.

We know that the Education and Children's Services Act, which was passed this year, modernises legislation for education and children's services, and the minister oversaw key improvements for governing councils, safe learning and working environments, and employment provisions for staff, amongst other things.

In addition, the Minister for Education has also delivered a landmark deal with Telstra to ensure high-speed internet in public schools across South Australia. For any of us who grew up when the internet was a new thing and can remember dial-up—you remember the frustrations of seeing things load or your connection dropping—we can really appreciate the importance of quality high-speed internet, not only as individuals but certainly for teachers and students who are learning. So it is absolutely exciting for us as a government to see that being delivered.

In closing, I reiterate our thanks and appreciation to all teachers and school staff right across South Australia for their dedication and hard work. They are indeed shaping our community, state and country, and they are indeed shaping the future of not only individuals but our society more generally. So thank you to all the teachers and school staff out there.

Motion carried.

*Sitting suspended 13:00 to 14:00.*

*Parliamentary Procedure*

### **ANSWERS TABLED**

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

*Ministerial Statement*

### **MINISTERIAL STATEMENT**

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:01):** I seek leave to make a ministerial statement.

**The SPEAKER:** Leave is sought; is leave granted? Leave is not granted, minister.

**The Hon. D.J. SPEIRS:** I table a ministerial statement.

*Parliamentary Procedure*

### **PAPERS**

By the Minister for Transport, Infrastructure and Local Government (Hon. S.K. Knoll)—  
Commissioner for Kangaroo Island, Office of the—Annual Report 2018-19

By the Minister for Planning (Hon. S.K. Knoll)—  
Adelaide Cemeteries Authority—Annual Report 2018-19

*Ministerial Statement*

### **MINISTERIAL STATEMENT**

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:01):** I seek leave to make a ministerial statement.

**The SPEAKER:** Leave is sought; is leave granted? There being a dissenting voice, leave is not granted, minister.

**The Hon. S.K. KNOLL:** I table a ministerial statement.

*Parliamentary Committees*

### **LEGISLATIVE REVIEW COMMITTEE**

**Mr TEAGUE (Heysen) (14:02):** I bring up the 29<sup>th</sup> report of the committee.  
Report received.

*Question Time***LAND TAX**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:03):** My question is to the Premier. Does the Premier agree with South Australia's largest private employer that his proposed land tax changes are a bad deal for the state and there would be no winners if the reforms went ahead?

**The Hon. J.A.W. GARDNER:** Point of order: the member is seeking to characterise facts without seeking the leave of the house to introduce them.

**The SPEAKER:** I have had a look at yesterday's *Hansard*. I was very lenient. I am keen to probably bring it back a notch, so I'm going to give the leader an opportunity—

**The Hon. L.W.K. Bignell:** Keep up the good work!

**The SPEAKER:** Thank you. I am going to give the leader an opportunity to, if he could, perhaps, just remove part of what I took to be the insertion of fact, or commentary, an argument, characterisation. If you could just tailor that back a notch, I will allow the question. Leader.

**The Hon. D.G. Pisoni:** Or seek leave.

**The SPEAKER:** The Minister for Innovation is not assisting and he is called to order.

**An honourable member:** Chuck him out.

**The SPEAKER:** I might today. Leader.

**Mr MALINAUSKAS:** Thanks, Mr Speaker. My question is to the Premier. Does the Premier agree with South Australia's largest private employer that his land tax reforms are a bad deal?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:04):** Sir, I am happy to answer this question. What I read from the largest employer in South Australia was crystal clear—that South Australia has the worst land tax regime in the nation. That is what we on this side of the chamber—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —are trying to address. Those opposite want to entrench the worst land tax system in the country—3.7 per cent—and they are defending it. They are entrenching it. They want to keep it. They had it for 16 years and they want it even more. Well, the answer is: we are up for reform on this side of the chamber because we want to reduce taxes in South Australia. We want to reduce that tax burden.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We want to create a more competitive environment. We want to create a more competitive environment in South Australia, and 3.7 per cent is not a competitive environment. Those opposite want to entrench—

*Members interjecting:*

**The SPEAKER:** Members on my left!

**The Hon. S.S. MARSHALL:** —an unfair system that delivers the highest land tax in the nation. They should hang their heads in shame. That's what you are arguing for—3.7 per cent.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It's a disgrace. It's one thing for them to preside over this and make sure it is entrenched while they are in government. It's another thing from opposition to try to entrench the worst land tax regime in the country. Those opposite should hang their heads in shame. They are contributing to the worst land tax situation in the nation being presided over by this

parliament. They have the opportunity. The debate is still underway. They have the opportunity to forget about their—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —base politics, put the people of South Australia first, try to do everything they can to make it a more attractive environment and back those people instead of the fake and phoney arguments that they have been using in this chamber so far.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is called to order, as is the leader, the member for Wright, the deputy leader, the member for Mawson, the member for Ramsay, the Deputy Premier and the member for Hammond. Leader.

*Members interjecting:*

**The SPEAKER:** Order! Minister for Primary Industries and member for West Torrens, if this continues you will be doing this outside over a coffee. Leader.

### LAND TAX

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:06):** My question is to the Premier. Does the Premier agree with South Australia's largest private employer that his land tax policy will not improve investment in South Australia, is not going to improve certainty of our economy and is definitely not going to reverse the hoards of capital leaving our state?

**The Hon. J.A.W. GARDNER:** Point of order: the question fails at the same hurdle that the first question failed.

**The SPEAKER:** I have the point of order. I respect the Minister for Education's point of order. Obviously, a member should not be offering argument or opinion in a question, and the way to insert facts is by leave of the house, given what is obviously the status quo in this place. I am going to allow the Premier an opportunity to answer. Can we have the question again?

**Mr MALINAUSKAS:** My question is obviously to the Premier. Does the Premier agree with South Australia's largest private employer that his land tax policy will not improve investment in South Australia, is not going to improve certainty of our economy and is definitely not going to reverse the hoards of capital leaving our state?

**The SPEAKER:** I'm going to give the Premier great latitude because there is a lot in that question.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08):** I think this gives us an opportunity to again outline to this house exactly and precisely why we are up for reform in South Australia. We are making it really, really clear that at 3.7 per cent—

**The Hon. S.C. Mullighan:** Tell us about the tax increase.

**The SPEAKER:** The member for Lee is called to order.

**The Hon. S.S. MARSHALL:** —we are driving capital out of this state because capital flows to where the most attractive environment exists. That is a fundamental of economics, and at the moment, with an annual land tax rate of 3.7 per cent—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader! We have the question. I would like to hear the answer.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is warned.

**The Hon. S.S. MARSHALL:** With an annual land tax rate of 3.7 per cent, we are driving capital out of this state into other jurisdictions that have very obviously lower land tax rates than we have in South Australia, and to make matters worse, we're—

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe is called to order.

**The Hon. L.W.K. Bignell:** He has finished.

**The SPEAKER:** The member for Mawson is called to order. Leader.

#### LAND TAX

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:09):** My question is to the Premier. Have you commenced negotiations with upper house crossbench members regarding land tax 6.0, or has the Premier finally established his final position?

**The Hon. J.A.W. GARDNER:** Point of order, sir: this question couldn't be more specifically related to the details of a bill that is in the middle of a debate in the house.

**The SPEAKER:** Yes, I let a fair bit go. I have had a look at *Hansard*. I tend to agree with the Minister for Education, and I uphold the point of order. I am going to move to my right and I will come back to those on my left. The member for Newland.

#### GOVERNMENT PROGRAMS

**Dr HARVEY (Newland) (14:10):** My question is to the Premier. Can the Premier update the house about how the government is delivering for South Australia?

*Members interjecting:*

**The SPEAKER:** Order! The member for Giles is called to order.

*Members interjecting:*

**The SPEAKER:** The member for Playford is warned. The member for Kaurna is called to order.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10):** I am very happy to—

*Members interjecting:*

**The SPEAKER:** Members on my left, if this continues you will be leaving. Who will be first?

**The Hon. S.S. MARSHALL:** It's fantastic for us to have here in the House of Assembly chamber today the students from year 7 at Cleve Area School. I wonder what their teacher would say if they behaved like this rabble opposite? I don't think these students would ever behave like this.

**The Hon. A. KOUTSANTONIS:** Point of order.

**The SPEAKER:** Premier—

**The Hon. S.S. MARSHALL:** They would never behave like this.

**The SPEAKER:** The Premier will be seated for one moment. There is a point of order.

**The Hon. A. KOUTSANTONIS:** That is an egregious breach of standing orders, sir.

**The SPEAKER:** To refer to people in the gallery. Whilst the Premier may have a good point, I uphold the point of order and I ask him to come back to the substance of the question.

**The Hon. S.S. MARSHALL:** And the substance of the question, sir, is very, very clear: what is this government doing about delivering for the people of South Australia? The question is clear—

*Members interjecting:*

**The SPEAKER:** Order! The Premier will be seated for one moment.

*Members interjecting:*

**The SPEAKER:** Member for Elizabeth, you can leave for the remainder of question time for being a repeat offender—high-risk interjections, thank you. The Premier has the call.

*The member for Elizabeth having withdrawn from the chamber:*

**The Hon. S.S. MARSHALL:** The question is: what is the government doing to deliver? The answer couldn't be clearer: we are getting on delivering for the people of South Australia—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —with the largest spend on infrastructure in the history of our state, and we are very proud to be doing this at a critical—

*Members interjecting:*

**The SPEAKER:** Members on my left, come on!

**Mr Boyer:** Read my lips.

**The SPEAKER:** Read my lips, member for Wright: be quiet! Premier.

**The Hon. S.S. MARSHALL:** The member for Light should be ringing me up on a daily basis thanking me, thanking this government, for finally delivering an infrastructure project that those opposite fumbled with for more than a decade. Every one of them—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —should hang their head in shame. The member for Light should hang his head in shame.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** He was the cabinet minister and couldn't get the Gawler line electrification finished.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Well, the member for Light, I am sure, will be sending a nice card or something around for Christmas—a box of chocolates, a small pot plant—saying, 'Thank you very much, Premier. Thank you very much, minister, for the great work,' because this government has put the money in to finish the Gawler line electrification, something those opposite were unable to deliver for more than a decade—\$615 million on the table.

It was a great honour and a privilege for me to be with the Minister for Transport and Infrastructure earlier this week when we turned the first sod on the completion of that project, and that is part of the \$792 million—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —worth of infrastructure—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader is warned.

**The Hon. A. Koutsantonis:** No sleep!

**The SPEAKER:** Member for West Torrens!

**The Hon. S.S. MARSHALL:** They hate good news. They had 16 years—

*Members interjecting:*



**The SPEAKER:** Order, members on my left!

**The Hon. S.S. MARSHALL:** They didn't deliver for the people of South Australia, and now they are filled with regret, filled with bitterness, filled with anxiety, filled with frustration. Don't worry. It won't be long—he's coming. Don't worry.

*Members interjecting:*

**The SPEAKER:** The member for Playford is called to order.

**The Hon. S.S. MARSHALL:** The reality is that \$11.9 billion is underway at the moment—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —with \$3.2 billion on road projects, \$1.8 million on water and sewerage projects that we have committed to in our budget, and \$1.5 billion on health projects in South Australia, which were desperately needed after the mess that we inherited from those opposite, and it goes on and on. There has been \$1.3 billion into schools. We are proud of the infrastructure investments that we have made, and we will continue to make them and we will continue to stand up for all South Australians.

*Members interjecting:*

**The SPEAKER:** The member for Badcoe and the member for Playford have been upgraded to two warnings.

**An honourable member:** You're aggregating them, sir.

**The SPEAKER:** I'm aggregating their warnings, correct. Member for Lee.

#### LAND TAX

**The Hon. S.C. MULLIGHAN (Lee) (14:14):** My question is to the Premier. Will the Premier make any further changes to his latest land tax policy?

**The Hon. J.A.W. GARDNER:** Point of order, sir: proposing the details of amendments on a bill that is before the house is against the standing orders.

**The SPEAKER:** I have the point of order. That is open enough to allow an answer that does not breach standing orders. I'm going to allow an opportunity but I do admit that we are close here. I caution members. I am going to allow an opportunity for an answer.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:15):** As I said, we're up for reform.

**The Hon. S.C. Mullighan:** Is the capitulation catchy?

**The SPEAKER:** The member for Lee is called to order.

**The Hon. S.S. MARSHALL:** It ain't over until the fat lady sings. We have a long way to go in this debate. We have a lot of good arguments that we will be putting forward in the chamber. I would like to thank members for—

**The Hon. A. Piccolo:** So that's a yes. That's a yes.

**The SPEAKER:** The member for Light is called to order.

**The Hon. S.S. MARSHALL:** —their contributions on the bill to date. Let's just see how this debate continues.

*Members interjecting:*

**The SPEAKER:** The member for Playford is on two warnings.

*Members interjecting:*

**The SPEAKER:** I will come to the member for Waite. Leader, if this continues you will be going back to back. Member for Lee.

**LAND TAX**

**The Hon. S.C. MULLIGHAN (Lee) (14:16):** My question is again to the Premier. Can the Premier advise what discussions he has already had on further modifications to his latest land tax policy?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16):** I refer the honourable member to my previous answer.

**The SPEAKER:** I will go one more and then the member for Waite.

**LAND TAX**

**The Hon. S.C. MULLIGHAN (Lee) (14:16):** My question is again to the Premier. Can the Premier confirm that he consulted with his cabinet after he stitched up his deal for his latest land tax policy with the Property Council?

**The Hon. J.A.W. GARDNER:** Point of order, sir.

**The SPEAKER:** 'Stitching up a deal'?

**The Hon. J.A.W. GARDNER:** There is a lot of argument in that question.

**The SPEAKER:** I will allow one opportunity to rephrase. The member for Lee knows better.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. My question is to the Premier. Can the Premier confirm that he consulted with his cabinet after he finalised his deal with the Property Council for his latest land tax policy?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16):** We don't divulge any cabinet conversations.

*Members interjecting:*

**The SPEAKER:** Order! The member for Waite has the call.

**HARTLEY ELECTORATE ROAD UPGRADES**

**Mr DULUK (Waite) (14:17):** Sir, this question will be of great interest to you. My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on the Marshall government's commitment to install traffic lights at the intersection of Newton Road and Graves Street in your electorate of Hartley?

**The SPEAKER:** Excellent question.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:17):** I don't know what sort of stitch-up is going on here, but I'm more than happy to answer any question through any proxy that you may wish to have that question asked. I am very pleased to update the house on the work that is being done to upgrade the intersection at Newton Road and Graves Street in your electorate.

We talk here a lot about the \$11.9 billion profile of infrastructure spending that we have going across our state. There is not one corner of this state that is not being touched by this massive investment that we have put on the table. The Premier outlined in the previous answer what is happening at a macro level, but so often the issues that communities grapple with are small and discrete and are matters that are close to their heart and, dare I say, close to where they live.

The commitment that we made before the election of some \$3.4 million towards upgrading this intersection speaks to the fact that it's not only the big projects that need to be completed but those small augmentations that help to keep our city's traffic moving. Mr Speaker, you would well know, after all the letters that you have written to me in relation to the increase in density of dwellings that exist in your community, especially in the Campbelltown council area, after what I would now consider a pretty disastrous DPA process in 2014, that that led to some really unintended consequences: an intensity of traffic that, because of the nature of the development and the nature of these dwellings being built, did not capture the impacts on a cumulative basis that this was going to happen on our road network.

This government is willing to respond to that, to spend the infrastructure money necessary to make sure that we have the road network that can cater to the demand that is out there. This project on the corner of Newton Road and Graves Street is extremely important to put paid to that but also to really help local communities realise that this government is willing to invest.

The installation of traffic signals, a separated left-hand turn and right-hand lane on Graves Street onto Newton Road, the installation of a new right-hand turn lane onto Newton Road into Graves Street, the relocation of the existing pedestrian-actuated crossing, fully signalised pedestrian crossings at the new signals, as well as provision for cyclists, I think means that we have an upgrade to this intersection that is going to cater for not only vehicles but pedestrians crossing the street to get to the local church and the other amenities around there and also cyclists who want to navigate that intersection just that much more easily.

This project is at the heart of what this government is seeking to do and that is to invest in our road network to support the population growth ambition of this government and also to make sure that we integrate that with our broader plan of how we want to see Adelaide developed. I think what we have been able to do in the area of Campbelltown City Council and those surrounding suburbs is to right two wrongs: to right the wrong in relation to the intensity of infill development that was happening and some pretty adverse outcomes for local communities, and also being willing to put in the money to fix up the infrastructure in the areas that so desperately need it so that the people of the eastern suburbs, the people of your electorate, Mr Speaker, can have the community that they want, the community that they deserve and the community that they voted for in the 2018 election.

#### LAND TAX

**The Hon. S.C. MULLIGHAN (Lee) (14:20):** My question is to the Premier. Can the Premier advise the house whether it is he or the Treasurer who is responsible for managing the land tax issue on behalf of the government?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:21):** The matter is a shared responsibility because the legislation is between two houses, but the ultimate responsibility for these matters is with the Treasurer because it is a matter that was brought down in the state budget. I thought that would have been reasonably obvious.

#### LAND TAX

**The Hon. S.C. MULLIGHAN (Lee) (14:21):** My question is again to the Premier. Does the Premier believe that the land tax issue is going well for his government?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:21):** It's quite clear that the opposition has again run out of questions.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** The dream factory.

*Mr Brown interjecting:*

**The SPEAKER:** Could the Premier be seated for one moment. The member for Playford can depart for the rest of question time for that outburst. When he does, the Premier will have the call. I am trying to listen to his answer.

**The Hon. A. Koutsantonis:** Is it going well?

**The SPEAKER:** Yes, we have the question.

*The honourable member for Playford having withdrawn from the chamber:*

**The SPEAKER:** Premier.

**The Hon. S.S. MARSHALL:** Thank you very much, sir. What we know on this side of the house is that it's necessary for South Australia to reform land tax.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We have put forward a suggestion as part of our budget.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! We have the question.

**The Hon. S.S. MARSHALL:** We have consulted widely. We have undertaken modelling. We have had that modelling externally reviewed.

*Mr Hughes interjecting:*

**The SPEAKER:** Member for Giles!

**The Hon. S.S. MARSHALL:** We have provided the report from the external reviewers to the public broadly. But we do know and we do appreciate that reform is difficult. It doesn't mean because something is difficult you shirk your responsibility for that reform.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Every government should come into this place with an objective of leaving this place having achieved something for this state, so we will not be—

*Members interjecting:*

**The SPEAKER:** Leader! The member for Lee is warned.

**The Hon. S.S. MARSHALL:** We will not be apologising for taking on tough issues.

**Mr Malinauskas:** Why didn't you take it to the election?

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** We will not apologise for applying ourselves to lower tax rates in this state to make this a more attractive investment destination.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order! I remind the Leader of the Opposition that he is the Leader of the Opposition. The Premier has finished his answer.

*Mr Patterson interjecting:*

**The SPEAKER:** The member for Morphett is called to order. The member for Lee and then those on my right. I would like to hear the member for Lee's question, please.

#### LAND TAX

**The Hon. S.C. MULLIGHAN (Lee) (14:23):** My question is to the Premier. Other than the Property Council, can the Premier name another industry group that supports his latest version of his land tax policy?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23):** I am going to allow the opposition all the time they like during the committee stage. I have said all I have to in regard to land tax.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We have consumed an awful amount of time on this.

*Ms Cook interjecting:*

**The SPEAKER:** The member for Hurtle Vale is called to order.

**The Hon. S.S. MARSHALL:** There will always be people who are for and against. We are very satisfied with the merits of our arguments for reform and I am going to leave the land tax issue there. Thank you.

*Members interjecting:*

**The SPEAKER:** Order! Members on my left, please.

#### LOT FOURTEEN

**Mr ELLIS (Narungga) (14:24):** My question is to the Minister for Innovation and Skills. Can the minister update the house on how the state government is delivering new infrastructure projects to support economic growth and innovation?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:24):** I thank the member for Narungga for the question. I know how excited he and our other regional members in South Australia are about how finally there's a government in South Australia that is supporting regions in South Australia and getting into the 21<sup>st</sup> century.

The Marshall Liberal government has an ambition for Adelaide to be the start-up capital of Australia and has a strong program to support business enterprise, new employment opportunities, innovation and growth in our regions. We are investing in infrastructure at Lot Fourteen as well as refurbishing and repurposing heritage buildings on the site to create an inspirational—

*Mr Hughes interjecting:*

**The SPEAKER:** The member for Giles is warned.

**The Hon. D.G. PISONI:** —and transformative economic community. What did we start with? An abandoned site—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —that those opposite walked away from when they couldn't sell it to real estate agents as a development site.

*Mr Duluk interjecting:*

**The SPEAKER:** Member for Waite!

**The Hon. D.G. PISONI:** That was their vision. Century 21 over there, that was their vision for Lot Fourteen and the old Royal Adelaide Hospital site.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** Today, of course, 400 people are already working at Lot Fourteen in some of the most innovative industries in South Australia, with up to 700 of them within the next few months. In addition, 400 construction workers have been working on the site to deliver the project's infrastructure. GigCity Adelaide provides affordable ultrafast one gigabit per second internet connectivity to entrepreneurs and small businesses in innovation precincts across Adelaide. This represents an investment of \$7.8 million over five years for GigCity Adelaide. Importantly, this budget includes \$5.7 million committed to the connection of up to 29 innovation precincts in metropolitan Adelaide.

We all know that Adelaide has had the reputation as a city of churches. St Peter's Cathedral is the centre of the churches here in Adelaide. Now we have Lot Fourteen, the centre of innovation, and all of these innovation centres are the parishes of innovation throughout Adelaide and the regions. This is a new era for South Australia. Of course, eligible businesses in Mount Gambier and Whyalla will also receive access to GigCity with the Marshall Liberal government's rollout of high-speed internet—

*Mr Hughes interjecting:*

**The SPEAKER:** Order, member for Giles!

**The Hon. D.G. PISONI:** —to the regions, and #RegionsMatter. The GigCity network is being extended to eligible precincts in Mount Gambier and Whyalla at prices compatible to metropolitan Adelaide.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** No longer are those who live in the regions treated as second-class citizens; they have access to what those who are living in Adelaide have access to. The process to connect eligible businesses in Whyalla and Mount Gambier is underway through MIMP Connecting Solutions, an Adelaide based telecommunications company.

*Members interjecting:*

**The SPEAKER:** The Minister for Primary Industries and the member for West Torrens, could you please cease.

**The Hon. D.G. PISONI:** Businesses within GigCity innovation precincts can purchase gigabit speed plans from local internet service provider, EscapeNet, for between \$49.90 and \$179.90 per month. These prices are considerably more affordable—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —and less restrictive than any other comparable commercially available plans elsewhere in South Australia. As of 30 September, an estimated 328 businesses in 22 innovation precincts will have access to GigCity services. That is on top of the Minister for Education's program to have every single school here in South Australia connected with fibre by the end of this financial year. This is revolutionary here in South Australia. In addition, two more innovation precincts are expected be connected soon to the GigCity network: the Lion Arts centre and the Lionsgate business park which, of course, is the former GMH site at Elizabeth.

*Members interjecting:*

**The SPEAKER:** The member for West Torrens and the Minister for Primary Industries, are they finished?

*An honourable member interjecting:*

**The SPEAKER:** It is. The member for West Torrens has the call.

#### GLOBELINK

**The Hon. A. KOUTSANTONIS (West Torrens) (14:28):** My question is to the Premier. Can the Premier assure the house that his signature infrastructure policy, GlobeLink, promised at the last election, will not be abandoned?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:29):** We have undertaken some market work on this project.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We instigated that analysis to be done before I think we had finished the first six months in government. My understanding is that that contract was awarded to KPMG. They are undertaking various feasibilities for that project and we hope to update the people of South Australia on that soon.

#### GLOBELINK

**The Hon. A. KOUTSANTONIS (West Torrens) (14:29):** My question is to the Premier. When will the Premier release the consultant's report on his signature infrastructure policy, GlobeLink?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:29):** I don't think it's complete.

**GLOBELINK**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:29):** My question is to the Premier. Is the Premier still committed to providing horticulture producers on the Northern Adelaide Plains a nonstop freight corridor with a direct connection to GlobeLink's freight-only airport at Murray Bridge?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:30):** I think the member well knows that this is something that we are investigating at the moment. As soon as we have that information, we will provide it.

*Parliamentary Procedure***VISITORS**

**The SPEAKER:** I welcome to parliament today the former member for Heysen, Isobel Redmond. Good to see you again.

*Question Time***ELECTRICITY SUPPLY**

**Mr COWDREY (Colton) (14:30):** My question is to the Minister for Energy and Mining. Can the minister update the house on summer readiness activities?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:30):** Thank you to the member for Colton for this important question. Summer readiness with regard to electricity supply in South Australia is an incredibly important issue. We are working very hard on it. Mr Speaker, you will remember that last summer was the first summer in quite a while when we did not have any forced load shedding for electricity supply in South Australia. We were very pleased to be able to deliver that in the Marshall Liberal government's first summer in office.

The other thing is that we don't take this lightly. Every summer is a challenge for South Australia. We are working diligently to improve the electricity system that we inherited from the previous government with regard to both affordability and reliability. We take every summer very seriously. AEMO's forecast for this summer is that things will be tight, but AEMO is optimistic that we will get through with regard to the supply-demand balance. But we don't just rest on that.

We don't just say, 'AEMO says it will be okay, so we will leave it at that.' Through the Minister for Infrastructure and Planning, we have given Torrens Island A an extension of life through this summer. Members will remember that this power station was due to be mothballed back in mid-2017. For various reasons, that was not possible. They were going to stay closed, but they have sought from our government the opportunity to stay open, which we have worked through in a responsible way. We have decided to make sure that we do allow that to happen.

We are looking forward to the opening of AGL's Barker Inlet power station very shortly. That will help us enormously. We also have the backup generators, which will operate this summer in the same way they have for the last few summers. They will operate even more usefully after that when they are leased to operators who will not only have them in service at times of emergency but also have them operating throughout the rest of the year.

We are doing everything we possibly can to deliver on our commitments: more affordable, more reliable and cleaner electricity for the people of South Australia. Coming into the summer period is a very key time for us. I have met with key industry supply chain participants, not just the generators but the gas pipeline operators, the distribution network operators, the transmission network operators and the retailers.

We are all pulling together to do everything we possibly can to make sure that this summer South Australian homes, businesses and, importantly, employers are able to operate. We are also implementing some new policies with regard to interaction with these organisations so that we can be sure that cooperation is at the forefront of everything we are doing. We do not want to end up in a very tight situation, wishing that we had contemplated how we would react to that situation earlier and then making decisions on the run.

We are working with all these organisations so that we can do everything we possibly can. It is important for me to point out that the Loy Yang power station in Victoria remains offline, but it is predicted to come back online in December, just in time for summer. I know that in Victoria, even for their own purposes, they are doing everything they possibly can to make that happen, and that will be important for South Australia as well.

*Parliamentary Procedure*

**VISITORS**

**The SPEAKER:** I welcome to parliament today Yureesa Briglal, a year 10 student from Unley High School doing work experience in the Dunstan office. As the Premier alluded to, we also have year 7 students from Cleve Area School, and I welcome them to the parliament today.

*Question Time*

**GLOBELINK**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:34):** My question is to the Premier. Has the Premier or his government made any submissions to the Prime Minister or Infrastructure Australia for funding for his signature infrastructure policy, GlobeLink?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:35):** I thank the member for West Torrens for his question because it allows us to highlight one of the fundamental differences between the former government and the current government. This government actually wants to take an evidence-based business case led process to deciding on infrastructure projects in South Australia. We are the ones who actually put in place an Infrastructure South Australia policy—

*Mr Picton interjecting:*

**The SPEAKER:** The member for Kaurana is on two warnings.

**The Hon. S.K. KNOLL:** —passed by this parliament, to make sure that when we are spending taxpayers' dollars we do so with all of the information, listening to expert advice and not wasting a cent of taxpayers' dollars, as opposed to what we had before the election—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: my question is relevance, sir. This is debate—

**The SPEAKER:** Yes, I have your question. I write them down when you say them, you realise that, so that I have them here, but thank you.

**The Hon. A. KOUTSANTONIS:** I am glad, sir.

**The SPEAKER:** So the point of order is for debate?

**The Hon. A. KOUTSANTONIS:** Yes, sir. May I explain?

**The SPEAKER:** I have the point of order. I have allowed the minister 30 seconds to warm up. I understand the question had a couple of facets; one was about GlobeLink, and a submission to the Prime Minister, and Infrastructure SA. I have allowed him some opportunity. I then ask him to come back to the substance of the question.

**The Hon. S.K. KNOLL:** Just to be clear, to try and tie those two things together, normally what you do before you go to IA is you go through ISA. That's normally the way the process should work, that you talk to your state body and discuss with them an idea before you take it to Infrastructure Australia. More than that, what used to happen is that we had—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL:** —pet projects around marginal seats in electoral cycles. What we now have is an orderly business case development process that helps to identify the best use of taxpayers' hard-earned dollars, making sure that it goes exactly where it needs to go. I also remind the house and the member for West Torrens that what we have done is undertaken and we are



undertaking, by KPMG, a stage 1 and stage 2 business case analysis. That's the part of the process that we are in at the moment.

**The Hon. A. Koutsantonis:** That's not what I asked. I asked if you had asked the Prime Minister for money.

**The SPEAKER:** The member for West Torrens is warned.

**The Hon. S.K. KNOLL:** What you need to do is you actually need to make sure that document is fulsome and make sure that document answers all the questions that it needs to, and we have been able to consider it both at an Infrastructure South Australia level and at a cabinet level before going off to ask the feds for money, as opposed to what we have seen in the past—that is, stick your hand out and ask for the money without doing any of your homework.

In fact, one of the most difficult things upon coming to the government and this portfolio has been the fact that there hasn't been any homework done. So, when you go to the federal government and ask for money, they say, 'Well, show us why we should fund this project.' The answer is that the work wasn't done before, which is precisely why this government took to the election a policy—

**The Hon. A. KOUTSANTONIS:** Point of order, sir: two minutes now. I asked a very simple question: any submission—

**The SPEAKER:** The point of order is for debate?

**The Hon. A. KOUTSANTONIS:** Yes, sir. Has he made a submission or hasn't he?

**The SPEAKER:** I believe that the minister is within the remit of the substance of the question. He is talking about infrastructure, and I will listen carefully to ensure he sticks to that substance. Minister.

*Members interjecting:*

**The SPEAKER:** Minister for Education, I do not require your assistance at this point, thank you.

**The Hon. S.K. KNOLL:** I am alluding to infrastructure quite a lot in the answer. So there is a sequential process, rather than a haphazard electoral cycle process, that this government is going down. We are delivering precisely what we promised the people at the state election that we would do—that is, look into what is dealing with the increasing freight task as it exists here in South Australia, dealing with the fact that we see our trucking movements heading down the South Eastern Freeway.

We know the issues that exist with trucks on the South Eastern Freeway and the fact that we as a government have taken numerous steps to try and improve safety on that stretch of road. On this side of the house, we're the ones who actually had an idea to help improve freight productivity in South Australia. On this side of the house, we're not scared to explore big ideas—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Point of order, sir: we're at three minutes, sir. Has a submission been made to Infrastructure Australia or the Prime Minister?

**The SPEAKER:** Yes, I have the point of order, thank you, member for West Torrens. I ask for the interjections to please cease because I am struggling to hear the minister's answer.

**The Hon. S.K. KNOLL:** It's just clear that sometimes when you don't like the answer an interjection or a point of order is the way to go, but the answer here is that we need to develop a business case before we can submit something to Infrastructure South Australia. That's what we're doing at the moment.

That is precisely what we're doing at the moment, but on this side of the house we're the ones who are willing to explore big ideas and to actually invest taxpayers' dollars to investigate those ideas, rather than go on flights of fancy and just ask the federal government to fund things that haven't gone through the due diligence process and may not be the highest priority for taxpayers' dollars.

Early next year, we will see our first 20-year infrastructure strategy released. It will provide a blueprint for where Infrastructure South Australia thinks we need to head—another evidence point that we can use to show taxpayers that we are being prudent with their dollars and doing our homework before we stick our hand out to the feds.

### GLOBELINK

**The Hon. A. KOUTSANTONIS (West Torrens) (14:40):** My question is to the Premier. Will construction on the Premier's signature infrastructure policy, GlobeLink, announced at the last election, begin construction before the next election?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:40):** Let me see if I can try this again. I certainly remember there being a lot of discussion in 2013 by the man who was the leader of the opposition, who is now the Premier of South Australia, standing up and saying that South Road is our biggest infrastructure priority here in South Australia. In my view, I thought it was the subject of bipartisan support. What we have done is we have got on and secured the money to deliver what is our largest infrastructure priority in South Australia. I have said that to this chamber so often I am not sure—

*Members interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.K. KNOLL:** —I understand why there is a degree of confusion. The north-south corridor, we are getting on and delivering the next section, the Regency Road to Pym Street section of the north-south corridor.

**The Hon. A. KOUTSANTONIS:** Point of order, sir.

**The SPEAKER:** Point of order for debate.

**The Hon. A. KOUTSANTONIS:** The question wasn't about South Road or the north-south corridor. It was about GlobeLink, sir.

*Members interjecting:*

**The SPEAKER:** Yes.

**The Hon. J.A.W. GARDNER:** The question was about the signature infrastructure policy, and the Minister for Transport has just described what that was.

**The SPEAKER:** And whether it would be built before the next election. The question was very specific, much more specific than the former, and that's why I reckon the minister is going to come back to the substance of the question.

**The Hon. S.K. KNOLL:** Again, the idea that you can just look at one little project in isolation from the broad pipeline of projects we have had is absurd—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.K. KNOLL:** —absolutely absurd. Undertaking infrastructure projects of large magnitude does take years to deliver. What we have and what we have been left with is the most difficult sections of the most important infrastructure project in South Australia's history, the largest infrastructure project in South Australia's history, being the north-south corridor. I have said to this chamber—I haven't hidden it from anybody—that the north-south corridor is our number one priority.

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.K. KNOLL:** What is interesting is that, again, you cannot look at a road traffic network as one road in isolation or a couple of roads in isolation. We need to look at the network

effect of the infrastructure projects we undertake. So, when we look at the north-south corridor, when we look at an intergenerational idea like GlobeLink, these two ideas cannot exist in isolation.

**Ms Stinson:** Funny that they don't want to talk about GlobeLink.

**The SPEAKER:** The member for Badcoe can leave for the remainder of question time. I am trying to hear the answer. I ask that these interjections cease.

*The honourable member for Badcoe having withdrawn from the chamber:*

**The SPEAKER:** I am not going to take frivolous points of order. I have the points of order. I am listening carefully. I have asked the minister to come back to the substance of the question.

**The Hon. S.K. KNOLL:** The answer to the question is: you cannot look at GlobeLink in isolation. You have to look at GlobeLink in conjunction with the other projects that this government has on the table to improve—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.K. KNOLL:** —the road traffic network here in South Australia.

**The Hon. S.C. MULLIGHAN:** 'It will definitely happen,' is what you said.

**The SPEAKER:** The member for Lee is on two warnings.

**The Hon. S.K. KNOLL:** The GlobeLink proposal is one that fits and works together with the north-south corridor. It is designed to link in to the north-south corridor. It's why we need to take a holistic network approach to the way we deliver things. I reiterate again—and this isn't news to anybody who has been listening to anything that the Premier has said over the past five or six years of his leadership—that the north-south corridor is this government's number one priority.

GlobeLink is an idea that we took to the election. The promise at the election was to deliver a business case. That's precisely what we are doing. Again, that's something I know others may not want to hear, but it is precisely what we are doing: delivering on another election commitment. These ideas need to be looked at collectively. We will consider the information as it is presented, we will go through a proper rigorous evidence-based process and we will have that discussion publicly with the people of South Australia all in good time.

But in the meantime this government is getting on with delivering \$11.9 billion worth of infrastructure over the next four years, seven to 7½ billion of which is road infrastructure projects that do help to improve freight productivity around South Australia. As we forward plan, as we look into the future and as we build the roads that future generations need us to build, we will do so with a process that treats taxpayers' dollars with the respect that it deserves and the respect that was lacking for 16 years.

## LAND TAX

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:44):** My question is to the Premier. Why is the Premier prepared to persevere on a land tax policy he did not take to an election but is prepared to abandon GlobeLink that he did take to an election?

**The Hon. J.A.W. GARDNER:** Point of order: this is a question designed for a TV script. It's not in conjunction with standing order 97.

**The SPEAKER:** That is a bogus point of order. What I am going to do is ask members to be quiet. I'm going to ask the leader to rephrase the question and take out the commentary and argument that will breach standing order 97. I am going to allow the question and then I am going to allow the answer.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:45):** I got the gist of the question.

**The SPEAKER:** You got the question? Premier.

**The Hon. S.S. MARSHALL:** The leader wrote it himself. It's on a different piece of paper. He didn't get it from the dream factory. This is one of his own and it's not a very good one, but we will give him an answer.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** The reality is very clear: we went to the election talking about our attraction to the concept of GlobeLink and we have acted swiftly to make that investigation, which is underway. We will update the people of South Australia in due course. We do not apologise, as the minister has pointed out, for doing a thorough investigation—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —because we think that it is important to have prudent—

**Mr Picton:** You promised to do it. You said you were going to do it.

**The SPEAKER:** Member for Kurna, quiet!

**The Hon. S.S. MARSHALL:** —management of the state's finances, unlike the rabble opposite who presided over a series of pet projects around marginal seats—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and electoral cycles for 16 years. We are just fixing up the mess. The member for Light looks incredulous at the moment that we are even having this discussion because it is this side of the parliament which is actually finally delivering the Gawler line electrification promised by those opposite more than a decade ago. So we are dealing with these issues. With regard to the land tax issue again, we went to the election saying that we wanted to create the most attractive place in Australia for investment—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and sitting on a land tax rate of 3.7 per cent is not the most attractive environment. Those opposite seek to entrench the most uncompetitive land tax regime in the country in South Australia. There's an opportunity at the moment, and this is really a test of the mettle of the two parties. On this side, we are up for reform. We know it's difficult—we know that it's difficult.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader!

**The Hon. S.S. MARSHALL:** For some reason, the Leader of the Opposition—

*Dr Close interjecting:*

**The SPEAKER:** Deputy leader!

**The Hon. S.S. MARSHALL:** —his only point that he keeps making at the moment is this issue that we have changed the current legislation before the parliament from what was brought down in this chamber as part of the state budget—true.

**Mr Malinauskas:** Five times.

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** True; you've got us.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader!

**The Hon. S.S. MARSHALL:** It's different. Big tick. You have finally worked out that something has actually changed—fantastic!

**Mr Malinauskas:** Yes, you're increasing land tax; that's right.

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** But the reality is we said that we would be going out. We said that we would be consulting with people. We said that we would put the people of South Australia first. What we've got over the other side is base politics, the opportunity to spread fear across the electorates, across the state and entrench the worst land tax—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —regime in the country. Those opposite should hang their heads in shame.

*The Hon. S.C. Mullighan interjecting:*

**The SPEAKER:** The member for Lee is on two warnings. The member for Frome has the call.

#### NYRSTAR CHEMICAL LEAKS

**The Hon. G.G. BROCK (Frome) (14:48):** My question is to the Minister for the Environment. Can the minister please advise me or the house when he was aware of the acid spill at Nyrstar in Port Pirie in January this year, and when will the civic leader and also the local member be advised of that?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:48):** I thank the member for Frome for his question and his compassion and advocacy for his community. As I tabled in a ministerial statement earlier today, I became aware yesterday of a couple of incidents that had occurred at Nyrstar, one in 2017 and one in 2019, which had been the subject of recent media inquiries and coverage. Those were first brought to my office's attention in February this year.

Those two issues were not deemed to have posed an immediate or ongoing public health risk due to the fact that they had occurred in a moment in time and weren't being perpetuated on an ongoing basis. However, that triggered a protocol where investigations had been ongoing by the EPA around both incidents. The one in particular that occurred on 31 January 2019 continues to be investigated and those investigations are proceeding well, I am advised.

I think it is fair to say, though, that the member for Frome and his community have every right to ask questions as to why the thresholds are such around these protocols that public notification isn't given. Although they didn't pose an immediate public health risk, there was still a risk to the environment and environmental damage as a consequence of these incidents.

As a result, I have spoken today to the acting chair of the EPA Board, Dr Steve Christley, asking him to continue discussions with me and the board as to how those protocols and thresholds can be reviewed to ensure that the public, including the local member, civic leaders and myself, are made aware of these circumstances as and when they arise, and not just incidents that have that immediate public health risk but also those that might have resulted in particular environmental damage that would reach a threshold of public concern. I will arrange, as soon as I can, a briefing with the member for Frome and civic leaders to go through the potential review and the incidents in detail.

#### DIXON, MR B.

**Ms HILDYARD (Reynell) (14:51):** My question is to the Minister for Racing. Can the minister advise the house if Mr Brett Dixon is still chair of the Darwin Turf Club.

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:51):** Yes.

### COMMISSIONER FOR VICTIMS' RIGHTS

**Mrs POWER (Elder) (14:51):** My question is to the Attorney-General. Can the Attorney-General advise the house of significant information contained in the Commissioner for Victims' Rights Annual Report and how it differs from previous years?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:51):** I thank the member for her question. The Commissioner for Victims' Rights, as members would be aware, is a statutory officer independent under her appointment under the Victims of Crime Act 2001. The commissioner's role is to help victims of crime in South Australia with their dealings with the criminal justice system to ensure that victims are treated fairly and respectfully, with their rights acknowledged and observed by public agencies and officials. The commissioner provides information, advice and support to South Australians who are harmed and their families and friends to deal with the physical, emotional and financial impact of crime.

It is therefore with pleasure that I appointed Ms Bronwyn Killmier as the commissioner in August 2018. She undertook what was a new approach with an increased domestic focus on the statutory functions of the act. On 15 October, I tabled the commissioner's annual report. It was the first standalone annual report tabled in this parliament since 2008-2009.

The new commissioner has brought much to this important role, as has been demonstrated throughout her report, the detail of which of course I will leave members to read, and I urge that they do so. Significant changes needed to be made and I am pleased that they have been. One of the matters that has brought more timely service to victims has been the identification and development of clear policies and procedures.

The commissioner is also moving now towards electronic management of files and a paperless office to provide a more streamlined and effective service for victims. New evaluation criteria and procedures for data collection have been developed and implemented midway through the 2018-19 reporting period and this allows for an increased accuracy in data capture. The requirements for a case management system have now been scoped. Furthermore, the new data system's collection was implemented in February this year, providing a more accurate way to collect and assess activity data. There are a number of key outcomes from this already that are reported in the annual report and I refer members to that.

The commissioner can, in certain circumstances, fund victims to be able to pursue particular legal issues. New procedures and policies have now been delivered to ensure transparency and rigour with respect to such funding.

Members may also be aware that, when a life-sentenced prisoner lodges an application for release on parole, the Commissioner for Victims' Rights makes a submission to the Parole Board representing the co-victims of those affected. For the 2018-19 financial year it has been estimated there were some 230 contacts to victims by the Commissioner for Victims' Rights office in relation to 23 parole submissions for life-sentenced prisoners during this period.

The commissioner has formed a consultative committee for government and non-government agencies, and this has been very important in assisting victims. The commissioner has also identified a need for victims to know their rights so that they will be more informed when engaged with the criminal justice system. The commissioner has revised publications to ensure greater accessibility and streamlining and rewriting of publications in plain English, including the 'blue book', which is the *Information Booklet for Victims of Crime*. Other examples include the *Fighting Fraud Cybercrime and Scams* booklet provided to SAPOL, and the *Information for People Bereaved by Suicide* booklet, which is provided to a broad range of agencies, obviously, to help with that difficult social problem.

### PATIENT ASSISTANCE TRANSPORT SCHEME

**Mr BELL (Mount Gambier) (14:56):** My question is to the minister representing the Minister for Health. Can the minister update the house on any improvements to the Patient Assistance Transport Scheme after two community forums were held earlier this year—one in Mount Gambier and one in Port Augusta—raising concerns with the current system?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:56):** The member is quite right to say that these forums were held, one of them in his electorate and one in my electorate. They were very valuable. The Minister for Wellbeing and some of his key office and departmental staff attended, and I know that they took that information on board and they are working through it and that all country members look forward to the results of that work.

#### THOROUGHBRED RACING SA APPOINTMENTS

**Ms HILDYARD (Reynell) (14:56):** My question is to the Minister for Racing. Can the minister assure the house that the appointment of Brett Dixon, chair of the Darwin Turf Club, is not a breach of the Thoroughbred Racing SA constitution?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:57):** Yes, I can. Just to enlighten the member, Mr Dixon has been appointed, or he was endorsed to me through the advisory panel, and I did accept that endorsement, along with Cos Cardone and Rob Rorrison, all esteemed people in their own right and very passionate about racing, very passionate to put back into the industry. What we do know about the racing industry after 16 years under the previous government is that it was left in a very bad way. It had no support from the previous government, but we on this side—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —are very focused on growing jobs and growing the industry in South Australia. Again, the previous government gave the racing industry nothing over the 16 years that they were in power. But since we have come into government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —we acknowledge our country racing and city racing, and we understand that there are jobs involved here. There is an industry involved here, and there is great opportunity for our state. We have invested almost \$30 million into the racing industry since coming to government; and part of that is actually improving the governance of the racing codes, and we have done that.

As I said, the advisory panel has endorsed three very good members to go onto the board of the TRSA. Everyone I have spoken to in the racing industry says that these are great appointments, very positive appointments, to help industry grow and to help the industry prosper into the future. We will keep supporting industries that grow jobs in South Australia, and we will make no apologies for that.

#### THOROUGHBRED RACING SA APPOINTMENTS

**Ms HILDYARD (Reynell) (14:58):** My question is again to the Minister for Racing. Was the minister warned about the appointment of Mr Dixon by the chair of Thoroughbred Racing's appointment panel, former Liberal senator Amanda Vanstone, prior to his appointment?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:58):** Thank you very much. I was recommended three people through the advisory panel to go on the board of the TRSA, and I accepted those endorsements.

#### THOROUGHBRED RACING SA APPOINTMENTS

**Ms HILDYARD (Reynell) (14:59):** My question is again to the Minister for Racing. Before the minister endorsed Mr Brett Dixon for appointment to the Thoroughbred Racing SA board, was he aware that part 4, section 25.6 of the Thoroughbred Racing SA constitution prohibits a person who is a committee member of another racing club from being appointed a Thoroughbred Racing SA director?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:59):** I thank the member very much for her question and encourage her to read the entire constitution because, if she does, she will go on to find out that a person—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** No, you can read it. Please feel free. Have a look through it and go through it in its entirety. It will outline that an industry stakeholder group and/or people who are members of a racing club have to be incorporated within South Australia. Mr Dixon is incorporated outside of South Australia, which makes him eligible. Again, I stress the point—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —that the three people I did recommend to be on the board, the people I endorsed who were recommended to me by the advisory committee, are absolutely outstanding operators. They are people who will take racing forward. In fact, I think even the chair of the Murray Bridge Racing Club was quoted today as saying that this person is an outstanding operator. You might want to drag racing down. We want to put good people in place delivering good governance that will grow this sport and grow the industry.

**The SPEAKER:** I do not want to drag racing down.

**The Hon. C.L. WINGARD:** I apologise, Mr Speaker. You don't want to drag racing down. It's the member for Reynell who is focused on doing that.

**The SPEAKER:** The member for Heysen has been chomping at the bit for a question.

#### CHILDREN'S WEEK AWARDS

**Mr TEAGUE (Heysen) (15:00):** My question is to the Minister for Education. Can the minister update the house on the 2019 Children's Week Awards?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:00):** I'm very pleased to be able to share some very happy news with the house. Children's Week is an opportunity for us to all celebrate children across South Australia, their achievements, their aspirations and, of course, it is something that I know is very dear to all our hearts.

This morning, members across the house reflected on the importance of World Teachers' Day, and it was on World Teachers' Day that I had the great privilege of attending Magill Primary School, sir, in your electorate, to share some very happy times with the Children's Week Association Committee, with a range of dignitaries from across the education system and South Australia, and to present some very special young South Australians with some commendations—the minister's Children's Week Awards.

It is a great privilege to be able to share some further happy information with the house and talk about some of the wonderful achievements of these young South Australians. I recognise that there were awards at both the primary year level and the high school level. An honourable mention in the primary years went to Hannah Durand of Kapunda Primary School for her great academic endeavours and success in choral and instrumental performance, including a scholarship to the Open Music Academy at the University of Adelaide Conservatorium.

Another honourable mention went to Hudson Linke of Westminster School, in recognition of his demonstrated understanding, as a Ngarrindjeri student, of the absolute requirement for reconciliation and the acceptance of past wrongs and the example he has shown his secondary peers of the value of speaking up.

Winners in the primary years were Cameron Rankine and Aaron Schneider from Loxton Primary School for exemplary participation as members of the Young Aboriginal STEM Thinkers of South Australia team at the 2019 STEM Aboriginal Congress and the inspiration they provided to 800 Aboriginal student peers across South Australia. I know that the Deputy Leader of the Opposition



cares a lot about the STEM Congress that I think started under her watch, and I commend her for that.

Samuel Weavers, from East Adelaide Primary School in the Premier's electorate, also received an award for the primary years for the development of his online popcorn business, the sharing of his success with others, both locally and internationally, the demonstration that he is not limited by autism and his facilitation of fundraising for others in need through Kids4Kids. For Sam, I have a very particular acknowledgement: my family very much appreciated the popcorn he provided us, and we are very grateful for that.

In the high school years, there was an honourable mention to Cameron Dixon from Glossop High School for his exemplary contribution to school and community, particularly through the sharing of his understanding of technology, allowing collaboration in the management of interschool events. Another winner was Elijah Smith from Kapunda High School, in recognition of an outstanding career at school academically, in sport, in music and in leadership, while also making a significant contribution to the community. He has managed all this while continuing to take a supportive role in his own family.

The final winners at the high school level were Sabrina Passelli, Sarah Pike and Mahla Truscott of St Peter's Girls School for a remarkable contribution to the correction of clubfoot in children in Bangladesh. With the assistance of professional mentoring, they designed an improved sole that will encourage more dedicated four-year wearing of brace shoes as needed to complete the correction of this disability.

All these children are to be commended, and they certainly enjoyed the presentation on Friday. I know that all members of the house will commend them for the work they do and celebrate their achievements as examples of the wonderful achievements by so many young people in all our communities right across South Australia. We use Children's Week to celebrate those wonderful young people of whom we are so very proud.

#### *Grievance Debate*

### **ELECTION COMMITMENTS**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:04):** It is remarkable that the Premier is fighting tooth and nail for a policy he did not take to the election—his land tax increases—yet he is prepared to abandon a signature infrastructure policy he did take to the election and sought the endorsement of the people on. It is unprecedented.

The Premier is now attempting to tell the house that GlobeLink really was just a set of principles, a vision statement, more like an aspiration than a policy. When you read the statements the Premier put out during the election campaign, none of it was aspirational. All of it was 'we will': 'We will build a freight corridor and we will build a 24-hour freight-only airport.' Apparently, private equity would be falling over themselves to invest in this brand-new, 24-hour freight airport, despite Adelaide Airport being a 24-hour freight airport now and despite all the expert advice that decoupling freight from passenger air transport would be a disaster.

*Members interjecting:*

**The SPEAKER:** Order, Minister for Infrastructure! Leader! The member for West Torrens has the call.

**The Hon. A. KOUTSANTONIS:** Thank you, sir. I am used to dealing with my children at home. It's very easy, sir. You just ignore them and keep on speaking. Also, of course, we were promised an intermodal export park. We were promised a brand-new corridor bypassing the Adelaide Hills, making sure that the freight line that was recently upgraded through Goodwood and down on the Torrens junction would be ripped up and there would be a brand-new freight line. Of course, none of that is true—none of it. None of it is going to happen. Indeed—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —18 months—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader!

**The Hon. A. KOUTSANTONIS:** —into this government, a \$20 million report still has not been released. The default Treasurer, who recently spoke to the South Australian Freight Council said that at the end of the day he did not mind what the answer was about the outcome of his GlobeLink investigation. So much for commitment. The report has come up with about 60 options—we do not know what those options are—to address the problems with GlobeLink. Are the problems perhaps funding: no-one wants to do it? Everyone he has spoken to thinks it is a bad idea: Adelaide Airport, Freight Council, the commonwealth government, probably all his colleagues, probably the Premier, probably anyone who has any ability to walk upright and has opposable thumbs, thinks that this is a bad idea.

I have to say that I am impressed with the ability of the government to say something that is patently untrue and pretend that it is all going to happen one day in the future. They then attempt to compare the government's commitment to the north-south corridor, which they wanted to cancel in 2014—the section Torrens to Torrens—to building the Regency to Pym section with their commitment to GlobeLink. That is like saying because you bought a cat, you like dogs. It is stupid.

This government has done nothing to make GlobeLink work. This government is attempting to put a bandage on a gaping wound. The government promised at the last election that if they were elected they would build a 24-hour freight only airport and they would bypass freight from Adelaide directly to our ports. They would build new roads, there would be an intermodal park and there would be foreign investment and equity pouring into this 24-hour airport. None of that is going to happen—none of it.

**Mr Malinauskas:** Fantasy, and you know it.

**The Hon. A. KOUTSANTONIS:** But, of course, perhaps maybe—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —the minister will make a statement to the house one day in the future, perhaps in 2021 on the eve of an election, saying that if they are re-elected there will be another study, there will be another investigation. Perhaps you can turn the sod on, what was it, the finished project?

**Mr Malinauskas:** Turn the sod on the completion.

**The Hon. A. KOUTSANTONIS:** Perhaps we can move the 24-hour freight airport from Murray Bridge to Adelaide Airport and say, 'Here it is. Here's your 24-hour freight airport,' and the tunnel going past Sir Donald Bradman Drive and Richmond Road is this new sweeping corridor avoiding the Adelaide Hills. Perhaps we can rename the freight line something else: Mission Accomplished.

### **KING ELECTORATE SPORTING CLUBS**

**Ms LUETHEN (King) (15:09):** Thank you for the opportunity to speak about our amazing sporting clubs in King. In the last 19 months since the state election, sporting club investments supported by the state government in King have reached over \$780,000. Part of this investment includes our \$320,000 commitment, with construction works underway right now on the upgrade to the South Australian District Netball Association car park. Thank you to the community and SADNA President, John Adams, for your continued advocacy and support with this project. These works will be really important in alleviating congestion and improving traffic flow and safety. If constituents would like information about this upgrade, they only need to give me a call.

I have really enjoyed my time engaging with many local clubs in King and assisting with a variety of grant program queries. The Golden Grove Tennis Club is the latest King club to receive a massive \$369,800 from the Marshall Liberal government to kickstart the building of its clubrooms. The funding comes after a successful application to the new Community Recreation and Sport Facilities Program 2019-20. Well done to the Golden Grove Tennis Club on its persistence and

success with this application. It has been a pleasure to work over time with club president, Craig Mousley, and I look forward to supporting the club's future ambitions.

The good news does not stop there for King sporting clubs, with many receiving further funding through round 47 of the Marshall Liberal government's Active Club Program. The One Tree Hill Soccer Club received a grant of \$24,030 to install solar panels on the clubrooms to reduce their electricity costs. This will be installed at the McGilp oval sports association clubrooms. The President of the One Tree Hill Soccer Club, Nigel Staker, stated that this will benefit not only soccer but also tennis, cricket, scout clubs and the community electric barbecue at the site with reduced energy costs. The Golden Grove Cricket Club, Golden Heights Calisthenics Club and Tea Tree Gully Motocross Club all received \$5,000 grants to assist with program and equipment funding. Well done to all the clubs on their successful grant applications.

Over the past few months, I have met with representatives of the Golden Grove Football Club regarding the facilities at their home ground at Harpers Field and the need to expand the facilities. They have long waiting lists, and they have the biggest junior squad in Australia, and we are really looking for ways to address their growth pains and parking issues. The Golden Grove Football Club, being the lessee of the complex, has attracted continuous growth over its lifetime. Last year, there was a particular boom, with an influx of female participants to the sport. The Golden Grove Football Club also hires out the complex to the Golden Grove Cricket Club, the Brumbies, and the Road Runners Softball Club, which has also experienced growth in numbers. It is so great to see so many people participating in sport.

Issues were raised with car parking, which the club advised have been well documented over a long time with the City of Tea Tree Gully. Growth in football team numbers has put pressure on the building and oval space usage, with only two change rooms and two ovals available to accommodate 41 teams at the club. At the recent City of Tea Tree Gully council meeting, it was pleasing to see that the council has agreed to undertake a feasibility study into the Harpers Field complex and explore with us how we can support future growth plans. I will continue to advocate for the Golden Grove Football Club into the future and collaborate with the City of Tea Tree Gully and my state government colleagues to explore how we can support this continued growth.

Well done to Kate Grandey, President of the Golden Grove Football Club, for her drive, advocacy and determination to see the Golden Grove Football Club realise its dreams into the future. It was a pleasure to attend the Golden Grove Football Club senior and junior, men's and women's end of season presentation events held recently. Well done to Jordan Woodards, who received the women's A-grade best and fairest award, and to Jess Bedell, who received the best team player award. Well done to Jake Pitman, who received the men's A-grade best and fairest award, and to Nick Preston, who received the best team man award.

I also enjoyed the opportunity to attend the One Tree Hill Soccer Club end of season presentations and annual general meeting held recently. I have enjoyed working with the One Tree Hill Soccer Club president, Nigel Staker. Congratulations to Laura McDonald and David Purdie, who were the 2019 joint recipients of the One Tree Hill Soccer Club's Nigel Robinson Volunteers Award. Congratulations to Glen Tilly, who was awarded club life membership. Glen is a founding member of the club and is still an active member supporting the seniors. Well done to all our sporting clubs in King.

### **FESTA DI MADONNA DI MONTEVERGINE**

**Ms HILDYARD (Reynell) (15:15):** I rise today to speak about a truly remarkable event I recently attended that saw our South Australian Italian community beautifully express and celebrate faith, culture, tradition and connection with one another with family and friends. I was honoured to attend, along with you, Mr Speaker, the Madonna di Montevergine festa, held in Newton at the St Francis of Assisi church on Sunday 29 September. From 9am, an enormous procession made its way from the Annunciation Church to St Francis of Assisi.

After finding a park and running—well, sort of—to catch up to the procession that had just left, my husband and I joined in. We were incredibly moved by the families with multiple generations walking together with linked arms and hands, older people talking about their determination to complete the procession and the community family joined in procession and in prayer, many carrying

intricate and beautiful banners. It was a testament to the strength and connection of the Italian community that a number of other societies attended the procession and took part in the festa, they, too, displaying their banners.

On arriving at St Francis of Assisi, it was incredible to see the industrious activity that was going on: people tending to roasting porchetta, as well as zeppole and pasta being prepared, musicians arriving and, most importantly, people gathering for the mass in honour of Maria Santissima di Montevergine. Father Michael Romeo led the mass in both Italian and English, accompanied by the choir of San Francesco and assisted by various other members of the clergy and community members.

I was deeply moved by how Father Romeo brought to life a vision of the sanctuary of Montevergine in the Campania region, situated on a breathtakingly beautiful mountain. He spoke about the many pilgrims and local people who had travelled to Montevergine to pray, give thanks and reflect. I was particularly struck by his words to the young people of the community about how their parents, grandparents and great-grandparents were amongst those who had climbed up the side of the mountain to the church, often barefoot and sometimes approaching the altar on their knees.

He reminded all of us that the festa was not about just enjoying the zeppole, pasta and porchetta but also about giving thanks to those who courageously lived their lives in a way that enabled younger members of the community to have a range of opportunities to live their best possible life, including here in South Australia. He spoke about the day being an important opportunity to reflect on what is important in our busy lives: family, friendship, kindness and faith, amongst other things. He rightly remarked that the festa was the festa di Montevergine in honour of the Madonna di Montevergine, not the festa of the zeppole.

After a moving mass, thousands gathered to drink and eat together, with food prepared by many volunteers, including the fabulous Dame di Montevergine; to listen to the Maltese Queen of Victories Band, The Sopranos, Armando Masone, Luigi Cirocco and the Italian Choral and Arts Society; to enjoy fireworks; and, most importantly, to enjoy one another's company. My lovely friends from Italian radio and Il Globo were present, broadcasting and reporting on the mass and all aspects of the day. It was a treat to see Rosina, Bianca and many others.

For 64 years, this tradition, this festa, has been brought to life in suburban Adelaide. With its roots firmly planted high on a mountain in the region of Campania in Italia, this festa has grown, flourished and spread its branches all over the world. It has preserved traditions and kept them strong, bringing them to life in local streets whilst also including and welcoming more and more people to celebrate each year, creating new memories and new traditions here and across the globe.

This tradition would not be possible without the dedication and tireless work and leadership of the volunteers, who work all year round to make this happen—people who give money, time, equipment, ideas, their passion and so much more, and people who give their resources so that the funds raised from food and drink can be distributed to various charities.

The concert and so much of the day was presented and made possible by extraordinary South Australian leaders John di Fede, Vince Palumbo and president, Domenico Zollo—gentlemen who, together with all of the St Francis Assisi Catholic community and the broader community, use their leadership to relentlessly serve others, to encourage the leadership of others and to always create a supportive and enduring community family that many can and do always rely on. Today, I say thank you to every person who made this spectacular day happen, for their passion to keep traditions alive and to keep family, friends and our community together.

#### **STRETTON, DR H.**

**Mrs POWER (Elder) (15:20):** Today, I rise to share with the house a very moving project which has come to fruition in my electorate thanks to a wonderful resident, Dr Helena Stretton. I had the pleasure of getting to know Helena after sending her a birthday card congratulating her on her 80<sup>th</sup> birthday. The digitally savvy doctor emailed me in response and shared why this birthday was particularly special for her. As a lover of flowers and trees, Helena's background includes studies in botany and plant pathology at the Waite Agricultural Research Institute.

**Mr Duluk:** In my electorate.

**Mrs POWER:** That is right—in the great member for Waite's electorate. Following a park ranger's call for volunteers, Helena celebrated her 70<sup>th</sup> birthday persuading friends to join her in planting 70 trees. The project was needed to help re-establish native bush, but Helena did not finish there. A decade later, for her 80<sup>th</sup> birthday, she informed me that she was delighted when the Mitcham council agreed to her idea of planting three very carefully selected trees.

Helena's vision was for the three trees to represent our traditional Indigenous landowners and First Peoples, our British settlement and migrants from all around the world. The trees were to be planted in close proximity so that, as they grow, their branches will intermingle and overlap. Dr Stretton had the vision that these trees would be a symbol worthy of reflection by all generations, and those of the future when we are no longer here—a symbol that Indigenous and immigrant people, all Australians, can live happily and thrive together on this land.

Fortunately, Mitcham council supported her vision, and an Australian grey box, an English oak and a Chinese maidenhair fern were planted in Haddington Reserve, Clapham. In our correspondence that followed her birthday card, Helena was so pleased that the trees had been planted, but feared that the meaning would be lost without a plaque explaining their symbolism. As her local member, I was pleased to join Helena on her next mission for her project by supporting her work towards getting a plaque for the trees.

It was wonderful to witness Dr Stretton deliver a moving deputation to the City of Mitcham council in June. Helena referred to the words of Noel Pearson, an Indigenous lawyer and land rights activist, and a source of inspiration for her project. She quoted Noel Pearson, who wrote:

...THREE STORIES MAKE AUSTRALIA:

the Ancient Indigenous Heritage...the British Institutions...and the adorning Gift of Multicultural Migration...

Three stories make us one: Australians.

I am pleased to inform the house that, thanks to Helena's further efforts, the plaque was placed in the reserve. A huge thankyou also to the administrative staff of Mitcham council and the elected members who supported this project. What an amazing and inspiring way for Helena to make such a valuable and insightful contribution to our community, let alone mark her 80<sup>th</sup> birthday. The plaque near the three trees in Haddington Reserve now reads:

These 3 trees

Natives of 3 diverse countries

An Australian Grey Box tree

An English Oak

A Chinese Maiden-hair Fern tree

Have been planted in close proximity,

In the hope they symbolise to future generations

How Indigenous and immigrant peoples

When sharing resources, space and their diversities

Can live happily and thrive,

Together in this Land.

14 April 2019

I encourage everyone in our local community to visit Haddington Reserve and see the plaque for themselves. I wholeheartedly congratulate Dr Helena Stretton on what she has achieved with this project in making her vision a reality. She is an inspiring woman creating an inspiring tribute, through nature, to multiculturalism, harmony and peace in the local community of Elder, our state and our country. To Dr Stretton, I say thank you. Our community is collectively stronger because of individual efforts such as yours.

**Mr HUGHES:** Mr Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

### GILES ELECTORATE

**Mr HUGHES (Giles) (15:26):** I rise today to talk about two related things: one is Liberty Steel and the other is the potential for renewable-based hydrogen production here in South Australia. During the lunch period I was looking at my emails and a new email popped up from Liberty Steel, making an announcement that was potentially a visionary announcement. With any company, I take things a step at a time, but it is good to see a company like Liberty Steel, part of the GFG Group, express a really strong vision for the future.

The heading of the email was 'Liberty Steel plants to merge into one global group, setting sights on carbon-neutral operations by 2030'. There were a number of dot points:

- A single global company—Liberty Steel Group—to be created, consolidating GFG Alliance's steel business into one legal entity

That is an interesting move. The second point was:

- GREENSTEEL strategies to be at the heart of the combined group, including exploration of new environmentally friendly technology such as hydrogen based steel making

Or maybe, more accurately, iron production. Another point was:

- Liberty Steel Group aims to be the world's first carbon neutral steel company by 2030

I was recently on Southern Cross TV in my electorate talking about Whyalla and the potential for renewable-based hydrogen production. I was not doing it in a parochial sense. I actually seriously believe, when you look at comparative advantages around this state, that Whyalla is probably the best equipped community and environ in the state when it comes to looking at hydrogen production using renewables.

I say that for a number of reasons. I notice Cape Hardy keeps hitting the press. Well, there is absolutely nothing down at Cape Hardy when it comes to, for instance, the export of hydrogen or the export of ammonia as a carrier for hydrogen to international markets. When you look at Whyalla, you already have a major hydrocarbon export facility at Port Bonython and you already have a jetty that is able to service mini Capes and the vessels that currently service the hydrocarbon industry.

If you were looking at an export facility in this state, you would pick a community that already had heavy industry, already had an industrial infrastructure, already had national grid connections and two major substations, already had export facilities and already had rail so that you did not have to start from the beginning. I had a chat to Santos, and they are not endorsing any of this. A question is: in terms of the jetty that is currently in place, which is actually a state jetty that \$30-odd million has recently been invested in, would we have the capacity to export, for instance, ammonia as a carrier for hydrogen from that jetty? The answer is, yes, we would be able to do that.

The other interesting element about Whyalla is not just its capacity for export. It is also the potential customer in the form of a steelworks. Hydrogen can be used in a number of different ways in the steel industry, on the steel side of things, in a more ancillary fashion. However, one of the holy grails of the steel industry nationally is to produce iron without having to use coking coal. The steel industry contributes around 2.3 billion tonnes of carbon dioxide a year to the global atmosphere. There is a range of companies now that are incredibly serious about looking at reducing that impact.

It can be done through electric arc furnaces, which can be renewable energy driven, with appropriate storage such as pumped hydro. However, if you are going to move to using that virgin material, using iron ore in a blast furnace without coking coal, hydrogen is an ideal reducing agent. It is a long-term vision, and the Swedes are already moving in that direction. They already have a pilot plant up and running, and they are talking about full commercial production by 2035. It is a direction this state should be going in.

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** Is the Premier interjecting out of his seat? I hope not. The member for Waite.

## DEMENTIA AWARENESS

**Mr DULUK (Waite) (15:31):** Twice in two days I agree with the member for Giles. I rise to speak about dementia, a disease that we all hope never crosses our paths. Unfortunately, the sad reality is that many of us will have to face dementia or will know someone who will be crippled by dementia at some point in our lives, whether it is a loved one or ourselves who fall victim and are inflicted by this disease.

Dementia is a term used to describe the symptoms of a large group of illnesses that cause a progressive decline in a person's functionality. It is characterised by a decline in memory, language, problem-solving and other thinking skills that affect a person's ability to perform everyday activities. Alzheimer's, as many know, is the most common form of dementia. It is prevalent in our community and it is the second leading cause of death in Australia. In Australia, and very much so in South Australia, we have an ageing population, so we need to ensure that we have services in place to adequately care for anyone who has this illness.

Raising awareness assists to remove stigma and allows people an understanding of what someone is going through after a dementia diagnosis. People with dementia deserve to live with meaning and purpose, and we all have a role to play in ensuring that they do. No matter what stage they are at in their life, everyone deserves to be treated with respect and care. People living with dementia, along with vulnerable elderly people, should not be ostracised and should be part of the community. We were all outraged in this place and across the state by the lack of care at the former Oakden facility, which closed in the dying days of the former Labor government.

Since then, SA Health has been working towards implementing recommendations following the release of the Final Report of the Oakden Report Response Plan Oversight Committee. One of the key recommendations was to include the development of a neurobehavioural unit to provide specialist care for people living with the most extreme behavioural and psychological symptoms of dementia. I am proud to say that the neurological unit is being built on the former Ward 18 site at the Repat. It is part of the Marshall Liberal government's commitment to reactivating the Repat.

I was very proud to be part of the announcement of works for the construction and redevelopment of the Older Persons Mental Health Service at the Repat and the creation of South Australia's first dementia village. It was great to be at that launch with the Premier, who I know has been a key part of ensuring the reactivation of the Repat strategy.

Of course, the Minister for Health and Wellbeing in the other place, since the time he was a shadow minister and right up until today and I know well into the future, is going to ensure, together with my federal colleague Nicolle Flint, the federal member for Boothby, that the Repat is reactivated. I really must thank the Morrison federal government for providing much of the funding that is being seen and spent at the Repat site. Unfortunately, my other two colleagues who have been critical in supporting the reactivation of the Repat, the member for Elder and the member for Davenport, could not be there on that occasion.

This was the first significant demolition of works at the Repat as the precinct continues to be revitalised, with construction beginning inside the current C Block building. The C Block building will be the permanent base of the Southern Older Persons Mental Health Service community team. This is the first step towards providing the very best older persons mental health and dementia care in South Australia. The community mental health team is currently operating from a temporary location on site, while the first lot of construction works to refurbish and repurpose C Block is underway.

Families with experience of caring for someone living with extreme forms of dementia were consulted about what service should be included. Having people with lived experience participate in what new facilities are going to look like in South Australia is vitally important. The village has been designed to maintain a sense of self, home and community for people living with this terrible condition. There will be flexible spaces that allow families to be together, good connections between indoor and outdoor spaces and the creation of shared space that supports that safe interaction.

Agreement with the preferred private partner for the dementia village is to be finalised by the end of the year. The Marshall Liberal government is putting the best services possible in place for those living with dementia because we know that it is so important. More importantly, it is so important

for us and for my community that we continue to reactivate the Repat as we do. It is fantastic to see the Repat being used as a hub for caring for those with dementia in our community.

**The SPEAKER:** Someone wants to draw my attention to the state of the house, I believe.

**Dr HARVEY:** Yes, please, sir.

*A quorum having been formed:*

*Parliamentary Procedure*

### VISITORS

**The SPEAKER:** Before calling the Attorney-General, I welcome to parliament the august former member for Finniss, Mr Michael Pengilly. It is great to see you, Your Worship.

*Bills*

### STATUTES AMENDMENT AND REPEAL (CLASSIFICATION OF PUBLICATIONS, FILMS AND COMPUTER GAMES) BILL

*Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:38):** **Obtained leave and** introduced a bill for an act to amend the Classification (Publications, Films and Computer Games) Act 1995 and the Summary Offences Act 1953, to repeal the Classification of Theatrical Performance Act 1978 and for other purposes. Read a first time.

*Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:39):** I move:

That this bill be now read a second time.

It is with pleasure that I introduce this bill, which amends the Classification (Publications, Films and Computer Games) Act 1995, to abolish in the South Australian Classification Council and repeal the Classification of Theatrical Performances Act 1978.

This bill is one of the many measures that the Marshall Liberal government is implementing to ensure that our laws stay current and relevant to contemporary South Australian needs. As some members may know, the Classification (Publications, Films and Computer Games) Act is dealt with under a national scheme, which was implemented by the Commonwealth Classification (Publications Films and Computer Games) Act 1995, which hereinafter I will refer to as the 'commonwealth act'.

The commonwealth act establishes the Classification Board, an independent statutory body which makes classification decisions for films, computer games and certain publications in accordance with the criteria set out in the National Classification Code and Classification Guidelines. The commonwealth act also establishes the Classification Review Board, which can review certain decisions of the Classification Board and make new classification decisions where appropriate.

Each state and territory has enforcement legislation which complements the commonwealth act and which sets out how material may be sold, hired, exhibited, advertised and demonstrated. In South Australia, the classification of publications, film and computer games is governed by the Classification (Publications, Films and Computer Games) Act 1995 (the SA classification act).

Part 2 of the SA Classification Act establishes the South Australian Classification Council. The council is a separate statutory body, in that it may examine and classify a publication, film or computer game, and determine relevant consumer advice. This may be done on the initiative of the council or on the direction of the minister.

South Australia and the Northern Territory are currently the only jurisdictions to maintain a separate body for classification. All other jurisdictions rely on the Commonwealth Classification Board for the handling of complaints and classification decisions. The Classification Board offers the same complaint resolution service as the council. Since it was first established in 1995, the council has classified only 29 items, that is, 24 publications and five films under the SA classification act. A further film was refused classification by the former attorney-general, the Hon. John Rau MP, in 2011.



The council has not made any classification decisions in relation to a publication, film or computer game since 2011, and the council has not met since 2014. In view of this information, I subsequently undertook broad consultation with relevant government industry and advocacy bodies to seek their views on whether the council should be abolished. I am pleased to advise that there was overwhelming support for the bill and the repeal of the council. All submissions received on the bill either indicated their support for reforms or provided a 'no comment' response.

In particular, stakeholders noted that the bill will help to reduce regulatory confusion amongst industry and consumers and bring greater consistency and uniformity to the content classification regime in Australia. The commonwealth Minister for Communications, Cybersecurity and Arts, the Hon. Paul Fletcher MP, has also written to me to express his support for the bill, and he has not identified any issues of concerns with the proposed amendments at a federal level.

In light of the relative inactivity of the council in recent years, and the extensive overlap of functions between the work of the council and the Classification Board under the national scheme, it is therefore the government's view that it is appropriate the council should be abolished. As a result of these amendments, it is intended that all complaints and matters relating to classification of publications, films and computer games will be determined in accordance with the national scheme under the commonwealth act. This will ensure that all material classified for South Australia is assessed by the Commonwealth Classification Board in the same way that material in other states and territories is currently classified and that any consumer advice issued will be consistent across the participating jurisdictions.

In addition to abolishing the council, the bill also repeals the Classification of Theatrical Performances Act 1978 (the theatrical performances act). Under this act the council has powers to review and classify theatrical performances and to impose conditions restricting the publication of advertisements in certain circumstances.

Since the theatrical performances act was first enacted in 1978, the council has only ever classified two theatrical performances and, notably, has not reviewed any theatrical performances since 1997. No other Australian jurisdiction currently regulates the classification of theatrical performances. While the theatrical performances act may have once provided a legitimate benefit to South Australians, it is clear that the act has now long outlived its original purpose and is out of step with contemporary South Australian attitudes. Accordingly, it is the government's view that it is appropriate that the theatrical performances act be repealed.

It is the government's view also that these reforms will create a simpler and more efficient classification process for both consumers and industry alike by avoiding unnecessary duplication, delay and expense. I commend the bill to members and I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of Classification (Publications, Films and Computer Games) Act 1995

4—Amendment of long title

This clause amends the long title to reflect the content of the *Classification (Publications, Films and Computer Games) Act 1995* as amended by this measure.

5—Substitution of section 3

This clause repeals the provision setting out the objects of the Act and substitutes new objects.

3—Objects

Proposed section 3 provides that the objects of the Act are—

- (a) to give effect to the scheme for the classification of publications, films and computer games set out in the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth by—
  - (i) making provision for the enforcement of classification decisions applying in South Australia; and
  - (ii) prohibiting the publication of certain publications, films and computer games; and
- (b) to provide protection against prosecution under laws relating to obscenity, indecency, offensive materials or blasphemy when classified publications, films or computer games are published in accordance with the Act.

#### 6—Amendment of section 4—Interpretation

This clause amends a number of definitions. The changes are consequential on the repeal of Parts 2 and 3 of the Act.

#### 7—Repeal of Parts 2 and 3

This clause repeals Parts 2 and 3 of the Act which established the South Australian Classification Council and set up a State publications, films and computer games classification scheme administered by the Council and the Minister.

#### 8—Amendment of section 28—Exhibition of film in public place

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

#### 9—Amendment of section 37—Sale of films

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

#### 10—Amendment of section 40—Films to bear determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 11—Amendment of section 47—Category 1 restricted publications

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 12—Amendment of section 48—Category 2 restricted publications

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 13—Amendment of section 48A—Sale or delivery of publications contrary to conditions

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

#### 14—Amendment of section 50—Misleading or deceptive markings

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 15—Amendment of section 60—Computer games to bear determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 16—Amendment of section 66—Certain advertisements not to be published

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

#### 17—Amendment of section 72—Advertisement to contain determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 18—Amendment of section 73—Misleading or deceptive advertisements

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

#### 19—Amendment of section 83—Evidence

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

#### 20—Repeal of section 90

The repeal of section 90 is consequential on the repeal of Parts 2 and 3 of the Act.

#### Part 3—Amendment of Summary Offences Act 1953

#### 21—Amendment of section 33—Indecent or offensive material

The amendment to section 33 is consequential on the repeal of Parts 2 and 3 of the *Classification (Publications, Films and Computer Games) Act 1995*.

Part 4—Repeal of Classification of Theatrical Performances Act 1978

22—Repeal of Act

This clause repeals the Classification of Theatrical Performances Act 1978.

Part 5—Transitional provisions

23—Transitional provisions

This clause ensures that members of the South Australian Classification Council will cease to hold office when the repeal of Part 2 of the *Classification (Publications, Films and Computer Games) Act 1995* comes into operation. It also ensures that part-heard processes and proceedings before the Council or the Minister before that repeal takes effect can continue to be dealt with and completed by the Minister after the repeal of Part 2 takes effect.

Debate adjourned on motion of Mr Brown.

## **SUMMARY OFFENCES (TRESPASS ON PRIMARY PRODUCTION PREMISES) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:46):** Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

### *Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:47):** I move:

That this bill be now read a second time.

Today, I introduce a bill that will create a new aggravated offence in the Summary Offences Act 1953, with significant penalties for trespass on primary production premises, and also increase the existing penalties for trespass-related offending on primary production premises.

Across the country, there has been a surge in anti-farm activism. While South Australia has remained somewhat protected from this activism, our farmers have experienced trespass, halting primary production and impacting on their ability to manage their farms. Those who seek to be negligent and damaging to our farmers and primary producers must take responsibility for their actions and their impact on our local farmers and their families.

South Australia's primary industries are a vital part of our state's economy. Spread across the state, South Australia's grain, livestock, horticulture, wine, seafood, forest and dairy sectors are a significant contributor to our exports. Maintaining food safety and product security is integral to SA to grow its competitive advantage in global markets.

Numerically, in 2017-18, primary industries and agribusiness supported 152,000 jobs and contributed \$19.7 billion to the state's economy. Regional South Australia, where many of our primary producers are located, contributes about \$25 billion to the state's economy with just 29 per cent of the state's population. This bill goes a small way to protecting our produce and our growth for a long-term and sustainable future.

Generally speaking, the new aggravated offence in the bill will penalise a person who has entered or who is present on primary production premises for an unlawful purpose or without lawful excuse and, while on the land:

- interferes with, or attempts to interfere with, primary production activities;
- is accompanied by two or more persons;
- does anything that gives rise to a serious risk to the safety of the person or any other person on the premises;
- does anything that involves, or gives rise to a risk of, the introduction, spread or increase of a disease or pest or the contamination of any substance or thing;

- gives rise to any other risk, or kind of risk, related to primary production activities prescribed by the regulations; or
- intentionally causes, or is recklessly indifferent as to whether they cause damage to an operation or activity connected to primary production activities at the premises. Primary production premises in the bill means premises used for the purpose of primary production activities, which itself is defined to mean:
  - agricultural, pastoral, horticultural, viticultural, forestry or apicultural activities;
  - poultry farming, dairy farming or any business that consists of the cultivation of soils, the gathering of crops or the rearing or processing of livestock;
  - commercial fishing, aquaculture or the propagation or harvesting of fish or other aquatic organisms for the purposes of aquaculture; and
  - an activity prescribed by regulation.

The maximum penalty in the bill for the new aggravated trespass offence will be \$10,000 or 12 months' imprisonment (or two years' imprisonment if the trespass is for the commission of an offence punishable by a maximum term of imprisonment of two years or more).

Where a person is found guilty of the new aggravated trespass offence, the court must also award the primary producer compensation against the defendant, except for where exceptional circumstances exist. This is a new requirement under the bill that ensures any commercial loss or damage experienced by the primary producer is appropriately compensated.

Putting the possible loss of primary produce in figures, the overseas export of South Australian food accounted for \$3.97 billion, or 33 per cent of the state's total merchandise exports in 2017-18. Of this \$3.97 billion, field crops accounted for \$2.14 billion, followed by livestock and dairy with \$1.22 billion, horticulture with \$306 million and seafood with \$238 million.

Where the trespass occurs on primary production premises in non-aggravated circumstances, the maximum penalties are \$5,000 or six months imprisonment (or two years' imprisonment where the trespass is for the commission of an offence punishable by a maximum term of imprisonment of two years or more). This fine is double that of the current law.

These penalties are to be contrasted with the existing penalty for the general trespass offence under section 17 of the Summary Offences Act, which is \$2,500 or imprisonment for six months (or two years' imprisonment where the trespass is for the commission of an offence punishable by a maximum term of imprisonment of two years or more). These penalties would not be changed where the trespass occurs on non-primary production premises.

The bill increases the penalty for the related section 17A offence to \$5,000 or imprisonment for six months where the relevant premises are primary production premises—a fine again double that of the law as it currently stands. The bill also increases the maximum penalties for the offences in section 17B, that is, interference with farm gates, and section 17C, disturbing farm animals, which are both currently at \$750.

The bill increases section 17B to \$1,500 and introduces an expiation fee of \$375 for that offence. The section 17B offence is also extended to include removing or disabling a gate on or leading to the land, interference with fences that allows animals to escape confinement and to specify that a gate includes a cattle grid or any other movable thing used to enclose land, including a slip panel or movable fence.

I particularly thank the many groups involved in round tables, led by Primary Industries SA, for their important contribution to ensure that fences and other enclosures were also covered by the bill. The bill provides for a maximum penalty of \$2,500 or a maximum term of imprisonment of six months for the section 17C offence of disturbing farm animals while trespassing. As this involves the elements of causing harm to the animal or loss or inconvenience to the farmer, a proportionally larger penalty is warranted.

South Australia has a global reputation for producing world-leading food and produce for local consumption and international export. While we have remained reasonably protected from

activism and farm disruption, seen increasingly interstate, we must not be complacent. South Australia simply cannot continue to thrive with any major processing, farming or producing disruption. Quite simply, maintaining and growing our farmgate value is crucial to growing South Australia. This cannot be done with the possible implications of activists, outside the course of the Animal Welfare Act, disrupting production and risking biosecurity and animal security.

This is an important reform impacting on each and every South Australian and will lead the nation on work being done with the commonwealth Attorney-General. I look forward to working with the whole parliament to see the speedy passage of this bill for greater protections to be available to our primary producers.

I particularly acknowledge the Minister for Primary Industries, who has worked and is continuing to work on biosecurity risk and development of laws to protect us in the event of that occurring as a result of trespass activity. I also acknowledge the member for Finniss, who has been vigilant in his expression of concern for members of the primary industry community and their families on this matter, and I thank him for his work and contribution particularly. I commend the bill to members and I table a copy of the explanation of clauses.

Debate adjourned on motion of Mr Brown.

### LAND TAX (MISCELLANEOUS) AMENDMENT BILL

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 29 October 2019.)

**Mr BROWN:** Mr Acting Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Mr HUGHES (Giles) (15:58):** I finished up last night talking about land tax just before 12 o'clock. It is always great when you are the last one on just before the parliament is about to adjourn. I was going to say some potentially nice things about the member for Waite and I was hoping he would be here. Now that I have mentioned his name, I am sure he will come rushing down to hear what I have to say about him. He had an interesting potted history on South Australia and Thomas Playford. I did want to respond to that, so I might give him an opportunity to get down here so that he can listen to what I have to say.

Last night, I was talking about the lack of real consultation on this bill. Again and again, we have gone over the number of iterations of this particular bill. There have been five goes at it. An answer to a question today was: who knows what the final form of this bill is going to be? The devil is in the detail of this bill, and I think it is going to be interesting when we go into committee. If this bill is ever enacted—and that is highly doubtful—out there in the real world I am sure there is going to be a smorgasbord of unintended consequences.

When it comes to consultation, the contrast between the two sides is very significant. Reference has been made to the fact that since the election our leader has visited all 47 electorates around South Australia. He was willing to meet with everyone, and he was willing to hear the critiques of when we were in government what we did wrong—and we did things wrong—and what we did right. I would argue that we overwhelmingly did stuff that was right, but we also made mistakes, as all governments do.

There was a willingness to get out there and listen to people. Added to that, we have continued a practice we had in government of having the whole cabinet, in this case the shadow cabinet, go out to regional communities and, without any filters, listen to the people who come along to our forums. Once again, we have been very open to listen both to the criticisms made when we were in government and to the positive things we did. More importantly, we listened to what was important to people and what they thought we should come on board with. As I said, it is all done without any filter or any vetting. Anybody could turn up to question individually each of those shadow cabinet ministers. We were all there collectively, so there was an opportunity for people to have a real go and have some real dialogue.

In the lead-up to the land tax bill coming to this parliament, we were told by the member for Bragg that there had been extensive consultation way before the last election. It would have come as a surprise to the backbenchers to hear that there was extensive consultation on this particular bill because when it was introduced, when it was flagged in the budget, it was like putting a cat amongst the pigeons, and we have had that chaos, that policy on the run, ever since. It has been an interesting process, one that I think we should all reflect upon because it is a lesson in how not to go about a process like this.

It is incredibly important, especially when it comes to important pieces of legislation, that genuine and active consultation occurs. We are aware that a whole range of peak bodies and business bodies have serious reservations about this bill, but it appears as though the Property Council is happy now, so that is okay and we are going to go ahead with it. I just wonder how many backbenchers—and, indeed, maybe some frontbenchers on the other side—are happy with the particular configuration of the bill, which could well change yet again.

We have argued that there has been a \$60 million hit on mum-and-dad investors, independent retirees and small businesses that invest in property. These people invested in a particular way under the rules that existed at the time. Retrospectively, those rules have to be changed, and their investment portfolios and investment vehicles are going to come under some serious threat. We have heard again and again of small investors who are going to be seriously out of pocket as a result of the bill as it now stands if it is enacted.

As I said, this has been chaotic policy on the run. There have been multiple versions of this particular bill, so let's see what the latest process brings us. Let's see what the growing tensions and visions are in those opposite, because I am sure that some people there still have concerns. When you have uncertainty—and this has created uncertainty—when it comes to investment uncertainty is poison.

We should not forget that there is going to be a revaluation as well. The potential consequences of that revaluation for a significant number of small investors—mum-and-dad investors, independent retirees and others—tied to the particular configuration of this bill are probably going to be very serious. Then again, these people are not the top end of town, so apparently they no longer count.

In his contribution on the bill, the member for Waite evoked Thomas Playford, who looks down upon us. I am probably one of the people in this chamber who might well not have been in this state were it not for Thomas Playford. All those years ago, Labor and Liberal politicians introduced the steelworker indenture bill 1958, ultimately setting the framework for the creation of an integrated steelworks in Whyalla, which was commissioned in 1965. As a result, in the late 1960s, my mum and dad came from Ireland, Scotland and England with us young kids to live in Australia. So I have some respect for Thomas Playford.

I find it strange, though, in the context of this bill, for the member for Waite to refer to Thomas Playford. Thomas Playford's mindset was not, 'Let's get government out of the way and let the market rip.' In fact, if anything, he was the opposite. He may well have been a socially conservative individual—and there is nothing wrong with that—but at the same time he was a serious interventionist. Playford did not believe in this nonsense of, 'We'll just get out of the way and let the market rip.' He must have turned in his grave when ETSA was privatised by those opposite, bringing with it the nasty consequences of that privatisation ever since.

It is very interesting to reflect on the capacity to nationalise ETSA. The capacity to do so was provided by the Chifley Labor government, which provided the loans necessary to nationalise the electricity assets in this state. When it comes to Thomas Playford, I think the free marketeers opposite should be a bit careful. The member for Waite went on about history, and how it was all doom and gloom under Labor and all brightness and light under Playford. Well, now the world is a lot more complicated than that.

I acknowledge the good that Liberal governments have done in the past, and I think you should always acknowledge the good things that have happened. A lot of good things happened under Playford and a lot of good things happened under various Labor regimes. The member for Waite also said that the past 16 years have been a disaster. Well, there have been ups and downs.

There have been ups and downs in the economic cycle. I clearly recall that under state Labor unemployment in Whyalla went down to just over 4 per cent, on par with the national unemployment level, which it had not been for many, many years.

It is not for state governments to exclusively claim credit for that sort of stuff. We do have an economic cycle and we do have a particular economic profile in South Australia. The world that was built during those Playford years was dismantled, with the removal of tariffs and a whole range of other things, so we ended up in a far more competitive global market. Of course, the circumstances that South Australia faced were not made any easier by a federal Liberal government that actively encouraged shooing off the car industry.

Imagine if the car industry had hung on for a little bit longer, because when it went the dollar was incredibly strong, which was hammering the manufacturing sector in this state and in Victoria. This state had that disproportionate exposure to manufacturing, as Victoria did to a degree as well, so the impact on our state when it came to being part of a global market was very significant. We have all made adjustments over the years, and that has brought challenges. It brought challenges for Labor—and I could list all the good things that we did, but I will not—and it is going to bring challenges for this government as well, because these challenges are ongoing.

This land tax is not the way to go in this particular direction. When I look at my electorate and the land tax bill, it is not a priority. If I look wider afield when it comes to the land tax bill, none of the primary producers I have met ever bring it up with me. Of course, farms are exempt, but it is not raised as an issue. It is the drought and the lack of support for the drought that are raised as issues.

Last night, the member for Mawson mentioned the impact of the snapper ban on the commercial fishing industry. After an extensive period of consultation, which the member for Mawson was involved in—extensive consultation with the commercial fishing sector—the Labor cabinet came up with a package to assist the industry to restructure. An incredibly important part of that package was the \$20 million buyback of approximately 100 licences and the introduction of additional quotas and zoning, and all of that disappeared.

All of that was scrapped by the current government and now they are scrambling in an ad hoc way to put something in place after doing enormous damage to people who, in the main, probably voted Liberal. None of those people from the commercial fishing sector have raised with me the priority that this government see around this particular tax.

**The Hon. A. PICCOLO:** Deputy Speaker, I call your attention to the state of the house.

*A quorum having been formed:*

**The DEPUTY SPEAKER:** I call on the member for Light.

**The Hon. A. PICCOLO (Light) (16:14):** I rise to debate the land tax bill. In my view, economic insecurity is probably the biggest issue facing the people in my community. It is through this lens that I have approached my assessment of what these land tax changes mean to people living in my community. I have consulted with my community, and I will let their words speak for themselves.

From a statewide industry perspective, I believe the views expressed by the UDIA are moderate, reasonable and reliable. They have been consistent with their views and actions and, as a result, have had a great influence on my thinking from a broad industry perspective. In my view, the statement they issued yesterday provides a balanced approach to the issue. I will quote their statement because I think it is relevant to this debate. The UDIA states:

Yesterday the State Government made an announcement that they have reached an agreement with the Property Council to gain their support for the Land Tax Bill.

The UDIA and other property associations were not consulted on these changes and our key concerns have not been addressed.

These recent changes, which can be described as marginal, favour only the highest thresholds. They do not address the issues of shock to the housing market and investor sentiment. The UDIA remains concerned about:

- The impact(s) on the market and investor sentiment, the State's economy, business confidence and competitiveness of South Australia;

- A land tax regime that is unfair and broken, which is only exacerbated by proposed changes to aggregation;
- The impacts of land tax that are specific to the development industry.

Which, in their view, will do quite a bit of damage. At the local level, I have received submissions from local real estate agents, local accountants, business advisers, lawyers and mum-and-dad investors. As I said, I will allow their submissions to speak for themselves. I will read from the submission of a real estate agent, who spoke on behalf of his cohort of clients. His comments have been edited purely for any necessary words.

I am sure that you will receive many submissions dealing with investment, retirement incomes, etc. However I have had several discussions with people who think this is just a wealth tax and who cares if people have the wherewithal to buy more properties then let them pay super taxes such as these.

This is how they see this tax. They see this tax as a super tax. These are people in small business, who act on behalf of other small businesses in my community. This is their view of the changes to the land tax. He goes on:

These views are ignorant of the actual effects to the housing stock in particular.

I will come back to that because I think the impact of these changes to housing stock is very important. He goes on to say:

It takes 20 to 30 years of consistent application of savings to put together a portfolio of properties, risk borrowing lots of money and hoping that it can be paid off. You make these decisions—

in other words, the investors—

under existing legislation and structure all things according to the laws, both Federally and State.

Again, this is an important issue. They are saying that people have invested in property to prepare for their retirement based on the rules of the day, and now this government wants to change the rules halfway through the game. He continues:

Eventually they are paid for and should provide an alternative to living off the state allowing those who most need it, also to receive benefit—

In other words, this person is saying that by becoming self-funded retirees his clients reduce the burden on the state and therefore the state can look after people who are more in need—

The new land tax changes without quarantining existing investments will have unintended consequences. We do not have many interstate investors as generally they see South Australia as a backwater—

These are his views. They see South Australia as a backwater. That is what these people—

**The Hon. J.A.W. Gardner:** That's the 3.7 per cent tax cuts.

**The Hon. A. PICCOLO:** No, let me finish. They are talking about your proposed laws. This submission is based on your land tax changes. These comments are based purely on the bill I sent to them. I sent them a copy of the bill and your explanatory statements and I said, 'Please provide me with your comments.' I provided no commentary except to say, 'Tell me what you and your clients think of this bill by the Liberal Party.' These are their comments about what you are doing to this state.

It was interesting today that the Premier talked about capital moving interstate. This person is actually in business—unlike the Premier, who is not—and says that this bill is sending capital interstate. As I said, this is—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! There has been quite a bit of banter across the chamber over the last few minutes. It is out of order and I ask the member for Light not to encourage it but to concentrate on delivering his contribution.

**The Hon. A. PICCOLO:** And you will provide me with protection.

**The DEPUTY SPEAKER:** All of that, member for Light, of course. You know that.



**The Hon. A. PICCOLO:** Thank you, Mr Deputy Speaker. This person says that there is no real capital gain so they invest elsewhere. This is a person in my community who advises people on how to invest in property in this state saying that what this land tax proposal will do is dampen investment in property in this state and people will move their money elsewhere. He goes on to say:

The impost of many hundreds of thousands of dollars of extra tax—

This is what will happen; this is part of this bill—

[ignores] the fact that while paying more for these properties, many do not have the excess income to pay the tax will have to sell their investment homes to owner occupiers to get by. That will result in less rental housing stock...

This is a firm that deals with property and advises other investors, particularly in the residential market. These proposed tax changes by the Marshall Liberal government will result in less rental housing stock as the number of available homes to rent shrinks. There will be no new additional places and fewer existing investors in the marketplace. I will come to that point because I think it is very important to explain the impact this tax will have on people who need to rent.

This person went on to say that those who have paid for their properties and are trying to receive an income will sell, as many of them will not have the money from the additional income because of the additional cost to maintain them. He thinks this land tax bill will actually increase homelessness in our state. That is his view. This is a person who has probably voted Liberal most of his life. He probably would not vote for our party. This is what he thinks of your bill. This is your bill. He said:

Ultimately who picks up the problems and the homelessness that this poorly thought out super tax—

And that is how they see it—

has caused...and the negative impact on business and the state, starts to fulfil the interstate investors' view of us.

This is what one particular businessperson in my community thinks of this tax. I will now come to an accountant, because I sent out a copy of the Premier's bill and a copy of the Premier's explanation to all the lawyers, accountants, real estate agents and conveyancers in my electorate. I also put it on my Facebook for general mum-and-dad investors. This is the feedback that I have been getting. The accountant said:

My understanding is that the aggregation will affect some of our clients substantially. This will increase their current land tax bills from one or two thousand dollars to tens of thousands [of dollars].

This is the impact the bill will have on investor clients of this particular accounting firm in Gawler. He goes on to say:

These are not wealthy clients, but merely people that have multiple rental properties (more often residential than commercial). They have received advice to structure their affairs quite legally to minimise their tax (and maximise their wealth), and they are now going to be caught [out by these changes].

In addition, these people do not benefit from the reduction in the land tax given they currently do not own property in any one structure that is caught by the maximum tax rate.

This is a theme, which I will come back to, from a couple of the businesspeople who have responded. They say that what this government is doing is hitting small investors and using that money to allow for deductions for the big end of town, which is something that this government has form on. You might remember the tax for the big banks. This is when the government opposed our bank tax and the royal commission exposed the hypocrisy of the banks' behaviour, which this government, when in opposition, supported.

*An honourable member interjecting:*

**The Hon. A. PICCOLO:** If you are going to make comments, try to be in your seat. In addition, he said:

This increase in cost will have to be passed on to the lessees, and I would suggest, overall will see an increase in rents for residential properties.

This person is an accountant. He is speaking on behalf of his investor clients, and this is what they see to be the implications of these tax changes—an increase in rents and lease prices. The accountant goes on to say:

Personally, it seems a negative on encouraging people to invest in being self-sufficient for their retirement—this is his assessment—

and to be able to provide residential rental accommodation at a reasonable price.

This will send rent prices through the roof. It will not provide for people's retirement. In other words, lose, lose, lose right around, except, of course, the big end of town—some of the Property Council members who this government has done a grubby deal with.

I now come to another person who responded to my email. You might call them a mum-and-dad investor. They own a small bed and breakfast business in Gawler, and this is their story to me:

We are writing to you regarding the Marshall Liberal Governments proposed increases in Land Tax and the unfair way they now propose to collect it.

As a small business we pay our share of income tax, land tax and GST plus other levies and rate taxes to contribute to the economy of the nation. We also have 4 permanent contractors who work for us that also pay their tax contribution.

We set up our portfolio of properties within the legal guidelines as advised by accountants and other advisers at the time of making purchases and this has cost us extra charges over the years to keep these properties in the various entities that they were initially set up in.

It seems now that the Marshall Liberal Government—  
and these are their words—

want to alter the way they collect Land Tax revenue from us and this will result in us paying a much higher rate than previous.

This is how they see themselves. These are their words:

We are only Mum and Dad investors and have worked hard to secure our future so we will not be a burden on the Federal Government come retirement time. We don't expect to get a pension or any other cash handouts because we have tried to secure our future for ourselves.

They go on to say:

We are asking you for support to block any legislation to alter the way Land Tax is collected.

This is from a mum-and-dad investor. Then today—

**The Hon. C.L. Wingard:** How many properties do they have?

**The Hon. A. PICCOLO:** I think they have eight—probably fewer than some of your members.

*Members interjecting:*

**The DEPUTY SPEAKER:** Okay, back to the task at hand. It is all very well to chat across the chamber, but it is not in order, as we have discussed before. Member for Light, you have the call.

**The Hon. A. PICCOLO:** Thank you, Mr Deputy Speaker. Today, I received another late email from a local lawyer, another lawyer—

**Mr Pederick:** That's three.

**The Hon. A. PICCOLO:** Actually, I did consult. Unlike your side, I actually consulted widely. I consulted—

**The DEPUTY SPEAKER:** Member for Light, can you take your seat for a minute. The member for Hammond is called to order. Member for Light, you now have the call and there is no need to respond to any further interjections. We are nearly there.

**The Hon. A. PICCOLO:** Thank you, Mr Deputy Speaker. As I said, unlike those opposite, I actually did consult with my community. I did actually consult with probably what you might call traditional Liberal voters. In fact, probably the people I most consulted with would be traditional Liberal voters, and it is interesting that it is their views that I am expressing today, not the views of those you might call traditional Labor supporters.

These are the views of your support base: small business people, people who invest in their own retirements and their own income. Today, I received an email from a lawyer talking about his clients. I know he is a Liberal supporter because I have actually seen him at the booths at election time handing out how-to-vote cards for Liberal Party candidates. He says that he has noted that yesterday we announced that Labor will be opposing this land tax bill, and he actually fully supports it.

He supports it personally and on behalf of his clients. He supports our action to oppose and to defeat this proposal. He goes on to say that, from his point of view, it is completely unfair and it actually just favours the top end of town. This is from a local legal practice who would probably work with a whole range of clients to set up their own future. He is saying that the small investors are being targeted at the expense of the top end of town.

When you look through all these submissions I have received from people in my community, these are the things that come out. I have actually consulted with my community—and I must confess that I have not consulted with the Property Council. I know that the Liberal Party has done extensive consultation with the Property Council—nobody else, but certainly with the Property Council. When you read these submissions from my constituents, from these people who are actually in business in my community, these are the themes that come out.

First of all, this government are moving the goalposts halfway through the game, which will make it tougher for business. Secondly, it will have a negative impact on housing stock. In their view, this will have a negative impact on the provision of housing and the development of housing, both for rental purposes and new housing. It will have a negative impact on new housing development. It will increase rents for people who need to rent and cannot afford to buy a home. It will increase rents because these people say, 'If we have to pay the extra tax, we will increase the rent to recover the additional tax that we are going to pay.'

It will increase the cost of living for those who can least afford it. It will have a negative impact on retirement incomes. A number of people have said that this additional tax will have a negative impact on their retirement income. This is their view: it will punish those who have worked hard and saved; it removes the incentive for people to become self-sufficient; it has a negative impact on investment and business confidence; it will drive investment interstate; it has a negative impact on business incomes because it raises business costs; it hits mum-and-dad investors for six; and it will damage the local economy. These are their words, not mine. This is a group of people who run businesses and who advise other businesses in my community.

The most important issue facing Australians today is economic insecurity. This bill increases that level of insecurity in our community. When we have economic insecurity, people are fearful about the economic future for themselves and their families. Economic insecurity drives most behaviours in our community, including those involving the environment. Economic insecurity drives people's reluctance to spend and invest. Without investment, we do not have job growth, and that further fuels economic insecurity. This is the product of this bill. For these reasons, and because of the views expressed by people in my community, I will not be supporting these proposed land tax changes.

The primary reason for opposing the Marshall Liberal government's proposed changes is that they will have a negative impact on jobs. Scores of small businesses have told me that these land tax hikes will have a devastating impact on their bottom line, which will inevitably cost jobs and limit their ability to create new jobs in the future. This would compound South Australia's unemployment problem at a time when the jobless rate has increased from 5.6 per cent to 6.3 per cent since the election. Construction work is down 5 per cent over the past year and housing finance commitments are down 3.2 per cent.

I know that the Premier has expressed the view that the growing unemployment rate in this state is not an issue, that it is not a problem. I beg to differ. Only a few weeks ago, a woman came into my electorate office to explain to me the impact of unemployment on her partner. It has cost them their relationship. The fact was that he had worked for many years but had now lost his job as a result of privatisation—another favourite economic lever of the Liberal Party, privatisation—and how it had devastated him and made a person who looked forward to going to work, with a positive

view of the future for him and his family, to someone with a view that led to the breakdown of the relationship.

This government have no idea what impact these changes will have on ordinary people. If they did, they would not be doing what they are doing. It is interesting to note that they actually use the basis of fairness to support this proposal. If it is about fairness, they would have supported our bank tax and say that those people with a greater ability should make a greater contribution, but they opposed that tax.

Interestingly enough, this government has failed numerous times to provide the modelling that underpins this bill. That is because I do not think they want to release that information because it damages those small investors, those mum-and-dad investors in my community and, for those reasons, I will oppose it.

**Mr BOYER (Wright) (16:34):** I, too, rise to voice my opposition to the Land Tax (Miscellaneous) Amendment Bill. I think it was the member for Kaurua, in his comments yesterday, who made the observation that 'miscellaneous' was an interesting word to include in the title of the bill. It may be apt because it actually covers myriad sins. I think 'miscellaneous' is a word we use to cover collectively a bunch of things that have no coherent thread whatsoever through them. In that sense, I think 'miscellaneous' is right on the money in terms of the bill we have before us today.

Much ground has already been covered by those who have spoken before me about how it is that we come to be where we are today. I do not intend to go over all that ground again. Rather, I would like to use this time to focus on the disunity opposite in regard to the bill that continues to plague the government. That disunity may have been contained at the eleventh hour on Monday with a fifth iteration of the bill, but anyone who was here watching proceedings yesterday or today would know that that disunity is barely contained.

In fact, sitting where I do in this place and having the opportunity to watch the faces on the government's backbench at length, it reminded me a little bit of my children's toy cupboard after we ask them to clean up their room. All the stuff they do not want you to see has been hurriedly picked up and hidden from view, but if we were to open that cupboard just a tiny crack it would all explode back into view. It is all still there; it is just barely contained behind the cupboard door. Of course, what the Premier has so desperately tried to project in this place this week is a sense of cohesion and a sense of jubilation, even.

He wanted his own backbenchers to believe that this was a triumph of consultation and a triumph of compromise. He wanted his party room to believe that he had found a pathway through all the dissent and delivered a bill that would receive unanimous adulation. But here is the thing: when they are with you, you do not spend all your time on your feet directing remarks their way. When they are with you, there is no need to rally the backbench.

I am sure what the Premier saw this week when he looked over his shoulder, which I think he did more than he has done on any other occasion during the time I have been a member of this place, gave him absolutely no confidence and no comfort at all. There was no sense of jubilation. There were lots of downcast eyes and there were members pretending to be busy on their phones, but certainly there was no sense of relief, no sense of victory. In fact, it all looked pretty flat.

**The Hon. A. Koutsantonis:** No eye contact.

**Mr BOYER:** No eye contact, exactly right—downcast eyes, pretending to look busy. There were a few furtive sideways glances after a few comments were made by people who may not have necessarily been agreeing with or sharing the Premier's enthusiasm. It looked flat. It did not look like a team that had just had a win. The Minister for Child Protection was trying to stay awake, the Minister for Environment was trying to save his own political skin and the Minister for Primary Industries was so off his game he even forgot his own catchphrase.

There is a very simple reason for the depressed state of the government in this place. The process that has led to the bill before us now, land tax 5.0 or 'land tax revisited'—I heard someone earlier refer to it as 'land tax genesis', which I thought was very clever—has been so shambolic, so poorly communicated and so devoid of any grassroots support that the truth of the matter is that

those opposite are actually just as confused as the South Australian public about where they have landed.

I accept that by their very nature issues around taxation are complex. But when you add to that the inability of the Premier to get agreement from his party room on land tax version 1, otherwise known as 'land tax origins', and the subsequent four rewrites of that bill, then what you have is a real mess.

**The Hon. A. Koutsantonis:** A new hope.

**Mr BOYER:** A new hope. I do not think we have got to a new hope yet. What you actually have here now, five versions deep into this debate on land tax, is the worst-case scenario for a government because they have not communicated the problem, they have not communicated the solution and they have a team that does not agree on what the solution is anyway. Anyone who has been around politics for even just a little while would know that that is the worst-case scenario for a government.

Then you add into that mix some really unsightly spats on social media with key stakeholders—Liberal Party donors, Liberal Party members—and what starts bubbling to the surface are some really legitimate questions about who these changes actually benefit because people are so confused. People on the opposite side of this house, now five versions deep into this bill, are also confused about what it is they are delivering and to whom they are delivering it.

It did cross my mind that the government was trying to use the Property Council as a bit of straw man, a clever kind of artifice that would enable the government to appear as though it was being held to account, and willing to make genuine concessions, and similarly allow the Property Council to posture to its membership that it had delivered those concessions to them. But then the Property Council inexplicably rolled over at the eleventh hour and let Rob Lucas tickle their tummies.

What we have before us today is a bill that nobody really seems happy with. It felt a bit like a badly fixed fight, where the boxer who has been paid off to take a fall flops a bit easily and a bit too early and the whole crowd gets a sense that this is all just for show. The public are amazing and they can pick up on that kind of thing. We do not give them enough credit. They can smell when it is a bit off. We had weeks and months of what we now know is a staged fight between the Treasurer and Daniel Gannon from the Property Council. Then, at the eleventh hour, there is a photo of the two of them enjoying a macchiato somewhere in the city, staring deeply into each other's eyes and talking about the old days.

However, I do accept that there are some winners, and I can only assume that the price for the flop by the Property Council was securing the preselection of Mr Gannon, although I am not sure if that is going to be with the real Liberal Party or just the regular Liberal Party. He might be hedging his bets. It seems to be a skill. The Treasurer will also be happy because what we have here before us—and let's call it for what it actually is—is a revenue measure, and treasurers love revenue measures. Even this Treasurer, who had us all believe before the last state election, and many state elections he has been a part of before then, that new taxes and more debt were like kryptonite to this Liberal government. But here we are.

**Ms Stinson:** They love it.

**Mr BOYER:** They love it. Just 20 months on and state debt is going up and we have before us right now proposed changes to taxation that will result in more revenue coming into government coffers. What about all those promises made by the Premier during his many speeches on land tax reform? The Premier claimed that his government's bill would boost business and consumer confidence. The evidence shows the opposite. He claimed that it would create jobs. Again, the evidence shows the opposite. He also told us that it would put more money into the pockets of hardworking South Australians, but still today has refused to provide any evidence to back up that claim.

The Premier did make this rather prophetic comment during debate on the proposed bank tax in 2017. He said, and I quote:

The new taxes will only serve to undermine confidence and make the situation harder for families, business and employers.

Well, he got that one right, and on this count we have some pretty considerable evidence. In the 4½ months since the state budget, business confidence has bottomed out. In fact, the ANZ/Property Council Survey showed that business confidence in South Australia had the biggest drop in the country. That index went from 144 in June 2019 to 101 in October. I understand that that drop of 43 points is the largest drop for any state in the history of that survey since it commenced in 2011. That is significant. That cannot be ignored.

When Daniel Gannon from the Property Council was asked why he thought business confidence had tanked, he blamed the proposed land tax reforms. He said they were taking a bulldozer to business confidence, which brings me to the fundamental reason we oppose the bill—and this point has been made by all the speakers who have come before me on this side of the house—and that is jobs.

The member for Croydon has conducted what I suspect is probably the most thorough consultation carried out by a leader of the opposition on these proposed changes. That consultation has told us over and over again that land tax hikes for small businesses will have a devastating effect on their bottom line. Those small businesses will respond to that hike in the only way they can: they will have to reduce their costs. That will mean either retrenching staff or, at the very least, not taking on new staff—no more hiring.

The seat of Wright, which I proudly represent in this place, now encompasses Salisbury South, which is almost exclusively businesses. Some are big, famous South Australian businesses, such as Bickford's and R.M. Williams, but aside from those they are almost exclusively small businesses. This approach from the Marshall government really flies in the face of all their rhetoric before and after the election about how they would support small businesses such as those residing in Salisbury South.

That rhetoric usually takes the shape of catchphrases or slogans, of which this government is very fond. Some good examples are: 'Small business is the engine room of the economy,' 'Small business underpins our state's economy,' and 'Small businesses are the backbone of our state's economy.' But the changes proposed in the bill show that those kinds of statements really are only rhetoric.

Although this Premier is very fond of telling us how his government is going to take the handbrake off the economy, for many small and family businesses, such as those that operate in Salisbury South in the north and north-eastern suburbs of Adelaide, these changes to the state's land tax regime are actually going to act as a handbrake on employment. Of course, this will only compound South Australia's unemployment problem at a time when the jobless rate has increased from 5.6 per cent to 6.3 per cent since the election, construction work is down 5.2 per cent over the past year and housing finance commitments are down 3.2 per cent. It is the worst possible time to introduce any disincentive for small businesses to employ new people.

What about the effect on the rental market? This is a government that talked a really big game before the state election about the burden of electricity prices and the cost of living but has no qualms about introducing a revenue measure that will be passed all the way down the line to the low income earner renting property. It does not take a genius to work out how landlords will respond to a higher land tax bill: rents will go up. The cost of the changes proposed in the bill will be passed on to renters. This will mean that lower income earners living in rental properties will be hit hard, potentially driving some of them into a public housing system that is already overstretched.

How did it come to this? These changes were rushed into the state budget at the last minute. There were inaccurate costings and no consultation. Those opposite have held five different positions on land tax so far. I suspect that the Premier may be confused about what makes a good decision-maker. I think it is quality over quantity. Just because you have made five different decisions on a bill does not mean you are a good decision-maker.

By contrast, the opposition has undertaken a considered consultation process, a lengthy consultation process, that has involved our leader, the member for Croydon, fronting the South Australian public face to face, giving them the opportunity to ask any questions they want and making himself available to them. He did all the things that this government avoided doing, and we now know

why. Based on that consultation, we cannot support these unfair land tax hikes, which are going to hurt local jobs, hurt small businesses and drive up rents.

Before the state election, this Premier promised lower costs and better services; instead, we are getting higher costs. We said that we would be a constructive opposition, and we have been, but we also said that if this Liberal government sought to introduce measures that would hurt working people, families and small businesses, then they would not have our support. I know that the people in the north-eastern suburbs and the people of Wright who elected me to this position would expect me to stand up for them in debates like this. They are confused—as I think we all are at this point—about what the Marshall Liberal government is now trying to deliver. We will keep our word.

Let's not forget that today, when the Premier was asked whether he could rule out a sixth version of this land tax bill, which I am calling 'Land tax: the next generation', he refused to do so. There have been five iterations of this bill so far, with possibly another one to go. If the five versions that we have seen so far in a pretty short period of time are anything to go by, we know what they will be.

They will be like the one before us today. They will be divisive, they will be destructive and they will be unfair. They will put unfair pressure on small businesses, vulnerable households and family businesses. They will act as a handbrake on employment in this state, and all at a time when we have seen unemployment in South Australia jump to 6.3 per cent since the state election. For those reasons, we oppose this bill and we intend to keep our word.

**The Hon. A. KOUTSANTONIS:** Sir, I draw your attention to the state of the house.

*A quorum having been formed:*

**Ms STINSON (Badcoe) (16:53):** I rise to speak on the fifth incarnation of the government's land tax bill and join with my colleagues on this side to oppose it. Despite what the government might now be working overtime to spin, these changes to our land tax system represent a tax hit on thousands of landowners in South Australia—in particular, people who have worked hard to invest in their own futures.

This is a tax hit on people who had plans for a self-funded retirement, people who are doing the hard yards and giving up weekends or working two jobs to buy investment properties to secure their family's financial future, new parents trying to forge their way in the world, and postwar migrants who have invested in bricks and mortar.

This tax hit is from a party that has long repeated a low tax mantra, a party that talked about lower costs and lower taxes, yet has found that its propensity for overpromising in opposition has led to not only underdelivering in government but breaking key promises even to its own voter base. The lower taxes mantra is sounding pretty hollow and is being replaced with the howls of loyal Liberal voters crying foul.

Coming into this place I did not think I would be hosting so many forums with so many Liberal voters, first on school zones and now on land tax. For me, the question with this bill is a matter of fairness, and balancing that has had to be carefully thought through. I do understand the government's argument around restructuring aggregation, and really that is a major sticking point for many people who have raised the issue with me. However, when we look at how that is applied and the unfair result, that is a cause for concern in my community.

Another facet that we as the Labor Party examine with all economic and financial reforms is jobs: will this build jobs or risk them? On that front, too, this policy has been found wanting. These are not easy decisions. There are numbers to be balanced and views and experiences to be considered. On this side, we have gone out and asked people what they think of these changes and how they will be affected. We have then gone through and thoroughly debated the merits among our team and announced our unified position—one single unified position.

For those opposite, a single unified position is of course a mirage that they repeatedly find out of their grasp. When this proposal was first put out there by the government, I have to say I was unsure about its impact on the people in my electorate, so I was pleased that we have a strong leader

who put together a plan to go out into our communities in an organised and measured way to invite people to tell us what they thought.

The presentations put forward by my colleagues, particularly by the shadow treasurer (hopefully the next treasurer of the state) were measured, detailed and without any sort of political bias. They just told it as it was. There were simple screens of information for people who wanted to know what this meant for them. We did not know what people would say when we embarked upon this. We did not know if anyone would turn up or even if they would talk to us, but it turns out we need not have worried about that.

I have been to two of those community forums nearest to my electorate at Goodwood and Lockleys, and about 600 people attended in total. I have to say that, along with looking at the policy detail, hearing the stories directly from people in my area has been instrumental on where I have arrived with this bill. To put a face to the numbers on a page is a valuable, informative and moving exercise. I say thank you to all those who took time out of their busy lives to come along and help us to understand the impact and make a decision we feel is in the interests of South Australians.

I have to say that when I hosted the community forum at Goodwood I did not anticipate the level of emotion and, indeed, grief at the proposed changes. Man after man and woman after woman lined up to have their say. While there was the occasional question, most people were very well informed about the details of the land tax changes, or at least at that time the fourth version that the Liberal government had put forward. They came with typed speech notes, with figures and diagrams drawn on pages and with legal and financial advice to hand. They were keen to share with us the impact this tax hike would have on them and they were keen to persuade us that this is bad law.

Time and time again people begged us to oppose this bill. They told us frankly that they had never voted Labor. Some pledged to vote Labor if we opposed this bill, telling us that they felt abandoned by the party they had loyally followed, even donated to, saying they had hoped for a better deal under a Liberal government but have found they have been left worse off. One man I spoke with at the Goodwood forum even asked me for a Labor Party membership form and has since joined the Labor Party, and of course I hope many more follow him.

**Mr Boyer:** Wow!

**Ms STINSON:** Wow, indeed. There were some key messages from my electorate, phrases that I heard again and again at the different forums and also when I have been talking with people at schools, sports clubs and even at my local centre when I have been doing shopping.

I will run you through a few of those phrases I have heard more than a few times—first, 'We are not tax cheats.' There has been white hot anger at the forums in response to the Treasurer labelling landowners as 'tax cheats'. People quite furiously explained to us that they have played by the rules. They have not cheated anyone. They have used the laws, very well-known laws, to structure their financial affairs in the best way they could and within the law. To say that people have found the accusation offensive is an understatement. It is clearly a slur that many are unlikely to forget in a hurry. At every forum I went to, this message was repeated again and again: 'We are not tax cheats.'

Another message—and this is one that is probably particular to my electorate and also the electorate of West Torrens—is the comment that this is just like the school zone changes all over again. It has not escaped residents in Badcoe that this situation shares some common ground with another injustice in my area: the changing of school zones. The two are obviously unrelated policy areas, but when you think about it it is not too much of a stretch. I can see why people are seeing the Liberals impose these tax changes on them, these land tax changes changing the rules, and they are saying, 'Well, hang on, this has already happened to me. I played by another set of rules, that of school zones, and this new Liberal government has pulled the rug out from me on that as well.'

The first similarity is that this is a significant policy that was not disclosed before the election but then imposed upon people after the election. It is a broken promise to tell parents that you are providing better services when you are actually removing access to their local school, just like it is a broken promise to tell people that you are lowering costs when you are slapping them with a huge tax bill.



The second similarity is that this is a situation where the rules are suddenly changed. The rug is pulled out from under people who had made serious financial decisions based on a firm and well-known policy position, leaving people with limited options and in a financially worse off position. The third similarity is the accusation from the government that people have been cheating or doing the wrong thing, when they have been playing by the rules. People are no more breaking the law by setting up a trust than they are by buying a house in a new school zone.

The fourth similarity is that of course on both these issues there has been a complete lack of consultation or will to listen to everyday people and there has been no capacity, once announcing the policy, to entertain any transitional arrangements that might ameliorate the pain for people in some way. So, whether it is privatising public transport, imposing a bin tax, axing the Fund My Neighbourhood fund, changing the school zone, shutting down our nearest Service SA or bringing in a harsh new land taxes, it is becoming pretty standard for people in my area to feel aggrieved by the sudden cuts and broken promises of this government.

Isn't that a sad state of affairs? We are only 18 months into this government, yet people in an inner city marginal seat do not even expect the government to do anything positive. They now expect this government to break their promises because they have done it so many times in relation to serious financial decisions that people in my area have made.

The next comment I have heard quite a bit, and probably not one I was expecting to hear, is, 'I rent and I'm worried too.' I was surprised to hear from renters in my area, many in affordable private rentals, who are opposed to this change because they fear rent hikes. Badcoe is a pretty mixed electorate. There are houses selling for over \$1.3 million in Millswood, while just around the corner there are families in social housing or low rent flats and, of course, there is everything in between. That means that, along with investors and owners of multiple properties, there are also those in my area doing it much tougher, and their fears of rent rises are well founded.

At the Goodwood forum, one landlord talked about how he really gets along with his tenants and he does not want to make life any more difficult for them as low income earners by boosting their pretty reasonable rent, but currently he is paying a land tax bill of \$4,000 and under the changes that will rocket up to \$23,000. He has calculated that that will mean he needs to put up the rent at each property by \$80 a week to meet his new and much higher land tax obligations, or he can sell his properties, which are currently providing housing for 11 low income earners. Clearly, that is not a state of affairs that we on this side of the house can put up with.

Another comment I have heard is, 'We will just sell up and invest interstate.' Several investors in the area, including some people I am quite close friends with, have told me that they will simply sell their South Australian properties and buy interstate if these changes are brought in. I have also had quite a lot of people fearing a slump in the market from this change. This is the big one, the big comment that we are hearing again and again: 'I did the hard yards to save for my own self-funded retirement.' By far and away the most common cry I have heard is from people who have sacrificed so much in their personal, family and work lives to be able to afford to invest in the Australian dream of home ownership.

They have invested to allow themselves a self-funded retirement. They have invested in order to provide a home for their children or even to provide an inheritance for their spouse and loved ones. Many of the people making this argument in my electorate are postwar migrants and many are also recent arrivals, people who have believed in the value of bricks and mortar as an investment strategy and people who did this according to the rules. I will give you a few examples of the impact from my electorate.

On Anzac Highway at Everard Park, there is a low cost motel called the Capri Lodge Motel. It provides affordable lodging for people who are being treated at the nearby Ashford Hospital or who are visiting loved ones who are there. The owners are now facing a huge land tax bill. They have no idea how they are going to meet that land tax bill. Last year, they were paying \$9,537 in land tax. This year, it is going to be \$17,854. These people are not well off. This is their one and only business, and it is also a business that provides a really important community service in my area, a place where people can stay when they need it most and a place that is really affordable. Now they have to consider selling up or drastically increasing the otherwise very affordable nightly rates.

Kosta came along to the Goodwood forum. He was warmly supported by the crowd as he shed tears telling his story, and I have to say that his story really moved me. I was not expecting to turn up to a community forum and feel my heart tugged like that as a man in his 30s told his story about his taxation situation. But, of course, it is not just about tax, is it? It is about people's lives. Costa is a self-employed business owner and he is starting a young family. He has one little one and another one on the way. His wife is heavily pregnant, and she has gone on leave and she does not have any paid leave.

The plan was to save up money and invest in property and have something to sustain them moving forward. He employs numerous people and puts his own capital into the business. It will cost him an extra \$15,000 a year because of the way he has set himself up, which is according to the existing rules. Costa says that he will have to sell his properties, likely at a loss due to low growth, and he is already eating into his savings. As I said, this was a grown man who was shedding tears as he was describing the situation for him and his wife and, to be honest, that is enough to make anyone cry.

I got a phone call from Adam, who is from Keswick and who is now facing a \$20,000 land tax bill. He is a tradie and he is married with two kids. Adam, good on him, owns five domestic homes and he has two commercial properties. He is a tradie and he has acquired those commercial properties as part of his work, and he has done really well. He told me that he started saving when he was just 17 years old. He did not get any money from his parents. He just started saving from the age of 17.

He was really clever and he got advice, and he structured his affairs in a way that enabled him to own five domestic investment properties and those two commercial properties. Now, because of these changes and because of that extra \$20,000 land tax bill, he is going to need to sell his properties. He does not have any other choice. Not only that, but he also listed off to me his relatives who are each in a similar situation; in fact, some are even worse.

I have also been made aware from one of our forums of a builder who has called a halt to a townhouse development in my electorate. As the person who raised this said, that is 12 cabinetmakers, 12 plumbing jobs, 12 carpet-laying jobs, 12 tiling jobs, and so on, and so on that are now lost because this project has been put on hold as the developer does not think that they will actually be able to finish it with the new land tax arrangements.

Thinking of all those jobs, it is absolutely horrible to consider what losing that volume of work means for those tradies and for their families, and our unemployment rate is not so strong that we can simply give away jobs. As I said, jobs are the number one consideration for this side of the house when evaluating this policy, and clearly when you look at these examples it fails.

While some people are yet to know the true dollar figure of these land tax changes, for some of my constituents, those who live in the City of Unley, the calculation is a little more exact because people in that area have already gone through the land revaluation process. Many of them now know the extent of the increase on the value of their properties, and for many it has made for some pretty scary figures in terms of calculating what they will now owe.

I have listened to the arguments of people who have said to me that Labor should not let this bill go through. Some have advanced the argument that greater revenue—and that is what this is, revenue raising—could be spent on helping vulnerable people in our community to get greater support and live easier lives, and of course I agree with that objective. SACOSS has advanced that argument, as have many individuals in my area I come into contact with by virtue of my work in child protection and arts.

However, the thing is that when I have said to those people, 'Okay, well, if the Liberal government does reap in all this money, do you expect the Treasurer then to spend that money on social justice initiatives?' every single one of them has answered no. They know that that is not a priority for the Liberal government. They know that that money is simply going to be scooped up and that it will not be spent on social justice initiatives. There is no expectation that this government will suddenly refund the programs it has so cruelly axed. The land tax revenue is plainly not going to re-employing the 59 financial counsellors or restoring the cuts imposed on the arts.

At the end of the day, I am pretty sick of this government promising one thing and doing another. I am pretty sick of the rules getting changed under people's feet and then people in my electorate being labelled as cheats. I am pretty sick of the lack of consultation when it comes to the biggest financial decision many of them will ever make—the purchase of a property. I am pretty sick of broken promises, and people in my electorate are pretty sick of it, too, and that is why I am opposing this bill.

**The Hon. A. KOUTSANTONIS:** Mr Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Ms WORTLEY (Torrens) (17:15):** I rise to speak on the Land Tax (Miscellaneous) Amendment Bill. When the Marshall Liberal government announced its intention in the 2019-20 state budget to retrospectively change tax laws, it served a massive hit to business confidence in South Australia. It also resulted in many families, seniors, employers, businesses and workers facing uncertain futures.

Labor did not instantly jump on board, nor did we automatically oppose it. We wanted more information. There were inaccurate costings, there was no modelling and, in fact, there appeared to be almost no consultation. A few weeks ago, along with some of my colleagues, I attended a forum at the Mache Club with the Leader of the Opposition. Throughout the evening we heard from men and women who came up to the microphone to tell their story.

We heard in this chamber from the shadow attorney-general about a gentleman who spoke about working hard week after week for years, including weekends, missing out on watching his son play soccer and justifying it to himself and to his family because he was working hard to secure his family's future. He spoke about how he taught his children that hard work and putting in those extra hours pays off. He also told those gathered at the Marche Club that evening that he was going to go home that night and tell his children that hard work and making sacrifices does not pay off. That is how badly he felt about these proposed changes.

Generation after generation of hardworking South Australians have played by the rules. They have done everything expected of them. They have worked hard, paid their taxes and made long-term investments for their future. Many are new migrants who packed up a few of their most treasured possessions and migrated to Australia in the fifties and sixties to make a new life, a better life for themselves and for their children. They worked hard and saved and invested in property, in bricks and mortar, to secure their future. Many of them started up small businesses. Today, many are feeling tricked, betrayed and angry.

Today, I spoke to a resident, Maria, who is of Italian heritage, who told me that for 40 years both she and her husband worked hard, saved and invested in properties to secure their future. She had also worked hard maintaining the rental properties and told me that they have never really taken a family holiday. She felt so passionate about the proposed land tax changes that she came to my office last week and that is why today, when I returned her call, she wanted to spend time telling me about how she felt.

Maria calculated that the land tax hike would cost her and her 86-year-old husband \$35,000 a year. She said that they spend just over \$200 a month on medication, and they also help to support her mother, who is in her 90s. They recently had to secure the services of a letting agent because Maria is no longer able to do that work as most of her time is spent looking after her husband and helping out with her mother.

She knew that I was going to speak about this in the chamber and she wanted me to say that they have never been a burden on government, and that they have always been self-supporting. The tenants in their rental properties are young families who find it hard to make ends meet. Maria said that they often get behind with their rent, but they cannot put them out on the street and they allow them extra time to pay and catch up.

She said it was awful when only last week she had to go to the two families with young children and explain to them that while they can cover the rent getting behind at the moment, if the changes to the land tax get through, then they will no longer be in a position to do so. They will not

be in a position to help them in this way. I asked her what the options would be. She said that she could not put the rent up for this family because if she put the rent up they would not be able to afford it (they can barely afford it now) and their only option would be to ask these people to leave and put in new tenants, or they would have to sell their property because with the added burden they just would not be able to afford it.

Maria sounded despondent when asking me not to support the bill, saying she could see no hope if it were passed. She told me that this has caused so much stress and will impact so badly on so many people she has spoken to and that they are saying they will never, ever forget what the Liberals have put them through. She told me that they did not go to the election with this policy. If they had, many of her family and friends would not have voted for them.

I do not know for sure, but I am guessing that these people are generally Liberal voters and, according to Maria, they no longer will be. And the reason? Because as a result of the Marshall Liberal government's land tax changes many of them will be financially worse off. They will not only be financially worse off but they will feel insecure and uncertain about what the future holds. This came across at the forum we had at the Marche Club.

There were so many people there talking about the uncertainty, that they did not know what lay ahead for the future and that they thought they had put away for their future. It was in the time before superannuation that many of them started saving their money and investing in property so that they would be able to be self-supporting in retirement. Another resident I shall refer to as Anne wrote to me and said:

My husband and I are completely dismayed at the proposed changes to the calculation of Land Tax in South Australia. Our new anticipated Land Tax will so severely reduce our income that we will be forced to sell property in South Australia and [we will have to] invest elsewhere...

For self-funded retirees who have worked hard to become financially independent, the ownership of more than one property has in many cases become a necessity. Owning one rental property may exclude the investor from eligibility for the Age Pension, but owning just one investment property may not provide sufficient income for an adequate standard of living. This applies in our own case as my husband does not have sufficient superannuation to support us without the added income provided by our investment properties...

As our properties offer accommodation at the lower end of the rental market scale, people on government pensions or lower incomes have been our main tenants over the years. If this proposed Land Tax increase goes ahead, they will be subjected to significantly higher rents which they will barely be able to afford, or be forced to leave when we are forced to sell. This will result in a diminishing pool of low-rental accommodation when other investors are forced to do the same.

When the Government has got its figures for its expected returns from this measure so wrong and has had to make continual readjustments, how can we believe that it really knows what it is doing and has considered what the likely repercussions of its actions will be?...We live very modestly in a three-bedroom house which we have occupied since 1976 (no refurbishments, no renovations, no extensions)...We have worked hard to purchase and maintain our rental properties. I have painted interiors six times...the last time being in 2014 when I was 71, including two coats for both the interior and exterior; I have sewed complete sets of curtains for all rooms for five properties; and I have cleaned the properties myself numerous times when tenants had vacated them. My husband and I continue to manage the properties ourselves, including preparation of tax returns. How can we be fair targets for these proposed Land Tax increases?

Please do not support this measure, and vote it down when it is presented to the Parliament. It is ill-thought-out and its negative effects are far too great on individuals and the State as a whole.

During the lead-up to the 2018 election, we heard nothing from the Premier about aggregating property interest to bring untaxed properties into the tax regime. We heard nothing from the Premier about shifting the goalposts, leaving thousands worse off. So what are we faced with now? Broken promises by the Marshall Liberal government that will, if this bill is passed, have a significant impact on the way some of these families will live their lives, not just today but for years ahead.

It also impacts on the way they feel, the way they think about the lives they have lived and the things that they have done: working so hard, missing out on family holidays, putting money away, making personal sacrifices—all for what? That is the position they are putting to me.

Land tax hikes on some property owners will in turn result in rent increases. Again, those who can least afford it, those in the lower income bracket will also bear the brunt, putting even more pressure on the public housing system. We will see significant pressure on small business,

particularly in cases where an increase in land tax will also lead to an increase in rent and the flow-on effect of increased cost of living.

I want to refer to a submission to YourSay, a public place for people to have a say about the land tax. This person writes:

I am writing this submission to express how anxious, depressed and disheartened I am feeling about these new land tax reforms and the effect they will have on my family and the countless other families, individuals and businesses in this State. I feel the future of property investing in this State is so bleak and uncertain. I was once so positive about investing in property but now I lay wide awake at night worrying about my family's financial future and whether all our hard work has been in vain.

I am one half of a mum and dad investor with three children ranging from ages 11 to 15 years. We have a mortgage...several in fact. In the whole scheme of things, we are merely two small fish in the big ocean of property owners and investors but we have worked so damn hard to get to where we are and want to know that our concerns actually mean something to someone. Both my husband and I come from families of migrants. We watched our parents slave in factories to put food on the table and to provide a secure home over our head. We were taught as youngsters to dare to dream and aspire to be self sufficient in our adult lives and not to rely on the government. That Australia is the land of plenty and if you are prepared to work hard and make sacrifices then your wildest dream can come true. Today I am questioning whether this dream has been forsaken...

As property investors and owners we do more than simply own a property; we actually give back in terms of job creation for [countless] tradespeople and others that are involved in the property sector. Owning a property comes with immense hard work, penny pinching, worrying and discipline! Property investing WAS...attractive to me because it was an asset I could see, touch, feel—its [bricks] and mortar. But why do I feel like I'm being punished for trying to get somewhere in life?...

I'm beginning to think it's better not to have any long term financial goals and aspirations and instead to make money while you are young and spend EVERY penny of it and have a good life FULL OF EXPERIENCES and then live off a government pension when you retire. Maybe Gen Y and Gen Z have it correct after all?!?! The way things are going I definitely would not advise my children (who will be future tax-payers) to invest in property in this State. It will be better for them to get an education or trade and move interstate or overseas where they can be treated fairly with respect and acknowledged for their hard work rather than being torn to shreds by their government...

During our property investing we did not cheat the system by using 'loopholes' to minimise tax. We based our investment strategy around the existing law and made significant financial commitments within this framework. Changing the goal post mid way through the game is not only unethical but catastrophic for us. We already pay land tax on ALL our properties, we are not complaining about that...we are opposed to aggregation as it will be extremely detrimental and we will not even be able to cover the cost of holding onto some of our properties...

How can we as property owners know what amounts of land tax we will be up for if we are not even given a starting value of what our properties are worth under the new revaluation scheme? This whole reform will be an end to property investment in South Australia.

That was from another South Australian resident who was saying that the bill, if passed, is going to impact so significantly on their life, on their family and on the people who rely on them for jobs that their investment in the future will not be here in South Australia: their investment will be interstate or overseas. Tax hikes will hurt local jobs. They are unfair on small businesses and small investors, and they will drive up commercial and residential rents.

If this bill is passed, in some instances it will impact negatively on my residents in Torrens who have worked hard and invested in property to secure their future in retirement. In some instances, it will impact on my residents in the lower income bracket who cannot afford to buy their own home and who rely on private rental. In some instances, it will impact on my residents who shop at the local fruit and vegetable shop or go to the local hairdresser or any of the other businesses that, as a result of these tax hikes, will have their rent increased, forcing up the price of their goods and services.

Labor has consulted widely on these proposed land tax changes. We have had the forums and street corner meetings, and we have spoken in sporting complexes and at gatherings. It is really interesting that people from all walks of life are opposed to these changes. They do not think they are fair. They do not think they are Australian. Implementing this sort of increase in tax is not a level playing field when people are not prepared for it. As others have said, they played by the law and they did the right thing.

We have consulted widely with the information available to us. We have come to the conclusion that these unfair hikes will hurt local jobs, they will hurt small businesses, they will drive

up rents, they will impose higher costs and they will see tradespeople out of jobs. We do not and we cannot support a bill that impacts so negatively on hardworking people and families, seniors, small businesses and vulnerable South Australians. I stand here today in opposition to the bill.

**The Hon. A. KOUTSANTONIS:** I draw your attention to the state of the house, sir.

*A quorum having been formed:*

**Mr GEE (Taylor) (17:35):** I rise to oppose the Land Tax (Miscellaneous) Amendment Bill 2019. Well, here is another broken promise by the Premier and the Treasurer, who mentioned nothing about aggregation before the election. Their promise was lower costs for South Australians. This bill will have the opposite effect and impact negatively on the economic stability of South Australia and it will cost jobs.

The people of South Australia have spoken clearly at several forums organised by the Labor Party. The leader (member for Croydon) and some of my other colleagues heard from hundreds of residents who will be negatively impacted by these changes. These property owners were angry and distressed that the state government would seek to criminalise a practice that has been legal for many years, and would look to punish them for legally minimising their tax liability, which is something that many individual and larger businesses do every day.

As we know, this is the fifth version of this bill, but even after five attempts this is still bad policy. It is policy on the run. The Property Council may now be happy, but everyone on this side of the house and many on the backbench of the government know that these changes will be bad for the economy, bad for jobs, bad for mum-and-dad investors, bad for renters and bad for small business.

In his second reading explanation, the Premier claimed that this government's bill would boost business and consumer confidence. He claimed that it would create jobs, and further claimed that it would put more money into the pockets of hardworking South Australians. Today, he would not produce any evidence to support these claims. I do not believe that any of these claims will turn out to be true. This bill does not recognise migrant culture and does not consider the world before superannuation—a world where it was normal, if you could afford it, to invest in property, in real estate, in bricks and mortar, a real asset that you could use to fund your retirement.

This was a world where workers did not have the protections they have today, such as superannuation, income protection insurance and the ability to securely invest your savings for a rainy day. These changes, if passed, would have a major impact on law-abiding South Australians who invested in our state. These South Australians have invested in bricks and mortar to secure a future for themselves, their children and grandchildren.

These South Australians have worked hard and saved their money, probably missing out on seeing their kids and having holidays, in order to ensure that they could build a future. These South Australians are now being punished. They are being punished for following the law and doing what they believed was best for their families. These people do not deserve a retrospective tax change.

I have two investment properties, one of which I owned for many years prior to entering this place. I earned an average wage and worked to do the best for my family. As I have said before in this place, I have lived in the north since I migrated to Australia, and I worked at Holden. I worked a second job at the Adelaide Produce Market, packing fruit and vegetables from the Angle Vale, Two Wells and Virginia areas, which I am now pleased to represent.

My wife and I were fortunate enough to have a Housing SA property in Salisbury North while we saved a deposit to buy our first home together. Like many former Holden workers, we worked hard and invested our savings to ensure a future for our children and grandchildren. I am unsure how these changes will affect everyday South Australians, including families in my electorate—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr GEE:** —who are being targeted by this government because this legislation keeps changing.

**The Hon. V.A. Chapman:** No, you are not. You are a beneficiary.

**The DEPUTY SPEAKER:** Order! Attorney, please stop interjecting.

**Mr GEE:** Members of our community should not be financially disadvantaged for taking advantage of our laws to pay less tax to the state government. While not every member of the community will agree with the trust legislation as it is right now, the provision of trusts has been around for decades and it is a legitimate financial product.

**The Hon. V.A. Chapman:** So you've got two property trusts, have you?

**Mr GEE:** I have to say that I do not have a trust.

*Members interjecting:*

**The DEPUTY SPEAKER:** Member for Taylor, I am going to ask you to take your seat for a minute. I am going to have a talk to these members. This is the last contribution, as I understand it, on the second reading. I ask that you cease interjecting and give the member for Taylor the opportunity to make a contribution.

**The Hon. A. Koutsantonis:** Sir, the time is still going.

**The DEPUTY SPEAKER:** We will make sure we look after that, member for West Torrens. So I ask members to cease interjecting and listen to the contribution in silence, as they should. Member for Taylor.

**Mr GEE:** Thank you, Deputy Speaker. Members of our community need to be supported by this government, not be further burdened with further tax increases. The current legislation is not necessarily fair to all, but the proposed changes are certainly not the answer. These proposed changes will penalise South Australians who have worked hard while rewarding the top end of town with more than a 1 per cent cut in land tax.

This bill will have an impact on housing construction, renters and small business owners across my electorate and neighbouring electorates in the northern suburbs. My electorate contains some of the fastest growing areas in South Australia, with new housing construction in Andrews Farm, Angle Vale, Davoren Park, Eyre, Two Wells and Virginia. Angle Vale is the fastest growing area in South Australia, and the City of Playford is one of the fastest growing, if not the fastest, communities in Australia.

Does this Liberal government really want to further put the brakes on when we know the construction industry is already suffering? The CommSec State of the States report released this week shows South Australia is placed sixth among the states and territories. Construction work is down 5.2 per cent compared with a year ago, and housing finance commitments are down 3.2 per cent for the year in South Australia, which is the worst of all states and territories. We also know from the CommSec report that dwelling starts are down 10.7 per cent, or nearly 11 per cent, on the decade average in South Australia. These figures are very concerning for many members of my community, especially small business owners and tradies.

This bill will further impact on housing construction across my electorate and the electorates of Elizabeth, King, Light, Narungga and Schubert in the north. Investment will be impacted and home owners will be subjected to higher costs in an already tough housing market. We have heard from the Master Builders Association and other industry groups that these changes need to be delayed. As the member for Croydon said yesterday—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The member for West Torrens and the Minister for Police will—

**The Hon. A. Koutsantonis:** He is out of his place, sir.

**The DEPUTY SPEAKER:** That may be, but what I am going to say is that the interjections are out of order and the across the chamber banter is out of order.

**The Hon. A. Koutsantonis:** He is behaving like a child, sir.

**The DEPUTY SPEAKER:** Member for West Torrens, I am dealing with this. The member for Taylor is making a contribution and we will listen.

**Mr GEE:** Thank you, sir. Builders, realtors and tradies are all wondering where their next job is coming from because of the uncertainty around these land tax changes in combination with the revaluation process currently being undertaken. People looking to buy a house will be asking the agent not only what the stamp duty is but, 'How much is the land tax?' We need investors to build and buy properties in South Australia and build and buy properties that they can rent at an affordable price. As we know, home ownership is well beyond many South Australians who need access to affordable rental properties.

The electorate of Taylor will be further impacted, as there will be less work and therefore fewer job opportunities for tradies, apprentices and suppliers. There will be fewer people moving into the electorate, which will impact on local small businesses, local sporting clubs and the whole community. I talk about tradies and apprentices. This state government talks a big game when it talks about training and skills. The state government announced the Skilling South Australia project in July this year, with a promise to train 2,600 trainees and apprentices over the next four years. I hope not too many of these people want to train in trades associated with the construction industry. If this bill passes, they may be disappointed to find that there are not so many jobs and that they have been sold false hope by this government.

This government speaks about bringing people back to South Australia. Many of them would surely be wondering whether it is in their best interests to invest here, with this Liberal government's agenda of closures, cuts, privatisations and tax increases. South Australia should be a place where people want to live, work and play, due to our wonderful climate and natural environment, our events and our festivals and our high standard of living. This government is taking South Australia backwards. They are more interested in pleasing the top end of town than protecting our environment, supporting our workers and ensuring the best future for our children.

The impact on small business across South Australia will be felt very soon if this bill passes. Figures from the Australian Bureau of Statistics show that there are more than 143,000 small businesses employing fewer than 20 people operating in South Australia. Most businesses in my electorate are small businesses—local butchers, fruit and veg shops, clothing shops, hairdressers and delis, all providing the essentials, and, in the case of fruit and veg shops, supporting our local growers on the Adelaide Plains.

Then there is the local fish and chip shops and Italian, Greek, Chinese, Vietnamese, Cambodian and Indian restaurants and many more cafes and bakeries, just to name a few. I think about the award-winning Two Wells Bakery, Sole Savers at Virginia, Robbo's Snack 'N' Chat in Angle Vale, SA Quality Meats at Burton, the Quality Fish N Chip Shop at Salisbury North, the Rosewood Deli-Takeaway at Elizabeth North, Panda Mechanical and Towing at Edinburgh North, Cibo at Smithfield, the Flora African Shop at Smithfield Plains, the Andrews Farm deli, the Middle Beach Caravan Park, Coco's Pizza over at Eyre, the Parks Fish and Chips shop at Davoren Park, and so many more small businesses across my electorate.

All these small businesses employ a small number of employees who rely on the hours to get their pay to pay their bills, to feed their children and fund their education. We know that when business costs rise and demand falls, jobs are lost. The owners of these businesses are not millionaires; they are mums and dads, sons and daughters or grandparents working every day to serve our community.

The owners of these businesses must ensure their business is viable so they can pay their own bills, feed their children and ensure that they continue to employ their staff. They must balance revenue and expenses, which usually include one third labour, one third materials and one third overheads. The overheads include either site ownership costs or rental. I do not know how many of the small businesses in my electorate will be hit by either an increase in tax liability or an increase in rent, as owners pass on the land tax increases.

Let me tell you who else does not have this information: the Premier and the Treasurer. They do not have this information because their latest policy is less than 48 hours old, and it may change again as I speak on this bill. I regularly speak to local businesses in my electorate. These small



businesses are already doing it tough and not because of anything they have done. They are struggling because rents are rising, spending is slowing down and people across the country are increasingly spending more at discount stores such as Aldi or shopping online or simply just cannot afford to spend as much as the cost of living rises.

The last thing these small businesses need is this bill, which will only make the situation worse. This bill will see rents rise for local small businesses and we will see prices rise for all South Australians. Another impact on my electorate will be the thousands of residents across my electorate who rent. If landlords and owners of properties are forced to pay more, we know that they will pass on these costs to not only our small businesses who rent but also local families.

The major issue that my team assists with every day is housing and homelessness. The member for Elizabeth spoke last night about the Housing SA waiting list. I believe there is currently a two-year wait for residents on priority 1, and if you are not listed as priority 1 you are going to have to rent in the private or community sectors.

We know that, even if you are lucky enough to have a Housing SA property, you have seen rents rise under this government. If you are one of the families renting in Taylor and this bill is passed, you will see your rent rise. These families have already seen rent rises as a result of landlords passing on the extra costs associated with the bin tax introduced by this state government. They will now see further rent rises if this bill is passed and landlords and owners pass on the increased costs as a result. These families have already seen large rises in state government fees and charges. They will likely face higher fares under a privatised public transport system and we will see longer queues at Service SA offices as they are closed.

I know that a number of families renting in my electorate are already struggling to pay their rent as other costs are continually rising. The extra costs being passed on as a result of this bill could even result in homelessness for some. Does the Treasurer want these families to be forced to live in cars or seek emergency accommodation from Housing SA? Does he want to place even further stress on these families who are living from pay to pay as they strive for a better future for themselves and their families?

This bill will not deliver more jobs, lower costs and better services as promised by Premier Marshall and Treasurer Lucas. Land tax bill version 5 only benefits the top end of town. It will not benefit mum-and-dad investors who have worked hard, paid their taxes and are now being targeted by the party that many of them would have voted for only 18 months ago.

The Premier often criticises the previous government. The previous government was a progressive and reformative government that improved South Australia in many ways, including transforming the City of Adelaide and delivering quality modern schools, road safety projects and much more in my electorate. What does this government have to show for their first 18 months in office? Prior to the election, they promised more jobs, lower costs and better services. The Marshall-Lucas government have delivered privatisation, closures and cuts. We have a health system where nurses and doctors are overworked.

There are not enough ambulance officers or ambulances to meet demand. The jobs of train and tram drivers, Service SA personnel, prison officers and many other workers are under threat due to cuts, closures and privatisations. We have a state government that believes tax relief for the top end of town is a priority. I would think that members in marginal seats such as Adelaide, Elder, Heysen, King and Newland must surely be concerned that their leadership has not listened to them or their residents and small businesses on this issue.

All these electorates, particularly the seat of Adelaide, contain many small businesses that are likely to be negatively affected if this bill is passed. If I were one of these members, I would be concerned that my leader had not listened to the concerns of my community. The Liberal backbenchers should be thanking Labor for opposing this bill and protecting their communities from this poor piece of legislation. I encourage them to join with Labor and oppose this bill or at least thank Labor MPs for protecting their communities.

I think one lesson that our leader, the member for Croydon, has taught the Premier and Treasurer is to listen to people, whether they be business, community, renters, an investor

community or your own backbench. Good leaders listen to those who support them and true leaders also listen to those who they may not agree with, those who may not vote for them, and act on the advice that they receive. That is what our leader has done. He has shown respect. He has done his research. He has done the hard work and he has listened. The Premier and Treasurer will not even listen to their colleagues.

In all its versions, this bill fails the pub test, it fails the fairness test and it will fail to deliver for South Australians. I urge all members, particularly those on the government backbench who know that this will have a major impact on their constituents to join with Labor members to do the right thing, the fair thing and the economically responsible thing and vote this bad bill down.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:55):** I wish to thank all members for their contribution to the debate. I note that members of the opposition—

**The Hon. S.C. MULLIGHAN:** Point of order.

**The Hon. V.A. CHAPMAN:** —had not indicated their support for this bill.

**The DEPUTY SPEAKER:** Attorney, there is a point of order from the member for Lee.

**The Hon. S.C. MULLIGHAN:** I seek your guidance. The Premier was the mover of this bill, not the Deputy Premier. If the government wish to take up their moving rights at the conclusion of the second reading debate, surely the Premier should come in and do it.

**The DEPUTY SPEAKER:** My advice is that the cabinet can work as a collective on this. There have been instances in the past where somebody other than the mover has closed debate. Are we comfortable with that?

*Members interjecting:*

**The DEPUTY SPEAKER:** The Attorney has the task, on behalf of the government, of closing debate. Attorney, you have the call.

**The Hon. V.A. CHAPMAN:** I was particularly impressed by the contribution of the member for Taylor who, in a great act of self-sacrifice, has come in to indicate to the parliament that he is going to oppose the bill, notwithstanding his own personal circumstance where he would be a significant beneficiary of the lower rate to be paid as the higher threshold would apply to him and his wife and their two investment properties with no family trust.

I would have liked to be a fly on his wall when all the people he just described came into his office to tell him how outrageous this is and how he would have explained to them, 'Actually, I'm a beneficiary of this proposed legislation, but I'm going to sacrifice myself by coming to the parliament next week to explain all the reasons why this legislation should be opposed. I'm just going to take the hit. I could, of course, have the benefit of this if it were to go through with my support, but I will take the hit. I'm not going to give the money to charity. I'm just going to take the benefit if it gets passed and I'm going to slavishly adhere to the script throughout this debate,' which has been very repetitive.

I thank the member for Taylor for his generous act of contribution, donation and self-sacrifice. On the other hand, should he be alerted that he is one of the 92 per cent of the 47,000 taxpayers who actually get a benefit from this, he might like to go back to the fish and chip man and all the different small businesses that he has outlined and perhaps reappraise the advice that would be given to him. I commend the bill to the house and again thank the member for Taylor for his excellent contribution.

The house divided on the second reading:

Ayes ..... 24

Noes ..... 21

Majority ..... 3

AYES

Basham, D.K.B.  
Cowdrey, M.J.

Bell, T.S.  
Cregan, D.

Chapman, V.A.  
Duluk, S.

## AYES

Ellis, F.J.	Gardner, J.A.W.	Harvey, R.M. (teller)
Knoll, S.K.	Luethen, P.	Marshall, S.S.
McBride, N.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

## NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brock, G.G.	Brown, M.E. (teller)
Close, S.E.	Cook, N.F.	Gee, J.P.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Picton, C.J.
Stinson, J.M.	Szakacs, J.K.	Wortley, D.

Second reading thus carried; bill read a second time.

*Referred to Select Committee*

**Ms BEDFORD (Florey) (18:04):** I move:

That the bill be referred to a select committee.

I seek leave to make my remarks after the dinner break.

Leave granted.

**The SPEAKER:** Would someone like to adjourn until 7.30pm? Would someone like to so move? Minister for Education.

**The Hon. J.A.W. GARDNER:** Sir, I so move.

**The SPEAKER:** Is that seconded? It is carried.

**The Hon. A. KOUTSANTONIS:** So the house is adjourned until 7.30pm?

**The SPEAKER:** Until 7.30pm—suspended.

**The Hon. A. KOUTSANTONIS:** The motion was 'adjourn'. You adjourned the house until 7.30pm.

**The SPEAKER:** I would like to correct the record.

**The Hon. A. KOUTSANTONIS:** Sorry, sir, you cannot correct it. You moved a motion to adjourn the house until 7.30pm, sir. The house is adjourned. The house is adjourned, sir. You have done it. You did not say 'suspend until 7.30pm'. The motion was to adjourn.

**The SPEAKER:** One moment, member for West Torrens. I am going to ask for the indulgence of the house here, member for West Torrens. I should have said 'suspend' instead of 'adjourn'.

**The Hon. A. KOUTSANTONIS:** Point of order, sir.

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Yes, the house cannot adjourn until 7.30pm. It can only suspend until 7.30pm.

**The Hon. J.A.W. GARDNER:** Sir, I would like to apologise to the house for moving an incorrect motion that was not in accordance with the standing orders and move that the house be suspended until 7.30pm.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** I think we all understand what has happened here, member for West Torrens and, as the Father of the House, I am asking—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Yes, I am asking for the indulgence of members here. I have very clearly made a mistake here. I should have said 'suspend' instead of 'adjourn' so I am asking for members' indulgence and I will correct the record, member for West Torrens.

**The Hon. A. KOUTSANTONIS:** Standing orders, I think, are clear that if the house chooses to adjourn it is adjourned and we must meet again tomorrow.

**The SPEAKER:** One moment. The motion was out of order. You cannot adjourn until 7.30. Would someone like to move that the house be suspended until—

**The Hon. J.A.W. GARDNER:** Acknowledging that the motion that was verbalised by you but formally moved by me was out of order—which you have done and which you have ruled—the motion having been ruled out of order, I move:

That the house suspend until 7.30pm.

**The SPEAKER:** That has been seconded that the house suspend until 7.30pm. I am going to put that now. All in favour say aye and against say no.

*Members interjecting:*

**The SPEAKER:** Member for West Torrens, if I can just beg your indulgence, I put it that the house be suspended until 7.30pm. It has been moved and seconded.

**The Hon. A. KOUTSANTONIS:** How can you even do that when the house has been adjourned?

**The SPEAKER:** Well, because of the reasons that we have explained.

*Members interjecting:*

**The SPEAKER:** Yes, the motion was out of order. It should not have been accepted. It was out of order. I am going to put it now.

Motion carried.

*Sitting suspended from 18:08 to 19:30.*

#### *Parliamentary Procedure*

### **SITTINGS AND BUSINESS**

**The Hon. A. KOUTSANTONIS (West Torrens) (19:30):** On indulgence—and I mean this with all due respect, sir; the opposition has no question over the way the Chair has conducted itself—the record will show that the Leader of Government Business moved that the house adjourn. There is a procedure within standing orders for adjourning the house for an unusual return to the parliament. That procedure was not followed.

There remains a question mark over the proceedings following tonight, including privilege, the legality of amendments moved tonight, the proceedings of the committee that we are about to enter into and the discussions on the contingent motion that the member for Florey will move. There is a cloud hanging over the house tonight. I wish to make it very clear to you that the opposition does not hold the Chair responsible for any of this. The opposition believes that the Chair acted on the motion presented before it. The house acted on that motion, and the house was adjourned.

I do not know how the house can rescind a motion of adjournment. I think we are in unprecedented waters. I have been instructed by the Leader of the Opposition, on indulgence and

in deference to you, to accept the will that you have given us, but we retain the right for redress in other bodies on what may occur this evening, given we believe that potentially the house is constituted illegally, that is, unconstitutionally—that is, the house is just a building with a group of people talking about some amendments but is not constituted as the parliament.

I do not know if that requires some retrospective motion from the floor or what the remedy is, but the opposition lays out its concerns, especially with standing orders 57 and 56, which lay out in clear detail that a minister at any time may adjourn the house. That occurred, and 57, the procedure for a minister to adjourn the house and return it to its sitting at an earlier or unusual time, was not followed; 56 was. The house was adjourned. Again, sir, in deference to you, the opposition lays out its concerns and reserves its rights. We are in your hands.

**The SPEAKER (19:32):** I appreciate the member for West Torrens' comments. I have sought the advice of the Clerk at my end. I have also reviewed the footage. I can say, with great humility in response to the member's comments, that I refer the member to my comments made in the house prior to the dinner break, when I indicated that the motion that was put to the house to adjourn to 7.30 was misspoken. It was misspoken, and it was pointed out then and there. It should have been to suspend until 7.30pm.

I believe that the intent of that motion was clear and was to enable the house to resume sitting at 7.30pm tonight to account for the extended sitting beyond 6pm that was caused by the division. If it is being proposed that the misspoken motion be accepted, what is being accepted was otherwise. I do not believe it was the will of the house to adjourn but to suspend the sitting to 7.30pm. I sincerely apologise for any confusion that this may have caused. It is not an excuse, but there were interjections, and I was also somewhat distracted by those. I do apologise sincerely for any confusion that it may have caused.

**The Hon. A. KOUTSANTONIS:** You have made no error, sir. The Speaker has made no error.

#### *Bills*

### **LAND TAX (MISCELLANEOUS) AMENDMENT BILL**

*Referred to Select Committee*

Debate resumed.

**Ms BEDFORD (Florey) (19:34):** I am so glad that has all been sorted out. Mother is pleased. We are talking at the moment about the contingency motion I have brought to the house, which is to refer the Land Tax (Miscellaneous) Amendment Bill 2019 to a select committee. I put it to the house and to the members here that this is the only sensible way forward with a bill we have all heard a lot of debate about this week here in the house and also in our electorates for the past three weeks.

I have listened to everybody's contribution and, sadly, I have to tell you that it has not been a big item in Florey. Unless someone can show me where a lot of Florey residents have attended any of these sessions, I am at a loss to see how we can have so much disquiet and misunderstanding in the community. We are working from a certain number of premises, is that land tax needs to be reviewed and sorted out in an effort to make South Australia competitive and to raise our hope of having a prosperous economy.

As I said in my four-minute contribution last evening—I know, my brevity was good—the devil is in the detail. If no-one understands it, then we have a clear problem. I do not want to be part of a parliament that has a 'crash through or crash' sort of mentality. That is last century's model of parliament. At the last federal election, we saw a franking dividends explanation that went down very, very poorly—I might say this is another area that may have been in need of reform. We cannot keep doing these things. It is land tax today, but unfortunately it is going to be every other issue we come across, unless we start acting as responsible parliamentarians and legislators.

Not to cast aspersions on anybody, as we all come in here with the best of intentions, but as I look at parliaments around the world I see how they get themselves into trouble by perhaps not using their best possible means and methods to make sure the people come with them. The people expect us to do our job, and I do not see how, with the bill we have before us—without even yet going

into committee, we all know the numbers in this house and that the action will be in the Legislative Council—it is going to be any good if we send the bill upstairs to a place when, again, no-one truly understands what is actually happening.

We have heard from the Treasurer, who said everyone is going to be much better off. I cannot see how that is going to be the case if everyone is so distressed. If there is money to be collected, clearly somebody is going to have to pay something different above and beyond what they are paying at the moment. It is definitely going to cause those people some distress. It is going to cause my constituents distress if rents go up and if doctors stop bulk billing.

These are not threats people have made: these are statements of fact. They are already putting in place mechanisms within their businesses to make these things happen. People have sold property and moved interstate with their capital—I am not making this up—and I do not think anyone here thinks that has not been the case in some instances. If all these people are such bad businesspeople that they have not understood this business model, then something has gone wrong with the way we are conveying what we are doing.

That is why I suggest to members. While we all might sneer and say, 'Oh, no, two years of our lives wasted,' we do not have to have a select committee that long. If parliament cannot put together a select committee, commission expert information and reports, make sure we are hearing the right information and make the right comparisons, it is going to be a race to the bottom as each state tries to outbid the other, and South Australia is not going to win something like that. Let's take a pause, take deep breath and make sure this goes to a committee that does the right reporting, does get the right information and does listen to the witnesses and advice that it receives.

The major problem for me, and no doubt for a lot of people in the community, as well as members, has been the lack of modelling. We just cannot take a bill on good faith. We are just not going to do it. That is bad legislation. Someone said a bit earlier it does not pass the pub test. I have news for everybody: there is a supermarket test as well and it is not doing too well in the supermarkets of South Australia and that is without referring to fat women who sing at the end of a show, which I never want to hear the Premier say again—ever. It was so disrespectful, so last century and so beneath him. I could not imagine that he would say it more than once this week, but he has.

I want to uphold the integrity of this parliament, make people have faith in what we do as members of parliament, restore some dignity to the process of parliament and democracy within this place and make sure we actually talk about the select committee and its process and where we might have gone wrong in introducing this bill in, let's face it, a method that has not gone over well with the public. So let's take a bit of a break, move back and do the select committee on it.

I am not going to be happy supporting a bill that no-one actually likes, and I do not think that any of us will sleep any better at night knowing we have blocked something that may have had some merit that we have not explored properly. I beg the parliament and I beg the government to think twice. They might have the numbers here, but they are going to have a very ugly scene next sitting week in the upper house. Do not put the public of South Australia through this.

It is land tax today. Do not think you are going to do this to health and every other issue for government because I know you are going to do some terrible things to health in the next few months and I am not going to settle for that either. You have already attacked things like Service SA, data and all the rest. I do not care who starts all these issues. This particular parliament is charged with making sure our state gets the best possible deal for everything: submarines, space, health, education—you name it. I am not going to support half-baked pieces of legislation that come through this place on a nod and a wink that it will be fixed up between the houses. It is not acceptable.

I do not care if we do not have the numbers in this room. Treat us with some respect and give us the dignity of giving us the proper information so that we can actually vote on it in a sensible fashion. If we keep doing things in a political, marketed and half-hearted way, we are going to end up with that sort of legislation for this state, and I think this state deserves a great deal better than it is getting. I look forward to the debate on the select committee and to a positive result. I am asking you to listen not only to me but to the people of South Australia who are watching us. Do not think they are not because they are.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (19:42):** I will speak to the member for Florey's motion to refer the bill to a committee for examination. I did not identify any terms of reference in relation to that motion, but I am assuming that in a general way it is seeking that a select committee be established for the purposes of scrutiny of the bill. There are some parliaments in Australia, including the commonwealth, that scrutinise every bill in this way. They send it to a committee for thorough examination and a report is prepared and provided for the members to consider.

Tax reform is probably not something that is immediately legible or identifiable or understandable by most people in the community, including members here in the parliament. It is invariably quite complex. But I think what it has in common with most pieces of legislation is that, whatever the motive of the mover of the bill—in this case of land tax by the government of South Australia it is reform—I would say it is meritorious and beneficial to a very significant number of land tax payers in the state, but more importantly the Premier's message has been consistently that it is for the benefit of the state in the opportunities for investment in the future.

In relation to scrutiny of bills, the people who step forward are usually those who are most positively or adversely affected in relation to any piece of legislation and the stakeholders of any particular piece of legislation. We can pick any number of bills. There might be a health reform bill, there might be a gambling reform bill, there might be a land tax bill. The people who are invested in the outcome of this legislation, unsurprisingly, are the ones who can step forward and say, 'Yes it's good for me. I want you to advocate it,' or, 'No, it's not good for me,' or, 'I don't understand it. I want some more clarification.'

What the government has done in relation to this piece of legislation, understanding it is in the envelope of a package of reforms, is go to what I call the usual suspects, in the sense of the stakeholder groups that normally indicate they have an interest in any taxation reform, and invite them to make comment. Over quite a sustained period, since the budget announcements in which the proposals were incorporated in this bill, from June, there has been quite a significant period of consultation.

We have heard in numerous contributions already in this debate that people have stepped forward and made plaintive claims to their local representative on either side of the house. I have had my own in the electorate of Bragg. People have had public meetings, we have had discussions and we have had people coming in to see me individually. People have brought in information from their accountants and asked, 'How's this going to affect me? Is it good or bad?' or whatever. It is a normal part of our responsibility as members of parliament to be able to do that.

In the time that I have been here as a member of the opposition I have certainly availed myself of a briefing with the government minister and/or their advisers to make sure that any issues that seem unclear have some level of clarity before I come in to make a contribution to the debate, in those days in opposition and now in government. I have not been to all the briefings that the Treasurer has provided, but I am advised that there have been a number. I have asked for them. I had a meeting with Treasury officials to be apprised of the detail of both the bill and foreshadowed amendments.

With due respect to the mover of this motion, I do not see this as a situation where an advance of legislation would in some way cut through the legislative process in the parliament as though it has been introduced and expected to be debated promptly. There have been some months of gestation and development of what ultimately has come before the parliament and then some foreshadowed amendments. I suggest that it is probably not the case, as has occurred.

I have certainly been in here when urgent legislation has been pushed through the parliament. Some of it has been identified as having some very serious weakness in the law that needs to be addressed. Usually at those times I have been in the opposition, and I have been asked to acquiesce to a process of abridgement of the usual time frames for the discussion and debate of legislation. If there is good reason for it, frankly that is something that we need to do as a parliament. We need to be flexible. Most of the time with our legislation, we need to have time to comprehend, to get advice, to consult and, obviously, to then resubmit any queries that we have and then come in for the debate and go through a committee stage.

I think we are yet to consider a committee situation in relation to this bill, and it would follow, in the event that this motion is not successful, that that would be a teasing out for all members if there are any residual areas of concern that they would be seeking clarification on. That is the process. It has not been abridged. Everyone has had an opportunity to consult. In fact, there has been a widespread contribution of that consultation in the debate to date, which is a good thing to hear. I am pleased to hear that members have been going to public meetings and are actually listening to their constituency. That is exactly what we are here for: to make sure that we come in, that we understand what the position is and that we are prepared to vote. We should be able to make a contribution, depending on what we have done.

The other issue that has been raised is the lack of modelling. I sat here for 16 years in opposition and I can honestly say there were many financial bills, many taxation reforms, some of which were worthy and some of which I took the view were not, but briefings were provided. However, the calculations and the workings that were done by the Department of Treasury were not placed on the table for our consideration.

What is happening here, though, is that even though the previous government—still here, as such, now in opposition—and the same people working in Treasury were there when they were there, they are nevertheless saying, 'We want to see all this modelling.' The mover of the motion asks, 'Where is this modelling?' I have sat here for 16 years and we did not get Treasury modelling.

What the government has done in this instance is to ensure that the model that has been utilised by Treasury for the purposes of the assessment has been under scrutiny, and that report has been made available. That report by PwC, prepared on the land tax model methodology review, has been tabled. That has been made available. That has been clear in its confirmation that the way in which Treasury has gone about its assessment is an appropriate, reliable and robust model.

That is the reassurance that this government has given to the house as to the way these things are done, because not every one of us here has expertise, obviously, in relation to either modelling in relation to financial assessment, or indeed the legalities of the amendments that are currently being proposed, particularly to aggregation of taxation. I think thresholds and rates of tax are frankly pretty straightforward and most of us understand how they work, but the aggregation, which has been with us for 170 years, which is now—

**The Hon. A. Koutsantonis:** Land tax started in 1935.

**The Hon. V.A. CHAPMAN:** No, I am sorry. The member for West Torrens interjects to suggest that land tax started in 1935. In fact, I will give him a copy of the *Victoriae Reginae* 1884 act which is 'An Act for a Tax on Land and on the Income from Real and Personal Property, Professions, Trades, and Avocations.' It is No. 323 of the South Australian statutes. That act made provision for taxation. We have had land tax and we have had aggregation aspects of that since 1884.

**The Hon. S.C. Mullighan:** More misleading information from the government.

**The DEPUTY SPEAKER:** Member for Lee, you will have your opportunity.

**The Hon. V.A. CHAPMAN:** The fact that the land tax bill that we are currently amending was the 1936 iteration.

**The Hon. S.C. Mullighan:** Fifty-two years later.

**The DEPUTY SPEAKER:** Member for Lee!

**The Hon. V.A. CHAPMAN:** If the member for Lee wants to have a talk about the history of land tax, I am happy to do that, but in relation to the member's proposal—that is, the question of aggregation and the modelling that is applied to that and the exemptions that have been there and developed and extended and rejected and so on, over a number of years, decades—this is a new iteration of that.

It is still complicated. I think the public and the parliament need to be fully apprised and able to have an understanding that the modelling that is applied by the Treasury department, which had previously been under the responsibility of the member for West Torrens, is actually doing the calculations correctly and that they are applying the same modelling—and that is reasonable. That



is why, as a government, we have ensured that this land tax model methodology is reviewed and that the reviewing of that is made clear, to give some confidence to the public.

There will always be those who will take the view that a change in relation to land tax, or any other tax for that matter, is something that they do not agree with. That is fine. We understand that. The assessments that have been done, the advice that we have received and the arguments that we have submitted are that there is an overwhelming majority of people who will benefit from this total package. Certainly, there will be some losers. There are many more winners. One of them, of course, is the member for Taylor.

We need to advance that within the reform envelope for the benefit of the state. That is the position of the government. If there was an untidiness or a raging conflict between parties as to modelling or anything of that nature, I have not heard of it. I have heard of people complaining about what they see as the outcome and the disadvantage that might result for them or the association members they represent, but I have not heard an argument to suggest that there is a constitutional invalidity, that there is some legal impediment, or that there is a defect or weakness in the modelling that has been applied.

What I have heard, though, are repeated submissions by a number of the members, particularly from the opposition, that their constituency does not like it. That may be so. That is part of the debate that we have in here. In the end, it is the view of this side of the house that this is a package of reform that has significant advantage to many. It will make us competitive nationally and it will encourage investment. I do not need to repeat all the arguments. We have put our case and it is a matter for the parliament to consider those.

It is the government's view that referring the matter to a committee, in the absence of a number of these disputes that I have raised, is not necessary. As much as the member would advocate a committee review of this, it is not the view of the government that that would be helpful or indeed resolve what is in some circumstances an implacable view of something that they do not agree to. We respect that. That is why we are here in the parliament.

The government must bring these matters to the parliament, the parliament must consider them and sometimes when there is a major area of, I suppose, challenge to aspects of legislation, it is reasonable that we go through a committee process in addition to the committee that we already operate here in the parliament, that is, a select committee, which is the basis of the member's motion. The resolution will not be supported by the government, but we appreciate the sentiment that has been presented by the member. I would urge that the motion be rejected.

**The Hon. S.C. MULLIGHAN (Lee) (19:56):** I rise to speak on the contingent motion moved by the member for Florey to establish a select committee on the bill that we are considering, a bill to amend the Land Tax Act of 1936—not 1884 for those of us who might be under some misapprehension that the previous laws may be being amended here—so that we can, for the first time in this debate, get some detailed particulars as to the impacts of these changes that are proposed in the bill, because, over the last 15 years there have been a number of significant changes to land tax.

The most recent, I am happy to concede, was actually brought to the parliament last year by the current Liberal government to amend land tax and to provide a significant amount of relief to affected landowners. As I have mentioned in a previous contribution on another matter related to this bill, that was supported by the Labor opposition because of course it was the Labor opposition, going back to 2005, that commenced the first of the tranche of significant changes to the land tax regime in South Australia to consecutively provide very significant amounts of relief to landowners.

Each time the former Labor government did that, not only did they announce what you could perhaps describe as the headline impacts of the tax changes—for example, how much revenue in dollar terms would no longer need to be paid by affected landowners to the government in total; for example, how many tens of millions of dollars a year in tax relief was being provided by the government—but there were also details about changes in the land tax scales, changes in the rates and the thresholds at which those rates would apply, and there were also details about how much the benefit would be for particular landholdings of particular values—in some instances, of particular landholdings at particular values in particular circumstances. Also, further to that point, there were

details about how many landowners within particular land value thresholds would also benefit from these changes

That was certainly the case in the first of these significant tranches of reform which was released in 2005. The first of it was announced in February and then confirmed in the state budget of that year again in 2005 when it was announced that there would be a \$245 million package of land tax relief provided over four years for 121,000 South Australians who would be liable for land tax from 1 July 2005 when those changes were to take effect.

The government at the time released details in its press release that 44,000 land tax payers would no longer be liable for land tax. Both within the details of that press release of February 2005 and the details of the budget papers which were released later that year in the middle of 2005, further particulars were provided about those sorts of impacts to which I previously referred: how many people would be impacted at particular land values, how much the benefit would be at particular land values and so on.

I recall very clearly that in the course of that budget bill being taken through the House of Assembly there were several questions asked by the then opposition seeking further particulars from the government. I must admit my memory starts to get a little hazy about whether the information was provided back to the House of Assembly or whether it was provided, as we now refer to it, between the houses. But when further information was sought in addition to the amount of information that had already been provided, it was provided by that former government.

That was also repeated a number of years later when there was another significant tranche of changes first announced in the then Labor government's Mid-Year Budget Review of 2009. You will recall that that would have been just before the 2010 state election—memorable for other reasons that we need not digress into—and then confirmed in the budget of 2010 that there would be further significant relief, not just further changes to rates and thresholds, particularly a lifting of the tax-free threshold quite significantly but also the introduction of a measure to avoid future bracket creep for landowners by making sure that the average land value assessed by the Valuer-General each year would form an indexation rate by which land tax thresholds would be indexed each year. That would mean that if a landowner's property value went up by 2 or 3 or 4 per cent, as long as that corresponded generally speaking to the average increase in land values across the state, the land tax thresholds would increase by that amount and they would be protected from the worst effects of any bracket creep.

These were very significant reforms and by the end of the forward estimates, in that budget, those reforms themselves were estimated alone to cost the government \$114 million in that financial year. Further particulars were provided not only about the beneficiaries of those changes but also about how much the benefit would be at particular land values and what the cohort of landowners would be at particular land value thresholds within the land tax scale. These are all important details for members of parliament to consider when they are looking to support land tax changes.

Even last year, when the government made good their election commitment on land tax—they went to the election saying that they would look to increase the tax free threshold and adjust the rates and thresholds that applied above that to provide further land tax relief—when that bill was introduced into the house, or I should say more accurately when those amendments were made as part of the Budget Measures Bill, as shadow treasurer I sought further information from the government along the lines of the sorts of information that had previously been provided both publicly and to the parliament about the number of landowners affected and what the impact on land tax bills would be.

To give the current Treasurer credit, his office provided me with those sorts of responses. Indeed, the document I am looking at right now is the attachment to an email provided to me by the Treasurer's office that goes into those sorts of details. In fact, it is also my recollection that I asked a number of questions and I think the Hon. Kyam Maher in the other place also asked some further questions, and the government was willing to provide further details about those land tax changes at that point in time.

Those three examples stand in significant contrast to the information that has been provided by the government to members of parliament, let alone the broader public, in the context of this bill

standing before us now. When the government first announced they were looking at imposing these significant changes to aggregation of land interests for the purpose of applying land tax, people were concerned—and I am talking about members of the public, not necessarily members of parliament—about what the impacts would be, both generally and, in particular, how they could apply those changes to their own circumstances and find out what the impacts would be.

If I can be so bold as to put words into the mouths of other members, as members of parliament we were concerned about what the general impact would be on the community. How many landowners would be impacted by the aggregation changes? How much more would they be paying? What would it mean for landowners who had landholdings at particular value thresholds in terms of having to pay more land tax?

It was particularly significant because, unlike all those changes I mentioned before—not the only two but certainly the biggest two tranches of land tax relief that were provided by the former Labor government and the land tax relief that had been provided in last year's budget by the relatively newly elected Liberal government—the aggregation change was not about providing further relief. Really, it was perhaps just of interest, and not much more, to members and to the public how much relief was being provided.

This was the opposite, this was the imposition of a more punitive taxation regime for many landowners in the Land Tax Act. So it became particularly important, not just to members of the public but also to those of us who represent them in this place, to understand the detailed particulars of who would be affected and how much more they would have to pay. Also in aggregate—to mix the metaphor, given the bill we are discussing—how many landowners would also be affected within particular value thresholds? Again, these are not unreasonable questions to ask, particularly in the context of the three previous examples where that sort of information had been provided.

However, at every juncture this government has refused to release the modelling. At the same time as they have refused to release the modelling, they have deliberately engaged in a deceptive rhetoric to try to give South Australians, in particular landowners, the impression that this bill leaves people better off. That is just not the case. Last year's land tax changes provided \$150 million of land tax relief over three years. The government is now claiming that last year's land tax changes and this year's land tax changes combined provide landowners with \$90 million of relief over three years.

It does not take a rocket scientist to do the equation that this bill results in \$60 million more in land tax revenue being paid by landowners to the government. It is a tax increase; 92 per cent of people are not better off as a result of this bill. It is blatantly wrong, it is false and it is misleading for those opposite to continue to claim it, let alone the Premier, who has the temerity to continue to claim it during question time.

It is just wrong, and demonstrably wrong. We know it is wrong because even yesterday the Treasurer confirmed that analysis, which I have just provided to the house, on ABC radio. He admitted that this bill, these latest changes, this latest land tax proposal, increases revenue from landowners to the government. It is a tax increase not a tax cut. That is why the government refuses to release the modelling. Waving around that PricewaterhouseCoopers report does nothing to provide further information to the community or to members of parliament about who is affected and by how much.

That piece of work by PricewaterhouseCoopers was deliberately sought to try to provide some comfort to the government that the way in which the Treasury department and RevenueSA were making their calculations was valid. It did not provide those calculations. It did not provide the details about the number of landowners impacted at particular value levels. It did not provide us with the information that would have allowed members of parliament and the community much more quickly to form a judgement about whether this bill should be supported or not.

In that vacuum of accurate information the community has been left to try to find its own perspective on this bill. Landowners have had to go back and speak to their accountants. Other landowners have had to engage tax lawyers. Other landowners have had to engage both tax lawyers and accountants for the first time, paying out many dollars to try to find out what this quite complex bill will actually mean for their personal circumstances. They have had to do that largely because the

government refuses to release the details that are necessary for both them and members of parliament to arrive at an informed conclusion about the merits or otherwise of this bill.

The Deputy Premier says, 'Well, it's fine because the public has had the capacity to be consulted with since June.' That, again, is wrong—blatantly wrong. The government only released its bill in September, and it was open for four weeks for consultation. Again, it was a bill, nothing more: no modelling, no details, no further particulars, just the bill.

I come back to the example that I gave in my second reading contribution: those constituents of mine, those first generation Italian migrants living in Seaton who are terrified of a land tax bill increase of many thousands of dollars. They have been lumped with dozens of pages of parliamentary counsel's best efforts to make sense out of this policy change. They are meant to interpret that and have a clear understanding about what it means for their circumstances. I think you can readily see from that one example how difficult it makes life for them and hence how difficult it makes life for many other landowners who have been furnished with nothing else except this bill and a PricewaterhouseCoopers report that does not shed any light on the details that are required.

The crossbench MPs in the other place, in particular the Hon. Frank Pangallo and the Hon. Connie Bonaros, made it very clear that they were more than happy to move to establish a select committee in the other place to try to get some answers on this, because at least then for the first time the parliament would be able to push beyond the deliberate obfuscation of this government in refusing to release any details on these land tax changes. It would be able to summon those officers from the Department of Treasury and Finance, RevenueSA and wherever else was necessary in order to get the full details of these particulars.

The government, of course, does not want any of these details out, lest their dirty little secret about this bill comes out—that this is a tax hike and not a tax cut. So they announced immediately that they would not be supporting that select committee.

I think it is unfortunate that, while initially announcing his support for it, the Hon. John Darley has now reached the conclusion that, through the five various iterations of this land tax bill the government has come up with over the last three or four months, this debacle has gone on long enough. You only need to read the paper or examine the business confidence reports or the economic data coming out of the ABS to know how damaging the government's mishandling of these land tax changes has been for small businesses, for the property industry, for the real estate industry, for the housing construction industry, and for the economy as a whole. He has formed the view that enough is enough: the parliament needs to get on with this.

I think what the member for Florey is proposing is very sensible because it is quite feasible that we will not get through this bill in this sitting week in this place. There is a lot of detail to be worked through, not just members ventilating their concerns about whether this inquiry should now be supported or not, but I assume we are in for a lengthy committee stage of this bill as well. Of course, depending on what happens here—notwithstanding any future judgements which are made about whether this particular time of proceedings has been validly convened within this place between the dinner break and midnight—there will be many questions and potentially decisions which could be taken when it comes to amendments in the committee stage which will warrant scrutiny.

The member for Florey puts a proposition to us that we can easily accommodate. We can establish this, get on with it straightaway, get those people in the room who can finally provide us with some detailed answers so that when we decide on this bill, both here and in the other place, we can make an informed decision.

**The Hon. A. KOUTSANTONIS:** Sir, I bring your attention to the state of the house.

*A quorum having been formed:*

**The Hon. A. KOUTSANTONIS (West Torrens) (20:17):** I hope everyone is settling in for a nice long evening to debate the member for Florey's very important motion on whether or not this parliament should consider a select committee. Of course, hanging over that motion is the cloud of legitimacy of even the proceedings that we are in this evening. Whether or not privilege applies to

the remarks made, whether or not the proceedings are legally constituted, that will be for another body to determine, as our lawyers are working away at their submissions.

That aside, assuming tonight's proceedings are legitimate and constituted and that we are not just a bunch of people standing in a museum talking about land tax and that this is actually a parliament, what does tax reform look like? After the Premier was on radio this morning, where he was, I think, comprehensively dismantled and unpackaged by the Leader of the Opposition and shown for what he is: a fraud, we saw what a—

**The Hon. J.A.W. GARDNER:** Point of order.

**The DEPUTY SPEAKER:** There is a point of order from the Minister for Education.

*Members interjecting:*

**The DEPUTY SPEAKER:** No, the Minister for Education has a point of order. What is your point of order?

**The Hon. J.A.W. GARDNER:** The member has used offensive words against another member.

**The DEPUTY SPEAKER:** Member for West Torrens, we are debating the motion from the member for Florey so we should stick to that motion.

**The Hon. A. KOUTSANTONIS:** I will.

**The DEPUTY SPEAKER:** Thank you. Try not to digress too much.

**The Hon. A. KOUTSANTONIS:** I will not digress any further, sir. After the comprehensive dismantling of the Leader of the Opposition this morning by—no, of the Premier by the Leader of the Opposition this morning—

**The Hon. J.A.W. Gardner:** You had it right the first time.

**The Hon. A. KOUTSANTONIS:** I did—thank you very much for confirming what I said earlier about the Premier—very decent of you. The Premier said on radio this morning that tax reform is difficult, that tax reform is hard. It is, and the great thing about the Westminster system of governance is that there are tried and tested precedents for how reform is done. The traditional method for tax reform is green paper/white paper. The government announces a green paper, goes out to consultation and talks about what the problem is, what the problem is they are attempting to solve.

To go one step further, before then generally parliamentarians seek mandates. I will give you some recent, modern-day examples. John Howard sought a mandate for a fundamental change in the tax redistribution system in this country through the goods and services tax, first proposed by treasurer Keating in 1984, I think, in a form of constitutional convention held after the 1983 federal election. Generally, parliamentarians seek a mandate from the people. Then they go through a process, generally governed by the public sector, where you have green paper/white paper, then the parliament considers that, while the public is consulted through those two processes of green paper/white paper.

The green paper sets out the problem; the white paper takes any information from affected parties. For example, hypothetically, if you were talking about land tax reform, you would go out to interested bodies—you would go out to the Property Council, Business SA, REISA, SACOSS, the Motor Trade Association and the UDIA, and you would ask them their views and then speak to the broader public: what are the inequities in land tax, what are the impacts of the rates, what have been the impacts of ad hoc changes over the last 20 or 30 years? Treasury will take that advice and formulate a comprehensive policy.

The most recent example of that in South Australia was the 2015 tax review, which I conducted as treasurer, where we did a wholesale root-and-branch evaluation of all our taxes in South Australia. We checked the efficiency of those taxes, we looked at the impact of those taxes on the economy and where decision-making was impacted by government regulation or taxes. We came to a conclusion, after a long period of consultation—indeed, I went to Port Lincoln at the time the Deputy Speaker was a Liberal backbencher to talk to his council about our tax review and the impacts

of state taxation on the Eyre Peninsula economy. I did this across the state. That helped inform me on a couple of things.

It showed me that South Australia, overwhelmingly, is (1) a small business state and (2) a family business small business state. The biggest concern that those two cohorts had was generational change, that is, succession planning. Through that process, the government decided that we would abolish commercial stamp duty, all transactional taxes on real property and non-real property, to allow the transfer of property from one generation to another or from one buyer to another without there being a transactional tax, to improve the efficiency of the economy—and it worked.

It worked for family farms, it worked for family manufacturing and it worked for family small businesses because it was a comprehensive process. That comprehensive process allowed the state government to come up with a piece of tax reform which, even though it was initially degraded by the then opposition leader, the now Premier, as being the wrong tax to cut, the inappropriate tax to cut, and a waste of time, it turned out to be something today he champions as something he supported.

The truth is that abolishing commercial stamp duty was not my idea; it was the idea of the people who responded to our consultation. We listened to the people of South Australia. The Treasury, for the first time in a long time, had its ear to the people of this state. How do we grow jobs? How do we improve efficiency? How do we improve the efficiency of the economy? It was our Public Service at its best. It was the parliament at its best. Were there other taxes that we could have cut? Yes, we did cut some other ones. That was, I think, a very big change in the way we do business in this state. You can buy a building now, a commercial property, and the activity that creates has no transactional penalty from the government.

So, in the decision-making bodies of our small businesses, whether it is in the boardroom or in the family home, the government is not a consideration. The consideration is only the value of the proposition: should we or should we not buy this business? Should we or should we not buy this plant and equipment? Should we or should we not transfer our succession planning now to junior or to whoever else it is who is going to start running the business? This is without the Treasurer and Treasury being in their way, waiting for their cut—and it worked.

The question then becomes: why did the government not embark on that process with land tax? Why was there no green paper? Why was there no white paper? Why was there no consultation period? The process for this has been ad hoc, and the government finds itself in the bind it is in today because of the process it has undertaken. The cabinet is a victim of its own process. They have manufactured this crisis—and I do not say 'crisis' loosely.

The former president of the Liberal Party, now the member for Davenport, abstained from rather than support the government's legislation on increasing land tax through aggregation measures. If that does not send a shiver down the spine of every self-respecting Liberal in this state, what will? Your own president will not back you. Your own president thinks that you are doing the wrong thing. Let's be clear about this: in all the forums that the Labor Party has held, the people turning up to those are not unionists. They are not Labor voters. They are not our supporters. They may be that now, but they were not when they turned up. They are supporters of the government and, more importantly, supporters of free market principles, and they feel abandoned.

How would it harm the government to go out and talk to these people? They have not talked to these people. This government is from on high. This is the ultimate expression of the arrogance of the executive: 'We know best. We know what your concerns are. We don't need to talk you; therefore, we will legislate on your behalf and you will thank us for it.' We even heard the Deputy Premier lecture a member on this side about how we do not understand how lucky we are that we have her genius in amending the land tax act to make us all better off. The way she spoke to the member for Taylor I think was deeply offensive and symptomatic of the arrogance of this government.

It has only been 18 months—only 18 months. This is not a 10-year-old government—although you could not tell—this is an 18-month old government. They are behaving as if they know best and that people are not to be trusted. In my experience, and in the experience of all good governments around the world, you are at your best when you put yourself in front of the people and find out their will. I can tell you that the multitude of Liberal supporters who are on my Facebook

page, in my office, on my email, on my Twitter, on my SMS and now coming to my sub-branch meetings are the ones who are aching to make this system better.

They are the ones who are aching to try to make land tax efficient, so it is not an inhibition to invest and grow jobs, so it is not going to stop the mechanic who has built up his business and bought three or four properties and is planning a succession being hit with an \$80,000 land tax bill after paying \$2,000 a year. These are massive increases. These are real life experiences. These are not things we are making up.

The Liberal Party thinks that they do not need to speak to the people. When the people, through their parliament, ask for the modelling that they have based these decisions on, we are told that we cannot be trusted with it. We are told we cannot see it. We are told that there are privacy issues and considerations. Yet, when we raise examples of individuals who are worse off, the government thumps the table and demands to know who they are, where they live, what they own and how much they pay.

**Mr Brown:** They smear them in the papers.

**The Hon. A. KOUTSANTONIS:** They smear them in the papers the next day. Where were the privacy concerns for Timothy Goh? Where were they? They were nowhere to be seen. The adult thing to do here, the proper thing to do, is to follow the traditions of this parliament, of the system of government that we have been given. Winston Churchill said, 'The Westminster system of democracy is the worst in the world, but there are none better.'

**The Hon. V.A. Chapman:** Not quite, but near enough.

**The Hon. A. KOUTSANTONIS:** Near enough. I have not paid \$2.67 million to an accused murderer, so I am not as smart as the Deputy Premier, but, yes, that is a view of what Winston Churchill said.

**An honourable member:** You tried.

**The Hon. A. KOUTSANTONIS:** I tried. I am not up to the Deputy Premier's standards. What they are trying to say is that we have been handed a system of government that is robust, that can cope with dissent, that there is not winner take all, that there are nuances in all arguments, that not everyone is right, but there are some things that fall through the cracks. The way you identify that is by going out and speaking to the people, taking out the reforms, taking the amendments out and going town to town across South Australia. Go to Port Lincoln, go to Mount Gambier.

Mount Gambier is the second largest city in South Australia. They have one member of parliament in this place. Adelaide has over 30. They get one say on land tax aggregation—one. The Premier has not been down there with his Treasurer to say, 'What's the impact of this on the economy in Mount Gambier?' No-one has been to the Iron Triangle or Upper Spencer Gulf to say, 'What is the impact of these changes on Port Augusta, Whyalla and Port Pirie?'

No-one has been to Port Lincoln to say, 'Look, let's hold this up to the light. What does it actually mean for tuna fishermen? What does it mean for aquaculture? What does it mean for mining? What does it mean for the regional towns that require commercial businesses to employ young people to stay in those towns? What does this actually mean for our towns?' None of that has occurred—not once. They have had one conversation with the Property Council on a weekend somewhere in an undisclosed location and they turn up like Neville Chamberlain saying, 'Peace in our time.'

Steve Murray, the member for Davenport, does not think it is peace in our time, to use Churchillian examples. Thank you to the Clerk for reminding me—it would be unparliamentary to remind the parliament that the person who abstained from the vote on the Premier's key piece of economic legislation is a former president of the Liberal Party and now current member for Davenport. That is how you conduct economic reform: you trust the people. You go out and speak to them. You speak to the shopkeepers, you speak to the taxi drivers, you speak to the warehouse operators, you speak to the people on the coalface and you ask them, 'What do you think of this? Is it common sense?'

If the Premier is right and we are wrong, they will carry him on their shoulders all across South Australia.

**An honourable member:** What's he afraid of?

**The Hon. A. KOUTSANTONIS:** What is he afraid of? If the Premier is right and the Labor Party is wrong and we are on the side of the 8 per cent who are worse off and the members opposite are on the side of the 92 per cent they claim are better off, take it to an election. If the Premier had it absolutely right the first time, why the change? Why the compromise? Why not live and die on the principle? Of course, the Premier has not got it right. This is ad hoc policy on the run.

What has occurred here is very simple. The government in opposition made promises they could not keep and could not afford. They attempted to implement some of those policies. They now have to pay for them. They are now trying to recoup some of that money. So they have come into this parliament with a \$60 million tax increase on the people of South Australia, and those people are overwhelmingly a cohort that have voted for members opposite previously. Those people have spoken up. They have found a voice in us—

**The Hon. V.A. CHAPMAN:** Point of order: in the four minutes remaining I would ask you to bring the member's attention to the motion before the house, and that is to refer the bill to a select committee. So far, we have had 16 minutes of a rehash of a presentation on the substantive debate on whether or not we should have land tax reform, apart from the insults he has made about how you, as the member covering Eyre Peninsula, are failing to consult with people. I would ask you, Deputy Speaker, to bring the member back to the matter before the house, which is the motion.

**The DEPUTY SPEAKER:** Thank you, Attorney. Just to be clear—

**The Hon. S.C. MULLIGHAN:** What is the standing order?

**The DEPUTY SPEAKER:** Member for Lee, I am speaking. I did not take offence at the member for West Torrens' assertion that I had not consulted in Port Lincoln but, quite rightly, in the four minutes remaining you will be speaking to the motion. Member for West Torrens.

**The Hon. A. KOUTSANTONIS:** Yes. I believe that this policy should be taken to the people. And despite the arrogance of the Attorney-General, who thinks that she knows best, I think the people should get to decide this.

**The DEPUTY SPEAKER:** Member for West Torrens, you are back to the motion.

**The Hon. A. KOUTSANTONIS:** I am, sir.

**The DEPUTY SPEAKER:** Thank you.

**The Hon. A. KOUTSANTONIS:** I am, sir, because I think a select committee is the only way we can flesh out the inequalities of this legislation, the inherent unfairness of a retrospective tax change. It is a retrospective tax change—that is, the government is changing tax laws that affect people who have legally established ownership structures within their land and they have had no ability to tell the government or this parliament or this house what the impact of that has been.

I do not know what the government would have to fear from a select committee. I could trawl through *Hansard* and find multiple examples of members opposite demanding inquiries into the former government's legislative measures. Why not now? Are you as bad as we were, or are you arrogant? I suppose that is the question that they have to contemplate. My view is that there are examples from the last term of how tax reform is conducted. It is conducted by speaking to people, going out and talking to them, not turning up with a bill and amending it five times to try to placate interest group after interest group and please no-one. That is not how tax reform is done.

If we are successful at the next election, we will be left with a system of land tax that has satisfied no-one—if this measure is successful—that has been made on the hop without consideration of the long-term consequences of the changes and without consultation with the people. The people will feel as though the entire process has once again seen them and their views devalued. Once again, the separation between the people and their politicians grows. The disaffection grows. Why? Because the government just will not have the sensible instincts to go out and ask their own citizens what it is they want.



Any government that fears its own citizens is not worthy of being a government. We are here on their behalf. It is our job to represent them. Surely it would cost the government nothing to spend three months, four months, five months, six months—

**Ms Bedford:** It doesn't have to be that long.

**The Hon. A. KOUTSANTONIS:** —a few weeks—to talk to people about what the implications of this tax change will be. Speak to the postwar migrant. Speak to the institutional investors. Speak to the people who have done nothing else but invest in property. Speak to people about what the impacts of this are and stop living in your ivory towers.

**The Hon. L.W.K. BIGNELL (Mawson) (20:39):** I rise to support the member for Florey's current motion to establish a select committee to examine the bill to reform the Land Tax Act. I have to start by saying that we finished up here at midnight last night. By the time I got home in the wee small hours, it was a little bit of an effort to get up at 5.30 and tune in to the British parliament. That has been such a train wreck over the past few months, it is compelling viewing, and everyone should tune in and have a look.

So I was up this morning and I was having a look and I was thinking, 'What a rabble! How can this place function as it is in what is meant to be a world-leading nation? Why can't they just get their act together and work things out?' Then we came in here this afternoon and the education minister moved to adjourn this place—and, when you adjourn it, it means until the next day—instead of suspending it to come back after the dinner break at 7.30. We had all sorts of chaos break out about—

**The DEPUTY SPEAKER:** Member for Mawson, the member for West Torrens was actually pretty good at staying on track. You, on the other hand, are digressing, so I would ask you to speak to the motion.

**The Hon. L.W.K. BIGNELL:** Deputy Speaker, I am telling you why I am saying this because I do not know whether I am covered by privilege in here, so I want to preface what I am saying. I am going to curb what I have to say in here because I do not know whether this is actually a lawful gathering of the Parliament of South Australia constitutionally.

**The DEPUTY SPEAKER:** Member for Mawson, that is another question that I understand is being—

*Members interjecting:*

**The DEPUTY SPEAKER:** Members, Attorney-General and member for West Torrens, the Chair is speaking. Member for Mawson, that is a question that is being dealt with elsewhere, as I understand it, but I think you should take the opportunity. You are on your feet and you are speaking to the motion that has been put by the member for Florey, so you should go ahead with that.

**The Hon. L.W.K. BIGNELL:** Sir, I draw your attention to the state of the house.

*A quorum having been formed:*

**The DEPUTY SPEAKER:** I thank the Leader of the Opposition. You are in fact No. 17, leader. Member for Mawson.

**The Hon. L.W.K. BIGNELL:** Thank you again, Deputy Speaker, and before I interrupted myself by calling for a quorum I was talking about some of the things that may well be omitted in my speech tonight. So I want to put that on the record because I am not sure whether this is a properly constituted sitting of the Parliament of South Australia. If people are reading this or tuning in at home on the World Wide Web, there may be some things that I do not say here because I may not be covered by privilege.

There are a lot of omissions from people on the other side as well who have not had the ability or the courage perhaps to get up and say what they are hearing in their local areas. I am not sure whether they have had pressure put on them to do that but that is what I am hearing. There are several disgruntled people on the backbench of the Liberal Party. We saw the former president of the Liberal Party abstain from the vote in here this afternoon when it came to the government trying

to get its bill through to savagely cut the income and the potential retirement benefits of people who have invested legally in land throughout South Australia.

For those members of parliament, when people ask us why their local MP did not stand up and speak up on their behalf, we will be reminding them about who did not speak. We will point out that they do not necessarily represent the people in their area to the best of their ability because they put their party before the people.

When we come in here, it is a democracy. When we come in here, our number one thing should be 'of the people, for the people'. We should be listening to what the people in our areas have to say and coming in here to advocate for them. This government seems not to want to listen to people, including their own backbench. We have had other moves in this place this year to set up select committees. One of them concerned the forestry industry down in the South-East, which was put forward by the member for Mount Gambier.

Along with many other members, I supported that. Even as the former minister for forests, I said, 'Well, it might find things that we didn't do to the best of our ability, but it's worth having a select committee because I strongly believe in the select committee system.' We set up a lot of them when we were in government. They are a very good way of going out and listening to what the people of South Australia have to say. They are also perhaps a good way of going interstate or getting interstate or overseas witnesses to address the select committee.

We had a select committee on grain handling operations in South Australia. The member for Hammond, the member for Chaffey and the member for Light were on it, and it was chaired by the member for Frome. We went all around regional South Australia. We went to some places twice because we wanted to go back, put our findings and listen to the community for a second time to see what their thoughts were.

We were very happy to see people like the member for Flinders turn up to those hearings. I think you were there at Ceduna, then we did the little side trip out to Thevenard. We went down to Port Lincoln. We spoke to people from right across Eyre Peninsula. I think we went out to the centre of Eyre Peninsula as well. We dropped in to see as many people as we could and give those people the opportunity. We were in places like Wallaroo. We were down in Naracoorte and in Snowtown and Crystal Brook. We were in Loxton.

**Mr Pederick:** Pinnaroo.

**The Hon. L.W.K. BIGNELL:** I have to say that it was the worst schnitty on the whole trip. One of the pubs had a good schnitty and the other one not so good.

**The DEPUTY SPEAKER:** Member for Mawson, be careful. You may not have privilege.

**The Hon. L.W.K. BIGNELL:** I might not have privilege. Thank you for your protection. They might have just been having a bad night. The member for Hammond only got half a schnitty—of all the blokes to get only half a schnitty—but the sundaes were good. The chocolate sundaes at the Pinnaroo pub were the best we had on the whole trip. I have to say about the Pinnaroo bakery that it has the best vanilla slices in South Australia. The bakers from the Ouyen bakery that Jeff Kennett said had the best vanilla slices in Australia moved from Ouyen to Pinnaroo. They are rippers.

**The DEPUTY SPEAKER:** Member for Mawson, back to the motion.

**The Hon. L.W.K. BIGNELL:** I was going to pre-empt you. I thought you were going to say, 'But the Cummins bakery has the best vanilla slices,' and I do not reckon you are far wrong. They come a close second. It is almost a dead heat for the best.

**The DEPUTY SPEAKER:** Thank you for your reminiscences, member for Mawson. Back to the motion, please.

**The Hon. L.W.K. BIGNELL:** We had a terrific time. We had a great time. Do you know what else we did? As well as getting around all of South Australia a couple of times, we went to Canada. We went to a place called Manitoba, and we met with farmers. You should have seen the member for Hammond; he loved the big trucks and harvesters. We climbed up on the harvesters. We met with the transport people.

What we learned about Manitoba is that it is so flat you can watch your dog run away for three days. What we learned about Saskatchewan is that it is a really hard word to pronounce and spell, but it is really easy to draw. We learned that. We went to Vancouver in British Columbia, and we met with the people who run the ports there. We met with the people who run the railway system in Canada. It was fantastic. We learned a lot about how another country does it.

Guess what? There might be some people in other jurisdictions who can tell us a bit about land tax. There could be some people who might know a little more than the Premier, the Treasurer and the Deputy Premier, who think they know it all. They think they know more than their backbench. They think that they have all of the answers, but guess what? We might actually come up with some good ideas by going out and talking to people across South Australia.

Another example of how this government does not listen is by cancelling the country cabinets. We used to love getting out to the country and listening to what people had to say—

**The DEPUTY SPEAKER:** Member for Mawson, I have suggested this a couple of times, and I understand you are building a framework for your argument—

**The Hon. L.W.K. BIGNELL:** Yes, based on schnitties and vanilla slices—and Canadian geography.

**The DEPUTY SPEAKER:** You are nearly halfway through with time, so the point is the motion that is—

**The Hon. L.W.K. BIGNELL:** Yes, it is about a select committee.

**The DEPUTY SPEAKER:** Yes, thank you.

**The Hon. L.W.K. BIGNELL:** It is about a select committee, which is also a select committee you have so that you can listen to people. What I was saying—and the member for West Torrens discussed this as well—is that when he was treasurer and brought in those great taxation reforms, it came about through a similar listening process to the select committee that has excellently been proposed by the member for Florey.

I remember being at those country cabinets, and the then Treasurer (member for West Torrens) was asking people what they had. Farmers and fishers in your seat, Deputy Speaker, were giving him some really good feedback on how their lives could be made better. All I am trying to do is give a few examples of how it can work for politicians and governments if they actually get out and listen to people.

That is at the crux of what we should be doing as representatives in this place, particularly when you are in the executive and when you are in a position to change people's lives forever in many cases. A lot of people who have legally invested money in a system that has been in place for decades. I think to make changes that are not grandfathered, or not have a discussion or move any amendments in this place about grandfathering any of those changes—there might be some really good ideas out there in South Australia.

I reckon there were some pretty good ideas. From what I have heard from some of the backbenchers, there were some pretty good ideas put up in the Liberal party room. If we set up the select committee as proposed by the member for Florey and bring those out, people could speak candidly in front of each other. We can have Hansard reporters who will take down all the notes. We did not take any Hansard people to Canada; it would have maybe blown the budget—sorry, but it is good. Hansard people come with us around the state. The Loxton Bowling Club was absolutely full to—

**Mr Brown:** It's no Canada.

**The Hon. L.W.K. BIGNELL:** Loxton was great. I tell you what, the ladies at the bowls club put on a lovely afternoon tea. The night we went to Pinnaroo, we had all those mice running in the fluoros. Remember that? One of the Hansard people was so scared, she had to jump up on the chair. Again, it is just an example—

**The DEPUTY SPEAKER:** Member for Mawson, I am really enjoying your tales from Canada, from the Mallee and from all over—

**The Hon. L.W.K. BIGNELL:** Well, if I can get on this select committee, I can take the show on the road.

**The DEPUTY SPEAKER:** Yes, okay—so we are coming back to the motion before the house, which is to establish a select committee.

**The Hon. L.W.K. BIGNELL:** We could take the Fringe—

**Mr Pederick:** I think he wants to go global with the select committee.

**The Hon. L.W.K. BIGNELL:** Yes. But you do need to listen to people. The other good thing about what we did with the country cabinets was that the heads of the Public Service were there, including Treasury. Everyone heard what the people wanted in all of those communities. I will tell you what people do not want: they do not want an increase of 2,352 per cent on their land tax bills. That is what we are hearing from people in our areas. Members on the other side who represent Liberal seats are hearing it as well; they are just not allowed to talk about it. I better be careful because I am not sure whether we are covered constitutionally and lawfully as a proper sitting of the house, so I will not say what I was going to say in case I get sued because there might not be privilege.

We are listening to people. We are hearing some absolute horror stories about how so many small businesses and investors, who, as I have said, made these investments lawfully under a system that has been in place for decades, are being affected. We come in here. We have listened to what the people have said. We stand up for those people and we say that we reject this proposition and these changes to the law because we stick up for these people and we stand with the member for Florey and her very sensible motion.

Who can be scared of a select committee? It is just the people of the state who pay our wages to come in here and represent them. It is just a matter of going out and listening to what they have to say, so why would anyone in this place be scared of the people of South Australia? They are actually really nice people. You should get out and meet a few of them and listen to what they have to say.

I was going to mention another bloke from the Property Council, but again I am not sure that I am safe to do that, so I am not going to. I had an email from him a little bit earlier in the day. I am not sure whether everyone got that.

**Ms Cook:** Call him Fred.

**The Hon. L.W.K. BIGNELL:** Okay. I got an email from a bloke. I am not sure whether everyone got that, but he is kind of having a go at MPs for being obstructionist.

**Ms Cook:** We all got that.

**The Hon. L.W.K. BIGNELL:** Okay, everyone has it. He is having a go at MPs in this place for being obstructionist. I think there was a little club that got together when we were in government and we wanted to bring in a tax on the banks—you know, those big four or five institutions that do not actually have any people working in South Australia much any more and who do not like lending money to small businesses to expand and to start up.

When we proposed to bring in a tax that would have resulted in a \$91 million increase in our budget here in South Australia, they were all out there then obstructing what it was that we were doing and they have been obstructing this government for whatever they said in the email—I think it was 135 days—but the minute they come up with a little sweetheart deal over a short black, everything is meant to be hunky-dory.

We are listening to more than one person. We are listening to the whole state, and the basis for our decision to vote against this bill was formulated on those listening posts. I commend the member for Croydon, the wonderful leader of the Parliamentary Labor Party in South Australia, for getting out there and listening to people, and I congratulate the member for Lee, who has also been out there. I think the Premier has done a tremendous job in listening to his backbench and informing us of what is happening.

Our caucus is a very cordial place to be. I am not sure I can say the same for the other side, from what I am hearing, but we have a very collegial attitude to these things. The stories that we are hearing have been quite incredible about how badly people will be affected by these changes that the Liberal Party wants to wreak across South Australia. For those who were not tuned in to the world wide web last night, I have to say that the Treasurer, Rob Lucas, when he came in here in 1982—

**Mr Brown:** You might not have privilege.

**The Hon. L.W.K. BIGNELL:** I am not saying anything bad about him. When he came in here in 1982, he was on a very generous pension scheme. There was another scheme that superseded that one. Most of us are on the one after that, which is still a good scheme and I am not complaining about what we get, but in 2004 that change came in. We knew what the rules were, but they did not change the rules in 2004 and say, 'We are going to make them retrospective and we are going to put them back past 1982, so, Rob Lucas, we are not going to take away from you that very good scheme that you are on with the defined benefits and everything else,' because guess what? That would have been unfair to poor old Mr Lucas. It would have been unfair to him to have done that. That is why I reckon it is unfair that you make changes to people who have invested in property and land since—was it the 1800s figure we were going with, member for Lee, or the 1935 figure?

*Members interjecting:*

**The Hon. L.W.K. BIGNELL:** They have been doing it since either 1856 or—

*Members interjecting:*

**The Hon. L.W.K. BIGNELL:** Okay, whether it is the one from the 1800s or the one from the 1900s, those people have made these investments in all of that time because the law has allowed them to do that. You have to see that it is unfair for people that it can just be pulled out from under them. The Treasurer says he will retire in 2022. If that happens, he will retire on the same system that he signed up to in 1982, but none of these other people who might have made investments in 1982, before 1982 or after 1982 will be able to retire on those same conditions with the same sort of wealth that they thought they would have because of the changes that this government wants to bring in without consultation with the wider community of South Australia.

That is why I am here tonight: to support the member for Florey's motion to have a select committee. There is nothing to fear from having a select committee and going out and listening to the people we represent as members of parliament in South Australia. Whether this sitting tonight is constitutionally legal or not, we are in this place. I hope it is, and I reckon you might hope it is because I do not want to have to repeat this tomorrow night for another 20 minutes. I reckon 20 minutes is enough; I do not think you want 40 minutes.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (21:01):** I move: That the time allotted for the remainder of the debate on the motion be limited to five minutes.

**The DEPUTY SPEAKER:** So that is clear. It has been moved. Is that seconded?

**The Hon. A. KOUTSANTONIS:** May I speak on this motion?

**The Hon. J.A.W. GARDNER:** Sir, standing order 114(a) provides that such motions may not be amended or debated.

**The DEPUTY SPEAKER:** That is right, member for West Torrens; 114 is quite specific: there is to be no debate on this motion. I will put the motion.

The house divided on the motion:

Ayes ..... 24  
 Noes ..... 20  
 Majority ..... 4

AYES

Basham, D.K.B.  
 Cregan, D.

Chapman, V.A.  
 Duluk, S.

Cowdrey, M.J.  
 Ellis, F.J.

## AYES

Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

## NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brown, M.E.	Close, S.E.
Cook, N.F.	Gee, J.P.	Hildyard, K.A.
Hughes, E.J.	Koutsantonis, A. (teller)	Malinauskas, P.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

Motion thus carried.

**The SPEAKER:** There is five minutes left on the debate. Member for Florey.

*Members interjecting:*

**The SPEAKER:** Order! Members wanting to listen to the debate, please do so quietly.

**Ms BEDFORD:** As a point of clarification, Mr Speaker, is it one speaker for the five minutes or can the five minutes be—is it one person to speak or can two speak for 2½ minutes? What is the story?

**The SPEAKER:** It depends who seeks the call, but I am told that there are five minutes left in the debate.

**Ms BEDFORD:** Which can be shared?

**The SPEAKER:** It can be shared.

**Ms BEDFORD:** In that case I will defer to the member for Hurtle Vale, who desperately wants to speak for three minutes.

**The SPEAKER:** Whoever would like to speak, the time is ticking away. There are five minutes. I call the Leader of the Opposition.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (21:09):** I rise under extraordinary circumstances, where the Liberal Party is now officially on the run. We are now dealing with a government that can—

**The Hon. J.A.W. GARDNER:** Point of order.

**The SPEAKER:** There is a point of order. I am going to pause the clock.

*Members interjecting:*

**The SPEAKER:** Members on my left! Minister?

**The Hon. J.A.W. GARDNER:** Relevance, sir.

**The SPEAKER:** I have the point of order. I will be listening assiduously.

*Members interjecting:*

**The SPEAKER:** I ask for the interjections to cease so that I can hear the Leader of the Opposition. Please resume the time. The leader has the call.

**Mr MALINAUSKAS:** Thank you, Mr Speaker. As I was conveying to the house, we are now dealing with a government that is officially on the run. The fact that we now have a government that controls the majority of this house and that has elected to use that authority to suppress debate on an important matter before the parliament and the people of South Australia is nothing short of a complete farce.

We have already seen this debate descend into utter farce this afternoon as a result of the government literally not being able to control the entirety of its own party. All the parliament is seeking to do is ensure that on a very substantial taxation measure—which is retrospective in nature, which was never mentioned once before an election, which a mandate was never once sought on—it has the opportunity for the scrutiny of a parliamentary inquiry.

The proposition from the member for Florey is not just rational; it is also fundamentally fair. I think that the people of South Australia legitimately expect that their government and their parliament use all the measures available to them to scrutinise such an extreme taxation measure that has not arrived into this parliament with a mandate or arrived into this parliament in a thought-through process.

This is an elementary proposition, one that I would have thought all here would be willing to embrace. The fact that the government is not only unwilling to embrace it but would also seek to use its numbers—which, for once, actually stuck—to impose itself on actually debating the opportunity to have a parliamentary inquiry really does demonstrate the lengths this government will now go to suppress debate on debate. This government was elected—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr MALINAUSKAS:** —talking about wanting to be an outfit that provided transparency and open and accountable government, yet here we are, in the parliament of this state, depriving the parliament of the opportunity to do exactly that. What an extraordinary proposition. I find it utterly incredible that we have a Liberal Party that talks about the virtues of freedom yet seeks to stifle debate in the very chamber that has the principal responsibility for scrutinising money bills.

This is yet another representation of a government trying to develop policy on the run, trying to suppress debate and examination of that policy that is done on the run in a way that I think most South Australians would quite rightly be alarmed about. This opposition, though, will not let up. Those people who have felt voiceless up until this point in time will continue to get a voice, but only through those members on this side of the parliament, who will fulfil our solemn obligation to provide a voice for the voiceless, to provide scrutiny over this government that has truly lost its way.

**The SPEAKER:** I have two members who rose at the same time. Member for Florey.

**Ms BEDFORD (Florey) (21:14):** It is very unfortunate, because I would love to hear the member for Hurtle Vale's contribution, but she may let me read it shortly. I want to use the last minute and a bit to address the members of the government, who I understand are in a difficult situation.

As an Independent now, I can speak to you as someone who has experienced a caucus and how it works. I have sat through some very difficult decisions in caucuses. The one that was most difficult was the WorkCover decision, and we will not go there tonight, so I understand what you have had to debate in your party room.

I am asking you not to feel bullied into doing something that you are not totally comfortable with. A select committee will not ruin anyone's future or place anyone in jeopardy. I think it will give us a really good basis to go forward with good reform, but we must have a bill that is good reform, not a bill that is half-baked and no-one is absolutely sure what it will do. The one thing I am sure about is that there will be unintended consequences, and I do not want to see my people suffer because we have been unable to get the right formula through this place.

I am asking the members of the government to think long and hard and support this opportunity to have the select committee. We all know things will happen in the other house anyway, but let's make the House of Assembly actually use its force and will to make the people feel proud of us.

The house divided on the motion:

Ayes ..... 20  
 Noes ..... 24  
 Majority..... 4

AYES

Bedford, F.E. (teller)	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brown, M.E.	Close, S.E.
Cook, N.F.	Gee, J.P.	Hildyard, K.A.
Hughes, E.J.	Koutsantonis, A.	Malinauskas, P.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
Gardner, J.A.W. (teller)	Harvey, R.M.	Knoll, S.K.
Luethen, P.	Marshall, S.S.	McBride, N.
Murray, S.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Teague, J.B.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

Motion thus negatived.

*Committee Stage*

In committee.

Clause 1.

**The Hon. A. KOUTSANTONIS:** Let's all settle in for a very nice long evening. Just so the parliament is aware, every member of parliament is constitutionally entitled to a 15-minute statement on every clause three times.

*Members interjecting:*

**The CHAIR:** Members, we are not off to a very good start. Thank you, member for West Torrens, for pointing out the standing orders; we are familiar with them. Each and every member has the opportunity to speak up to three times on each and every clause and ask a question. The member for West Torrens.

**The Hon. A. KOUTSANTONIS:** In terms of the short title of this bill, the act may be cited as the Land Tax (Miscellaneous) Amendment Act 2019. It is an interesting choice of words by the government. It is also very interesting that the Premier is not in the building, despite—

**The Hon. V.A. CHAPMAN:** Point of order: referring to a member not being present in the chamber—any member, whether it is the Leader of the Opposition or the Premier or anyone else.

**The CHAIR:** That is right. I was in discussion with the Clerk, so I did not hear what the member for West Torrens said, but if he did make a reference to a member who was not here for some reason, then that is disorderly, but he knows that.

**The Hon. R. Sanderson:** And you can kick him out if he keeps it up.

**The Hon. A. KOUTSANTONIS:** 'Kick him out,' says the member for Adelaide. Isn't it interesting: we are debating land tax and I am up here asking questions of the government on their



retrospective land tax changes and the person who wants me thrown out of the parliament is the member for Adelaide. I reckon her constituents would be very interested to see the Facebook video of this: the member for Adelaide saying, 'Throw them out! They are asking questions! How dare they ask questions!'

**The CHAIR:** Member for West Torrens, you do not need to respond to interjections.

**The Hon. A. KOUTSANTONIS:** I was threatened, sir.

**The CHAIR:** Minister for Child Protection, you interjected, 'Throw him out.' I had no cause to think that I needed to throw out the member for West Torrens—at this point, anyway. The member for West Torrens.

**The Hon. A. KOUTSANTONIS:** Thank you very much, Chair. Thankfully you—

**The CHAIR:** Back to clause 1.

**The Hon. A. KOUTSANTONIS:** Yes, the short title. Often, when the government is considering what to make of a title for a bill, there are many iterations that the government could consider. One could have decided to call this bill the 'land tax (retrospective) amendment bill' because the retrospective nature of this bill I think is something that has caused great alarm, despite the member for Adelaide's insistent support of retrospective land tax changes.

The member for Adelaide, who has championed the cause of retrospective land tax changes, may wish to explain to the house in her contribution why it is that the government decided that the act be cited as the Land Tax (Miscellaneous) Amendment Act, rather than the 'retrospective change'. If not retrospective, how about the 'aggregation bill' or the 'land tax fairness bill', or any other descriptor the government might want to come up with? Importantly, in the first of my three 15-minute contributions on the short title of the bill, I think it is important that we consider where we are, why we are here, and why it is that we are considering the short title of this bill.

As I said earlier today, perhaps potentially we are debating a piece of legislation that should perhaps have been developed another way, perhaps through the traditional methods of consultation—green paper/white paper—where the government puts out a set of problems, puts out a proposed solution, then puts out a white paper for final consultation and then presents legislation to the parliament. That is the orthodox way to enact legislation.

That way, perhaps, the name of the bill could have been titled aptly the 'land tax amendment bill to introduce fairness', but of course the government cannot use the word 'fairness' because it would be inappropriate to mislead this parliament, because calling it fair would indeed be misleading, because retrospectivity is in its nature unfair. The reason retrospectivity is unfair is that people who have in good faith established structures, whether in companies, trusts or through any other legal entity available to them, have acted within the guidelines of the law. They have done nothing wrong.

The average investor at home who is considering or watching these measures is asking themselves, 'Why is it called 'miscellaneous' and not 'retrospective'?' I would say to those people who are at home thinking about this debate that it will last into the early hours of the morning, given that we are all going to speak three times with our 15-minute allocated slot on the short title—all 19 of us. It will be an interesting debate. We will flesh this out clause by clause. Because the government will not give the people their consultation, it is our solemn duty to do this.

Some members opposite might call this a filibuster. Let me give the parliament a history on what filibustering means. Filibustering is a term that has been coined in parliamentary practice when members of parliament talk at length on a topic within standing orders in order to fill out time. That is disorderly, but within the rules. I would never engage in filibustering. I think filibustering is not only offensive to the house but also offensive to the process. That is why I am going to talk at length about why this short title was deemed as it is.

I think this short title says it all because, in the end, as future generations look at this legislation they will ask themselves—and indeed, as courts consider land tax bills or any legislation this parliament passes, the short title is important. It is there for a reason. Parliamentary counsel, which is a senior chamber of the state, has designated this for a reason.

The Attorney-General does not represent the Treasurer in this house. It is the Premier who represents the Treasurer in this house. I accept the executive's ability to have any member representing him, but it was the Premier who introduced this legislation to the house, it was the Premier who said that this was his legislation and it was the Premier who said he was not for moving, until he moved.

**The Hon. A. Piccolo:** The lady's not for turning.

**The Hon. A. KOUTSANTONIS:** The lady's is not for turning. You know what—that statement stands.

My good friend the member for Kaurua talked about the word 'miscellaneous' being able to disguise all sins. Given that it can disguise all sins, the question that we are attempting to flesh out in here is: what are the retrospective changes? Have the government been able to flesh out what those retrospective changes are? Do they know the impact of those retrospective changes? What modelling has been done by the government on the retrospectivity of this bill? Have they received any advice, from any agency in government, advising against retrospective changes to commercial arrangements for taxation purposes? The other question is: are there any precedents for this in the parliament and in the state's history?

*The Hon. A. Piccolo interjecting:*

**The Hon. A. KOUTSANTONIS:** Let's not go there. The important thing—

*The Hon. S.C. Mullighan interjecting:*

**The Hon. A. KOUTSANTONIS:** He said, 'Danger, Will Robinson, danger.' As we discuss retrospectivity, the important thing to ask here is: what are the precedents for the government making retrospective changes, given most acts and most parliamentarians do all they can to avoid a retrospective change? The question is: why is the house embarking on retrospective change now?

**An honourable member:** Embracing it.

**The Hon. A. KOUTSANTONIS:** Not only embracing it but attempting to make a virtue of it—attempting to say that it is introducing fairness? When you title a bill Land Tax (Miscellaneous) Amendment Bill to become the act, I think it is rather discourteous towards all those people who have made arrangements under state law to establish their arrangements in a certain way to protect their assets.

If there is an unintended consequence that they are paying a differential rate of land tax through the entirety of their properties, should the state be able to introduce a miscellaneous bill to undo that retrospectively so that going forward, despite there being no change in the ownership structure, the government can then charge a rate as if those ownership structures did not exist? That is the question we have to grapple with. This parliament is supreme and can make laws like that. There is no legal requirement for the government to compensate, unless it chooses to.

The government can make taxes as it pleases, and that is why with great power comes great responsibility. I think the government is failing that test in regard to the short title. Quite frankly, the short title should be amended to 'land tax (retrospective implementation of aggregation) amendment bill'. If that were the title, at the very least the government could claim some sort of honesty in what it is attempting to do.

You have to ask yourself: why did they not do that? I suspect that maybe it did have that title and was changed by the government, changed by the minders. You know the ones who thought they should put Timothy Goh on the front page of *The Australian*? Those minders.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** It was.

**An honourable member:** The dream factory.

**The Hon. A. KOUTSANTONIS:** The dream factory, I have always wondered: why does the Premier always use the term 'dream factory'? I keep on hearing this term 'dream factory' over and

over again. I do not know why the Premier keeps on using the term 'dream factory'. I am sure that that there is a logical explanation for why that term is used constantly. If only he were here to explain.

*The Hon. V.A. Chapman interjecting:*

**The Hon. A. KOUTSANTONIS:** I heard the Deputy Premier interject another reflection, in her wisdom. I note that the Deputy Premier referenced the gallery during question time, which is also out of order. Of course, that brought great laughs and joy and merriment to the government benches. In regard to the short title—in the four minutes and 30 seconds that remain to me in the first iteration of my first statement on the short title, given that the government is so keen to guillotine this debate—I would say to the government: at least have the honesty to call this bill what it is, namely, a retrospective tax grab, an increase.

The short title is a revenue measure. It is a money bill and money bills by their very nature raise revenue—not always, but generally. This bill raises money. This bill, titled the Land Tax (Miscellaneous) Amendment Bill, raises money. My questions to the Deputy Premier are: was this its initial title? Was anyone in government involved in designating it a title? Will the government accept an amendment to change the name of the title to the 'land tax (retrospective aggregation implementation measure) amendment bill 2019', just so people know exactly what it is the government is attempting to do? I think that would be the honest and fair thing to do. My colleagues are all going to speak on the short title.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** They are all looking forward to it.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** I do not believe that the member for Playford cannot speak for 45 minutes on the short title. That is a challenge I think he can meet and exceed, because the reality is a short title of a bill is more than just the entry. It is like the title of a book. The title of a book is very important, and I would say to members opposite that the first dishonesty in this bill is in its naming, and when you begin with a dishonest frame, the rest of the bill really is questioned.

**The CHAIR:** Member for West Torrens, we have just put the clock up on the wall. You are approaching your 15 minutes.

**The Hon. A. KOUTSANTONIS:** Thank you very much for your assistance. I have it at two minutes 21 seconds, which is about right, sir.

**The CHAIR:** No, we started the clock at the beginning of your—

**The Hon. A. KOUTSANTONIS:** I appreciate the Clerk's eagerness to have me timed.

**The CHAIR:** Because there is a time limit, member for West Torrens.

*The Hon. V.A. Chapman interjecting:*

**The Hon. A. KOUTSANTONIS:** Thank you so much. Again, I want to thank the Attorney-General for all her advice. My question is: did the government have any role in naming this bill? Were alternatives canvassed? Why has the government not called this the 'land tax (retrospective implementation) amendment bill for aggregation', or a version of that? Why is the term 'aggregation' not in the title of the bill? Why is 'retrospective' not in the title of the bill as a term?

I think that would be important for people who are looking at this, to know the true intent of the bill, because simple, common language in legislation is where parliamentary counsel is moving towards, and clear, concise titles make it easier for members of the general public to understand the laws that are being made. That is my first question on the short title.

**The Hon. V.A. CHAPMAN:** I understand the three questions. The first was: what was the first name of the bill? The first name of the bill was Land Tax (Miscellaneous) Amendment Bill. I am advised that there have been no changes or requests to change. In answer to the third question, as to any change that is proposed: no.

**The Hon. A. KOUTSANTONIS:** That was very disappointing. As I begin my second 15-minute explanation on the short title, I will just make sure that I am checking the clock of the Clerk, with Apple technology versus the technology of the House of Assembly.

**The CHAIR:** It is up on the screen, member for West Torrens.

**The Hon. A. KOUTSANTONIS:** If it indeed is the House of Assembly right now. It could just be a museum, or a heritage building where a group of people have come together to talk about measures in a bill, because the house actually adjourned at 6 o'clock. We will let the Supreme Court decide all of that. I did ask the Deputy Premier whether or not she would accept amendments to rename the bill—

**The Hon. V.A. Chapman:** I said no.

**The Hon. A. KOUTSANTONIS:** —no, you didn't—and I asked whether or not she would consider these amendments. She refused to answer. Interjecting does not change the fact—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** Who is interjecting?

**Mr Basham:** She said no.

**The Hon. A. KOUTSANTONIS:** He speaks—the firebrand from Finnis. I have to say that I am impressed. I have been here 18 months and I have never heard him speak.

**The CHAIR:** Member for West Torrens, you are not to respond to interjections; you know that.

**The Hon. A. KOUTSANTONIS:** I will do my best, sir. I will do my best. The opposition now has a new person to fear.

The Land Tax (Miscellaneous) Amendment Bill should be retitled to better inform people who are looking for legislation to understand its intent. Intent is everything we do in here. The government claimed that they were attempting to insert fairness into land tax. That is not the feedback that we have had. The feedback that we have had has been very, very different. The feedback that we have had says that this bill actually makes land tax unfair, that this bill makes the impacts of aggregation and ownership of property less fair.

It targets certain individuals. It identifies a group of people who have structured their ownerships of multiple properties in a certain way that was legal and available to them under state statute, and the government will not recognise that in the title.

The title of the bill, as I said, is important because understanding why we have gone through that title is to understand exactly how legislation is made. You do not put, for example, motor vehicle registration and the laws governing that under another title that is difficult to find and understand, because in terms of open democracy you want the titles to be something that people can see, easily identify and know the intent of the bill by.

Anyone picking up this amendment bill would be hard pressed to understand its intent. I have always thought the government, when introducing its intent into this bill, would at the very least make the title representative of what it is attempting to do. In making it more representative of what it is attempting to do, you get better outcomes with the public, particularly given the government's refusal to consult on this matter, even for a short period of time, going as far as to guillotine debate, to not allow every parliamentarian in this place to have their say.

One of the important principles of this parliament is that when we enter here we leave our personal identity at the door. I am no longer Tom Koutsantonis when I walk into this chamber; I am the member for West Torrens. I do not speak for myself; I speak for my community. Those communities were denied a say on a vote to create a select committee because of the government guillotine.

At the very least recognise the impact of this bill in the title if you will not let people be consulted on the bill. At the very least allow Finnis, Heysen, Newland, Lee, Florey, Light, Badcoe, Enfield—not Piccolo, not Stinson, not Michaels, not Bettison, not Bedford. The whole principle here

is that we are not here to serve ourselves but to serve the public. The short title is crucial to that in any piece of legislation. I do not know why the member for Newland finds this so funny. I think this is a serious piece of democratic literature that should be taken very, very seriously. The title is everything.

Legislation should reflect the government's intent. The title of this bill in my humble opinion does not reflect the government's intent. Indeed, it attempts to disguise the government's intent, and that is unfair. Governments can use their majority—the tyranny of their majority—to try to avoid scrutiny and change the name of the bill. For example, in a celebrated case of euthanasia legislation, after the second reading debate was completed and the house, in a previous parliament, had agreed to the principle of euthanasia through the second reading, then Speaker Atkinson from committee attempted to change the short title of the bill.

He made an impassioned plea to the parliament about the importance of the title of the bill for intent. I think intent is everything. That is why I say to the parliament: 'miscellaneous' means nothing. Quite frankly it is sloppy work. It is sloppy. People can do better. Parliamentary counsel can do better. Miscellaneous, really? It is an aggregation bill. It does a number of things: it changes thresholds, it changes rates, but ultimately it defines aggregation.

Let me give you a brief history on some of the titles of the bills introduced by the current government. The first one was Disability Inclusion Act. That speaks for itself—disability inclusion. Anyone looking at the title of that bill would know that it is about disability inclusion. The second one was Sentencing (Release on Licence) Amendment Act 2018. Again, it speaks for itself. We are not talking about dramatic changes to the short title. We are talking about sensible reforms. The Supply Act: what is more simple and majestic than a supply act? We all know what that means.

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** Exactly, one paragraph. It is simplicity at its best. The Criminal Law Consolidation—wait for it, sir—(Dishonest Communication with Children) Amendment Act. How clear is that? That is something the Attorney-General brought into the parliament. She knew. Let's be clear about this. Any dishonest communication with children is an offence. Simple, easy to follow, the KISS principle—keep it simple, stupid. We move on to Statutes Amendment (SACAT Federal Diversity Jurisdiction) Act 2018—again, self-evident. Farm Debt Mediation Act makes sense.

**Ms Stinson:** It's probably about farm debt mediation, right?

**The Hon. A. KOUTSANTONIS:** I would say so. Health Care (Governance) Amendment Act makes sense. Criminal Procedure (Miscellaneous) Amendment Act: they have snuck in 'miscellaneous' there, so that is one out of the first 10, making it 10 per cent. I would have thought that the government could do better than that. Public Finance and Audit makes sense in terms of managing public finance and auditing. Criminal Assets Confiscation: again, it is clear and evident.

**Ms Stinson:** Confiscating criminal assets.

**The Hon. A. KOUTSANTONIS:** Exactly. Anyone can read that and know exactly what the intent of the bill is. Statutes Amendment (National Energy Laws): obviously, that is about national energy laws. Given the state is the jurisdiction that is the legislative parent of all national energy policy, it has to be very clear and concise legislation. Evidence (Journalists) Amendment Act: again, there was an election commitment that the Attorney-General took to the election, as I remember.

**The Hon. V.A. Chapman:** Shield laws.

**The Hon. A. KOUTSANTONIS:** Shield laws. That would have been another good name for the bill—'shield laws'. Infrastructure SA Act establishes Infrastructure SA and guides its operations. Children and Young People (Safety) (Miscellaneous) Amendment Act: again, it says 'miscellaneous' but we know basically what it means. Fair Trading (Gift Cards) Amendment Act, Late Payment of Government Debts—they are pretty self-evident. Fair Trading (Ticket Scalping) Amendment Act: the gift cards bill is obvious, the late payments is obvious, ticket scalping is obvious.

Here is my favourite: Payroll Tax (Exemption for Small Business) Amendment Act. That is very clear and concise. The government has decided that all small businesses with a payroll of a

certain level will be exempt from payroll tax. It is very simple. Despite Treasury arguing against that for the four years previous, they were able to come up with a very concise piece of legislation to implement the government's will.

The Terrorism (Police Powers) (Use of Force) Amendment Bill obviously describes what the government is attempting to do. National gas (capacity trading and auctions) is a piece of legislation that I led when I was minister. What the current Minister for Energy is quite good at is completing legislation that I did not have time to pass. He introduced and passed it. Of course, that has created a capacity for the nation to trade gas that is held in storage in pipes. That has increased liquidity in the gas market, lowering power prices and gas prices, and created a transparent gas market around Australia. Again, for anyone involved in this industry, it is very clear what this stands for.

Petroleum and geothermal (ban on hydraulic fracturing), the most controversial piece of legislation this government has passed. Again, it is clear: it is banning fracking under the Petroleum and Geothermal Energy Act. The title says it; it is very simple. I can go on and on—

**Mr Brown:** And I will.

**The Hon. A. KOUTSANTONIS:** —so I will. You stole my line, you bugger. The Teachers Registration and Standards (Miscellaneous) Amendment Bill is no doubt a bill about teacher registration and standards. The Public Interest Disclosure Bill is no doubt about how whatever is in the public interest should be disclosed. The Appropriation Act is where the government gets to borrow record levels of debt, nearly doubling the state's debt. This is a bill that will go down in history. Indeed, it was in relation to this bill, if my memory serves me correctly, that the Treasurer was asked: will this appropriation be paid for in his lifetime? He said, no, it will not. He will not make it.

**Mr Brown:** That's sad on so many levels.

**The Hon. A. KOUTSANTONIS:** It is sad. I do wish him a long life. This is very clear and concise: the Summary Offences (Disrespectful Conduct in Court) Amendment Bill. That is a clear intent by the state. As I am getting to the last minute of my second question of my 15-minute explanation of the short title, before we move on to my colleagues to do exactly the same thing can the government explain to me why they did not use the term 'retrospective' in the short title to apply to aggregation?

Will the government accept amendments that include the term 'retrospective' and 'aggregation' in the short title to make sure that there are absolutely no ambiguities about the intent of this bill, that is, to impose a land tax increase on the people of South Australia by aggregating their properties and making it retrospective in nature?

**The Hon. V.A. CHAPMAN:** I note the complimentary assessment by the member of the government's description of other bills that it has brought before the parliament, otherwise, I refer to my previous answer and, in the absence of the member presenting any amendment after 14 days, I will treat the rest of his contribution as a comment.

**The Hon. A. KOUTSANTONIS:** That was disappointing. I would have thought my 15 minutes deserved a more fulsome answer.

**The Hon. V.A. Chapman:** You're lucky you got one at all.

**The Hon. A. KOUTSANTONIS:** 'Lucky I got that at all'—the arrogance on display is breathtaking. It is almost 'let them eat cake'. If only we understood.

**The Hon. A. Piccolo:** Only if we can aggregate the cakes.

**The Hon. A. KOUTSANTONIS:** Only if we could aggregate the cakes. All this aggregation is bad for you. Let me go on with the list of bills that have simple, simplistic, easy to use, easily referenced names. What was I up to? I am going to start from the beginning. No, here we are: the Office for the Ageing (Adult Safeguarding) Amendment Act 2018. Quite clearly, that is about the Office for the Ageing. This is an interesting piece of legislation: the Statutes Amendment and Repeal (Budget Measures) Act 2018.

**Mr Brown:** Did that have land tax in it?

**The Hon. A. KOUTSANTONIS:** It may have, because I suspect that bill repealed some aspects of taxation.

**Mr Brown:** Did that have big tax increases in it?

**The Hon. A. KOUTSANTONIS:** I doubt it. The Sentencing Amendment Act. The Health and Community Services Complaints (Miscellaneous) Amendment Act no doubt talks in depth about health and community services. The Statutes Amendment (Domestic Violence) Act—if I am not mistaken (and I could be wrong) that is something that the member for Badcoe, the member for Fisher, the member for Elder, the member for Enfield, the Attorney-General, the member for Reynell, the member for Florey and other colleagues in the parliament have been championing to try to minimise domestic violence. Again, the simplicity of the title of the bill gives people—especially women—the ability to understand their rights and have a look at—

**Ms Stinson:** Women in this case.

**The Hon. A. KOUTSANTONIS:** Women in this case, yes—to look at the legislation and get to it quickly to find out—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** I seek your protection, sir. The next one is tobacco products. There is no doubt that legislation is about the regulation of e-cigarettes and review. Title after title gives us a concise summary of what it does in a few words. The Land Tax (Miscellaneous) Amendment Bill means nothing. The road traffic (evidentiary provisions), the South Australian Employment Tribunal, residential parks, the Construction Industry Training Fund (Board) Amendment Act—that must be an amendment act to allow Nicholas Handley to be able to get on the board without being qualified. That must have been—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** Of course, yes; privilege may not apply because this may just be a room of people talking to each other.

**The Hon. S.C. Mullighan:** Who are we defaming? The minister or Mr Handley?

**The Hon. A. KOUTSANTONIS:** Mr Handley, I am attempting to defame. What was I up to?

*Members interjecting:*

**The CHAIR:** Unfortunately, member for West Torrens, if you started again I would have to invoke standing order 128.

**The Hon. A. KOUTSANTONIS:** Tedious repetition, sir?

**The CHAIR:** Yes, but you have not got to that yet.

**The Hon. A. KOUTSANTONIS:** That came to my mind in my first speech. I was waiting for you to use that; I was glad you did not, sir.

**The CHAIR:** If you started your list of titles again, I would invoke it.

**The Hon. A. KOUTSANTONIS:** If I can quote from a guide by parliamentary counsel:

Part 2—Short titles

General

25 As a general rule, you should take particular care when naming Bills to ensure that the names you choose are as informative as possible (within reason) and do not cause unnecessary confusion to the Parliament or to any other users of legislation...

There it is, with my 11 minutes to go. It continues:

In particular, this involves avoiding names that could easily be confused with the names of other current Bills. For instance, Bills whose titles differ only in the inclusion of a 'noise word' like 'Legislation' or 'Laws' may well confuse some users.

With all due respect to everyone in this parliament, there are very few people who understand the intricate workings of land tax legislation—perhaps the member for Lee, perhaps the Treasurer, and probably Mr Raymond, who is in the parliament today. They are the only people who probably really understand—sorry, my apologies. The member for Enfield has probably written the book on the interpretation of land tax laws—expert. It may well confuse some users. The guide continues:

Location of 'Amendment' in titles of Bills

26 The simplest Bill title for an amending Bill is created by adding 'Amendment' to the title of the Principal Act (e.g. Public Service Amendment Bill).

27 Less obvious titles for amending Bills are created in several other ways.

28 In some cases—

parliamentary counsel tells us—

we add 'Amendment' to a title describing the kind of legislation being amended (e.g. Taxation Laws Amendment Bill, Social Security—

I think we would consider social security, as we are a state jurisdiction—

Legislation Amendment Bill). In these cases, the title gives a clue, at least to those familiar with Commonwealth Acts—

it distinguishes between them and state acts—

since it would be rare for a Commonwealth Principle Act to contain 'Laws' or 'Legislation' in its title.

I think that is something interesting for us to cogitate on as we debate the Land Tax (Miscellaneous) Amendment Bill. It continues:

29 In other cases, we have added explanatory words in parentheses to the title of the Principal Act, usually accompanied by 'Amendment' (e.g. Student Assistance (Budget Matters) Amendment).

30 The practice—

we are told by parliamentary counsel—

of creating Bill titles as described in paragraph 29 could confuse readers.

We want to avoid the confusion of readers because it may be difficult to tell whether the words—

**Mr BROWN:** Point of order: I might interrupt the member for West Torrens. I draw your attention to the state of the house.

**The CHAIR:** You have drawn my attention to the state of the house. Counting the members present, I see there is not a quorum. Ring the bells.

*A quorum having been formed:*

**The Hon. A. KOUTSANTONIS:** Back to the important descriptor by parliamentary counsel on how short titles of bills should be named:

30 The practice of creating Bill titles as described in paragraph 29 could confuse readers—

Not the Attorney-General. Nothing could confuse her.

**Ms Stinson:** No, she's too smart.

**The Hon. A. KOUTSANTONIS:** She is too smart for all of us.

because it may be difficult to tell whether the words in parentheses are part of the name of the Principal Act or only an explanation of what is in the amending Bill. For instance:

- the Higher Education Funding (Student Organisations) Amendment Bill 1994 was an amendment of the Higher Education Funding Act 1988;

It creates confusion. How much time do I have, sir? Is it 14 minutes? I had nine on mine, sir.

**The CHAIR:** We have eight. Lucky you set yours, member for West Torrens.

**The Hon. A. KOUTSANTONIS:** Thank you, sir. It continues:

31 The problem is particularly acute in areas in which there are a number of Acts whose titles refer to specific subject matters in parentheses. For anyone familiar with the Crimes (Hostages) Act 1989—



and I know the member for Playford is familiar with this act—

the Crimes (Foreign Incursions and Recruitment) Act 1978, the Crimes (Aviation) Act 1991 and the host of other Crimes Acts with equivalent titles, the Crimes (Child Sex Tourism) Amendment Bill and the Crimes (Search Warrants and Powers of Arrest) Amendment Bills, which in fact amended the Crimes Act 1914, could easily have been amending a Crimes (Child Sex Tourism) Act and a Crimes (Search Warrants and Powers of Arrest) Act.

32 Accordingly, expressions in parentheses which indicate the subject matter of the amending Bill should appear after 'Amendment' rather than before it, for instance—

Pay attention, my young Padawan learners—

- Higher Education Funding Amendment (Student Organisations) Bill;

So what we have here is an attempt at the same but using 'miscellaneous'. It continues:

- Crimes Amendment (Child Sex Tourism) Bill.

In Numbering of Bills, I want to get to the part where we talk about 'miscellaneous', and that may take me some time to flesh out, Mr Chair, given I have seven minutes on the short title left. I suppose the question that I want the Attorney-General to start considering is: has she read the Parliamentary Counsel Drafting Direction No. 1.1, which was reissued on May 2019 while she was Attorney-General? It has in its content some important paragraphs:

Long titles—

Material in Bill must be within scope of long titles...

General rule...

Amendments...

Use of 'and for related purposes' and 'and for other purposes'—

which perhaps could have been a better title: land tax and for other purposes, i.e. ripping people off who have made investments amendment bill.

**Ms Stinson:** Catchier.

**The Hon. A. KOUTSANTONIS:** It is catchier. Finally, the Attorney is seeking advice. This could be a moment in the history of the parliament: the Attorney-General might not know something. That is remarkable. If only we could record it for posterity, Mr Chair. The numbering of bills is important in avoiding numbered titles in favour of titles with subject matter references. Why? Why would we avoid numbering of bills rather than just bill No. 1, bill No. 2, 2A, 2B, whatever it might be? We have no less than the Senate select committee that has done a body of work on the naming of bills. Who said we do not get value for money out of the Australian Senate?

**The Hon. S.C. Mullighan:** Not I.

**The Hon. A. KOUTSANTONIS:** Not I. It continues:

The Senate Standing Committee for the Scrutiny of Bills raised with the Attorney General in 2003—

so it is appropriate that the Attorney-General is here—

the potential for confusion when Bills that include an identifying number do not pass in the calendar year in which they are introduced, and instead roll over into a new calendar year.

Hence, we do not number bills. It continues:

36 The use of identifying numbers generates confusion in several ways. Confusion arises, for instance, in a case in which the first in a series of Bills introduced in a year is called 'No. 4', and the preceding Bills, presumably numbered 1 to 3, are nowhere to be found on the public record.

Mere mortals like us might find that confusing; not for the Attorney-General, I accept that. No, she is much smarter than all of us. If bills 1, 2 and 3 do not pass but bill 4 does within a calendar year, it could create some confusion, which is why the Senate committee found that bills should avoid numbering and 'extend the use of explanatory words' in bills, which brings us to the short title.

I know that this is a long, roundabout 45 minute journey on the short title. Can I just say that I have just opened the gate. There are many more to speak on this to try to explore the full path of the short title because ultimately it is important that we understand this. This is for the bureaucracy:

38       Accordingly, if you receive drafting instructions for a Bill identified by a generic title plus a number, you should draw the Committee's views to the attention of your instructors and encourage them to consider using instead a subject matter reference (with or without the words 'and Other Measures'...

'Miscellaneous' does not cut it—it does not cut it. It means nothing.

I think the government should have honesty and decency, as is said in chapter 39. This is particularly important in the case of a bill that is unlikely to pass in the calendar year of introduction, like this one, or a case in which two or more bills in the series are likely to be before the parliament at the same time. Land tax 1, 2, 3, 4, 5 and, of course, genesis 6 to come in the Legislative Council—6.0. It would be much easier for us to follow the workings of Daniel Gannon and the Premier to understand exactly where we are up to—

**Mr Picton:** The dance, the tango.

**The Hon. A. KOUTSANTONIS:** The tango. I ask the Attorney-General whether she has read this procedure? Why was it not followed in this case? Could she go away and get some information for the committee about why 'miscellaneous' was used and not the appropriate descriptor as described by a Senate committee? If it is 2013, I suspect the chair of that committee would have been a Conservative member of the Senate, probably a colleague of the member for Bragg, someone she knows, trusts and admires. Then perhaps we would avoid the confusion of not knowing what 'miscellaneous' actually means when it comes to the short title of this bill. I would enjoy an explanation worthy of the question that I have asked her.

**The Hon. V.A. CHAPMAN:** In respect of the document that has been quoted, it does not identify for me any recognition of a document that I have read. I am advised that it is a document—from the quotes that have been read out—that actually applies to the federal parliament and has nothing to do with the guidelines for our parliamentary counsel.

*The Hon. A. Koutsantonis interjecting:*

**The Hon. V.A. CHAPMAN:** I am just relying on information that you have given me, which is guidelines for parliamentary counsel. I am just explaining to the committee, Mr Chairman, that the parliamentary counsel we are talking about in relation to the document, which I think the member is reading from, actually does not relate to our parliamentary counsel. In any event, they have presented the title, as I said. It has been unamended and, in the absence of any other amendment by the member, I will again treat that as comment.

**The Hon. S.C. MULLIGHAN:** I rise with respect to clause 1 of the Land Tax (Miscellaneous) Amendment Bill. Similar to the member for West Torrens, I also register my surprise at the short title of this bill, not necessarily in respect of it being named 'land tax' but that the misnomer of the bill is then included of 'miscellaneous'. The provisions do not accord with the concept of miscellany, as I understand it.

**The CHAIR:** Member for Lee, I hate to say this, but I am not quite hearing you. You can either speak up or bring your microphone closer to you.

**The Hon. S.C. MULLIGHAN:** Alas, I must commence again.

**The CHAIR:** Yes, and I will not invoke 128.

**The Hon. S.C. MULLIGHAN:** Not dissimilar to the member for West Torrens, I also rise to speak about the short title of the bill, not so much in regard to the first two words comprising its name 'land tax'—I think we all understand that that is the context of the changes contained within the bill—but the misnomer of 'miscellaneous' in the bill. My understanding of the concept of miscellaneous, or miscellany, is that it is meant to refer to a collection of unrelated matters within a cohort.

It is very clear to me, and it has been very clear to others, both in here and out in the community who have looked at this bill, what the intent of this bill is. This is not some tidying up of various provisions of the land tax regime which has been in existence variously from 1936, 1884 or

at some other period with which the longer serving members of the government are more familiar than me.

This is directly related to a package of changes to the Land Tax Act to give effect to a retrospective application of aggregation changes. Those aggregation changes are solely designed to generate more land tax revenue for the government, and those land tax changes are designed specifically to group landowners' landholdings together so that those landholdings, in the total value, can be assessed for land tax at the sum of their values, and hence attract a higher tax rate than they might have previously. That is the purpose of the bill, to aggregate those landholdings and to generate more revenue for the government.

The member for West Torrens is far more experienced and loquacious than I when it comes to considering how bills may or may not be better named so, perhaps much to your displeasure, Deputy Speaker, I will not burden you with some of my suggestions about how this bill could have been more accurately named. However, I think it is fair to say that this bill would have been more accurately named had it not had the misnomer of 'miscellaneous', and had it had the more direct, more accurate nomenclature of 'aggregation' or 'tax raising' or 'retrospective harvesting of people's hard work and livelihoods'—in parentheses—amendment bill.

That is certainly the feedback we have been receiving from members in the community, and not just members of the community who are landowners but members of the community who are generally concerned on behalf of landowners or who have genuine concerns about the broader impact beyond the impact on those landowners. The impact it might have, for example, on the tenants of landlords impacted by this bill or, indeed, people who participate in the property development industry, people who are involved in the real estate sales industry, people who are involved in the property management industry, people who are involved in the housing construction industry.

It is not just people who have first tried to approach the government, found an unwilling and deaf ear to their concerns and who have then approached the opposition and crossbench MPs in both houses to make their concerns known. It is those, in particular, who have felt misled, and the short title of this bill best embodies the misleading nature of this government's land tax reforms. It provides some sort of blancmange-like name to the title of this bill to cover up what it actually does to those people who will feel the full, most deleterious effects of its measures should they be passed. It is one more leaf in the extensive *War and Peace*-length novel of the misleading mischaracterisations of this reform that we have been subjected to by this government.

At no stage has the government been up-front with this parliament or the broader community about what this bill actually seeks to do and what impact it will have on the community. To just claim that this bill and its impacts are some form of miscellany on the community is, I think, an outrage. It is an absolute outrage. It absolutely seeks to cover up what this bill attempts to do.

I must say that I find it wholly unsurprising that the Deputy Premier is completely unwilling to contemplate a different, more accurate and more to the point name for this bill than the Land Tax (Miscellaneous) Amendment Bill. This is not a miscellaneous collection of amendments to tidy up the Land Tax Act. This is a series of changes that are closely related to give effect to these aggregation measures, to effect those aggregation measures as they relate to individuals, as they relate to land held in trust structures and as they relate to land interests held in company structures. That is the purpose of the bill.

It does not bode well at the commencement of the detailed examination of this bill that we have got off on the wrong foot, having first of all to contemplate how we can start having a more accurate discussion about the contents of the bill. If the Deputy Premier had been a bit more forthcoming in her response to the member for West Torrens' entreaties that we have a more accurate name for the bill, then I think some of the goodwill, the bonhomie, that we have been missing in the operation of this place in these recent times—

*The Hon. V.A. Chapman interjecting:*

**The Hon. S.C. MULLIGHAN:** Do I need an elocution lesson, Deputy Premier?

**The Hon. V.A. Chapman:** No, lobotomy; is that what you said?

**The Hon. S.C. MULLIGHAN:** No, bonhomie. I realise in these careful and particular times that might be inadvertently gender specific, but I think you can understand the point I was trying to make, which is that we have been alleviated of a significant dose of goodwill in recent times in this place, to the point where many of us do not even know if we are meant to be here this evening.

**Ms Stinson:** Didn't we rise at six?

**The Hon. S.C. MULLIGHAN:** Yes, some of us understood that was inadvertently the case. However, we do find ourselves here, trying to wade through what is, albeit relatively short in terms of the number of clauses, still a relatively complex bill to give effect to these aggregation changes.

If the point of my contribution is more representative rather than specific in desiring an outcome that the Deputy Premier change the short title of this bill, if my point is indeed that the title of the bill as it stands signifies the months of deliberate deception and misleading rhetoric which we have had from the government about this package of land tax changes, then I implore the Deputy Premier, let's get back on the right foot. Let's start talking with some sense of accuracy and reality about what we are trying to achieve here in this place, and that is to get a far more accurate and far more specific look at what the impact of these changes will be.

Without that, what I am very much worried about is that, without that return to the good-naturedness, which I understand used to exist in this place some time ago between members and particularly in the conduct of the sort of business in which we are currently engaged, I fear that the legitimate questions that will be raised by the opposition throughout those 18 clauses—again, some of which are very complex—may be glossed over or brushed over by the Deputy Premier or by the government.

I fear that they will not be taken seriously, that these reams of questions that we have to ask on these various clauses and hope to have answered not just to satisfy our own interest and our own curiosity about how these clauses are to apply in the future, if indeed the bill is to pass, but more to the point to satisfy those queries which we have had from those members of the community who genuinely feel that they are yet to be provided with any comfort or accurate answers from the government when they have attempted to approach the government for that sort of information.

Really, in that regard, I leave it in the Deputy Premier's hands. She has a unique opportunity here to turn this bill into something similar to those bills to which the member for West Torrens has made reference, those bills which had a very specific purpose, which had it absolutely clear in their title what they sought to do and what they sought approval from the parliament for in putting those matters to the parliament.

The member for West Torrens, not in his most recent contributions in this place but certainly in previous contributions I have heard him make on this land tax matter, has made reference to the unfortunate circumstance which South Australians are exposed to each Monday and that is, after hearing with some great relief and fanfare of the retirement of the former federal member for Sturt, unfortunately they are confronted every morning with not just another several hundred words of what he considers to be worthwhile reading but, even more dispiritingly for the community, a large picture of himself as well. In one of those recent articles—

**The CHAIR:** Member for Lee, in the dying minutes you seem to be digressing.

**The Hon. S.C. MULLIGHAN:** Was I?

**The CHAIR:** Yes.

**The Hon. S.C. MULLIGHAN:** I had not yet got to sneeze, Chair.

**The CHAIR:** Wrap this one up.

**The Hon. S.C. MULLIGHAN:** Let me perhaps wrap this up on this question: Deputy Premier, on hearing my exhortations, will you not now reconsider the entreaties of the opposition and contemplate a more accurate renaming of this bill?

**The Hon. V.A. CHAPMAN:** Can I start with the allegation of this conspiracy of concealment that has been presented and say that the government utterly rejects that assertion. Of the 193 submissions that have been received in relation to this bill, of those I have read—most of which,

unless there is a confidentiality request in them, are on the YourSAy website—or any that I have been informed of, I do not recall any complaint by anyone at any time on the accuracy or description of the short title. I may have missed it. The member may have received some submission on it. I am happy to, again, remind the member that in the last 14 days he has had the opportunity to present an amendment. In the absence of there being one, there is really nothing further I can add.

**The Hon. S.C. MULLIGHAN:** I appreciate the Deputy Premier's response to that, that in the unnumbered submissions that she has read that she made reference to she did not encounter a complaint about the short title of the bill. I am surprised. Perhaps I can avail the house of some of the feedback I have witnessed to the government's land tax changes, which I think strikes at the very heart of the matter of the title.

In fact, one gentleman at the Lockleys land tax forum said that the government is not entitled to do this. I realise that might be stretching which direction we are heading, but where I was heading previously, more accurately—and accuracy is, of course, what we are seeking to achieve in the context of the debate on this short title—was the number of people at these forums who spoke about the government's dishonesty in regard to these reforms.

We had Graham, who spoke about this at the Lockleys land tax forum, and we had Will, who also spoke about this at the Lockleys land tax forum. We also had Tom—not the one with whom we are most recently familiar—speak at the Goodwood land tax forum to make the same point. Particularly Tony, at the same forum, made the point as well that the Liberals are dishonest. It may be that some of those representers were more specifically referring to the fact that the government promised to cut land tax before the election, and now, 18 months later, they seek to increase land tax receipts to the government. However, I do believe that this issue about the short title of the bill is important.

Anyway, that was a digression, because before I completed my remarks previously, before I was digressing further on the topic of sneans, I was talking about the former member for Sturt's—Christopher Pyne's—contributions in Monday's *Advertiser*. In referring to the land tax reform that the government is seeking to make, he drew an analogy with the reform of the former Howard federal coalition government in the introduction of the goods and services tax. He made a number of points in that regard, drawing an analogy between the introduction, by Howard and his government, of the GST and the attempted introduction of the aggregation arrangements with regard to the land tax regime by the Liberal state government here.

He said that it was difficult reform and that important tax reform is always hard. I do not disagree with that part of the former federal member for Sturt's analysis. It was hard for John Howard because he was replacing a number of large revenue-raising taxes at the federal level with a new broad-based tax, the application of which was not intuitively understood by the majority of Australians, who would, of course, be responsible for paying that tax. So that makes it hard. What makes this land tax reform hard is the government's mishandling of it and repeatedly having to change its package in an effort to win sufficient political consent to get it passed through parliament.

**The CHAIR:** I understand the point that you are making, member for Lee, but we are debating the short title.

**The Hon. S.C. MULLIGHAN:** Indeed, and an analogy of the GST and the land tax will be joined up to the short title posthaste, sir.

**The CHAIR:** You are building the argument.

**Ms Stinson:** Don't rush.

**The CHAIR:** He's not, member for Badcoe.

**The Hon. S.C. MULLIGHAN:** You will remember that the title of the GST legislation—or the bill, as it was before it was passed—raised some interest in the national media. Because it was an unusual title for a bill, it sought perhaps to describe what the bill did in a way in which perhaps previous pieces of federal legislation had not done previously. It was called A New Tax System (Goods and Services Tax) Bill—it was not called 'miscellaneous'.

There was a lot of miscellany in the goods and services tax legislation. There were many matters that needed to be attended to. I am not referring to the infamous birthday cake, of course, because that was from another time, but there were many different provisions that needed to be addressed in that bill because it was far reaching.

It repealed a large number of provisions of other taxation legislation. Principally, I think we can all remember the sales tax taxation regime, which was abolished as part of the introduction of the GST, but of course there were also the application provisions. There were also the transition provisions and there was also the range of amendments that were necessary in order for businesses who were paying for goods and services before providing them to a subsequent purchaser in the course of their business, and they were dreadfully worried when this tax was first being flagged about the risk of double taxation, hence the regime of input tax credits and all the other measures that were necessary in order to successfully navigate businesses through that, let alone win sufficient community consent for that.

But that is not what we are discussing here. We are discussing a series of 18 clauses, some of which are merely—and I know this is not a word—'definitional'. Some of them are definitions would perhaps be a more accurate or more appropriate way of describing it. Some of them are definitions, so even a smaller number of clauses than 18 clauses are then being required to give effect to these changes to change the aggregation regime in the Land Tax Act.

I do not think it is unreasonable in that respect that this bill should indeed be named something more akin to the fact that the aggregation provisions are being extensively broadened and that the purpose of that is to generate more revenue for the government. I would not go so far as to say that the bill seeks to place South Australia on some sort of parity with other interstate jurisdictions, because that is certainly not the case and hence certainly you would not want the short title to reflect that, it not being the case.

That is not what happens here. If indeed this bill was merely a replica of aggregation provisions that exist in the Eastern States, then I am sure we would have had the bill at the time of the budget, and the provisions within this bill could have been provided in the Budget Measures Bill—again, while we are at it, an accurately titled bill. Measures that are in the budget are called the Budget Measures Bill. But that was not the case, because the government, of course, not only continued to shift the goalposts in terms of what their policy was, it also shifted the goalposts in terms of what needed to be included in this bill, to the extent, of course, that the Deputy Premier has also been required to file amendments to give effect to the latest iteration of these changes.

I will not belabour the point too much further about the need for more accurate naming of this bill so that the community has a better or more accurate understanding of its provisions, but I did want to commence perhaps placing some matters on record to give the Deputy Premier's advisers some opportunity to start to become familiar with some of the concerns that have been raised with the opposition about the provisions of this bill. As I have said a number of times in my contributions, during the second reading and also this evening, this is a complex bill.

The changes affecting particularly land holdings in trust structures as well as landholdings in company structures, for example, have raised many questions not just in landowners' minds but also in those professional services workers who advise those landowners. I am talking about accountants and tax lawyers in particular. I have a couple of representations that have been made to me which I have been asked in particular to raise with the government so that they can have some better answers.

They tell me that these matters were raised with the Treasurer in direct approaches from these representors, but unfortunately they were unable to get answers to satisfy their queries. They are long, so I will do my best to commence getting onto these now, and hopefully that provides the Deputy Premier's advisers some capacity to start thinking about how the Deputy Premier may respond to them, if not in the extensive debate in which we are currently engaged on clause 1 then at the appropriate juncture at the later clauses within the bill.

**The Hon. V.A. CHAPMAN:** Point of order: unless these matters do relate to the title, I think they are more appropriately identified in the substance of the bill—the sections of the area of complaint.

**The CHAIR:** It is a fair point. Member for Lee, you have given your best effort to addressing your remarks to clause 1, but you are now starting to digress. I might just seek some advice. Yes, member for Lee, we really need to stay specific to clause 1. There might be another more appropriate time as we work our way through the clauses.

**The Hon. S.C. MULLIGHAN:** Let me return to the miscellany. I do have a miscellany of matters to raise throughout the context of the bill, but if you would like me to give some specific examples about why the title of this bill is so misrepresentative of what this bill actually seeks to do, I was forwarded a copy of how the *Cambridge Dictionary* defines the term 'miscellany'.

Some of the synonyms are remarkable: 'all manner of things', 'alphabet soup', 'biodiverse', 'crucible' (I am not sure if you are an Arthur Miller fan), 'hodgepodge', 'it takes all sorts' (well, it does indeed in this place, does it not?), 'jumble', 'kludge' (one that I was previously unfamiliar with), 'panoply', 'patchwork', 'plurality'. So there are some examples, and placing it in the context of a sentence often assists somebody to get a firmer grasp on the more appropriate usage of a term.

**The CHAIR:** Member for Lee, I am pleased that somebody forwarded you the definitions from the *Cambridge Dictionary*, which we all once had a copy of, of course, but not so much these days, but I am going to bring you to standing order 128, irrelevance or repetition.

**The Hon. S.C. MULLIGHAN:** Which is it, sir?

**The CHAIR:** It is not repetition.

**The Hon. S.C. MULLIGHAN:** No.

**The CHAIR:** No. It's—

**The Hon. S.C. MULLIGHAN:** Is the 'miscellaneous' term irrelevant?

**The CHAIR:** Well, listing synonyms for 'miscellany'—

**The Hon. S.C. MULLIGHAN:** Or 'miscellaneous'.

**The CHAIR:** Or 'miscellaneous'.

**The Hon. S.C. MULLIGHAN:** Which is the short title of the bill.

**The CHAIR:** Yes, I understand that, but I am going to say it is stretching it, alright?

**The Hon. S.C. MULLIGHAN:** Okay. Well, let me contract it.

**The CHAIR:** Yes, please do, in the final two minutes.

**The Hon. S.C. MULLIGHAN:** 'His bedroom is full of guitars, keyboards and miscellaneous instruments.' That would be an appropriate use of the term 'miscellaneous', not in the middle of the short title of a land tax bill which seeks to impose aggregation. You may think that that is stretching the point. I think that is a fairly accurate representation of a more appropriate use of the term 'miscellaneous', rather than parking it in the middle of the short title of this bill. If the bill was to be called—and I tried not to do this, sir. I said I was not going to burden you with alternative suggestions as to how this bill could be named, but I am sorry. I am going to have to go there now. I have been forced into this.

**The CHAIR:** I think you have painted yourself into a corner, member for Lee.

**The Hon. S.C. MULLIGHAN:** I have. It is a heavy heart. 'The land tax introduction of more punitive aggregation measures bill'—

**The Hon. V.A. Chapman:** You have already told us these.

**The Hon. S.C. MULLIGHAN:** Have I?

**The Hon. V.A. Chapman:** Yes.

**The Hon. S.C. MULLIGHAN:** See, that would be repetition—not tedious or irrelevant, but possibly repetition. Once again, Chair, I implore you. Will you accept the entreaties of the opposition and rename the short title of this bill?

**The Hon. V.A. CHAPMAN:** The discourse provided by the member has given me the opportunity to be briefed on previous land tax amendment bills. The last one, which had substantive changes to the Land Tax Act, had almost exactly the same name—the Land Tax (Miscellaneous) Amendment Bill 2010. It covered a number of reforms to the land tax law at the time.

For whatever reason—I am assuming that, as at 11 May 2010, the Hon. Kevin Foley was still the treasurer—he seemed to see fit that this was an appropriate descriptor for the purposes of significant amendments to the Land Tax Act. It was not often that I agreed with Mr Foley, but on this occasion he seems to have been quite wise.

**The Hon. S.C. MULLIGHAN:** I appreciate that explanation. Let me enlighten the Deputy Premier as to contents of the 2010 Land Tax (Miscellaneous) Amendment Bill. Unlike the specific aggregation measures contained in this bill, there was indeed a miscellany of different changes made in that bill.

**The Hon. V.A. Chapman:** Thresholds don't count, do they?

**The Hon. S.C. MULLIGHAN:** I am glad the Deputy Premier put that forward. No, she is right. She is correct. It did contain a change to the thresholds—not one but multiple thresholds—but most notably an increase in the tax-free threshold. But, sir, you will be happy to hear that the changes did not stop there. New amendments were inserted into the Land Tax Act to give effect to a new regime whereby in the future land tax thresholds were to take effect, not from 2010 but from a later year in 2011. New amendments were included in the Land Tax (Miscellaneous) Amendment Bill 2010, unrelated to that increase in the tax-free threshold.

Those amendments sought to introduce a new regime where every year the Valuer-General would be required to furnish RevenueSA with their annual land values and hence an assessment made of the increase between that year's land values and the previous year's land values, and a percentage increase could be determined between the two, and the land tax thresholds would be adjusted accordingly. It was a very significant change at the time and, as I said, not related to that significant increase in the tax-free threshold from \$110,000 to \$300,000. If my memory serves me correctly, it was a measure that exempted 74,000 landowners from having to pay land tax as a result. It places in context the Premier's claims that his aggregation measure is the most significant measure of all.

**The CHAIR:** And that is very interesting, member for Lee.

**The Hon. S.C. MULLIGHAN:** Yes, I am drawing a distinction between that miscellaneous amendment bill and this miscellaneous amendment bill, and really I am doing it at the behest of the Deputy Premier. It was her suggestion that we go to this place. That was a very significant amendment because, in addition to that increase in the tax-free threshold, there was this new regime of the indexation of thresholds going forward. That was to address the concerns of the community about that situation that they had experienced, particularly in the early 2000s where very significant increases in property values would not mean that their land values were jumping from either a tax-free threshold into a taxable threshold or even from a taxable threshold up to another taxable threshold and, of course, have to pay far more land tax.

That miscellaneous amendment bill contained different provisions aimed at doing different things. In that respect, perhaps that could be called a miscellaneous collection of land tax reforms. There were different elements to that land tax reform rather than just the introduction of the necessary provisions to give effect to the change in aggregation. I am grateful to the Deputy Premier for giving me the opportunity, perhaps in the clearest context we could with regard to land tax bills that have been considered before in this place, to consider why, in this instance, the reference to 'miscellaneous' is not appropriate but, in that instance nine years ago, it was appropriate.

I think you can see from that very clear example, where there is a disparate range of reforms within the one bill, that you could call it—and I am sorry to go back to it—a hotchpotch of measures aimed at different parts of the land tax regime. I will not labour the point any further, but I think that it would be more conducive to the parliament's consideration of this bill, and it would get it off on the right foot, if we were to have the opportunity of having a more accurately named bill so that we know from the outset what we are dealing with.



As we have heard from the member for West Torrens, there are some people who are intimately familiar with taxation acts. There are some people who are very familiar with the process of amending those acts, the types of provisions contained in the bills that are necessary to give effect to those changes, how the parliament considers them, how they are drafted and how they are worded by parliamentary counsel to enable that consideration, but there are some of us who are less familiar.

The member for Bragg, of course, has a pretty good memory for these things. She was able to recall not only the Land Tax (Miscellaneous) Amendment Bill 2010 but also that the Hon. Kevin Foley was the treasurer at that time. But there are members here, perhaps like the member for Colton or the member for Heysen, who were not here in 2010 and are not able to draw a clear distinction between that miscellaneous amendment bill and this miscellaneous amendment bill.

If for nothing else other than the benefit of the member for Heysen, to enable him to have a firmer grasp of whether we are dealing with specific provisions here or if we are being presented with miscellany, I think it would be worthwhile to have a more accurate naming of this bill. The member for Heysen, of course, will be grateful that I have not yet reflected on our parking arrangements to date, although it seems I have inadvertently done so. With that, I draw my contribution towards its close. I think the Deputy Premier would do us all well if she would consider more accurately naming this bill, and I will now ask her once again whether she would contemplate doing so.

**The Hon. V.A. CHAPMAN:** No.

**The CHAIR:** Member for Playford, you have the call.

**Mr BROWN:** My question to the Attorney relates to clause 1 and the short title of this bill, which, as members may be aware, is the Land Tax (Miscellaneous) Amendment Bill. We are all grateful for the assistance of parliamentary counsel and the fantastic work they do in assisting us to do our jobs. I do not in any way mean to express a concern for the work of parliamentary counsel, but more a concern for the activities of the government when it comes to working out what the title of this bill is actually to be. I know that other members have expressed views that there are other potential titles of this bill, such as the 'land tax (attempt to grab money from mum-and-dad investors) amendment bill', or potentially the 'land tax (grubby deal between the government and the Property Council) bill'. I am not sure about those titles, but I know that they have been suggested by some.

I would really like to know how the government came up with this particular name, given some of the submissions they received during their so-called consultation process. For example, I have one submission from a gentleman who lives in Kensington Park, which I think potentially makes him a constituent of the member for Bragg. In his submission, he says, 'Hello land tax,' which I think is a pretty good way to address the government, and continues:

My Mum...is in a nursing home with dementia and she does not have a family home.

Mum has two rental properties, the land tax last year was \$255.00 The rental from these properties—

this is unfortunately blacked out on the submission, but I am sure it was not a particularly large amount of money. He continues:

Less rates, water, insurance etc leaves her about \$10,000.00 With your proposal land tax will be \$3422.48

How is she better off?

Regards...

That is one submission that the government received and one submission that they have used in coming up with this bill. Another submission the government received says, 'Hello, I am writing to you to voice my concern over—'

**The Hon. V.A. CHAPMAN:** Point of order, Mr Chair: again, these submissions do not relate to the title of the bill. In answer to the question that has been—

**Mr BROWN:** This is a point of order?

**The Hon. V.A. CHAPMAN:** Yes, on a question of relevance.

**The CHAIR:** It is relevance.

**The Hon. V.A. CHAPMAN:** There is a question that has been asked, and I am happy to answer it, but I would suggest that reading out submissions that do not reflect some argument to support a change of the title or to support an amendment that is going to be presented by the member is irrelevant.

**Mr BROWN:** On the point of order, Mr Chairman.

**The CHAIR:** On the point of order?

**Mr BROWN:** I feel it is more than appropriate to express to this house the submissions that the government received in the consultation process that they conducted in order to come with this entire bill, including the name.

**The Hon. V.A. CHAPMAN:** Can I put this to you, sir, in relation to the question. As has been abundantly clear to this committee, in response to question 1 of the member for West Torrens as to the origin of the title and given that there has been no request or change to that title since it was presented by parliamentary counsel, the assertion by the member that there has been some reliance on submissions, which purport to be the basis upon which the government made a decision about what the title would be, is completely inaccurate.

If the member has submissions that he has received that would justify some supported amendment that he proposes to make, then let him put them; otherwise, it is irrelevant.

**Mr BROWN:** On the point of order, Mr Chairman: how is the Deputy Premier able to inform this house that these submissions have nothing to do with it when I have not even told her what they are yet?

**The CHAIR:** Members, if I could just read from Blackmore's *Practice of the House of Assembly*—

**The Hon. S.C. MULLIGHAN:** Blackmore's?

**The CHAIR:** Blackmore's *House of Assembly*—you might want to note this, too, member for Lee.

*Members interjecting:*

**The CHAIR:** The spine is going on it, but on page 311 it states:

Repetition of the same arguments is considered, equally with irrelevance, an infringement of the rules of debate.

**Mr BROWN:** On the point of order: I am not being repetitive; I am simply providing additional information—

*The Hon. V.A. Chapman interjecting:*

**Mr BROWN:** I know that she does not want to hear it, but I am going to say this. I am simply providing additional information for the Attorney-General to enable her to answer my question.

**The CHAIR:** Let's go back a bit. The Attorney-General has raised a point of order about relevance. I am tempted to uphold it, member for Playford, because I know you are all going to do your very best to fill out your 15 minutes three times over and the tendency will be towards repetition and irrelevance. I know that, so if you can really bring your argument back to the short title of the bill, clause 1, I would appreciate it.

**Mr BROWN:** Given these particular submissions, which unfortunately I feel I need to inform the Deputy Premier about in order for her to answer the question, I find it is difficult for her to answer a question on submissions that I have not actually read to the house.

**The CHAIR:** Let's do it succinctly, member for Playford.

**Mr BROWN:** The submission states: 'I am writing to you to voice my concern over the current proposed—

**The CHAIR:** Member for Playford, let's do it succinctly. Perhaps you could precis or paraphrase.

**Mr BROWN:** Okay, we may dispense with the salutations; how is that?

**The CHAIR:** Yes. So we will forget about the 'hello government'.

**Mr BROWN:** We can dispense with the salutations.

**The CHAIR:** And a bit of some of the other as well.

**Mr BROWN:** The submission states:

I am just beginning my property investing journey and believe it is important to secure our own financial future in retirement and not be a burden to the government. If the proposed changes were introduced—

**The Hon. V.A. CHAPMAN:** Point of order: I fully accept that we are in a situation where the member has received some letter of concern about the substance of the land tax bill, but it has nothing to do with the title. If the member has a submission, which outlines some concern about the descriptor of the title, and wants to present an amendment to the committee for our consideration as to a different title, for example, then let's get on with it. The member is really just getting out a pile of correspondence and attempting to read it in; it is completely irrelevant.

**Mr BROWN:** On the point of order, I cannot believe that the Attorney-General is trying to inform this committee that somehow the title has been plucked out of thin air. Surely the government has done what they believe to be some sort of consultation process. How was the name chosen? It must be done from submissions.

**The CHAIR:** Member for Playford, in the first instance, it was relevant. What I have asked you to do since is not read word for word a number of submissions. I have asked you to precis it, pull your argument together and relate it to clause 1, please.

**Mr BROWN:** As I was saying, Mr Chairman—

**The CHAIR:** No—

**Mr BROWN:** I am taking your ruling on board, of course.

**The CHAIR:** Thank you.

**Mr BROWN:** There are a number of submissions. One of them is from someone—I am not going to read it out, Mr Chairman—who describes himself as Trevor, 37 years of age. He has found it very difficult to invest in property in this state because of what the government is proposing to do on land tax.

**Mr Pederick:** What is his complaint about the title?

**Mr BROWN:** Mr Chairman, may I have protection from the bullyboys on the other side?

**The CHAIR:** Member for Hammond, you are interjecting. I will run this committee. I was just having a quick conversation with the Clerk. I am listening carefully, member for Playford.

**Mr BROWN:** He has written and put in a submission to the government talking about the difficulties that he will now have because of what the government is proposing to do. There is another submission here from a gentleman who talks about the difficulties that he will face because of the retrospective nature of what the government is planning on doing with their land tax increase, particularly regarding the new rules on aggregation. I have another submission—and they keep coming, Mr Chairman—

**The CHAIR:** I can see.

**Mr BROWN:** —from someone who has a few properties that they have managed to buy over the years by saving up. They have worked very long hours. They have bought these properties so that they could have some form of superannuation in their retirement years. They say that the fact that they decided to invest in property means that they need to take a longer term view. They cannot take a very short-term view of their investment strategies; a longer term view is needed for property. These changes, which have come out of nowhere for them, are going to dramatically impact on their ability to invest.

**The CHAIR:** Member for Playford, I am sorry to keep interrupting you, but we are on clause 1, and what you have just presented to the committee I cannot relate back to clause 1. It is valid to the whole bill.

**Mr BROWN:** We will get there, Mr Chairman.

**The CHAIR:** It is not about getting there; it is about relating your argument to clause 1. I am going to remind members that standing order 128 talks about irrelevance or repetition:

If a Member indulges in irrelevance or tedious repetition of substance already presented in a debate—

Admittedly, yours is new information—

**Mr BROWN:** Yes, indeed.

**The CHAIR:** But that does not mean it is not irrelevant to clause 1. If a member does that:

1. the...Chairman may call the attention of the House or the Committee to that fact, and
2. may direct the Member to cease speaking.

I am very reluctant to do that. You know that, as a Chair, I am always as fair and as reasonable as I can be.

**Mr BROWN:** Indeed.

**The CHAIR:** But I can sense that we—

*The Hon. R. Sanderson interjecting:*

**Mr BROWN:** Sorry, can I just ask the member for Adelaide, who I know is passionately in favour of this bill, to stop speaking?

**The CHAIR:** No, I have not finished yet, member for Playford. As I said, I am very reluctant to ask any member to cease speaking because I am as fair and reasonable as I can be, but I sense that there is a deliberate attempt to stretch the committee stage out, and I do not think I am wrong in that. So, can we please—

**Mr BROWN:** We want answers.

**The Hon. S.C. Mullighan:** We are uncertain whether we are meant to be here, so we do not want to take any decisions or do anything in case they are challenged by a Supreme Court.

**The CHAIR:** No, I understand that. You are all quite within your rights to talk three times on each clause for a maximum of 15 minutes, but it must be relevant. Member for Playford.

**Mr BROWN:** I will get to my question then, Mr Chairman.

**The CHAIR:** Thank you.

**Mr BROWN:** A number of submissions were received during the submission process—and I will not go through them all, but there are a number here—and they certainly have a theme that runs through them all, which is that these people were completely opposed to the government's proposed changes for a variety of reasons. Given that so many people were completely opposed and so many people expressed the view that the core of this bill was a large increase in the liability of small and medium investors, why did the government decide to go with such a bland name as 'miscellaneous'?

**The Hon. V.A. CHAPMAN:** This is the third time that I will inform the committee, but the member might want to look at the answer that I gave in response to the first question from the member for West Torrens at the commencement of the committee, and that is that the bill was named. The name was presented by parliamentary counsel. On the advice I have received, there has been no change to that since the recommendation of that name, as per the original draft. I suppose consistent with the precedent of an exactly similar bill for amendment to the Land Tax Act in 2010, as I have explained, that is the position. There has not been a development of the title of this bill based on submissions, as the member seems to be of some misunderstanding.

**The Hon. Z.L. BETTISON:** I seek to rise today to talk about clause 1, the short title of this bill, the Land Tax (Miscellaneous) Amendment Bill, as it stands before us today. That seems like a pretty bland bill. It seems like it is just a bit of a fix up of administration, of things that contemporary bills might need to look at. What we know is that this proposal before us has brought a massive amount of uncertainty to South Australians, South Australians who have been doing everything right by the law as it stands.

Although they have been criticised for taking a loophole, which many of them have taken offence to, the reality of this bill is that it is retrospective, with a clear focus on aggregation. It is a clear change. In fact, this government has said that this is about a major reform—

**The CHAIR:** So, member for Ramsay, you are talking in general terms about the entire bill?

**The Hon. Z.L. BETTISON:** Well, it is the title, Mr Chairman.

**The CHAIR:** The short title, so you are going to relate your contribution and question back to the short title, clause 1.

**The Hon. Z.L. BETTISON:** My concern about the short title, if I may elaborate, is that it is not transparent about what this bill is actually about. Because this government has refused to share the modelling with South Australians, and have changed their mind multiple times about the impact of this bill, there is confusion out there. There is fear and there is angst.

If the bill were called the 'land tax retrospective aggregation bill', maybe it would be clearer. Perhaps people would say, 'I have to pay attention to this because it is going to impact me.' But what we know has happened during this time is that these have been decisions on the run, policy on the run and legislation on the run that will impact South Australians. South Australians have made commitments for their future. A lot of people think that we come to this place for the wrong reasons, but I do not think that is true. I think most people who are representing their electorates here come to advocate for the geographical areas that they represent, and do the right thing, and what that means is advocating for their interests.

However, what we have with this short title is a lack of transparency. It is a lack of transparency for South Australians who have made decisions within the confines of our planning system, our legal system and our taxation system. The government did not take this to the election; in fact, what they took was an increase to the threshold, which we supported, and it went through in the first budget, but now we have this surprise package: a surprise package with no modelling released, and a short title that hides what it is.

My question to the deputy leader is: why is this not reflecting more accurately what it is? Why is this not called the 'land tax retrospective aggregation bill'? Why are South Australians not openly understanding what this government is trying to do? We know we have had four, five, six goes at it. We know that only the Property Council was the last one to do the deal, and we know there are other stakeholders out there who have been advocating for their members: the MTA, Business SA, the Master Builders Association and the UDIA. They did not get a look in, in the last deal. We do not even know if this is the final deal. We do not know if this is it.

**Ms Stinson:** Version 6 might be around the corner.

**The Hon. Z.L. BETTISON:** It might. What I see out there is fear and anger. I see people who have sacrificed because they have made decisions for their future. Many times I have read in submissions to the YourSAy website from people who said they did not want to be a burden on the future. They wanted to have financial means in the future for decisions over their retirement. This is something that is just going to unwind this. Not only is it unwinding it, but it is hiding it, and it is not being clear to people about what they are doing.

Something that people say about politicians is that they do not listen to the everyday person. They make it complex, they make it confusing and we do not really know what they decide. A short title like this goes to that argument because it actually does not say what the intention of this bill is to be. It should be clearer. Every South Australian who takes the opportunity to look at this bill that we are debating before us today should be able to understand what it is, understand the nature of the bill, understand that the bill is a tax increase, understand that the bill is going to impact their

livelihoods, and understand that it will impact long-term decisions they made about investments for their future.

Whether it was an investment for their business or an investment in property, they made these decisions for a long-term return of investment. They are willing to pay land tax according to the law, but when they take this risk—and it is a risk when South Australians make those investments—they want certainty. They want certainty in knowing that the government of the day supports them in taking this risk, and they want to know that if changes are going to happen in the future, they will be given transition opportunities and will be given notice. The simplistic nature of the title of the bill does not accurately reflect what it does.

**The CHAIR:** You had, earlier in your contribution, a question for the Attorney.

**The Hon. Z.L. BETTISON:** I certainly have a question.

**The CHAIR:** Are you happy to repeat that question for the Attorney?

**The Hon. Z.L. BETTISON:** I will get to my question.

**The CHAIR:** You will get to your question? Okay.

**The Hon. Z.L. BETTISON:** I wanted to make clear to the committee how I have come to the position of asking this question, and I am getting to that position. I think we owe it to South Australians who have made this commitment, who are not tax cheats, who have not done something outside the law, but who now feel they have been given that label. We have heard it over and over and over again.

The other thing about the retrospective nature of this bill is that we have people who do not have superannuation, who do not have what I have been very fortunate to have the whole of my working life: compulsory superannuation. May I remind the chamber that a federal Labor government made the decision that we were going to build wealth for every individual, and for the country, through compulsory superannuation. I have been the beneficiary of that, and I will benefit into the future.

However, many people—self-employed people, farmers, business owners, people who came here and worked in Australia before we had compulsory superannuation, people in highly casualised industries—did not have that choice. They did not have that person backing them up. They did not have the compulsory nature of superannuation. So what they did—because they did not want to be a burden in the future, they wanted to have the opportunity to support their retirement—was invest in property. They made that choice, and they made that choice in accordance with the legal frameworks we have now.

What we are saying with this short title is, 'Nothing to see here. They are miscellaneous amendments.' However, be honest about what this apparent massive reform will be. Be open about it, show us the modelling, because we do not believe that 92 per cent of people are going to be better off. How can we believe that when they will not show us the modelling? Why should South Australians believe them that that will be the case?

My question to the Attorney-General, the Deputy Premier, is: will you take on board my concerns at the lack of transparency in the title of this bill, and will you consider that we should have the words 'retrospective' and 'aggregation' in the title of this bill so that South Australians are clear on what this bill is about and on the impact it will have on them?

**The Hon. V.A. CHAPMAN:** I have noted the member's contribution in relation to this. It is, frankly, a repeat of other members' contributions that I have answered. However, I do note them, and if she is proposing to introduce an amendment with any change, then of course the committee must consider it. In the absence of that, I will take that as a comment.

**Mr PICTON:** It is my honour to rise to speak in relation to this bill and to the first clause of the bill which, as we have mentioned, is clearly something that is of significant concern to many South Australians. As I mentioned in my second reading contribution, something that is of concern right from the first words of this piece of legislation is how this government has presented it to the people, and how they are front-facing this forward to the people in the naming of this legislation.

That is why clause 1 is important. That is why we are making this very significant point tonight about the way this legislation has been drafted right from the very beginning. This is not a miscellaneous piece of legislation. These are not a few little tidy-ups to legislation. These are not a few boring pieces of administrative fixes or parliamentary drafting errors, as Attorneys-General sometimes introduce in legislation before the parliament.

Here we have the Premier and his landmark piece of economic reform—so-called reform—that he is seeking to introduce as Premier. This is probably the biggest, most important area of action by this government since they have been elected. To somehow call this 'miscellaneous' is deceptive to the parliament, it is deceptive to the people of South Australia and it is deceptive to our statute book. It is offensive to the way that our laws should be drafted, and it is a clear attempt by this government to try to spin their significant land tax increases by calling them 'miscellaneous measures'.

These are very significant measures. We have all heard from people across the state how they are going to be impacted. We have all heard from people about the impact that they are seeing in terms of their businesses, their livelihoods, their families. We are all hearing the impacts that this is going to have and is already having on business confidence, on jobs, on the economy of South Australia. To call all those things 'miscellaneous' is an insult to all of those people who have raised those concerns.

It is an insult to all of those people who came to our forums, put their heart on their sleeve and said what a significant impact this legislation is going to have on them. It is nothing more than an insult. I know the Deputy Premier is clearly perturbed by the fact that we want to dare question the way that they have drafted this legislation, the Premier's legislation, but we will make the point and raise in this parliament our concerns with how this has been drafted incorrectly right from the beginning.

You can see the difference between how this has been drafted and named in its title versus other pieces of legislation that this government has introduced that it has wanted people to know about, that it has wanted to spin, that it has wanted to have out there and say that this is a landmark piece of reform. Whereas clearly the government want to talk about anything else but this land tax aggregation measure at the moment. Clearly they want to talk about anything else. That has been the Premier's strategy this week. A number of journalists have commented about the fact that the Premier's social media, which obviously has a significant department of people managing it, is talking about anything else than this. That is evident from this clause in this bill, where it is being called 'miscellaneous'. It has been referenced as, 'Don't look here. There's nothing to see here. This is just a view miscellaneous tidy-ups.'

When bills are presented like that, I think it is all the more reason for parliament to scrutinise them even more thoroughly. Dare I say it, even when the Hon. John Rau SC would bowl up with an Attorney-General's portfolio bill No. 4 and I sat on the caucus subcommittee that dealt with Attorneys-General's matters, I would pay close attention to what was in the bill, because a title like that could cover a whole series of things that might just slip under the radar of people's attention.

That is why legislative drafting is important. That is why we have the people who do fantastic work in our Office of Parliamentary Counsel. This is one of the few areas of government where they are public servants but they do work for the government, for the opposition, for minor parties, and they somehow keep walls amazingly well between the people who are working on things for different members of parliament to make sure that confidences are not betrayed and that all parliament is able to trust their advice.

I recall various times when I was in the government, behind the scenes or as a minister or member of the government backbench that certainly there were times when parliamentary counsel could be frustrating in terms of the ways in which you wanted to get things drafted and the exact wording, but they would be firm in terms of making sure that the right procedures were followed, the right standards were upheld, and that we had laws that were accurately drafted and that could be held up to proper scrutiny for this state. And so I take back all the bad things I have ever said about them and thank them for their hard work in doing that. The good thing is, in opposition you get to be

a bit more free willed and sometimes you can slip some things in there that the government might not be able to do.

Clearly, it is a principle of legislative drafting that the title of the bill should reflect what is in the bill. The title of the bill should give the reader, should give the people of South Australia, the idea of exactly what is going to be in the legislation as a clear guide for that. When we are starting to enter into the field—I think there are two concerns with how this can come about: either you start getting pieces of legislation that are overtly drafted to say how wonderful they are and spin in a positive sense how fantastic they are that go to the point of not being accurate, or you get the reverse of pieces of legislation that are doing the opposite where they are no longer reflecting what is in them because the government is trying to go under the radar with their true intentions of the legislation.

This, I think, is clearly a case of the latter. This is clearly a case where instead of the government producing a piece of legislation and saying, 'Here is a land tax aggregation bill,'—and this is not even a land tax reform bill: this is a land tax miscellaneous amendment bill. That is significantly misleading because even if you believe what the government is saying about this, even if you believe all of their lines, which certainly I do not, they are saying that this is the most significant land tax reform ever. They are saying, 'We've got the guts to take on this land tax reform that should have been done eons ago,' yet they produce a bill which is 'miscellaneous', which is intended to deceive people in terms of what is actually within the legislation, and it is disappointing in the extreme that our standards of drafting legislation would fall so low that it would come to that.

Deputy Speaker, I am sure you are familiar with it, but it was my first time today reading the book by Helen Xanthaki called *Drafting Legislation: Art and Technology of Rules for Regulation*. It is a good piece of work.

*Members interjecting:*

**Mr PICTON:** It does. It actually has a section on the short title.

**Ms Stinson:** Excellent. What does it say? I have not read it. Tell me all about it.

**Mr PICTON:** I am disappointed to hear—

**Ms Stinson:** I know; I am going to have to get across it.

**Mr PICTON:** I am disappointed to hear that the member Badcoe has not read this book but I will make sure that I get a copy for her, because I think it is instructive for all members of parliament, I think it is instructive for all of us to actually look at what is the research, what is the procedure, how have we come to this point in our parliament and our traditions and making sure that the laws, in this case that the Premier has introduced, reflect that. The first sentence of the section of the short title says:

Short titles are the heading of the legislative text. Their task is to offer an agreed means by which to index and cite the legislative text.

It goes on to say:

Irrespective of where the short title is in the text, it is drafted to express the name by which the law is to be known, without puns and sloganeering. As a result, the title must be short, to the point, accurate, unique and distinctive, so that it cannot be confused with other titles.

Let's break down those key requirements that Helen Xanthaki has set. The first point was that it must be short. Well, I am willing to concede to the Premier in his bill here about land tax aggregation that this is a relatively short title. I think we can give it a tick—it is a tick there. The second point is that it is to the point. Well, I think that is a big fat question mark there.

**Ms Stinson:** Maybe a cross; maybe a fail.

**Mr PICTON:** That is right—maybe, as the member for Badcoe is suggesting, it could even be a cross because the title of this being a miscellaneous amendment bill does not go to the point of what is being dealt with here. The point is aggregation, the point is raising extra revenue. The point is that this is a \$60 million hit on the taxpayers of South Australia if this bill is passed—that is the point. You do not get that point from the word 'miscellaneous', that does not come out at all. I think I am convinced; I think that is a cross for the point.



The next point that is raised is 'accurate'. Is 'miscellaneous' accurate? I would have to say that it is not accurate to say that this is miscellaneous. I would not want to repeat what we have already heard, but I think the member for Lee has outlined the dictionary definition of 'miscellaneous' and clearly that definition does not meet the contents of this legislation. Clearly, there is a difference between 'miscellaneous', which is your jumble of odds and sods things.

**Ms Stinson:** Your kludge.

**Mr PICTON:** Your kludge, as the member for Badcoe says. That does not equal what is in this legislation. This legislation is a significant change for our taxation arrangements, which will impact thousands and thousands of people and is already hitting our economy in South Australia.

The next point is that it is unique. I do not think the word 'miscellaneous' makes it at all unique. There have been a number of pieces of legislation that have been introduced that have the word 'miscellaneous' in them, and I have spoken about a number of them in this house. By and large, a lot of them were miscellaneous: the Criminal Procedure (Miscellaneous) Amendment Act, the Public Finance and Audit (Miscellaneous) Amendment Act, the Criminal Assets Confiscation (Miscellaneous) Amendment Act, just to name a few. A lot of them were miscellaneous and I think do meet that threshold. Clearly, that is not the case here and clearly it is not unique, because we have all these other acts that refer to miscellaneous amendments. So it is not unique and I think it fails that requirement.

Is it distinctive? I do not think it is distinctive at all. If you called it 'the land tax aggregation bill', that would have been distinctive. If you called it what I think would be more accurate, the land tax increase bill, that would be accurate. The last point is that it cannot be confused with other titles. I think that clearly it can. Clearly, this can be confused with a range of other titles that the government have introduced over their two years—a large number of odds and sods legislation—and it could be confused with a large number of actual miscellaneous legislation over the years that has been introduced in relation to land tax or other taxation measures. So I do not believe you can refer to this as not being able to be confused with other titles.

My question to the Attorney-General is: has she read *Drafting Legislation: Art and Technology of Rules for Regulation* by Helen Xanthaki, and does she think that her drafting, or the Premier's drafting, meet each criteria that has been set?

**The Hon. V.A. CHAPMAN:** The only thing I think I can add is to inform the member that I have not drafted this bill or the title. I think now for the fourth time, this has been a draft of the parliamentary counsel, its most senior member, Ms Travers, who has been able to assist me and other members many times over a distinguished career as a parliamentary draftsman. I would have to say that I would take her recommendations over any other amateur draftsman sitting around this chamber. In any event, it is open for members, should they wish to present an argument for any different title, to present an amendment.

The bill has been on the table for 14 days, so I invite members to remember that that is the opportunity they have to do that, if they wish to. In specific answer to the question, no, I have not read the reported text that the member has quoted from. I have no doubt that Ms Travers, in listening to the matter, will have noted it. She may wish to peruse it. I am satisfied that she is an experienced professional and a very competent draftsman. I have every confidence in what she has presented to us. As I see, it has similarly been preceded in other drafts of land tax amendment bills. The last one I noticed was in 2010 by Mr Foley.

**Mr PICTON:** This disappoints me, for a number of reasons. Firstly, it disappoints me that the Attorney-General—

**Ms COOK:** I draw the attention of the Chair to the state of the house.

*A quorum having been formed:*

**Mr PICTON:** As I was saying before I was interrupted, I was very disappointed with what the Attorney-General has had to say in response to my concerns. They were well-researched concerns. They were clearly things that the Attorney-General has not looked into. She clearly has not researched this matter. I am also a bit disappointed that she was trying to suggest that I was in

some way disparaging parliamentary counsel and Ms Travers, who do an excellent job. In fact, I was trying to defend the work they do, and I think I took back any negative comments made about them in the past. This is just the sort of thing we have come to expect from the Attorney-General, unfortunately.

I think the most disappointing thing of all is that not only did she say that she had not read this book and not only did she suggest that she had no interest in investigating this matter any further but she also dismissed the points that were being raised—not by me; these are not my points—and disparaged people in the chamber as amateur draftspeople. This is by Helen Xanthaki, who is an expert on parliamentary drafting. In fact, she wrote the book *Drafting Legislation: Art and Technology of Rules for Regulation*. There is a whole expertise in terms of how these things are drafted.

What concerns me is that this has been a politically motivated exercise in terms of this bill. I am very concerned that this is not what parliamentary counsel originally came up with. I am concerned that it was a political directive to call this the 'miscellaneous' bill, either as a directive or as a significant suggestion to parliamentary counsel that that is what the government wanted. I would like to hear the Premier answer some of these questions.

Either the Attorney-General or the Premier can outline what meetings were held to discuss this, when it was first discussed, when the first drafting of this legislation was originally made, whether this was the original title in the original draft that was provided and whether there had been any discussions prior to that original draft, in fact, about what the title would be with any minister, any ministerial staff member across the government or any spin doctor in any agency.

Looking at the rest of this piece of legislation, there is no way I would believe that parliamentary counsel would label this as 'miscellaneous'. There is no way you could look at it and suggest that this is a miscellaneous piece of legislation. As I was saying, if you look at the book by Ms Xanthaki, the criteria that are set are that it has to be short, to the point, accurate, unique and distinctive, and not be able to be confused. Almost all of them it fails, except being short. It then goes on to say, and I am hoping to educate the Attorney-General here because she clearly has not read this book: 'In order to fulfil these qualities, the language of the title must be consistent with the content of the act.'

What an indictment upon this drafting. It is an indictment upon the drafting because it could not be further from the truth. This drafting of miscellaneous is not consistent with the content of the act. The content of the act is significant. The content of the act is achieving one very significant thing, which is a change to aggregation, a big change that is going to impact thousands of people that we have heard about. People are in tears about this matter. People are in significant distress because of this, and to call it miscellaneous is, as I said, an insult to them. In no way is it consistent with the content of the act, as has been said in this book. It then goes on to say:

The need to be brief does not justify abbreviations. In order to achieve their goal successfully, the short title is drafted at the very end of the drafting process.

That is also a very interesting question and one I hope the Attorney-General can outline. At what stage was this short title drafted? Clearly we have evidence here, and clearly we have the precedent that the short title should be drafted at the end of the process. It should be drafted at the end, no doubt because what you want to do is make sure that the title reflects the content you have ended up putting in the legislation.

What I fear is that the reverse was true here, that 'miscellaneous' was defined right at the beginning, rather than at the end, and that that was done as a political decision, as a political manoeuvre, to make this appear more palatable, to make it appear less offensive and something that people should not pay much attention to. That is a very clear statement in this section on short titles. It goes on to say:

Short titles include the year of introduction into parliament in the case of a bill, or enactment in the case of an act, e.g., the Justice and Security Act 2013. It is common practice to add explanatory words in brackets to the short title.

Why did that not happen here? We have brackets and we have one word, but is not explanatory of what is going on in this bill whatsoever. Why was this precedent not followed to add explanatory words in brackets to the short title? It could have been 'land tax (aggregation)'. It could have been

'land tax (increase)'. It could have been 'tack on trust arrangements'. It could have been any number of things that this government could have drafted that could have gone in place of what is currently in there in miscellaneous. So clearly there is another area in which the accepted practice of drafting short titles has not been followed in this. In terms of the explanatory words in brackets, it says:

This is helpful when the drafter attempts to distinguish between various statutes on the same topic: in this case the specific aspect of the statute will be added in brackets, such as Trusts (Capital and Income) Act 2013; or when the Act applies to a specific geographical area only: in this case the statute's short title will have the geographical area in brackets, such as High Hedges (Scotland) Act 2013—

which I am sure is a very interesting piece of legislation.

This is another indictment upon what the government has done here. Here it is very clearly saying that you need these words to distinguish between other statutes on the same topic. The Attorney-General has outlined already that there was a previous Land Tax (Miscellaneous) Amendment Bill. By her own words, she has gone against what is in here because this should have been very clearly distinguishable from those miscellaneous bills in the past, which were actually miscellaneous, unlike this one.

The example that is given here could not be more apt in terms of what we are discussing. The example given was the Trusts (Capital and Income) Act 2013. Of course, there is a lot of discussion about trusts here. It was not the Trusts (Miscellaneous) Act 2013; it was the Trusts (Capital and Income) Act 2013. Why was not that approach raised here? Why was a similar approach not instigated in terms of this legislation?

I do hope that the Attorney-General can find herself time to read this in its entirety. Mr Chair, you will be disappointed to know I have not read it all word for word, so there is more for the Attorney-General to read. But I think it raises some significant questions for her in terms of: what was the process the government went through when they drafted this? Were there instructions to parliamentary counsel? When were those instructions given? Were there instructions about the title? Did they follow the precedent here, where it says that the title should be developed at the end of the drafting process so that you can properly account for what is in the content of the bill rather than misleading people, as this government is attempting to do here in this legislation?

There are a number of key people who, when it comes to the drafting of titles, have published a lot of work. One of the Australian researchers on this topic is a Mr Graeme Orr. He has written a number of papers, and I have looked at a few of them. One of the papers he wrote and I have read is from *Papers on Parliament No. 46* from December 2006. It was an article called 'Government advertising: parliament and political equality', but he did talk about titles of legislation.

As I said before, there is clearly an issue of the politicisation of titles of legislation. It can either be because we have an issue where the government is trying to trump something up, or it can be an issue where they are trying to dampen it down. Here, we have the dampening down, but I think what Graeme Orr is saying is that there is a number of issues where they are trumping it up. In both cases, there is clearly an issue where it is a politicisation of what should be an accurate drafting process. What we are not trying to do here is draft something that is best politically for the government in terms of the title. We are trying to actually draft something that is accurate, that is going to describe the legislation appropriately. What Graeme Orr says is: 'We live in an age of the permanent campaign and government by PR.'

I believe that would stand for public relations. He continues:

Not all aspects of this are bad for democracy: government responsiveness to opinion-polling can be a valuable form of democratic accountability. But to give a picturesque example of how spin-doctoring corrodes valuable distinctions, consider the spate of commonwealth bills with sloganeering titles in recent years.

He goes on to list a number of examples. If I decide to make a third contribution, I will make it to this in more detail, but I hope that the Attorney-General in her answer can outline answers to my questions in terms of what the process was. What public servants were involved? What political staffers were involved? What ministers were involved? At what process was that discussion of the name started? Did it happen, as Ms Xanthaki said, at the end of the process or did it happen at the start of the process? Was there ever any discussion about an alternative name or was the government insistent upon this name and instructed that way?

**The CHAIR:** Attorney, given the hour—

**The Hon. V.A. CHAPMAN:** I will be brief. In response to the matters he has raised, I refer the member to the first three questions and answers I provided to the member for West Torrens at the commencement of the committee.

**The Hon. A. PICCOLO:** Sorry, Chair. I did not hear a word the Attorney said. Could she repeat what she said, please?

**The CHAIR:** Yes, just repeat it. Attorney, before you continue, I am going to invite you to move that the committee report progress, as well as respond to that.

**The Hon. V.A. CHAPMAN:** I refer the member and all members of the committee to the first three answers to the questions of the member for West Torrens in response to the matters raised by the member for Kurna. I now move that we report progress.

Progress reported; committee to sit again.

At 23:52 the house adjourned until Thursday 31 October 2019 at 11:00.

*Answers to Questions***KANGAROO ISLAND BUS SERVICE**

**1374 The Hon. L.W.K. BIGNELL (Mawson)** (12 September 2019). With regards to Kangaroo Island:

- (a) What is the status of the Rockhopper bus service?
- (b) Why are the seats and signs still present despite the service ending over a month ago?
- (c) Are you aware tourists are standing at the signage and waiting for a service that no longer runs?
- (d) Can you arrange for the signs and seats to be removed immediately so no more tourists are confused or delayed by misleading signage?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

(a) At the expiry of the contract in March 2019, the Rockhopper bus service ceased operation due to extremely low patronage on the service.

(b) & (c) The Department of Planning Transport and Infrastructure (DPTI) has been liaising with the Kangaroo Island Council to ensure infrastructure is removed from the site.

(d) DPTI can confirm that the Kangaroo Island Council has removed all signage from the site. The seats and poles will be removed from the site as soon as the Council team is able.

**VETERANS, GOLD CARD HOLDERS**

**1380 The Hon. A. PICCOLO (Light)** (24 September 2019). Will the privatisation of train services affect the concessions available to DVA Gold Card holders and other incapacitated ex-service personnel?

**The Hon. S.S. MARSHALL (Dunstan—Premier):** I have been advised that:

The management of the Adelaide metropolitan public transport fare structure remains the responsibility of the South Australian Public Transport Authority (SAPTA), which was established on 1 July 2019. Veterans Card holders (previously DVA Gold Health Card) and holders of an Incapacitated Ex-service Personnel Entitlement Card are currently recognised as entitling the holder to concession fares in accordance with the Passenger Transport Act and Regulations.

Under the outsourcing model, the state government will retain control of services, continue to set the fare price for travel and continue to provide concession fares to veterans card holders.

**PLANNING AND DESIGN CODE**

**1402 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you guarantee that in the transition to the planning and design code, minimum allotment sizes in Stirling and Crafers for detached dwellings in residential areas, currently zoned mixed residential, will not fall below the current minimum of 500 square metres?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

On 1 October 2019, the State Planning Commission released the draft Planning and Design Code for Phase Two (Rural Areas) and Phase Three (Urban Areas) for public consultation.

The draft code proposes a deemed-to-satisfy minimum allotment size of 500 square metres for detached dwellings in the residential areas of Stirling and Crafers. Given that the code has been released for consultation in accordance with the Community Engagement Charter, I am not in a position to guarantee an outcome until this process has been finalised and I have received the advice of the commission on the outcomes of the consultation process. Once I have made a final determination in relation to the code, it will be subject to parliamentary scrutiny through the Environment, Resources and Development Committee of parliament.

**PLANNING AND DESIGN CODE**

**1403 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you guarantee that under the transition to the planning and design code, minimum allotment sizes in the country living zones around Stirling, Crafers and Aldgate, will not fall below the current minimum of 2000 square metres?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The draft code proposes a deemed-to-satisfy minimum allotment size of 2000 square metres for detached dwellings in the rural living areas of Stirling and Crafers. As addressed previously, the legislation does not enable me, and nor is it appropriate for me to pre-empt the outcomes of the consultation process and the advice of the State Planning Commission.

**STATE PLANNING SYSTEM**

**1407 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you guarantee that sufficient staff will be employed in the department to support the transition to, and the operation of, the state's full-functioning new planning system from 1 July next year?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The government is committed to delivering the new planning system from 1 July next year. The Department of Planning, Transport and Infrastructure is preparing a target state operating model that will help to define the organisational structure, resourcing and skill sets required to operate the new system and support this commitment. The transition to the state operating model will take time to embed following the full launch of the e-planning system from July 2020 onwards.

**STATE PLANNING SYSTEM**

**1408 The Hon. A. PICCOLO (Light)** (24 September 2019). Will the reduction in the Land Use Planning program's staff numbers place increased costs of the transition to the State's new planning system onto councils?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The Department of Transport, Planning and Infrastructure is taking into consideration the impact of any changes associated with the staged introduction of the new planning and development system across the state on all users of the system. This includes the replacement of any electronic systems with one standardised system and its impact on the need for maintenance and enhancement at the local level.

Beyond 1 July 2020, it is intended that the Planning Land Use Services directorate would provide for ongoing support and assistance to councils through a dedicated customer service support function for users of the system. Training and education will also be a key focus area.

**STATE PLANNING SYSTEM**

**1409 The Hon. A. PICCOLO (Light)** (24 September 2019). Why has the 'People and Neighbourhoods' discussion paper not been released for public consultation?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The State Planning Commission deferred the release of the People and Neighbourhoods discussion paper in response to feedback that the community and councils needed to dedicate time to consultation being conducted in relation to the new assessment scheme. The Paper has now been released, and is available on the SA Planning portal. The delay has enabled learnings from a series of Infill Forums to be incorporated into the paper. Submissions are invited on the paper as part of the consultation process for the draft Planning and Design Code.

**PLANNING AND DESIGN CODE**

**1411 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you provide an update as to what issues have been discussed at the residential infill forums and how the content discussed in these forums will contribute to the development of the planning and design code, including the likely policy impact?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The series of residential infill forums were conducted by the State Planning Commission. I have been advised that the forums facilitated feedback on how improvements to residential infill could be practically addressed in the new code. Discussions were conducted with industry representatives who deliver these types of developments, as well as community and conservation group representatives.

I have also been advised that some of the matters explored included policies relating to the provision of trees, landscaping, car parking, street appeal and design. The draft code responds to these challenges by proposing a range of policies which have been set out in both the People and Neighbourhoods policy discussion paper, as well as in the draft Planning and Design Code currently on consultation.

**STATE PLANNING SYSTEM**

**1412 The Hon. A. PICCOLO (Light)** (24 September 2019). The subjects raised in the state planning policies span across the jurisdictions of many ministers, departments and agencies. How will the interagency cooperation and coordination needed to uphold these policies, be delivered?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

A state agency reference group was established early in the reform process to coordinate cross government input and is expected to continue through implementation. The state planning policies are a reflection of the broad

range of state interest held by state agencies as they relate to South Australia's planning system. The development and delivery of the first suite of state planning policies is a result of ongoing collaborative efforts between agencies with interests in the planning system.

The development of the Planning and Design Code must have regard to the state planning policies, and information has been released with the draft code for consultation which clearly sets out these links. Furthermore, state planning interests set out in the state planning policies are further reflected in the code through overlays which in many cases are also linked to state agency referrals for development assessment.

#### PLANNING AND DESIGN CODE

**1413 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you explain how the Campbelltown City Council Residential (Limited Scope) Development Plan Amendment has been designed to facilitate a transition to the planning and design code?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

This development plan amendment (DPA) has been prepared by the council to respond to the design quality and streetscape issue of infill development that has been assessed against council's recent policy amendments. The intent of the DPA has been carried through into the draft Planning and Design Code for consultation. The Planning and Design Code also builds on the council DPA to enable improved design and streetscape outcomes by providing requirements such as landscaped areas and tree planting, on-street parking, driveway width for narrow frontages and minimum internal garage dimensions.

#### PLANNING AND DESIGN CODE

**1414 The Hon. A. PICCOLO (Light)** (24 September 2019). Will the planning and design code include a minimum residential allotment size greater than the 150 square metres in Campbelltown City Council's existing development plan?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Overlays in the code have been established to cater for local variation in relation to frontage widths, allotment sizes, building heights and heritage and character statements. The State Planning Commission is required to consider the submissions received during public consultation before determining final policies to be contained in the final version of the code to be spatially applied in full by 30 June 2020—as required by the Planning, Development and Infrastructure Act 2016.

#### PLANNING AND DEVELOPMENT FUND

**1421 The Hon. A. PICCOLO (Light)** (24 September 2019). 2019-20 Budget Paper No. 4, Vol. 3, p. 175 contains a line reference for grants and subsidies outflows from the Planning and Development Fund. The figures listed have fluctuated from approx. \$38.5 million in 2017-18 down to \$16.6 million in 2018-19 and a forecast of \$19.9 million for this year. What explains these fluctuations, and can you guarantee that the fund is being exclusively used for open and public space projects, as intended?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The 2017-18 actual includes \$20.3m of grants from the 2016-17 round of Open Space and Places For People programs that were approved by the Minister and agreed to with councils in 2016-17 but paid in 2017-18. Additionally \$1.9m was brought forward from 2018-19 to 2017-18 to fund open space and public realm election commitments.

Much of the revenue into the fund is collected from land divisions and community title divisions (where 12.5 per cent open space is not provided as part of the development) for the provision of open space and improvements to public realm. Expenditure budgets through Treasury are based on the revenue anticipated to be collected.

The fund is not intended only to fund open and public space projects. Section 195 of the PDI Act sets out the manner in which the minister may use the fund, including for:

- Acquisition, management or development of land
- Payment of money which the minister becomes liable to pay under the act
- Payment of rates, taxes or other charges due and payable by the minister in respect of land vested in or held by the Minister
- Transfer to any reserve for the repayment of money borrowed by the minister for the purposes of this act
- Payment of principal, interest or expenses in respect of money borrowed by the minister for the purposes of this act

- Management and development of property vested in the minister
- Any purposes authorised by or under this act (including by regulation) as a purpose for which the fund may be applied
- Assistance to councils in the provision and development of public land for conservation and recreation
- Assistance or grants to a joint planning board or another entity acting under this act or under the Urban Renewal Act 1995

The above provisions have been carried over from section 81 of the Development Act 1993 and are fundamentally unchanged.

Clause 111 of the current Development Regulations 2008 further authorises the use of the fund to promote or complement policies contained in the Planning Strategy (30-Year Plan for Greater Adelaide 2017 Update and regional plans).

### PLANNING VARIATION REGULATIONS

**1422 The Hon. A. PICCOLO (Light)** (24 September 2019). With regard to the drafting and redrafting of the Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019, what consideration was given to extending the assessment timeframes allowed for various classifications of development applications?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Extensive consideration was given to the time frames prescribed under regulation 53 of the Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019 (the Regulations). Feedback was sought on timeframes through the Assessment Pathways Discussion Paper (August 2018). Feedback generally observed that decision timeframes under the Development Act 1993 were appropriate and should be used as a guide for the new timeframes, but additional time should be added to the overall time frame to account for periods of public notification, agency referrals and determination by an assessment panel.

In January 2019, the draft regulations were consulted. Submissions from the development industry generally observed that the assessment timeframes were too generous and should be reduced, while the local government sector and community groups observed the timeframes were too short and should be lengthened. Several submissions expressed general support for the timeframes prescribed, subject to certain refinements.

Ultimately, assessment time frames have been based on the timeframes prescribed in the Development Act 1993, taking into account the feedback received through consultation, as well as baseline data on current assessment timeframes.

For example, current system indicator data demonstrates that it currently takes relevant authorities a median of approximately 18 business days to determine a category 1 merit application (Annual report on the administration of the Development Act 1993—2017-18), and therefore 20 business days has been prescribed to determine a performance assessed application where the application doesn't require notification, referral, or consideration by an assessment panel or the Commission.

The regulations have adopted the recommendations from submissions to base time frames on business days, to provide additional time when notification, agency referral or a panel meeting is required, and to provide additional time for an application to be verified prior to lodgement.

### DEVELOPMENT APPLICATIONS

**1423 The Hon. A. PICCOLO (Light)** (24 September 2019). Are you concerned that development authorities may reject development applications subject to 'deemed planning consent' and time limits on applications, prior to a thorough assessment taking place, in order to avoid a potentially undesirable development being approved, and on the grounds of insufficient information having been provided by the applicant?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Section 125 of the Planning, Development and Infrastructure Act 2016 (PDI Act), allows for an applicant to serve a deemed consent notice in cases where the authority has not determined an application within the prescribed period. This process provides applicants with a course of action where an authority has not processed a development application in accordance with the requirements under the PDI Act and Regulations.

While it is not our role to predict the actions of relevant authorities, it is important to note if an authority were to refuse an application simply based on risk of a possible deemed consent, the authority will be compelled to justify their decision against the policy set out in the code before the Environment, Resources and Development Court, in the case of applicant appeal.

If insufficient information has been provided for a performance assessed application, the authority has the opportunity to request additional information, which would pause the assessment clock until the requested information is provided. As such, there is no risk of a deemed consent notice being served during this hold period.'



**LAND SURVEYORS**

**1424 The Hon. A. PICCOLO (Light)** (24 September 2019). Given the problems which have emerged with private certification in the building industry, what considerations were given in the drafting of the accredited professional scheme and the Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019, to the extension of the authority for accredited professional land surveyors to grant planning consent for deemed-to-satisfy land divisions?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The Accredited Professionals Scheme aims to enhance the reliability, flexibility and accountability of decision-makers in the planning system and give development applicants greater confidence in the way that their development applications are assessed. Accredited professionals will be subject to continuing professional development requirements, as well as being subject to periodic and random auditing of their accreditation and decision making.

Land surveyors accredited under the Accredited Professionals Scheme may in future have the ability to issue a planning consent for land division where all deemed-to-satisfy provisions have been met i.e. if the proposed land division does not meet all requirements, a land surveyor will have no authority to grant a planning consent, and the application would need to be lodged with the council as a performance assessed land division application.

The Planning and Design Code will clearly set out the policy requirements for land division including key provisions relating to minimum allotment sizes and frontage width. The department recognises this matter requires close consideration and engagement with key stakeholders including industry, local government and the land surveying profession prior to its introduction in the code.

**DEVELOPMENT ASSESSMENT PATHWAYS**

**1425 The Hon. A. PICCOLO (Light)** (24 September 2019). Under the Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019, if an appeal is made against the resolution of an assessment manager, is the council assessment panel or the individual assessment manager held responsible for the resolution made?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Under the Planning, Development and Infrastructure Act 2016, an assessment manager is a relevant authority in their own right. As such, in the event of an applicant appeal against a resolution/decision by an assessment manager, it is the assessment manager who will be responsible for defending the resolution/decision in the Environment, Resources and Development Court.

**LAND SURVEYORS**

**1426 The Hon. A. PICCOLO (Light)** (24 September 2019). Are you confident that regional council assessment panels can recruit or train their existing members to meet the standards set under the accredited professional scheme?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The Accredited Professionals Scheme aims to enhance the reliability, flexibility and accountability of decision-makers in the planning system and give development applicants greater confidence in the way that their development applications are assessed. As such, Council Assessment Panel members will need to apply and become accredited at Planning Level 2 prior to the code going live in their council area. Panel members will need to demonstrate they hold relevant qualifications, skills and experience to achieve Planning Level 2 accreditation.

The Accreditation Authority recognises the implementation of the scheme is in its transitional phase, and in some cases there will be a need for flexibility. This will be particularly so in the regional areas of South Australia. As such, the Accreditation Authority has powers under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 to approve alternative qualifications, experience and technical skills on a case-by-case basis, and may grant conditional accreditation in particular circumstances, which may be particularly relevant in some regional areas.

It should also be noted that establishing joint planning boards, or regional assessment panels under the new system also brings opportunity to rationalise development assessment functions across councils. This is particularly useful for some smaller councils in regional areas who process very low volumes of development applications (e.g. less than 20 applications per year).

**LAND SURVEYORS**

**1427 The Hon. A. PICCOLO (Light)** (24 September 2019). Can councils meet the costs of accreditation and ongoing training requirements of the accredited professional scheme?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Under the Planning, Development and Infrastructure Act 2016, the assessment manager and members of an assessment panel must be accredited. However, other council planning officers may not be if they are operating under the delegation of an assessment manager or Assessment Panel.

Beyond this, it is at the discretion of the individual council as to whether they would seek that other planning staff become accredited. Should a planner seek to become accredited it is their individual responsibility to ensure their ongoing accreditation and continuing professional development. While an individual council may choose to support their planning teams through ongoing professional development, training and education, any costs incurred in doing so are entirely discretionary.

Councils are encouraged to plan for situations of staff leave or illness, or career development and succession planning when determining who should become accredited.

#### **E-PLANNING SYSTEM**

**1428 The Hon. A. PICCOLO (Light)** (24 September 2019). Has the development and design of the e-planning system encountered any difficulties and what have these been?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

To ensure the e-planning system will meet requirements, a system review was recently undertaken by a third party. The review focussed on solution architecture and design, IT security, testing and release, IT change and risk and issue management. The review confirmed that the approach was sound and that the program was well equipped to deliver a functional e-planning system at go live.

As the majority of components of the e-planning solution are being developed through agile project delivery, there are multiple check points for quality assurance and identification of issues. Ongoing testing also means system issues are being identified early to ensure they are corrected during the build.

#### **E-PLANNING SYSTEM**

**1429 The Hon. A. PICCOLO (Light)** (24 September 2019). When can we expect the e-planning system to be operational and will the system be launched across the state on one date?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The system will be functional in April 2020 for phase 2 councils and then more broadly for phase 3 councils in July 2020. The majority of the technology functionality will be ready for the April 2020 launch. More information around these timeframes is available on the SA Planning portal.

#### **E-PLANNING SYSTEM**

**1430 The Hon. A. PICCOLO (Light)** (24 September 2019). Does the implementation time line for the e-planning system allow for adequate testing?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Yes, the schedule has been carefully considered and developed to allow sufficient testing strategies to be applied.

#### **E-PLANNING SYSTEM**

**1431 The Hon. A. PICCOLO (Light)** (24 September 2019). Can you guarantee that the e-planning system will offer a reliable service for all stakeholders by the time it is operational and be effectively maintained thereafter?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The e-planning system will provide enhanced functionality that supports the Planning, Development and Infrastructure Act 2016. The system will ensure a consistent approach to planning and development assessment across the State. The system will be maintained and supported in accordance with operating and maintenance agreement that will be put in place with selected vendors, in accordance with standard government ICT services procurement practices.

#### **E-PLANNING SYSTEM**

**1433 The Hon. A. PICCOLO (Light)** (24 September 2019). In last year's budget estimates committee, you claimed that councils would begin financing the development of the e-planning system in 2018-19 because they would start to realise some of the benefits of the system in that year. The e-planning system was not operational in 2018-19, was it fair that councils made financial contributions in that year to the system's development?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

Significant progress has been made in relation to the development of the e-planning solution. The e-planning solution will be operational for rural councils by April 2020 and July 2020 for urban councils. The new system will be digital by default, allow for applicants to lodge and monitor their application on-line, reduce paperwork, improve reporting and strategic decision making and replace a range of existing systems currently maintained by councils. In recognition that the benefits will increase over time, a 50 per cent discount was applied in the first year (2018-19) increasing to the full contribution in subsequent years.

The cost recovery model introduced a contribution based on development value as summarised below. This new model better aligns the contribution with the expected benefit derived from the e-planning solution. Importantly, a number of rural councils fall into group D and will not be required to contribute to the e-planning solution.

Councils	2018-19	2019-20
Group A—Development value >\$100 M	\$27,000	\$58,000
Group B—Development Value > \$50 M & < \$100 M	\$8,000	\$18,000
Group C—Development Value > \$10 M & < \$50 M	\$3,000	\$6,000
Group D—Development Value < \$10 M	\$0	\$0

#### E-PLANNING SYSTEM

**1434 The Hon. A. PICCOLO (Light)** (24 September 2019). What consultation exercises have taken place to seek feedback from councils, developers and other stakeholders regarding the e-planning system's functionality?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The e-planning system is designed and built to support the Planning, Development and Infrastructure Act 2016. Councils will be invited to take part in testing and share their feedback. Transition activities also offer regular updates on the development and progress of the e-planning system to ensure councils have appropriate knowledge of how the e-planning solution will function prior to going live.

It should also be noted that a suite of training and education sessions on e-planning will be rolled out (both digitally and face to face) approximately four to six weeks out from go live to ensure local government planning teams (and other system users) are ready when the code is switched on in their local area.

#### E-PLANNING SYSTEM

**1435 The Hon. A. PICCOLO (Light)** (24 September 2019). I am advised that many councils have already developed their own e-planning platforms, which are integrated with data sets which assist their administrative operations. For instance, these systems already assist with the efficient calculation of rates notices. Will the new e-planning system offer similar data integration functions to assist councils with administrative efficiencies?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** I have been advised the following—

The e-planning solution has been designed to benefit all South Australians who interact with the planning system. The system is designed with the customer in mind and will provide a much simpler and more transparent system for our community. While it is acknowledged that some councils have sophisticated electronic systems, the majority do not have the capacity to receive applications online, enable an applicant to monitor the progress of their application and receive electronic notifications. While these systems are internally integrated with other council systems, they do not provide data that can be used on a statewide basis.

The e-planning system is designed to be scalable and councils will be able to integrate other systems over time. In the short term, the system will be able to provide data to councils in a format that can be used within their systems.

#### REGIONAL PLANNING

**1436 The Hon. A. PICCOLO (Light)** (24 September 2019). While councils may want a greater role in the development of planning policy in their region, do you believe the costs associated with developing a regional plan are discouraging councils from taking up this opportunity?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning):** Councils are only required to prepare a regional plan where they have formed a joint planning board. In all other cases, the regional plan is prepared by the State Planning Commission. In either case, a council may initiate an amendment to a code at any time and thus continues to have a role in planning policy for their region, which is similar to what they have now.

The department has been pleased to provide a significant financial contribution to assist councils in establishing joint planning boards, through funding a pilot to deliver a suite of materials to assist councils in preparing

business cases, planning agreements and regional plans. The pilot was delivered with active collaboration from local government.

The intent of joint planning arrangements is to provide a more cost-effective model of governance for planning through the sharing of resources across a region—it is of course voluntary for councils to adopt where there is a sound business case to do so. Shared resources for preparing a regional plan, which can then lead to regional code amendments can have substantial benefit in terms of costs and achieve better outcomes overall.

The department is committed to keeping development of a regional plan to an affordable level and to providing assistance to joint planning boards (that are formed by councils) through the provision of data, research, demographics, mapping and a range of other support tools. This commitment is included within the guide to regional plans available on the SA Planning Portal.

The department is currently working with a number of groups of councils who are well advanced towards preparation of a planning agreement and formation of a joint planning board (who will subsequently prepare a Regional Plan for their area). This level of interest indicates that the costs associated with preparation of a Regional Plan are not discouraging councils from taking up the opportunity to establish joint planning arrangements.