HOUSE OF ASSEMBLY

Wednesday, 17 June 2020

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

RETAIL AND COMMERCIAL LEASES (DESIGNATED ANCHOR LEASE) AMENDMENT BILL

Introduction and First Reading

Ms BEDFORD (Florey) (10:31): Obtained leave and introduced a bill for an act to amend the Retail and Commercial Leases Act 1995. Read a first time.

Second Reading

Ms BEDFORD (Florey) (10:31): I move:

That this bill be now read a second time.

I rise to introduce the Retail and Commercial Leases (Designated Anchor Lease) Amendment Bill 2020. In this era of COVID-19, it is clear we must do all we can to support struggling retailers as they fight to retain their businesses in the face of the economic downturn we are now experiencing. If the consequences of COVID-19 have laid bare the financial squeeze already confronted by many shop owners and retail businesses, perhaps, too, it enables us to look with fresh eyes at complex issues. That aside, this bill has its genesis in circumstances which preceded the COVID-19 lockdowns. It is common knowledge retailers in Adelaide were struggling before the advent of this pandemic and its consequences.

The exit of Kaufland—one of the world's leading retail brands—before it even opened its Prospect or Keswick stores, was one obvious warning sign. The economy has been flat for some time and, as members may recall, was undergoing what some commentators termed a 'per capita recession' and, as well, a glut of retail supply. I note, for example, a number of submissions to the State Planning Commission warning against zoning models allowing for unrestricted retail development, including out-of-centre development, and I hope these submissions will be properly heeded.

In August 2018, the average supermarket floorspace provision rate across Adelaide was 0.41 square metres per capita, significantly higher than the national figure of 0.35 square metres. All of this makes it even more bizarre the government continues to zealously pursue deregulation of shop trading hours, and according to SA Independent Retailers, who have access, you would argue, to the most current statistics, South Australian-owned retail businesses are bleeding, continually losing 25 per cent plus turnover on weekends since the deregulated regime has been put into effect under the cover of COVID-19, turnover that will be lost forever for SA business owners.

Many of the retailers lost in excess of 55 per cent turnover on the Queen's Birthday public holiday. Some lost up to 75 per cent turnover on the day. As I said, that turnover is just never going to come back to those small businesses. The extraordinary action of the Treasurer to issue a blanket shop trading hours exemption under the cover of a response to the COVID-19 pandemic has only further illustrated this point. I note this week, the Treasurer is at it again, extending the exemption, placing smaller mum-and-dad operated supermarkets, the ones who support SA the most, at further peril. Someone has suggested to me this could be to transfer sales and labour to multinational operations because they actually pay payroll tax. That would be a cynical thought if it were true, wouldn't it?

I am not the only one to question the legitimacy of the exemption so evidently not coming at the recommendation of either the Chief Public Health Officer or the State Coordinator, and not requested or desired by any of Adelaide's supermarket chains. It puts me in mind of a similar blanket

exemption issued by the last Liberal government, which was rightly overruled by the High Court as an abuse of power.

It is, of course, interesting to see virtually no supermarkets have taken up the opportunity for extended trading hours other than a few minor hour-long extensions. The oversupply of supermarkets in Adelaide has significant impacts on small retailers at shopping centres across the state. As anchor tenants, supermarkets are major retail attractors and help drive business, helping in turn other shop owners in centres to thrive. Adelaide's supermarket oversupply is making small retailers in shopping centres more vulnerable. The effects of oversupply include:

- sharply reduced profitability for existing supermarkets and specialty food retailers;
- aggressive promotional activities to maintain sales;
- reduced pedestrian traffic at centres, which can in turn impact other non-food retailers and services; and
- deferred investment in existing centres or planned centres.

I know there will be those who argue competition increases consumer choice and reduces prices. The problem with that line of logic is, in a system with finite demand, consumer choice is not enhanced by endlessly increasing supply. All that results in is a net transfer from local small retailers to national or international chains without a real stake in South Australia. Regardless, we have to deal with the situation as it stands and it is clear there will continue to be threats for small retailer viability for some time from the oversupply situation in the supermarket sector. That is why I have brought forward this legislation today.

Small retailers in shopping centres rightly need to have some surety that, in the event the major retailer attractor at the shopping centre closes, they are able to reprofile their rental costs. This does not recognise the equally important issue of maintaining a significant percentage of tenanted shops in a centre, the often experienced impact of months of renovations affecting turnover or situations amplified by COVID implications where negotiations with landlords for rent waivers or reductions by small tenants in terrible circumstances have fallen on deaf ears.

Earlier this year, in pre-COVID times, I was approached by concerned shop owners at one significant shopping centre in the north-eastern suburbs. Their concern was a simple one: the supermarket at their site was looking wobbly. Reports suggested it was no longer able to restock its shelves, owing to cashflow problems with suppliers—all this on top of a very long period of renovation and vacant shops within the centre. On examination of the lease paperwork and the governing legislation, it became evident the options available to these tenants were virtually zero.

This bill intends to address that limitation. This bill is intended to give shop owners who are shopping centre tenants a right to request a rent review if a designated anchor tenant is terminated or not renewed. A designated anchor tenant is defined to mean a shop lease at a shopping centre that:

- is for a supermarket, department store or cinema;
- exceeds an area prescribed by regulation (which must be greater than half the size of the retail shopping centre); and
- is otherwise of a kind specified by a regulation.

Consistent with the process for rent reviews in other legislation, a rent review must be conducted by an independent valuer. Pending the outcome of a review, a tenant is entitled to a rent reduction of 10 per cent or such other amount as may be prescribed by regulation. A rent review comes into effect on a day specified and either lessee or lessor can further dispute the outcome of the rent review using the existing dispute resolution provisions of the act.

For smaller retailers, I hope this will provide them with an option giving the surety they need in these difficult times. I look forward to debate on this very important issue and commend the bill to the house.

Debate adjourned on motion of Mr Pederick.

REFERENDUM (PERMISSIBLE TOLERANCE) BILL

Introduction and First Reading

Mr BELL (Mount Gambier) (10:39): Obtained leave and introduced a bill for an act to provide for the submission of the Constitution (Permissible Tolerance) Bill 2020 to a referendum. Read a first time.

Second Reading

Mr BELL (Mount Gambier) (10:40): I move:

That this bill be now read a second time.

Through agreement, I have accepted that we will keep this extremely brief. This is a technical aspect of a co-joined bill which, if successful, will need to go before the people of South Australia at a referendum. The bill that this is contingent on is a previous bill I have introduced, which really affects only two seats in South Australia. It gives weighting to those two seats and acknowledges the landmass that those two MPs need to cover—that is, the seat of Giles and the seat of Stuart. If that bill is successful in passing both houses, it then needs to be put to referendum, and this is a mechanism to allow that to occur. With those very brief words, I will conclude.

Debate adjourned on motion of Mr Pederick.

HEALTH CARE (SAFE ACCESS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 June 2020.)

Mr PEDERICK (Hammond) (10:44): I move:

That the order of the day be postponed.

The house divided on the motion:

Ayes.....3
Noes 39
Majority 36

AYES

Ellis, F.J.	Murray, S.	Pederick, A.S. (teller)

NOES

Basham, D.K.B.	Bedford, F.E.	Bell, T.S.
Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
Brock, G.G.	Chapman, V.A.	Close, S.E.
Cook, N.F. (teller)	Cowdrey, M.J.	Cregan, D.
Duluk, S.	Gardner, J.A.W.	Gee, J.P.
Harvey, R.M.	Hildyard, K.A.	Hughes, E.J.
Knoll, S.K.	Luethen, P.	Malinauskas, P.
Marshall, S.S.	McBride, N.	Mullighan, S.C.
Odenwalder, L.K.	Patterson, S.J.R.	Piccolo, A.
Picton, C.J.	Pisoni, D.G.	Power, C.
Speirs, D.J.	Stinson, J.M.	Szakacs, J.K.
Teague, J.B.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Wingard, C.L.	Wortley, D.

Motion thus negatived.

Ms HILDYARD (Reynell) (10:50): I am proud to rise in support of the Health Care (Safe Access) Amendment Bill, and I will be proud to help progress much-needed abortion law reform in our parliament in the coming months. Across the globe, laws about women's rights to make decisions about their bodies and reproductive health, with the support of their health practitioners, are changing. It is time for us to make change here in South Australia.

We have a strong history of embracing progress, equality and choice. Last year, we proudly celebrated 125 years since women fiercely fought for the right to vote to advance the rights of women. In the words of YWCA Australia, their achievements were 'hard won', but we are not done. It is time for us to take another step in advancing the status of women. I wholeheartedly support this bill because I support the right of women to seek medical support and to make choices—sometimes difficult and heartbreaking, and always deeply personal—about their health, their bodies.

I support it because I fundamentally believe that women should never be harassed nor disrespected when making those choices. I have spent many years advocating to ensure women can live their lives free from harassment and disrespect. As with every other setting in their lives, women must have the right to seek medical treatment without being intimidated. It is wrong to subject women, and their partners, who may be contemplating a really difficult choice or crisis, to judgement and shame.

Our community is at its best when we offer kindness and love at moments when people are making hard decisions, when they may be distressed, not when we judge, belittle or frighten others. I trust women to make informed choices about their lives, their health and their bodies, and I support them in doing so. Our parliament should do likewise and trust South Australian women to make these decisions, in consultation with their health professionals, by supporting this bill.

I also support this bill because workers have a right to go to work without fear, persecution or intimidation. At work—and everywhere—people want and deserve to be treated with dignity and respect. They deserve to come home just as mentally, emotionally and physically healthy as they were when they left for their shift. Whether you work in retail, at a credit union or a pub, in the community sector or in a healthcare clinic, you should never be abused.

I always encourage people to have a voice, to protest, to speak up, to rally. I also encourage people to pray if it is their wish to do so and to find ways that work for them to find peace, to feel connected and loved. We live in a democracy where, thankfully, we can safely enable people to speak up, pray, protest, rally, but we must never encourage people to cause fear, to intimidate or abuse. Protest is healthy; persecution is not.

The type of anti-abortion activism seen outside medical clinics can cause distress to women seeking support, their loved ones, and the dedicated, compassionate workers entrusted to treat them. It is utterly unacceptable for our health professionals to be under duress before they even enter their workplace, to feel fear and anxiety as they go about their daily work. It is not okay.

South Australia has fallen behind nearly every other jurisdiction in Australia by not implementing these zones around abortion clinics. Similar laws have been tested by the High Court, with Tasmanian and Victorian laws that created safe access zones around clinics upheld and members of the judiciary agreeing that the intent of these laws was to protect women's rights to health, privacy and safety whilst accessing health services. This bill, introduced by the member for Hurtle Vale, implements a 150-metre exclusion zone for protesters around reproductive medical clinics. It protects the right to access health care without impinging on political expression.

Brigid Coombe, a fellow campaigner for women's rights, who worked at the Pregnancy Advisory Centre in Woodville for 18 years, says staff at the centre have been followed and photographed, making them feel threatened and unsafe. This harassment is not okay for any worker nor any woman anywhere. I say to these workers today that we hear you, we support you, many of us are here for you and we will do what we can to keep you safe. One in three South Australian women will access an abortion in her lifetime. It is essential that they can seek advice and support to make choices and access treatment without being publicly shamed. I say to those women that we are here for them, too.

This bill is supported by the South Australian Abortion Action Coalition, which includes health, legal, academic, social justice and advocacy professionals, who are urging members to

demonstrate their support for the dignity and privacy of women needing these services. They say that this bill is vital for women accessing reproductive services and for staff, that it recognises abortion care as health care and that those needing and providing abortion services require the same safe environment for access as all other health care. I commend this bill to the house. I urge members to support it and, in doing so, to demonstrate their support for rights, dignity and respect for women and for all workers.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (10:56): I rise to indicate my support of the bill, and I have a few comments to add. I think the provisions of the bill have been well canvassed. I just place on the record that in 2015, in Victoria, there was an application before the Supreme Court to consider whether the City of Melbourne had an obligation to enforce the nuisance provisions of the Public Health and Wellbeing Act against a group harassing and intimidating people at a clinic that provides reproductive health services, including abortions. The court refused to make that order requiring the council to take specific action but found that the council's advice to the clinic to refer the matter to the police to have it dealt with as a private nuisance was not effective. Clearly, this was the beginning of exposing that there was no real protection for women or the workforce this bill now seeks to protect.

I think there are three areas that have dealt with pregnancy and/or fertilisation in my lifetime that have evoked considerable concern and public division with a passion. One was the early work for in-vitro fertilisation and the advances in science, which were pioneering at the time, creating test-tube babies, as they were described, to enable infertile couples to have children. It was very passionately opposed by members in the community who took the view that this was to supplement a determination by God. In the time of the 1980s, that was an issue of significance, even though perhaps today we see this as a very valuable tool available to couples or parties who are seeking to have children. Nevertheless, it was very hotly contested.

Stem cell research was another one, the use of unrequired frozen embryos, which have a 10-year life in South Australia before they have to be disposed of, and that means thawing them out and flushing them down the drain. There was major debate—again, a passionate contribution from the community—about the use of embryos, destroyed and used for the purpose of scientific research to help people with MS or Parkinson's, for example. These were the types of diseases that were raised. It was very passionate and heartfelt, and I respect that. As a mother, I supported both those reforms. I stand here privileged to have been able to have children without difficulty, but I do understand the plight of those who cannot and the enormous difference that science has made to couples who face that dilemma.

In this area, parliament gets a report every year that tells us there are about 4,000 abortions a year, what age group does it the most and whether they are married or single. This is the information we receive because it is a process, required by our laws, to report to us. I think there are some bigger picture issues that need to be resolved in that area, but that will be for another day.

The South Australian Law Reform Institute has done a body of work that will form the base of similar reforms I propose to introduce to the parliament when we are ready. There is still further stakeholder consultation being considered of amendments they are recommending. All those are being very carefully considered, but this is an area they did say does need to be followed. It has been done in Tasmania and it has been done in Victoria.

I briefly refer to the High Court. There has been reference to the High Court action that confirms the validity of legislation such as this. That is an important endorsement. It is also important that I note for the parliament's benefit that Christopher Brohier, who is a junior I think in the High Court challenge against this legislation, recently went on radio to suggest that this legislation would interfere with the right of private prayer for people who are objecting to this.

I take issue with that. I think the bill does not traverse that. I think it will allow for silent prayer. However, understand this: if there is someone who wishes to go beyond that and display words or images that are likely to bring about fear or anxiety in response by the person who is trying to enter the clinic, then they will be vulnerable to be prosecuted. That is precisely what this bill will do. If they wish to have silent prayer, and they wish to do that in the front area on the roadside within the 150 metres, in my view, and I make this very clear, that is perfectly valid.

I understand there is a foreshadowed amendment to actually cement that, but I do not think it is necessary. I will not oppose it, but we sometimes let things go through just to make them absolutely clear. Similarly, I make the point that this legislation now before the parliament accommodates a number of things that I as Attorney have asked the mover of the bill to incorporate, and she has done so. I appreciate that because they are weaknesses that I think would have made it very difficult to support in its previous form.

Firstly, I think there needs to be a provision for a financial penalty, as distinct from the original five-year imprisonment proposal, and so we are back to what I think is much more appropriate. Secondly, there is wording in this that follows the interstate approved High Court stamp of approval legislation so that we do not fall foul of inadvertent crushing of the right to speak of those who wish to do so.

There is a journalist clause in ours that gives special provision. I know the member for Badcoe has raised this. Again, I do not think it is absolutely necessary, but I am happy to leave it in there because it is very clear that it is not to silence people who have a passionate view about the principal issue of terminations or whatever other procedure becomes controversial. In my experience, they do about every 10 years and they are passionate, but on this issue we want to make clear that they do have a right to have a view and they can publish it. Most these days will do it on social media, but if they want to have the old-fashioned protest they can do it, but it has to be 150 metres away and not cause distress or anxiety for those who are going to use this service.

I remind members that this is not in any way varying or modifying or relaxing or making more strict the law in relation to terminations. It is purely to protect those who are lawfully entitled to seek one for that purpose.

Ms STINSON (Badcoe) (11:04): I would like to focus on just one aspect of the bill which I raised very early in the briefing phase, and that was to advocate for an exemption for media working in safe access zones. Clearly, as a former broadcast reporter, press freedom is very close to my heart and something that I believe we need to fight for every day, even in this country. In the last session, I prepared amendments following thorough consultation with media outlets across South Australia, and I thank those news directors and the MEAA for their input, which I took on board in preparing my suggested changes. I was pleased to see those suggestions taken up in the upper house and that a 'media carve out' is now part of the bill that comes to us.

Legitimate members of the media, unless they are themselves engaging in protest or harassment, should not be captured by these exclusion zones. The media have an important role in covering emerging events in and around our hospitals and health facilities, including health, crime and political stories, as well as protests. It is their job to bring that news to the public. An exemption for media is a safeguard ensuring the public has an understanding of what is happening in our community even if they themselves cannot bear direct witness.

I have listened to people's concerns that creating no-go zones, no matter where they are or for what purpose, is an affront to freedom of speech and freedom of association. Quite frankly, it is, and I take those concerns very seriously. Any curbing of individual freedom should be weighed incredibly carefully. Restricting rights cannot become the norm. However, in our democratic society, there are certain circumstances in which we do have our right to express ourselves curbed for the good of our greater community and for the good of more vulnerable citizens.

Right now, our freedom to gather in large public demonstrations has been curtailed for the good of our population's health in light of COVID-19. We have antidiscrimination laws against hate speech and vilification is not allowed. We have defamation laws that restrict what people can say, even if those comments may be true or genuinely held. This proposed restriction of rights through the establishment of safe access zones, I believe, does meet the test in terms of curtailing freedoms only to a degree that is tolerable in order to protect the rights of those who are in a far more vulnerable situation.

The bill balances competing rights. Patients and workers deserve the right to attend health centres without being harassed, without enduring protests or being recorded. Further, I do support a woman's right to choose, and therefore I support the right of a woman to access health services and seek advice without fear and without being intimidated or shamed. To those who say women are not

intimidated, staff are not recorded or abused, and demonstrators already keep a distance from abortion facilities, I say, 'Great. Good on you for doing the right thing.' This change will have very little impact on the way you express yourself.

Importantly, people can still communicate, they can still protest, they can still hold signs, they can still make recordings, but at a distance. Allowing an exemption for media further tempers the minimal restrictions imposed by this bill. A sensible position has been reached and, while it does not fully satisfy the interests of any of the parties, it is a midway point that I think we can all live with, with only a minimal infringement on the rights and freedoms of the parties on all sides of this debate. I will be supporting this bill, and I commend the bill to the house.

Mr PEDERICK (Hammond) (11:08): I rise to speak to the Health Care (Safe Access) Amendment Bill. Let me say that I am a proud supporter of freedom of speech, but I am also a proud supporter of people's choice and women's choice. I have certainly witnessed—especially in this job and over time through my life, but mainly through this job as a local member—women and families who have had to make a very hard decision for a range of reasons, and it is a very difficult decision to decide whether or not to terminate an unborn life. At the end of the day, it gets back to the woman, who is the one making the hardest decision of all.

I have talked to people and seen heartbreaking scenes in my office. When you talk to them later on, whichever way they went with their decision, it is great to find out either way and help with any counselling you can give regarding their decision. I do not want people to think that I do not support choice, but apart from supporting the choice I support the right of a woman with the current abortion laws to seek that choice if she so decides. A lot of the time it is in consultation with their partner. What I do have an issue with is protests. I have heard the stories about photography, people harassing people, and that is not right and it should not happen, but I am very supportive of peaceful protest.

We have seen in recent times around the world and here in Australia exemptions for COVID rules, which is interesting to say the least, and sometimes those exemptions are made for very good reasons, but we have made such good progress, especially in this state. With our borders opening at midnight last night, we have to make sure that on the grander scale we make the right decisions.

But the problem—and it does not matter in protests whether it is to do with this or other issues—is that a lot of the time you get people on either side of the spectrum, as we have seen around the world recently. You could label them as the left-wing groups against right-wing groups, but these groups all come together and it turns into something far more than a peaceful protest, and I do not support that either way. But I do support choice.

I think protesting should be peaceful. We see and hear many people protest here on the steps of this house. We have people protesting against mining companies and that sort of thing. Do we ask for exclusion zones around mining and oil companies' offices? We are not doing that today. I remember back in the day, when John Bannon was premier, there was a very well-engineered South Australian Farmers Federation protest. I think Tim Scholz from Eyre Peninsula might have been the president of the South Australian Farmers Federation at the time.

It was a mass protest by farmers and it was very well targeted. I remember going to the meeting in SAFF headquarters and different groups went to different government offices and basically sat at the front and held them up. You would not get away with it these days because of the security personnel, who obviously have a job to do, and perhaps we helped engineer that.

It was surprising—and you would never get close to this now—that a group of us managed to get in the lift in the State Administration Centre and get to the 16th floor where the premier was. But, to be fair to the group of us in that lift—and there might have been eight of us, of which I was one—Tim may have talked to the premier directly, or at least to his senior staff, because the premier was going to come in the lift with us and at least talk to us on the way down, and I commend John Bannon for that. That diffused the argument, as we at least got to speak directly to the premier of the day. We promised him safe access to the ground, and that is what he got.

The interesting thing with this—and I will speak on behalf of the lobbying I have had in my electorate and more widely across the state in regard to this—is that I have not had very many people

at all support this bill as it stands. In fact, by far the majority do not, and only two or three have met with me. As a politician, I am happy to meet with people, whether or not my views align with theirs, because I think that is what you need to do to keep fully informed to help make decisions and decide whether you want to vary decisions.

Something I have also learned, especially in politics—and I know it takes a while for some to get their head around it—is that sometimes you have to give a bit to get somewhere. We have seen it with bills like the one in relation to genetically modified canola and the ability to grow it in South Australia. I know that in my mind that bill was not where I wanted it to be, but at least it got us to a point where we could have the option for South Australian farmers to grow genetically modified canola next year. What I am getting at is the simple fact that perhaps there is a way through this legislation and a way for even me to support it with an amendment that I believe—

Mr Boyer interjecting:

Mr PEDERICK: That's alright; I will not even go there. I note that there will be, during the committee stage, an amendment lodged to clause 4:

Page 3, after line 34 [clause 4, inserted section 48C(2)]—Insert:

or

(c) engaging in silent prayer within a health access zone.

I will be interested in the debate, I will be interested in what I hear in the committee stage, but that may be the clause that gets me across the line. I will put that out there right now regarding support for this bill in the end because, as I said earlier in the debate, I fully support women, because I think they do a greater job than a man will ever have to do, and that is to either give birth to our children—it is a beautiful thing to witness—or sometimes make these decisions, which are terrible decisions. These decisions are made not just alone, sometimes with a partner, but at the end of the day it is the woman who is totally affected by this.

I know a lot of them will never forget, no matter what the outcome is, if they think it is for their betterment or their family's betterment. I know that in most cases these are decisions that are not made lightly at all—not lightly at all—and I fully respect people's ideas and views around it, especially when they are in that space.

I have seen the trauma. I have seen the trauma of miscarriage. It is not until you are engaging in starting a family that you suddenly realise. I know we are not talking about abortion here; I am talking about miscarriage. Miscarriage happens far more often and you only know these things when you are involved in the family process at the time. Miscarriage affects a lot of families and a lot of women, and it can have a very deleterious effect. I know that only too well.

I am very interested to see where this debate goes. I want to hear more debate around this amendment and maybe other amendments. I note the member for Badcoe's discussion around journalists, but at the end of the day I do not want people to ever get the wrong idea: I do support choice.

The Hon. A. KOUTSANTONIS (West Torrens) (11:18): In regard to this bill, I feel a little bit torn. I do not want to see anyone harassed when they are making medical choices. I do not want to see anyone intimidated when they are making medical choices. I do not want to see people who are already making one of the most difficult decisions of their lives put under any other pressure on top of the decision they have already had to take, or have chosen to take. It must be a horrific and terribly troubling part of anyone's journey to have to go through this process, and the last thing you would want, as you are seeking advice or getting medical advice on this, is to have people making you feel as if you are doing something that you should not be doing.

These are choices that people make with their doctor, and the parliament has already spoken on that, but now we are talking about something a little bit different. We are talking in my opinion about the right of assembly, the right of protest. The party I am in was formed out of a right to protest, out of a right to withdraw labour, out of a right to speak up against inequality and a right to assemble en masse, often in breach of the law, often illegally. That is how we got the eight-hour day. That is how we got women the right to vote. That is how we have now these rights that we all believe are

inalienable: the freedom of the press, the right to assembly, the right to join a union, the right to withdraw your labour.

The legislation here says you should not be able to protest within 150 metres in a health and safety zone, but at 150 metres and one centimetre you can hold up any banner you want. But a journalist with a camera crew can approach anyone walking into this clinic and ask them questions. There is even an amendment being considered here because there are parliamentarians who fear we may be banning silent prayer. I do not know if the legislation bans silent prayer or not.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: I note that members are saying it does not. Fine, so therefore there would be no problem with inserting the amendment in the bill.

Ms Cook: Vegemite sandwich eating is okay too.

The SPEAKER: Member for Hurtle Vale!

The Hon. A. KOUTSANTONIS: I didn't know we were banning Vegemite sandwich eating.

Ms Cook: We're not banning silent prayer either.

The Hon. A. KOUTSANTONIS: Well, good, because we shouldn't ban silent prayer. My question that I have to contemplate here is: every time the parliament makes a decision on these issues, we are either granting a right or taking one away. Here, I think the intent is to do both. The intent is to grant people who are seeking these services the right to do it unhindered, unmolested, unencumbered by any sense of protest, but in response the parliament wants to outlaw—and the bill says it—what would otherwise be lawful behaviour.

I have a problem with that as a parliamentarian. I have a problem when the parliament seeks to take away the right of assembly. I do not think taking away the right of assembly gets the outcome we are looking for here. The real question we should be grappling with here is: why are people who are seeking these services having to deal with the infrastructure that is in place now, that should be better to avoid this altogether without us having to pass legislation? Is not the real question here: why are you not spending more money on this infrastructure rather than banning democratic rights and withdrawing them?

It seems to me that what we are attempting to do here is, because there is a car park in place rather than any other form of infrastructure: 'I know what we'll do. We'll make it illegal to protest.' That is not how it works in democracies. The thing about protests is that they are uncomfortable. We saw that last week in this country with the Black Lives Matter protest. They are uncomfortable. These are uncomfortable images for us to witness. They are difficult to grapple with.

Our police commissioner last week had to grapple with this question. As the state controller he had to decide whether or not to allow a protest against police brutality during a pandemic. What did he do? He allowed the protest. I bet you the health advice that was in place in New South Wales and other jurisdictions would not have erred on the same level the police commissioner came down on. Of course, I do not have access to the health advice, so I do not know what the police commissioner was told or not told.

I will be less generous to my friends on the government benches. There is a lot of union bashing that goes on in the government. I have lived through WorkChoices. I have seen what it is that employers want to do to stop workers organising. Once the parliament gets a taste of banning protest, it is not that much of a step to take five years from now, 10 years from now, 20 years from now, for example: 'Teachers shouldn't protest at a school. It's an educational environment. Perhaps they should protest 400 metres away so the children don't have to see teachers withdrawing their labour.'

How about nurses at a hospital, protesting outside an emergency ward that is underfunded or where they have had their hours cut, or people are dealing with broken arms and injury and casualties? Do they really have to be putting up with this protest? Perhaps we should bring in a law that says, 'Workers can't withdraw their labour and can't protest at certain types of facilities.' We do it at abortion clinics.

There is another way of doing this. There are other ways of making sure that people and families who are going through these choices do not feel molested. I do not want those remarks to say that somehow I am pro-choice. What I am saying is this is not a question of liberty; this is a question of infrastructure—that is the fundamental question here. It is a question of the location of the services and the way they are managed. What you do not do is use statute in the parliament to take away democratic rights.

I have to say I started in the union movement in the Labor Party. I am from the union movement, I am proud a unionist and I will be to the day I die. The idea that I would vote for any measure that takes away the right to assemble, I have to say, does not sit well with me. That is not passing judgement on others who vote for it. I understand their intent—I do—but the fundamental question here is: should we ban a protest?

We have enshrined in here the protection of the fourth estate, the media, because we believe in the freedom of the press. Protest or offering non-sanctioned pregnancy counselling—whatever it is called that these protesters are attempting to do—quite frankly, I am not very comfortable with, to be honest, but I do not have a problem with people sitting away and silently praying. I do not have a problem with that at all; I can see the point. But I cannot conceptualise that it is okay for a journalist with a camera crew to walk up to anyone walking into this service and ask them questions but anyone else has to be away.

How does the parliament grapple with those two opposing ideas? But I see the point. What the member for Badcoe has attempted is to make sure that any other protest that occurs there is covered. I think that makes sense, but I do not understand why we have to go down this path when it really is a question of logistics rather than democratic freedoms, rather than liberty. I am concerned that these measures will be used in other forms of other pieces of legislation.

Parliamentary Procedure

SITTINGS AND BUSINESS

Ms COOK (Hurtle Vale) (11:28): I move:

That consideration of Private Members Business, Bills, Order of the Day No. 4 take precedence over Private Members Business, Other Motions up until 12 noon.

Motion carried.

Bills

HEALTH CARE (SAFE ACCESS) AMENDMENT BILL

Second Reading

Debate resumed.

Dr HARVEY (Newland) (11:29): Today, I rise to speak in support of the Health Care (Safe Access) Amendment Bill. I will speak only briefly as I believe it is important that, on a matter of conscience, my reasons for voting in a particular manner are set out as clearly as possible for my community.

From the outset, I think it is important to acknowledge that, although the particular matter this bill is seeking to address is often included as part of a broader debate in respect of the practice of abortion, this debate is not about whether or not abortion should occur. The fact is that abortion has been legal practice in South Australia since 1969. This debate is about whether, given that abortions are legally permissible in this state, women seeking to access this service should be able to do so without any additional distress being caused by others.

My role in this place is to represent to the best of my ability the wishes and interests of my community. My community is a peaceful and caring community, a community that looks out for one another and shudders at the thought of contributing to a person feeling distress, anxiety or shame. This bill, if passed, will prevent people from behaving in a manner that is reasonably likely to cause distress or anxiety in a person who is or has accessed an abortion service, within 150 metres from the location of that service. I speak with complete confidence when I say that my community would

not want others to be permitted to cause distress or anxiety to a woman who is accessing an abortion, regardless of their views on the practice of abortion.

As a Liberal, I am instinctively concerned about any attempt by the state to restrict the ability of individuals to express themselves. There is no doubt that the effect of this bill will be to limit the ability of individuals to express themselves. Under a previous iteration of this bill, individuals would have been restricted from any communication within the health access zone on the subject of abortion. I could not have voted for that restriction. To my mind, it is too broad.

I know that the Attorney-General worked to tighten these restrictions so that we now have a restriction on communication in relation to abortion that is reasonably likely to cause distress or anxiety. This is an important distinction that I believe strikes the right balance. It prevents women accessing abortions from being in any way hassled but also does not prohibit, for example, a person praying silently. I would like to acknowledge the foreshadowed amendments in this area and indicate that I would be happy to support that.

However, it has been argued that this is an unreasonable restriction. This argument contends that the restrictions in this bill are so severe that it represents an affront to the implied freedom of political communication that we have in Australia. I do not agree with this argument. I understand that the High Court has considered this issue in the context of similar Victorian and Tasmanian laws and ruled that the restrictions that these laws contain are not impermissible. Whilst I am not a lawyer, so I will not comment on the judgement from a legal or constitutional viewpoint, the reasoning, particularly in the plurality judgement in the Victorian case, appeals to me in the sense that it considers two conflicting rights and applies a balance to them.

The first point from the High Court that I think is worth highlighting is that there is a difference between political communication and a communication about moral choices. Political communication, for which we enjoy an implied right, seeks to affect the elections or policy debates. Communication about moral choices seeks to affect a personal decision of an individual. This bill does not restrict the ability of South Australians to participate in political debate. South Australians can still gather on the steps of this parliament and express their views; indeed, they can still gather 151 metres away from protected premises.

What this bill does restrict is the ability of people to behave in a manner that may affect a moral decision of an individual. Importantly, it only places this restriction on a limited spatial area: 150 metres from a location at which abortions are legally permissible. This bill is ensuring the right of a person to access a legal service free from unsolicited obstruction or distress.

In summary, I believe that this bill strikes the right balance between the implied rights of political communication and respect for the dignity of individuals. It restricts speech only in a very limited area and for a very particular reason. The speech it is restricting is more likely than not to be attempting to affect a moral decision of an individual rather than political communication. But above all I am voting in favour of this bill because its ultimate purpose is to ensure that women accessing a legal health service can do so free of any additional distress or anxiety. I believe this is what my goodhearted and peaceful community would want.

The Hon. S.C. MULLIGHAN (Lee) (11:34): I rise to also speak about the Health Care (Safe Access) Amendment Bill. I wish to place on the record my perspective and my views on this bill going forward. It seems to me that this bill is being moved in the midst of a broader discussion and debate about abortion law reform which many people have strongly held views about.

But I think that it is important to draw a distinction between that broader debate about abortion law reform and the particular issue that we are canvassing here, and that is whether somebody has the right, or a group of people has the right, to protest to a person who is on their way in to receive a medical procedure, or who is on the way out from receiving that medical procedure, or to even protest against those people providing that medical procedure.

This is not about protesting to a government. This is not protesting against a corporation. This is not even protesting about abortion law or abortion law reform. This is about whether people should have the right to directly, and in very close proximity, protest against someone who is on the way to receiving a medical procedure.

As we have heard well canvassed by previous speakers on this bill already, people who are on their way in to receive or on their way out of receiving these medical procedures often find themselves facing or having just faced a very difficult personal choice that lays upon them all sorts of stress, anxiety and so on. I cannot see that it is reasonable that we provide an environment where somebody is able to confront another person in that circumstance and protest against their choice to go and have this medical procedure. I know that there are others who have alternative views, and they are absolutely entitled to have those views of course.

I know that there are people who perhaps think it might be an idea that we could curtail the way in which those protests are undertaken. Perhaps it could be some form of silent vigil or silent prayer-type activity. I am no theologian, but I am not sure what the spatial proximity of the prayer accords in terms of greater strength of the prayer effort. I do not think that is a reasonable position to take, and I do not think it is reasonable that we allow an environment where people need to be confronted with these sorts of activities going forward.

Imagine how we would feel if we had members of particular religions, people who had particular religious beliefs, those members of religions who do not believe in medical treatment per se or who do not believe in broad ranges of medical treatment, protesting outside general hospitals here in South Australia when people were going in for what we would regard as relatively routine medical procedures.

The Hon. V.A. Chapman: Immunisations.

The Hon. S.C. MULLIGHAN: Immunisations, the Deputy Premier says. That is a good example. What about cancer treatment? What about all sorts of other procedures that are relatively run of the mill? What if we had members of religious sects protesting against people who were going in for colonoscopies or Pap smears? That would be regarded as disruptive and abhorrent and something that should not be allowed.

In that regard, I am not quite sure why we would be contemplating allowing this sort of behaviour to continue in this particular circumstance, which I am sure many others could argue far more persuasively and eloquently than I can, and likely to be occurring for a patient receiving that medical treatment at an even more stressful, anxious and distressing time. In that regard, I will be supporting the bill and making sure that we do not allow the confrontation of these people who will be on their way into, on their way out of, or providing these medical treatments.

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (11:39): I rise to speak on the Health Care (Safe Access) Amendment Bill 2020. I wish to put on record that I will be opposing this bill. I do not think that will be a surprise to many people who are my colleagues in this chamber. I have a tendency to take a socially conservative position on many matters of conscience, and I am, at a personal level, opposed to abortion on most levels. However, I do think there is a place for access to abortion services in society, and I am certainly not someone who would take an activist position against the existence of those services being available.

I also made it very clear in my maiden speech in May 2014 in this place that I did not get elected to the House of Assembly in the Parliament of South Australia in order to use my Christian faith and the moral foundations upon which I seek to build my life as a pious instrument to further particular policy agendas in parliament. I do wish to make very clear that it is not my role to lecture people on what they should do with their lives and their bodies. I do not want ever to be seen to be the sort of politician who uses the privileged platform of my election to the South Australian parliament to push those particular personally held positions.

I am, however, opposed to the bill, and I am opposed to it for a range of reasons. However, I do think that the harassment of people who are going to seek an abortion, or who are leaving a clinic where such a medical procedure might have occurred, is abhorrent. I would never encourage it, I would never partake of it and I think there are many other ways to express concern and personally held moral beliefs than to harass and get in the way of, obstruct and make people feel fearful who are inevitably making a very difficult decision.

I think it would be extremely unusual for someone to make a personal decision to terminate a pregnancy lightly. I do not think anyone who makes the decision does so lightly, and I think it is a decision that is entered into with very significant thought and often external counsel along the way. I

think that the presence of protesting in and around a place where abortions take place is not something I am overly comfortable with, and so I guess from that point of view my opposition to this piece of legislation is not particularly strident. However, my concern is that we are creating an unusual precedent around the capacity of the South Australian public to enter free speech activities to express particular opinions. I am fearful about what sort of precedent that this sets.

We have heard in the debate, both in this place and in the public domain via the media, both the print media and radio in recent days, that this proposed legislation will not prohibit people from silently and peacefully undertaking the activity of prayer close to a facility where abortions might be taking place. This house has been assured of that. We heard that from the Attorney-General earlier this morning, and it is her firm view that people would not be prevented from undertaking silent prayer as a consequence of this amendment bill. If that is the case, I would ask the parliament to provide clarity, to provide certainty, by codifying the ability to undertake the activity of silent prayer within the proximity of these places.

Members would be aware there is amendment sitting in my name that seeks to insert after clause 4, on page 3, after line 34, 'or (c) engaging in silent prayer within a health access zone'. I wish to do this for a number of reasons but first and foremost to ensure that this legislation has clarity in it. We are being told by some of the proponents of this legislation that this activity will be enabled through this legislation, or it will not be prevented. I am asking the parliament to make a decision around clarity and to make that decision by codifying the ability to engage in silent prayer within a health access zone.

I think it is an important thing to do. I think it enables people to peacefully demonstrate their faith—not waving placards, not wearing slogans on T-shirts, not chanting or singing or making loud noise—that they want to provide prayer for people who are making a decision to enter or, subsequent to the termination occurring, that they wish to pray for people as they leave. I believe people can do that silently, I believe people can do that respectfully, and I hope this parliament will see fit to enshrine that value and that right in legislation through this amendment. I will have more to say on that amendment if and when we get to the committee stage of this bill.

I am, as I have said, not supportive of the legislation but not stridently so. I can see the motivation behind it, I can see why you would want to protect people who are making or have made a very difficult decision and I can see why you would want to protect them as a member of parliament who seeks to represent a broad and diverse community. Within my electorate, I seek to put myself into those circumstances and to empathise with what I would do in those circumstances. I also add that that empathy is made more difficult by the fact that I am a male. I do not want to be someone who is seen as lecturing people who are going through those particular circumstances.

I understand why this legislation would be put forth, but I seek an amendment that will make it more amenable to me and to many people in our community who would like to express their faith and their views on this matter through silent prayer.

Mr BROWN (Playford) (11:47): This is the second piece of legislation dealing with this particular issue that is currently before the parliament—

An honourable member: No, it's the third.

Mr BROWN: I am advised that it is the third; I am not sure whether I have seen three on the *Notice Paper*. I must start my remarks by firstly saying that, like most of these bills, I feel it is important that members state their views on matters of conscience so that their constituents can see what thinking they had before deciding to vote a particular way.

I would also like to express my appreciation for the hard work of the member for Hurtle Vale on this particular bill. I think she has shown a willingness to listen to those who have alternative views and to compromise, which I know has been sadly lacking from other people who have put forward bills in related areas.

I had a number of concerns about the initial legislation that was presented to this place. I had concerns particularly regarding access to journalists and other people in the news media who would be reporting issues, so it is good to see that they have been addressed in the current bill. I also had

some concerns about limiting the right to protest, but I also note that we do that on a regular basis with other types of protest and so this bill is not necessarily breaking new ground in that area.

I would also like to express my view that, as I am sure members are aware, abortion services are legal and free in this state and are done in public hospitals. I think that is not only entirely appropriate but also what the public demands. I think it is unfair and wrong for people who are trying to exercise their right to have access to these services to be harassed and I think it is unfortunate that we have come to this point where, largely, in my view due to the complete failure of councils in particular to enforce existing laws, people have felt we need specific legislation in this area.

I would like to also state my support for the amendment that I understand minister Speirs is likely to move. I think it is entirely appropriate that we specifically state that silent prayer is an allowed activity, following what the Attorney said about how she understands that it would already be allowed under the bill.

I would also like to express that, when it comes down to these sorts of bills, at the second reading we are being asked to vote on the bill that is in front of us not based upon our hopes and dreams for how the bill will end up. I would like to express my view that, based upon the hard work the member for Hurtle Vale has done on the previous bill, I will be supporting the bill at the second reading.

Mr TEAGUE (Heysen) (11:50): Thank you, Mr Speaker, for the opportunity to rise to address the bill. I will be supporting the bill as it stands. I am with the member for Lee and the member for Newland in terms of the relevant matters. I could not put it any better than the member for Lee and the member for Newland have very eloquently, with respect, put those matters.

I do want to note that this is one of those pieces of legislation that I would much prefer deals with the question, this matter of private dignity, in a manner that is a more general application. In that sense, I hope that it is the thin end of the wedge. While we provide for means to protect people who are accessing health services to be free from threats, intimidation and harassment, we ought to do that across the board.

I also note that the matters that have been raised and expressed by the member for Newland and the member for Lee are, in my view, a complete answer to the problem that is being discussed by the member for West Torrens. This is clearly a matter that is distinct from those rights of public assembly that we would all seek to protect.

In that sense, to the extent that there is reflected here some endeavour to compromise in the bill, the carving out of provisions that would apply to journalists and their cameramen is, in my view, wholly inappropriate and wholly unnecessary. I think they raise the very real risk that everyone becomes a journalist. Everyone who sincerely has concerns about these matters in the public interest become would-be publishers of these matters, and I think that is problematic.

I do not know what the gestation of all this has been as far as compromises are concerned, if you will excuse the inadvertent pun. The point is it goes to a matter of substance in that it is a matter the member for West Torrens really wanted to raise as a matter of principle that this is somehow contrary to fundamental rights of assembly. The provisions that relate to journalists, that the member for Badcoe has adopted as her own or sought to express as amendments that she might have been responsible for or ought to have credit for, have been expressed in terms of the rights of journalists to report on matters of public interest.

Both of those aspects are swept away, in my view, very much for the reasons as expressed by the member for Lee and the member for Newland. I would prefer to see that removed. I think that is one aspect of this legislation, if it is to pass in the present form, that might well be the subject of reflection and amendment down the track. I may have something more to say about that in committee. I would prefer to characterise what we are doing here in terms of a refinement, therefore, of the laws, insofar as they relate to what constitutes an assault, and in some respects they go to those matters quite specifically.

I am concerned also that this bill, in the way that it is expressed, contains a restatement of the law that generally applies, in some cases in a tautologous way, and that is less than ideal. I also

note that it contemplates actions of police in anticipation of conduct in what would be section 48E within clause 4, and that is a matter I remain somewhat concerned about.

I indicate my support for the bill. My overriding desire is that this might be, in this sense, the thin end of the wedge, and that in time we might consider these measures not so much directly in relation to particular matters of healthcare treatment but that, in the course of time, we might see these matters as being of important and relevant application to matters of health treatment more generally.

The Hon. G.G. BROCK (Frome) (11:56): We have this debate, and it is a very important issue. I think that what we need to do is let the members here explain to our communities, our constituents, where we are going, because it is a conscience vote. This is an issue that I think is traumatic, quite frankly, in that it has to come to a decision here for a woman to make a decision to have an abortion or a termination of a living body within her own system.

As the members for Lee and Newland have indicated, and others here have said, they go to facilities or locations that are quite legal. For a particular woman to make the decision to go in that direction is traumatic enough as it is without her also being confronted—although to my knowledge it has not happened in South Australia—by someone who does not believe in a particular person having a legal procedure, for whatever reason. It could be for their health, it could be because they have made a mistake and it could be because they may not be able to afford it. There are a lot of people out there who have had numerous children by numerous fathers, and unfortunately some of those kids have not had a good life.

Just recently, in the last two or three days, I have had three or four people contact my office to vote against this bill. The issue is that the incident has never happened in South Australia, so why are we putting a bill through? My comment to that is: the world is changing dramatically at the moment in regard to the Black Lives Matter movement, which is the other issue that is happening worldwide, and even though the other members here have said that we need the right of protest, we also need to put in precautions to ensure the safety and wellbeing of a particular person attending these legal facilities at the moment

I have some personal friends who have gone through this over the years, and as they have gone through the procedure it has been traumatic enough to actually go through with the termination. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Motions

PTSD AWARENESS DAY

The Hon. G.G. BROCK (Frome) (11:59): I move:

That this house:

(a) acknowledges that 27 June 2020 is PTSD Awareness Day;

(b) notes that PTSD relates to post-traumatic stress disorder;

(c) notes that in excess of one million Australians suffer from PTSD;

(d) notes that over 10 per cent of military and emergency service workers and volunteers suffer from PTSD;

(e) encourages people who may be suffering from PTSD to discuss openly any issues, to seek early medical advice or counselling services; and

(f) encourages society to understand the causes of PTSD and that it is not a sign of weakness.

PTSD is an issue that most of our communities may not really understand—what it is, how it is inflicted onto people and how it impacts on everybody's life.

PTSD is a complex series of emotions that are often persistent, uncomfortable and founded on anxiety. It typically develops after experiencing one or more traumatic events that have threatened someone's life or safety or those of people around them. These events can include serious accidents, natural disasters, crime, war, torture, physical or sexual assault and other horrifying events. People

in professions such as the military, firefighters, paramedics, emergency workers, police officers and others are particularly vulnerable to the debilitating condition.

It is estimated that around 10 per cent of Australians experience PTSD at some stage in their life. People with PTSD can experience other mental health issues at the same time, such as anxiety, depression, alcohol and drug use. Sometimes the feelings dissipate by themselves after talking to family, friends or colleagues, but when these feelings continue and begin to interfere with everyday life, work and relationships then it is time to find help, as these kinds of shocking and overwhelming events can be difficult to come to terms with on our own. The main symptoms of PTSD are:

- reliving a traumatic event through distressing, unwanted memories, vivid nightmares and/or flashbacks, which can also include feeling very upset or having intense physical reactions such as heart palpitations or being unable to breathe when reminded of the traumatic event;
- avoiding reminders of the traumatic events, including activities, places, people, thoughts or feelings that bring back memories of the trauma;
- negative thoughts and feelings such as fear, anger, guilt or feeling flat or numb a lot of the time. A person might blame themselves or others for what happened during or after a traumatic event, they may feel cut off from friends or lose interest in day-to-day activities; and
- they may also feel 'wound up', which might mean having trouble sleeping or concentrating, feeling angry or irritable, taking risks, being easily startled, and/or being constantly on the lookout for danger.

We must always remember that it can take time to discover the best treatment for each person, so it is best to work very closely with a GP or other trusted and qualified health professional to find out what works best for each individual.

Medical research indicates there are 17 signs that may indicate post-traumatic stress disorder. This research has identified that they range from flashbacks to nightmares, panic attacks to eating disorders and cognitive delays, to lowered verbal memory capacity. Many trauma survivors also develop substance abuse issues, as they attempt to self-medicate the negative effects of the PTSD.

Just as not every trauma survivor will develop PTSD, not every individual with PTSD will develop the same signs, and rarely do all 17 exist in the one individual. There are numerous symptoms that indicate a person may be developing PTSD, including:

- stress: the person was exposed to injury or severe illness that was life threatening, including actual or threatened injury or violence. This can include many other issues;
- intrusion symptoms: the person was exposed to a trauma and then re-experiences the trauma in one or more ways;
- unpleasant changes to moods or thoughts;
- avoidance: when a person tries to avoid all reminders of trauma, including avoiding external reminders of what happened, and avoiding trauma-related thoughts or emotions, sometimes through the use of drugs or alcohol; and
- changes in reactivity: this occurs when a person becomes more easily startled and reacts to frightful experiences more fully, including symptoms of aggression or irritability, difficulty in concentrating, a heightened startled response or engaging in destructive or risky behaviour.

Getting back to my first comments regarding how it impacts people in general, I have friends who were having issues with their personal lives, not knowing that or why their behaviour was affecting their own loved ones. These people just put up with their discomfort, thinking their aggression to others was normal behaviour. After their families convinced them to see a specialist to better understand what medication was required to make them feel better, it turned out that they were suffering from an incident that could be included in the reasons I outlined earlier.

After identifying the causes of what was involved with these dramatic recalls of incidents, they were able to have the relevant treatment, they are leading far better lives and their families and friends now understand the reasons for their previous isolation and behaviour. Also, the person directly involved, the patient, now understands how to better control these emotions. While they may never be the same as prior to the incident, they are able to at least live a far better life and have a better relationship with their loved ones.

I have had personal experience with people suffering from this issue. In a couple of instances these people could not cope or could not accept the prognosis and on a couple of occasions refused to get specialist help. Unfortunately, they succumbed and eventually took their own life. Some of these people came back from the Vietnam conflict and did not talk about their concerns, as they felt they were not really accepted back into the country and society, if we remember back to those days and the demonstrations that were held at that time.

Even though I was not affected nearly as much as some of my mates, at the time of my late wife's accident I continually had vivid recalls of the time and it went through my mind that if I had done something different on that morning would the result have been different? That went through my mind for many months afterwards. However, having great parents, a great father-in-law, great friends and a great workplace, I was able to talk about my fears, recollections and thoughts and due to this I was able to confront my demons and understand that I had done nothing to contribute to the incident.

Even though it is 26 years since that incident, those recalls still come back, but I am able to understand and control them. That is the same with many people who may be suffering the same recalls: they are able to openly discuss and get their fears and demons out, although they never really leave your system. This is an issue we need to talk openly about and ensure that we do not label people with some of these signs and exclude them. We need to do the opposite and include them in our general lives as much as we can.

I ask everybody who may come into contact with anyone, including family members, who has an issue with their behaviour and you know it is not the way they normally are, to encourage them to talk about that issue, include them in your conversations, include them in your activities and not to isolate them. As I said earlier, if you isolate these people, they will be worse off. It is not a weakness to be personally and emotionally impacted by something we see in our general lives.

I take my hat off to the emergency services people and paramedics who have to attend very dramatic incidents and see very dramatic sights and have to endure the hardship and emotions of the families they come in contact with, particularly people in the regions because people in the regions know each other. When the CFS and SES volunteers who attend go home they know that it could have been one of their own family and so they always have that thought within them. It may not come into their system straightaway, but in two or three years' time that recall could come back and something may happen.

Even with me at the moment, and I am very open about this, it took me many years not to be fearful of hearing an ambulance. Every time I heard an ambulance for many years afterwards, the incident came straight back to me personally. So, to everyone here in this chamber, in South Australia, in our communities: please look after those people. When you see a sign like that, please encourage them to talk about it, because for some people, when they talk about an issue, they feel better and are able to have a better life. I commend the motion to the house.

Mr TEAGUE (Heysen) (12:10): I rise to commend the motion. In so doing, I move to amend the motion in the following terms. Amend paragraph (d) to provide:

(d) notes that lifetime rates of PTSD in Australia are up to 10 per cent and can be higher in specific groups such as military and emergency service personnel;

Amend paragraph (e) to provide:

(e) encourages people who may be suffering from PTSD or experiencing post-traumatic stress to discuss openly any issues, to seek early medical advice or counselling services;

Insert new paragraph (g):

(g) commends efforts to both prevent and treat PTSD in the military, emergency service organisations and in the community more broadly.

PTSD Awareness Day is held on 27 June. Post-traumatic stress follows intense traumatic events. We are advised that it is marked by reliving experiences, including nightmares and flashbacks, the avoidance of reminders of the traumatic event, hypervigilance, jumpiness, poor sleep and negative thoughts and feelings. People with post-traumatic stress symptoms may not realise or may not want to realise that they have a problem that can be treated. The goal of PTSD Awareness Day is to address this.

In this regard, I draw particular attention to the life experience and contribution to the community of Dennis Oldenhove, President of the Macclesfield RSL. Dennis's story and the matters he raises in this context are, in my view, particularly apposite. He has long sought to shine a light on PTSD, on the difficulties of those who are suffering, and on the need to do more to raise awareness and encourage people to discuss it and seek help.

In particular, he raises the importance of social networks and outlets as very important ways of breaking down stigma and stereotypes in this regard and the importance of mental health assets in local government areas and ex-service organisations that can benefit sufferers in the wider community and educate everyone at the same time. He would include gardens, parks and exercise areas in that context.

Dennis observes that too much reliance can be placed on medication as a solution, which might have the unintended effect of putting to one side and masking the impact on sufferers and the community and the risk of that further increasing social isolation. He notes that those who specialise in the relevant professions are not necessarily all appropriately qualified to assist particularly veterans and their experiences that have led to the suffering of post-traumatic stress.

We know that post-traumatic stress disorder is more common than is generally realised, and that is a core reason that PTSD day is promoted here and throughout the community. Lifetime rates in Australia are up to 10 per cent, and they can be higher in specific groups. Key examples of these groups include military veterans, emergency responders and people who have been through natural disasters, Aboriginal and Torres Strait Islander people who have experienced trauma and losses, asylum seekers and refugees.

It also includes people who have been the victim of sexual assault, child sexual abuse or a victim of crime. It is a wide range and, given that wide range of people impacted and the wide range of estimates suggested, I have moved an amendment to the motion so as to be somewhat less specific about the prevalence as it occurs and, as it were, endeavour to highlight how widespread and indeed in certain respects how uncertain we still are about its broad scope.

Exposure to a potentially traumatic event is a common experience. Large community surveys in Australia and overseas reveal that 50 to 70 per cent of people report at least one traumatic event in their lives. I acknowledge and wholeheartedly respect the observations the member for Frome shared with us in relation to his particularly difficult traumatic event in his own life in that respect. Those events include a threat, actual or perceived, to the life or physical safety of a person, their loved ones or those around them. Potentially traumatic events include but are not limited to those events of war, torture, sexual assault, physical assault, natural disasters, accidents and terrorism.

Many health professionals, we are told, express some caution about the use of the disorder aspect of PTSD and instead encourage talking in terms of post-traumatic stress to ensure that where we act we do so with a view to preventing the development of post-traumatic stress and the prevention of that becoming more severe or prolonged, including by inaction. Greater awareness can certainly help, as we are advised, to ensure that people who do have post-traumatic stress seek help and take up those practical measures, including those to which I have referred, that Dennis Oldenhove has raised.

The chance of developing post-traumatic stress depends on the type of event experienced, but about 5 to 10 per cent of Australians will experience PTS at some point in their lives, and we know it is the second most common mental health disorder, second only to depression. Australian data remains limited. However, the available evidence suggests that the point of prevalence of PTSD is estimated to be around 12 per cent in Vietnam veterans, 5 per cent in Gulf War veterans and 8 per

cent in current serving members of the ADF. I note the programs that have been engaged by our emergency service workers. There is much more to be done in offering practical and emotional support. I commend the motion in its amended form to the house.

Mr PICTON (Kaurna) (12:20): I rise to support the member for Frome's very important motion in terms of PTSD, which we know is a significant issue for many South Australians. We know it causes significant pain and suffering, not only for those people who suffer from PTSD but also for their family, their friends and their colleagues, and sadly too many South Australians are lost through suicide following PTSD. We need to do everything that we can as a community, as a parliament and as a government to work together to combat PTSD.

I particularly commend the member for Frome for bringing this motion and also for his passion on this subject. I think you only had to listen to his speech on this to see his genuine passion and concern, also his personal experience in friends and family, and even his own personal experiences. I think it is important that we all acknowledge, as the member for Frome said, that it is important that we reduce the stigma around PTSD. It is important that people should talk about their experiences. Talking about or having PTSD is not a sign of weakness at all, and we need to all work together on that in South Australia.

I think it is particularly important that this motion talks specifically about military and emergency service workers because we know that what they see when serving in combat, what ambulance paramedics and police see on a day-to-day basis, and the specific traumatic experiences that they might encounter in their work, do have an effect. They do have a significant effect on those personnel, those workers and those volunteers in South Australia, and it is incumbent upon the government to do everything they possibly can to support those workers, and also volunteers, in the job that they do and, following events, make sure that we go and support them as well.

I know in my portfolio of Health that paramedics see a huge amount of trauma. The Ambulance Employees Association has been doing a lot of work recently looking at the impact on the mental health of paramedics, what the impact of PTSD is on those employees, and sadly it is stark. Sadly, there is a great impact, and we need to do much more to help those workers, and volunteers as well, in the SA Ambulance Service to support them, not only while they are an employee or a volunteer but also afterwards, to make sure that we are backing them and providing them all the support that they need.

This extends also to police and to our CFS and MFS firefighters. It extends to the SES. It can also extend to a range of other government services or NGO services that help people in need. We do have some excellent services in South Australia, and I have no doubt that they could be expanded in the future. I would particularly like to highlight, though, the Jamie Larcombe Centre, which was built a few years ago, which is a really world-class institution now and provides excellent services for people there. It obviously provides that acute level service, and in particular many former military personnel and veterans engage with the Jamie Larcombe Centre, but there is also a range of other people broadly across South Australia who need those services.

We see what has happened in the last few months. Even though it feels like a long time ago now, we encountered some horrific bushfires in South Australia in the Adelaide Hills but also on Kangaroo Island and also before that on Yorke Peninsula as well. We need to do what we can to support those personnel, those workers and volunteers who fought those fires, those who supported people but also those who were impacted personally by those fires.

Sadly, we have been calling for some time for some additional mental health support for the emergency workers who were involved in the bushfire effort and, while some mental health programs have been announced following the bushfires, there has not been any specific additional funding being delivered for emergency workers who battled those fires. I think that that is important, and I continue to encourage the government to deliver that to help particularly the volunteers, who are the vast majority.

That brings me to the amendment that has been moved by the government today. There are some semantics to it, but one thing I would particularly highlight in terms of my concerns with the amendment is that it takes out the word 'volunteers' from this motion. Volunteers are absolutely important to our emergency services in South Australia, whether they are firefighters, whether they

are SES emergency personnel or whether they are volunteer paramedics in our ambulance service. Volunteers are absolutely important. It is disappointing that they have been taken out of this motion. I think we need to support those volunteers when they encounter PTSD and do everything we can to prevent that but also to help them afterwards.

Mr DULUK (Waite) (12:26): I also rise in support of the motion moved by the member for Frome, a very genuine motion from the member for Frome, and indeed on a very important subject. Whilst I think a lot of people, when they think of PTSD, just think about how PTSD affects veterans and service personnel, as the members for Frome and Kaurna have indicated, it is actually about people on the front line in our emergency services: police officers and ambulance officers who attend horrific scenes quite often suffer from PTSD.

On reflecting on the news last night, I think yesterday the AFP were involved in a huge paedophile ring bust across Australia, and I know there people who work in the serious and organised crime units of our serving police force have PTSD from seeing the horrific images and the stress that goes with that. So this is a really important motion from the member for Frome.

I think one of the unspoken sadnesses about COVID-19 has been how veterans have not been able to socialise as they usually do. They have not been able to go to their RSLs on a Wednesday night, as they do on members' night at the Blackwood RSL or on a Friday night at Mitcham RSL. Quite a lot of veterans are gold card recipients and as part of that get free gym membership, but they have not been able to go to the gym. I know the father of a friend of mine is a Vietnam vet and the gym for him is a huge part of his mental health and wellbeing.

They have had almost two months of not seeing people as they are used to. As the member for Frome reflected on, not many people understand, especially if you are a war service veteran, how PTSD affects you. Really the only time they talk about their PTSD and their lived experience is with their veteran mates, and they have not had the opportunity for the last two months.

In terms of my RSL clubs, there is Mitcham and Blackwood, of course there is the RAAF Association at Mitcham as well and also the Plympton Veterans Centre, and the work of Titch Tyson OAM and his crew in the outreach they do across the southern suburbs is fantastic. So to the member for Frome: thank you for bringing this motion to the floor of the house. I think it is important that we talk about PTSD, we deal with the stigma and we encourage people who feel they may be suffering from PTSD to talk about it, to seek professional help, because it is only in seeking professional help and talking about our issues that can we can find a cure and some peace for those people.

Mr PEDERICK (Hammond) (12:29): I rise to support this very important motion but also to support the amendment. The amended motion reads:

(a) acknowledges that 27 June 2020 is PTSD Awareness Day;

(b) notes that PTSD relates to post-traumatic stress disorder;

(c) notes that in excess of one million Australians suffer from PTSD;

(d) notes that lifetime rates of PTSD in Australia are up to 10 per cent and can be higher in specific groups such as military and emergency service personnel;

Just on that point, I take a little bit of umbrage at what the member for Kaurna said, because that includes paid emergency services personnel and volunteers—absolutely. The amendment continues:

(e) encourages people who may be suffering from PTSD or experiencing post-traumatic stress to discuss openly any issues, to seek early medical advice or counselling services;

(f) encourage society to understand the causes of PTSD and that it is not a sign of weakness; and

(g) commends efforts to both prevent and treat PTSD in the military, emergency service organisations and in the community more broadly.

This is a very important subject that the member for Frome has brought to this house today. I certainly take note of his very personal reflections in regard to PTSD. It has affected people of all walks of life, but in regard to military service it has certainly affected people in probably every battle and in every war zone throughout the world.

We have had people from our services serving in the Boer War, overseas and here in World War I, World War II and all the other wars that have happened—for example, Korea, Vietnam, Afghanistan, several Iraq wars and a whole lot of other conflicts. Whilst I am mentioning most of the conflicts we have been involved in as a country, I also want to acknowledge the service of special service soldiers.

We have our Special Air Service (SAS) and others, not just here in Australia—but I will, I guess, concentrate on those—but from around the world who go into places they are not even allowed to tell us about to keep the world, in our minds in the free world, a safer place. Those people go to places that we will never know about and do great service for this country, and I am sure they have their own demons to deal with because of that.

Certainly in regard to what happens in the military, I had an uncle in World War II who suffered shell shock. That is what it was called in World War I as well, and I guess that, down the track, the title for it became post-traumatic stress, but it has happened to many, many people. Obviously with what happened with Vietnam—and I have spoken here before about Vietnam veterans returning home—yes, it was a contentious war, but I do not think there was the right to literally abuse service men and women coming home from a war that many of them did not choose to be in anyway.

I know I have mentioned it multiple times in this place, but my brother served for 23 years. He served in two active deployments, one to Rwanda, supposedly as a peacekeeper in the mid-1990s during the rampages between the Hutus and the Tutsis and blatant massacres. He was there as Army personnel with a small group at the base. He had some very interesting stories, and I am sure that he has a lot more that he has not told me because obviously he does not want to talk about them.

However, one that really comes to mind is when he showed me an oval where they played cricket one day in some free time, and he said, 'There are 12,000 people buried under that oval.' You could see in the stands all the bullet marks where a massacre had happened. It was interesting because that was a United Nations' service where the rules of engagement are absolutely strict and far different from warlike rules of engagement. It was about 13 years later that it was upgraded to 'active service'. It was only earlier this year in Canberra that the unit got a citation, so it was 25 years on since that time. I am proud to say that Christopher, my brother, got that.

He also served in Iraq. He was very fortunate that he did only one swing, or one six-month tour, from September 2005 to March 2006, and actually got home a week before I was elected. I mentioned his friend here before. He was as tough as nails and was on the opposite swing to him as a warrant officer. Basically, their position was about fourth in line at the base in Baghdad. As I have said before, when this bloke was getting on choppers when peacekeeping in the Solomon Islands and that sort of thing, he was so cool that he would just go to sleep and fly around.

But once he came back to Australia—and I have mentioned this before—he managed to get past the psychologists and do one too many tours. I think he did three swings in Iraq, and that was the one that did the trick. I guess what I am saying is that you can never be too proud to admit you may have a problem, because I saw one of the toughest men go through it, and it is tough.

Aside from the military—and I pay due deference to them whether they have served here or overseas, because there is great service done inside our country as well—there are all our emergency service personnel, whether they be paid or volunteers. I take my hat off to all the volunteers and the paid personnel, especially in fighting the recent bushfires, which were absolutely massive through the Hills.

The Cudlee Creek fire affected basically the top end of my electorate at Harrogate. I know there were emergency service personnel from around Langhorne Creek, Milang and Strathalbyn and surrounding areas that, along with the planes, saved the town of Harrogate. We lost a few farmhouses, of course, and that was terrible, but just to save that town was amazing, if you have ever gone up there and seen how close the black was.

Also, I was on Kangaroo Island and saw the many thousands and thousands of acres of land that were burnt there. I just commend all the people who were down there, whether it was when the

fires were fully active or during the mopping up stage. It took many weeks until we got those rains that sorted out the job once and for all.

Post-traumatic stress is not discriminatory: it can happen to anyone in any workplace or in any life situation. You can get health workers who have just seen too much. I know certainly it happens to some of the emergency service workers. I am a member of the Coomandook Country Fire Service, and I know some of my friends who are just down the road at Coonalpyn have to pick up some of the carnage that happens on the Dukes Highway as part of active road crash units. I know people have said, 'We've just got to take a year off.' They are just sick of seeing the broken and dead bodies resulting from major accidents on the highway. Sadly, they keep happening from time to time.

I live in an area where, sadly, some people have taken the time to drive a couple of hours out of Adelaide and decided, for whatever reason, they want to end their own life. That has many, many effects, and that brings me to another point—where it causes massive stress. We had something the other day that was reported in the papers. It is something that happens to truck drivers, that is, people suddenly decide that they are going to steer their car in front of a truck. It has no regard for a driver who may never drive again because of the trauma.

We had one the other day that certainly looks very questionable, based on what happened. Someone in dark clothing was walking on the Mallee Highway and just stepped out in front of a truck. It is just terrible, terrible for the mental health of that person. That person may have been suffering, but it causes terrible trauma for people who do those long haulage trips to keep this country carried, especially during these times of the coronavirus.

I support the amended motion and urge everyone who may have the symptoms of PTSD to make sure that they do get help when it is needed.

The Hon. A. PICCOLO (Light) (12:39): I rise to speak in support of this motion. I will speak in support of the original motion because, contrary to what has been said, I think the amended motion does, sadly, water down the motion. I think the original motion was quite clear in its intent and I am very happy to support that. In particular, I would like to talk about paragraph (f) of the motion.

Members who have spoken so far have covered other areas of this motion very well and I do not want to repeat what they have said. However, in paragraph (f) I would like to particularly focus on our understanding of people who work in the defence services. That is no accident as I am the shadow minister for veterans' affairs and this issue, amongst many others, is one which has been highlighted to me on a number of occasions since I have been in that role.

Many people do a great deal of work and at this point I want to commend all the ex-service organisations, most of which are volunteer based—they are run by volunteers. I would like to commend them for their work in supporting our ex defence personnel to try to re-engage with the community and also to deal with the trauma of having served in a conflict situation. Sadly, I have come into contact—and I say sadly because the people I have been in contact with have told me stories of their experiences with PTSD.

You can see, and I say you can see because I do not know, I have not experienced that, I have not been to war or served in the military, so I do not know what it is like, but certainly from the stories they tell, the ones who have survived, they have been to hell and back. There are many stories I could tell in this place regarding this matter but there is one I would like to bring to the attention of this chamber. This person has worked tirelessly in the community to raise this issue and to get action within the defence forces to make sure that we do not have veterans who take their own life because of a lack of support and understanding of what they go through as defence personnel.

In this regard I would like to acknowledge Julie-Ann Finney. Julie-Ann Finney is the mother of the late David Finney, a former Australian Navy sailor who took his own life after a long and painful battle with post-traumatic stress syndrome disorder following 20 years of service. Ms Finney, from Blair Athol, was named Woman of the Year for her community campaign for a royal commission into the rising suicide rate amongst veterans.

In April this year, the South Australian Labor team moved a motion in this place to support Julie-Ann Finney's call for a royal commission into veterans' suicide, which had the approval of

shadow cabinet and the caucus, and also federal Labor. Unfortunately, that motion failed to gain the support of the state government members.

The veteran support system is complicated and is urgently in need of a royal commission examination to drive much-needed reform to simplify and improve services and, hopefully, reduce the stress on our veterans. There are a number of stories one hears of when ex defence personnel try to navigate the defence department and the DVA, and the stress that in itself causes actually adds to the pressure and, sadly, leads to some taking their own life.

Ms Finney has quite rightly stated in some correspondence with me that, 'Our veterans matter.' No-one denies that. She goes on to state:

> The Morrison government continued to only put forward policies to placate those of us fighting for change. There is very little value for veterans.

It is sad that we have, unfortunately, at a federal level, a government which is not prepared to make the courageous decision to call for a royal commission and get a better understanding of the trauma that our defence personnel experience, and deal with it. This goes to the heart, I think, of paragraph (f) of this motion. We need to understand this better in all walks of life, and I think that is what the mover intended—and I support that—but particularly for people who have served our nation. Ms Finney goes on to say that David, her son:

> …served his country for 20 years without question. When he needed help the ADF and DVA let him down, they discarded him and he died. I live with that. I live with the nightmare of losing a child. Unfortunately, I am by no means unique.

It is sad that that is not unique.

> On Saturday 27th June, it will be three years since veteran Jesse Bird took his life.

As the member for Frome has brought to our attention, it is also World PTSD Day. She continues:

> I will be at the ANZAC Centenary Memorial Walk (Cnr Kintore Ave and North Terrace, Adelaide) from 8.00am to 4.00pm. I will be tying 600 yellow ribbons to the trees in memory of each of the veterans our federal government has forgotten. I urge all our politicians to come along and spend a short minute to tie a yellow ribbon in support. We must not continue to disregard our veterans service to this country and to each of us.
>
> The Morrison government has set up a policy whereby a new Commissioner will investigate all future veteran suicides. We have had enough suicides, there is no need for this government to call for more in order to investigate them. Prior to this new Commissioner, there will be a one-off review into past suicides. There have been many reviews to date and yet the rate of suicide amongst our bravest has not slowed at all. We need a full investigation with a Royal Commission prior to the new Commissioner being appointed. There is no other employer in Australia that has a suicide rate even close to that of the Australian Defence Force.

She goes on:

> We have been calling for a Royal Commission into veteran suicide for one hundred years now, if our federal government had listened to Jesse's brave and articulate parents—

she goes on to say, rhetorically I suppose—

> would my son still be alive? It is a question that can never be answered.

She goes on with this plea:

> I sincerely hope to see you on the 27th June, in memory of Jesse, in memory of my son, in memory of all veterans that have lost the battle at home and in support of every veteran, past and present.

I support this motion and commend the member for Frome for moving it.

The Hon. G.G. BROCK (Frome) (12:47): I take on board the amendment that has been put and I am not going to make a big deal about it, but I certainly think that the message we have to get through is that we need to acknowledge PTSD and related issues. I want to reinforce the issue of volunteers. Even though the mover of the amendment may not have been clear about that, I want to make it quite clear to this chamber that we have to acknowledge volunteers and what they do because they are the ones, especially in regional areas, who are getting the worst scenario.

I have related some of my personal experiences and I want to be able to share those sometimes. I commend the motion to the house. Let's vote on it, let's make an issue of it and let's make some progress with it.

Amendment carried; motion as amended carried.

REGIONAL BUS SERVICES

Mr BELL (Mount Gambier) (12:48): I move:

That this house—

(a) acknowledges the importance of regional city and township bus services to rural communities; and

(b) conducts a review of all regional city and township bus services to ensure they are adequately funded and are providing a transport service that meets the needs of those communities.

South Australia has one of the lowest public transport patronage rates in Australia. It is also a fact that 85 per cent of South Australian households are car owners. You need to be a car owner in regional South Australia because if you rely on public transport you simply will not get where you need to go.

All the talk this week is on the overhaul of multiple bus routes in Adelaide and the introduction of Go Zone bus stops and the abolishing of others. I would like to put some regional perspective on this debate. In my electorate of Mount Gambier, our bus service is operating on a 30-year-old model. I will just repeat that: our routes have not changed since 1990, when the transport minister was eight years old. We are looking forward to that review and overhaul, minister.

In the 2019 state budget, this state government outlined funding for key metropolitan public transport projects, which included the Gawler line electrification project, at $615 million; the extension of the Tonsley rail line to the Flinders Medical Centre for $125 million; building a new park-and-ride at a cost of $33.5, million; and a station on the Tonsley line for $8 million.

For regional South Australia, 11 country bus contracts were extended. South Australia's regional public transport system is in dire need of an overhaul. If you live in metropolitan Adelaide, your modes of transport are many. You have access to buses, trains and trams that virtually run around the clock. If we want a regional public transport system that actually serves people living in regional and remote areas, first there needs to be a review and then the funding to implement the changes needed.

Mount Gambier Bus Lines is contracted to operate the Mount Gambier bus service, and the managing director is Sam Lucas, who fully supports my call for a review. Mr Lucas said there must be a balance struck in three aspects to provide adequate service levels: span of hours, frequency and geographical coverage. I mentioned before that for Mount Gambier residents public transport is a public service that operates on a 30-year-old model.

During that time, Mount Gambier has grown exponentially outwards, but the bus service does not go to the busy housing developments like Conroe Heights or the Hallmont Retirement Village. The bus will take you near Mount Gambier hospital but will not take you in front of Mount Gambier hospital. Umpherston Caves is one of Mount Gambier's biggest tourist attractions, but you cannot get there via a bus, nor can you get to the Lady Nelson Visitor Information Centre. The service does not operate on weekends or public holidays and it does not start until 9am, so if you start work early or finish late you will not be able to take the bus to or from work.

It stands to reason that if you have low service levels you will have low patronage. The last time a study into regional services was completed was in 2016 by then transport minister Stephen Mullighan. The study found that school services accounted for about 60 per cent of the total passenger numbers on buses in Mount Gambier. Of the non-school service, almost two-thirds of passengers were pensioners, 5 per cent were seniors, 7 per cent were students and 6 per cent were children travelling with another passenger.

Discussions with passengers found that most of driving age do not drive a car. The data also suggested 90 per cent of bus use was dependent on the town bus service for social inclusion. The researchers who completed the study noted there were repeated requests for longer hours for the bus service and for a wider coverage—from 7am to 9pm. The study also suggested regular

intraregional daily public transport services between Millicent and Mount Gambier, and Naracoorte and Mount Gambier—both within an hour away.

The three demographics identified as being most in need of a public transport system are young families, youth and older people. There are currently 12 regional community passenger networks in South Australia, which are smaller services provided by trained volunteers. In Mount Gambier, the South East CPN service is operated by Red Cross and mainly caters for people aged over 70. The service is designed to be a last option for those who need it for local medical appointments, shopping and social activities.

Small communities now rely on locally funded buses like the community bus which services Port MacDonnell, Allendale and Kongorong. The purchase of the bus, which happened following the death of local footballer Stephen Noble, was made possible by a sub fund established in his name through the Stand Like Stone Foundation, which is a philanthropic foundation based in Mount Gambier. These are some of the options for people living in regional areas dependent on getting from A to B.

The peak industry body representing bus and coach services in South Australia is Bus SA. They have a Moving People 2025 Agenda, which recommended that regional accessibility committees be established in the Riverland, Mount Gambier and Port Pirie regions. A study was conducted in 2017 by then minister Stephen Mullighan that led to the trial of the regional accessibility committee for a year in Port Pirie. Much of this study would still be relevant today; it just needs updating and an approach from a consumer perspective.

It is time to ask regional South Australians directly what they want from their public transport. Mr Lucas has said he would be more than happy to work with the Department of Planning, Transport and Infrastructure on a review into these services. This review could help guide departmental strategy on service delivery and look into consumer wants and needs, how existing services could be better utilised, and, finally, what sort of investment is actually required from the state government to bring these changes into effect.

Figures from Bus SA estimate current spending on public transport is around $20 per regional head of capita but should be building a plan to around $70 per head. By comparison, New South Wales spends around $200 per head.

On-demand services and ride-sharing services are taking over major cities across the world. Late last year, the state government announced on-demand bus service trials would begin in the Barossa and Mount Barker regions. The service operates in a similar way to ride-sharing apps and gives passengers the ability to track in real time where their bus is and order it to a point close to their location.

I asked the Minister for Transport how these two areas were selected as trial sites and whether any other regional sites were considered. In his answer to the house, the minister said the areas needed a certain level of population density to work and the two sites selected were considered the best opportunity to provide a test case. In his answer, he also said he believed on-demand services could be rolled out into regional centres if they work at the trial sites.

I am looking forward to hearing the results of these trials. The City of Mount Gambier, as the largest regional city in South Australia, is the ideal city to see this trial expanded. In his answer, minister Knoll also said:

> If you have a capital asset, a bus, and you have a guy who is in a bus sitting around not doing too much, then that is not the best use of resources. The opportunity to provide a more flexible service that increases and encourages patronage means we can actually get better use of that existing bucket.

I could not agree more. The first step is to look at the service we are running and ways we can improve it.

On census day 2016 in the City of Mount Gambier, 81.8 per cent of people travelled to work in a private car, 2.8 per cent rode a bike or walked, 2.1 per cent worked at home and only 0.5 per cent took public transport. Of those 8,700 people who drove to work, 8,100 drove just themselves, i.e. no-one else was in the car.

The City of Mount Gambier has done a lot in recent years to encourage residents to become less reliant on their cars. The east to west rail trail is 11 kilometres of shared pathway, which has been a huge success, and there is also Ride2Work Day. These are all great starting measures, but the fact is regional South Australia is heavily reliant on cars to get around. As the economic impacts of the pandemic hit, there will be more people looking to make cost efficiencies, and cars may be one of them. The RAA estimates a car can cost anywhere from $7,000 to $17,000 a year to run.

We need a public transport system that caters to its population, no matter where they choose to live. Around 400,000 people live in regional South Australia. I am calling on the state government to work with existing providers to determine the best service and appropriate models for a region-specific service.

The Hon. A. PICCOLO (Light) (12:59): I would like to rise in support of this motion. I think it is a very good motion and I thank the member for Mount Gambier for raising it today. I think it is very important to ensure that we give people in the regions, and I will give some examples—it is time, so I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

ANSWERS TABLED

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

PAPERS

The following paper was laid on the table:

By the Minister for Energy and Mining (Hon. D.C. van Holst Pellekaan)—

Petroleum and Geothermal Energy Act 2000 Compliance Report, South Australia—2019

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr TEAGUE (Heysen) (14:01): I bring up the eighth report of the committee, entitled Subordinate Legislation.

Report received.

Question Time

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:01): My question is to the Premier. Has the Premier received negative feedback from more than one member of his own party room about the program of cuts to buses announced on the weekend?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:02): I receive feedback from a lot of people. I don't go into personal discussions, but what I know is that—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —plenty of people have an opinion on public transport in South Australia—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and most people appreciate that there is massive room for improvement. One of the reasons why in our first budget since coming to government we have

invested—I think it's getting close now to $1 billion—in public transport in South Australia to improve services, one of the reasons why we are investing money, one of the reasons why we are listening to the people of South Australia, one of the reasons why we are benchmarking best practice interstate and internationally is because we want to have more passengers onto our public transport in South Australia.

What we have been doing is we have been listening to them about the types of things that they would like. We have seen what has happened previously. We had more people on public transport a decade ago than when we came to government two years ago, and that's a shameful position because we are responsible for spending the taxpayers' dollars effectively. When you see passenger numbers diminishing year after year after year, you can either choose to sweep the problem under the carpet, like we saw over 16 years under Labor, or you can take the issue on and you can address the issue. That's exactly and precisely what we have done in South Australia.

We are not shying away from getting feedback from the people of South Australia. In fact, we have feedback coming in right through to 31 July this year. We are not announcing one day what we are doing and putting it in place the next day. We are going to listen to that feedback, and those changes will be made much later in the year. But the overall objective of what we are trying to do is to get more people onto public transport.

One of the fundamental things that the people of South Australia say to us is that they want an efficient service. They want a service that gets them to where they want to be as efficiently as possible. Surely, that should be something that we all join in. Surely, that should be something that everybody in this place actually wants to do.

Mr Brown interjecting:

The SPEAKER: Order, member for Playford!

The Hon. S.S. MARSHALL: We know the alternative approach. The alternative approach is just to say, 'Well, nothing to see here.' Of course, the people of South Australia voted with their feet, they got off public transport and they got into their vehicles. If you want people on public transport, you've got to make sure it's efficient and what we are doing—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —with the reforms that are currently for consideration is seeking feedback from the people of South Australia. Those reforms are going to create more than 1,000 new Go Zone bus stops in South Australia and that's absolutely fantastic.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: More than 200,000 people will be living within 800 metres, not an average of 800, which was put out there by our political opponents who are not that interested in giving a clear and precise picture of what's going on. In fact, it is up to 800 metres.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: What this will do is it will encourage more South Australians to get back onto public transport. We have heard the opposition go on about public transport over the last two years. What we need to do, though, is to take a look at what they did in those 16 years: lots and lots of promises, very few of them actually delivered, and the people of South Australia voting—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —with their feet to get off public transport. Well, enough is enough. It's now time to put the commuters in South Australia first, improve the services, get people back onto public transport and relieve congestion on our roads—that's our focus in South Australia.

The SPEAKER: Before I call the Leader of the Opposition, I call the following members to order: the member for West Torrens, the member for Elizabeth, the member for Badcoe and the Minister for Primary Industries. Leader.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:06): Supplementary: will the Premier listen to the feedback regarding his bus cuts in the same way he has listened to feedback on the privatisation of the train and tram network?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:06): What I'm interested in is whether the Leader of the Opposition will listen to the people of South Australia and back plans to be introduced into the parliament regarding the bill to look at local government reform in South Australia. Is he going to listen to the people—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —of South Australia with regard to shop trading hours? These are issues that all South Australians—

The SPEAKER: Could the Premier be seated for one moment. There is a point of order. I will hear the point of order.

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

The SPEAKER: When the Premier begins to talk about issues like council rates, perhaps he is starting to deviate. The question was about whether he would listen. I will listen to some relevant preamble, but then I expect him to come back to the substance of the question.

The Hon. S.S. MARSHALL: The question was about whether or not we were listening to the people of South Australia. I was just creating a contrast to whether the Leader of the Opposition was listening, but I will leave that—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —because they seem very sensitive today. The reality is that of course we are listening to the people of South Australia.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: Of course we are listening to the people of South Australia, whether it comes to shop trading hours—

Mr Picton: They don't want it privatised.

The SPEAKER: Member for Kaurna!

The Hon. S.S. MARSHALL: —whether it comes to council rate capping or whether it comes to improving public transport outcomes in South Australia. One of the principal things that people have been talking about for a long period of time is the Gawler line electrification. Yes, it was an expensive project. Of course, it was a lot more expensive—

The SPEAKER: There is a point of order.

The Hon. A. KOUTSANTONIS: Point of order: the Premier is continuing to debate the question and not answer the substance of it.

The SPEAKER: I respectfully don't uphold that point of order, but I am listening attentively. I will hear the Premier.

The Hon. D.G. Pisoni: It's a bogus point of order.

The SPEAKER: The Minister for Innovation is called to order.

The Hon. S.S. MARSHALL: The people of South Australia want improvements to public transport in South Australia. We are listening to that feedback.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Not only are we listening to the feedback—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —we are actively seeking that feedback, and there is an opportunity for people to provide feedback—

The Hon. S.C. Mullighan: I thought you said it was based on feedback.

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: —through to 31 July. Moreover, we went proactively out to the people of South Australia and said, 'What do you want?' More frequent services was the number one thing. Also—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —I commend the minister responsible for this portfolio—

Dr Close interjecting:

The SPEAKER: Deputy Leader!

The Hon. S.S. MARSHALL: —who went out and looked at what was happening in terms of best practice worldwide. There are currently pilots underway in South Australia that are right at the cutting edge of delivering improved services for people—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —who don't have access to frequent, timely services—

The Hon. Z.L. Bettison interjecting:

The SPEAKER: Member for Ramsay!

The Hon. S.S. MARSHALL: —on their journey. I know those opposite are experts when it comes to public transport. Their record is there for all to see and for all to scrutinise. We can see the level of people's patronage on public transport. They didn't address some of these new ideas around integrating with technology. They didn't invest in the electrification of the Gawler line, like they promised, or the Outer Harbor electrification, like they promised, or the Grange line electrification, like they promised. They made a lot of promises. They had 16 years. The results are there for us all to see. We are listening to the people of South Australia. They want improved—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —public transport, and that's a combination in terms of investment into the physical infrastructure that we have to support public transport in South Australia, for example, the Flinders Link investment that we are making. What an excellent investment that has been made on behalf of the people of South Australia. I know that the Vice-Chancellor, Professor Colin Stirling, was a strong advocate for being able to bring people from the centre of the city down onto the redeveloped Flinders University campus. I think that journey is 16 minutes. This opens up a world of opportunity once that is achieved. We are very pleased to have a very significant amount of money in the budget for that—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —the Gawler line electrification and adopting best practice in terms of getting people on frequent services as soon as possible.

Members interjecting:

The SPEAKER: If this level of interjecting continues, members will be leaving the chamber shortly. The leader has the call.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:11): My question is to the Premier. Is the Premier embarrassed that one of his most senior backbenchers, the member for Davenport, has spoken out against a policy being pursued by his government?

The Hon. A. Koutsantonis: Are you going to say he's not senior, Stephan? Go on.

The SPEAKER: Minister, be seated for one moment. I was perhaps a little bit oppressive towards the member for West Torrens yesterday. I have been generous today, so it's even. If you continue to interject in that manner, you will be leaving. The minister has the call.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:11): I want to echo the sentiments of the Premier here: we are seeking a massive improvement to public transport here in South Australia, and 220,000 South Australians now are going to get access to better services. That is a fantastic step forward, one that we are proud of and one that we are out to consultation on at the moment because this is a complex network. Unfortunately, because of the state of the information system that we were left, with the way we collect information we know where people get on these services, but we don't know where people get off.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. S.K. KNOLL: It's why this feedback mechanism is so important, because it provides us with that real information. We have moved from the old metroMATE app—

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe is warned.

The Hon. S.K. KNOLL: —rated 1.6 stars out of five on the Apple Store, under the old government's system, to a new app-based system with ratings of somewhere between 4.4 and 4.6 stars out of five. The reason we did that is because it provides us with better information so that, as we redesign this network, we can make better and more informed decisions. We will continue to push for better public transport here in South Australia—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.K. KNOLL: —by providing what it is our customers want and listening to them with regard to the feedback that they provide.

The SPEAKER: Member for Elder. I will come back to the leader.

Mr Malinauskas: Bus cuts?

The SPEAKER: Leader, you are warned.

LOCAL GOVERNMENT REFORM

Mrs POWER (Elder) (14:13): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on how the Marshall Liberal government is

easing cost-of-living pressures for households and businesses in my electorate and all across South Australia through the local government reform program?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:13): I do thank the member for Elder for her question. I am glad she got back here in time because we were just out in her electorate in the Mitcham council area talking to a couple, Emily and Matt, who live in Hawthorn, who over the past decade have had to endure average increases to their rates notice of over 5 per cent per annum when CPI ran at less than half that over that same period.

In South Australia, we do not have a system to provide effective control over burgeoning council rate increases right across South Australia. At the 2014 election, we took a policy to the South Australian people to cap council rates in South Australia. In 2018, we took that same policy to the people of South Australia, and they voted for it. This government has a clear mandate to help put downward pressure on rates here in South Australia. For families like Emily and Matt and little two-year-old Harry, as well as families right across South Australia, there is only one thing standing in the way of lower rates notices, and it is the South Australian Labor Party and Peter Malinauskas.

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.K. KNOLL: One thing is standing in the way. The Labor Party in South Australia need to decide: are they on the side of households in South Australia or are they on the side of sectional interests? Do they want to see lower bills and cost-of-living relief in South Australia or don't they?

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: That will be a very key question—

Mr Picton interjecting:

The SPEAKER: Member for Kaurna!

The Hon. S.K. KNOLL: —that will be answered as our local government reform bill is introduced later on this afternoon.

Mr Patterson interjecting:

The SPEAKER: Member for Morphett!

The Hon. S.K. KNOLL: We need—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.K. KNOLL: We have provided cost-of-living relief across a whole host of areas. The Minister for Energy and Mining is doing a fantastic job helping to bring down electricity prices in South Australia. We, in our first budget, provided emergency services levy relief of $90 million to South Australian households. Last week, we announced the biggest cut to water bills in South Australia's history, undoing the damage done by Labor over their 16 years in office.

Now, for the second time over this four-year term, we are providing an opportunity for the parliament to listen to the mandate that the South Australian people gave this government: to provide rate relief to South Australian households. This is a test of the Labor Party and of the opposition leader about whether they support households in South Australia getting rate relief. If they fail that test, we will take this to the next election and again ask the people of South Australia what they want to see in terms of rate notices here in South Australia.

Is it okay to see rates increase at double the rate of inflation? Is it okay to see rate bills go up by hundreds of dollars a year? Is that okay? It also comes at a time when there are bills in the parliament asking us to provide rate relief to a certain small section of the economy, that being businesses in South Australia. It would be hypocritical in my view to say that businesses should get rate relief when households aren't provided that opportunity—

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

The SPEAKER: The point of order is for—

The Hon. A. KOUTSANTONIS: The minister just referenced debates before the parliament.

The SPEAKER: —anticipation of, yes, debate. He's close, so I will listen carefully. I thank the member for West Torrens. The minister has the call.

The Hon. S.K. KNOLL: The choice is clear here. This is a test of the Labor Party. If they choose not to stand with us—

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

The Hon. S.K. KNOLL: —and households and businesses in South Australia, then they will have failed that test and the South Australian people will hold them to account for it.

The SPEAKER: There is a point of order. I will listen to the point of order. I'm sure it's not vexatious. The point of order is for debate?

The Hon. A. KOUTSANTONIS: For debate, sir. When you talk about the Labor Party, sir, it's debate.

The SPEAKER: Yes, I have the point of order. I have allowed some compare and contrast on certain occasions. I won't deviate from that ruling, but I will listen carefully. Minister.

The Hon. S.K. KNOLL: I am finished, sir.

The SPEAKER: He has completed his answer. The Leader of the Opposition has the call.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17): My question is to the Premier. Did the Premier mislead the member for Davenport, when he was a candidate for Davenport, by telling him that an incoming Marshall Liberal government would dramatically improve public transport in his area? With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: In a Facebook video dated 12 March 2018, the member for Davenport said a Liberal government will review local services, such as the G20, G21, G21X and G22X, with a view to providing more frequent and reliable public transport direct to the city, only to end up having announced bus stops would be cut and routes would be slashed in his electorate, as announced by the government on the weekend.

The SPEAKER: That does enable the Premier enormous scope. The Premier has the call.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18): No.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18): My question is to the member for Davenport. Did the Premier mislead the member with a promise about a review of local bus services in his area that would lead to a more frequent and reliable public transport service in his electorate?

The Hon. S.K. KNOLL: Point of order, Mr Speaker: that question is out of order and the member is not responsible to the house for that question.

The SPEAKER: Yes, I uphold that point of order and the leader should know better, but I am going to give him another question.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18): My question is to the Premier. Did the Premier and the transport minister have the courtesy to brief members of his own Liberal party room about the proposed cuts to bus services before they were announced on the weekend?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:19): We did actually provide a briefing to MPs last week. Again, there is—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Again, these are changes that are out for consultation until the end of July—a great opportunity to be able to have a conversation with the community about what these changes mean—

Ms Stinson interjecting:

The SPEAKER: Member for Badcoe!

The Hon. S.K. KNOLL: —and provide ability to get where people need to go much more quickly. In the case of the people up in the Mitcham Hills and the people across Flagstaff Hill and Aberfoyle Park, there is a great opportunity under this government, as the Flinders Link train station extension is completed, to be able to find a new route down to Adelaide that provides for a faster journey—a fantastic opportunity.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Again, one of the bits of feedback that we get is that people want more opportunity from up in the southern hills to be able to connect with the Marion shopping centre, again, something that is provided for under these changes—a fantastic step forward and one that is going to get people where they need to go more quickly.

Members interjecting:

The SPEAKER: Order! I am going to switch to the member for Newland. I will come back to the leader.

WATER PRICING

Dr HARVEY (Newland) (14:20): My question is to the Minister for Environment and Water. Can the minister inform the house how people in my electorate of Newland in the north-eastern suburbs are set to benefit from the Marshall Liberal government's massive water bill reductions and investment in key infrastructure?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:20): I thank the member for Newland for his question. He is an endless—

Mr Malinauskas interjecting:

The SPEAKER: The leader is close to the edge today.

The Hon. D.J. SPEIRS: —advocate for the electors that he represents, and it is always good to hear that advocacy. There is no doubt that the relief that is being provided by the Marshall Liberal government's dramatic reset of the way that water bills and sewerage connections are calculated in this state is going to make an incredible difference to people who are connected to SA Water services all across the state.

The member for Newland asked specifically about the north-eastern suburbs and the electorate that he is privileged to represent, and that is, of course, an area which will benefit in a number of ways from the reforms that this government is making to the way that we undertake not

only water and sewerage charging in this state but also the substantial extension of the level of service being provided in different parts of this state.

We see it with the CWMS coming over to SA Water in the north-eastern suburbs, and we see it with the resetting of the way that water prices are calculated. We have acknowledged the flows in the way that the previous government overinflated the regulated asset base to falsely reach a calculation on the way that SA Water bills were devised, and we are now able to hand back substantial reductions in water bills to households and businesses across the state—an average of $200 per household across the state and an average of $1,350 to South Australian businesses.

If we focus right in on the member for Newland's electorate, the suburb of Banksia Park—and I had the pleasure of visiting Banksia Park with the member for Newland last Friday morning—the median house price is $455,000 for reasonable usage of water. Those households will save $230 to $310 per annum, and for those households that use a good amount of water the savings will be $290 to $420 per year on average.

These figures are not figures that we should turn up our nose at: these are significant amounts of relief being handed back to the household. When it comes to turning up our nose, one of the things that the constituents in the north-east continually have to do is to turn up their nose at the smell of raw sewage in their gardens, on their driveways, going down their streets and into creeks, and that is why the Marshall Liberal government has made a commitment to transfer the outdated, dilapidated community wastewater treatment system into SA Water infrastructure and ensure that that becomes part of SA Water's assets.

We can work alongside that community to give them the service that they deserve, a service which includes robust, efficient infrastructure and a service which is much, much cheaper than the year-on-year hikes that were being implemented by the City of Tea Tree Gully in order to manage and upgrade that CWMS. We know that wasn't working, and we know that the member for Newland has been a strong and continual advocate for the improvement of that system.

In fact, he has approached me about it pretty much every month since I became the minister since he became a member of parliament. I should also acknowledge the member for Florey—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —and her continual advocacy for this matter. She has written to me a number of times as well. I have actually had a letter from the education minister on this matter. Do you know who has never written to me on this matter, Mr Speaker? The member for Wright—never once. Lots on social media in the last few weeks after the oxymoron, the Labor Listens tour occurred, and the epiphany is part of the oxymoron tour that there was something wrong with the CWMS. Well, that epiphany was needed because after 16 years of government we had nothing from Labor, but this government is delivering—thanks to the member for Newland.

BUS SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:24): My question is to the Premier. Will the Premier now concede that his cuts to public transport are wrong and that he will backflip on the cuts to public transport?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:24): Apart from that question being wildly out of order, Mr Speaker, this government does not shy away from reform in South Australia. What we have on the opposite side of the chamber is known as the 'too-hard basket'. As the Minister for Environment and Water just outlined in relation to the Tea Tree Gully CWMS, and in relation to public transport, we don't put things in the too-hard basket.

The Hon. A. KOUTSANTONIS: Point of order: this is not an example of compare and contrast: this is debate, sir.

The SPEAKER: 'Cuts' and 'backflip'—when you use language like that I'm going to allow a minister to explain the answer within the purview of the standing orders. I will listen carefully. The minister has the call.

The Hon. S.K. KNOLL: Thank you, Mr Speaker. The record speaks for itself: 10 years ago people were using more buses than they did when they left office. There were three separate failed attempts to get the Gawler line electrified.

Mr Brown: What are your backbench complaining about?

The SPEAKER: The member for Playford can leave for the remainder of question time under 137A.

The honourable member for Playford having withdrawn from the chamber:

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: The member for Mawson is on the board. The Minister for Transport has the call.

The Hon. S.K. KNOLL: There were three failed attempts to get the Gawler line electrified, people were running away from buses in droves and there were piecemeal changes to our bus network without once asking their customers or indeed undertaking wholesale analysis of how things could be done better. Why? Because they sat scared in the corner and put this in the too-hard basket. This government doesn't shy away from reform, even when it does get difficult. Why? Because we know that we need to improve the lives of South Australians, and that means undertaking reform to help improve the way the system operates. There are 220,000 South Australians who are now going to get access to a better service.

In this chamber, we obviously have quite a bit of back and forth but one thing we shouldn't stomach is hypocrisy. Back in 2017, there was a change to the standards of people having access to a bus stop. It got moved from 300 to 400 metres, being the target average, to 400 to 500 metres being the target average. It happened in 2017 with the release of the Operation Moving Traffic report under the now member for Lee. So I am not going to stand here and be lectured to by the people who actually changed the standard themselves.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: It's not okay for us to do it but under Operation Moving Traffic it was their clear intention to undertake the kinds of things that we're looking at now.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Obviously, after having lost the last election mysteriously this was all removed from view; their mind changed, but in this house we're not going to stomach hypocrisy from those who thought it was okay when they were in government but now somehow magically think that it's not okay in opposition. We get on and we are delivering this reform.

The Hon. A. KOUTSANTONIS: Point of order: surely this is debate now, sir.

The SPEAKER: As I said, when words like 'cuts' and 'backflip' are used in a question I am going to give the minister some latitude to explain the answer within the standing orders. I will be the decider if it breaches the standing orders. Minister, you do not have to monopolise the time as well. I'm just letting you know.

The Hon. S.K. KNOLL: This is just too much fun, Mr Speaker. Perhaps the most egregious example, Mr Speaker—

Members interjecting:

The SPEAKER: Member for Wright!

The Hon. S.K. KNOLL: —is in your electorate—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —where they promised—

The SPEAKER: Minister, be seated. Do not provoke the opposition.

The Hon. S.K. KNOLL: —the people of South Australia a Paradise park-and-ride, but because those people chose to vote for you instead of their candidate they punished the members of your electorate by denying them the park-and-ride that they deserved. This government again has the money on the table and is in the process of delivering this project right now—a key upgrade to a key part of our public transport network that is going to drive patronage. This is where South Australians can compare and contrast a government that says it is going to electrify the Gawler line, says it is going to put a park-and-ride at Paradise and then gets rid of that. This is a government that actually delivers what it says it will do and the South Australian—

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: The member for Mawson is warned.

Members interjecting:

The SPEAKER: Order! The minister is wrapping up his answer.

The Hon. S.K. KNOLL: The difference is that when we say we're going to do a project, we actually put the money in the budget inside the forward estimates, the full $305 million, instead of just talking about it and putting the project off into the never-never, never to be seen again.

The SPEAKER: The minister's time has expired.

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: Member for Mawson, I can't have you shouting.

The Hon. L.W.K. Bignell: Well, don't sit me all the way over here then.

The SPEAKER: I'm not responsible for where you sit. The member for West Torrens has the call, and then we will switch to the member for Narungga.

Members interjecting:

The SPEAKER: The member for West Torrens, the Minister for Education, be quiet.

BUS SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:30): My question is to the Premier. Where is it publicly available a list of all the bus stops being removed by his government?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:30): Again, this is something that the opposition fails to comprehend, and it's clear that they haven't looked at the Adelaide Metro website. It is clear that they haven't looked at the Adelaide Metro website, which clearly shows where the route changes are being undertaken.

What they are now trying to say is that, under the redesigned routes—where those routes go—they are now trying to ask a question about whether or not there are changes to any of those bus stops. All they need to do is click on adelaidemetro.com.au, head down to the frequently asked questions section—because these questions get frequently asked—and in there it says that all the stops on existing and redesigned routes are going to be maintained. So, where there are changes, those are clearly highlighted in those redesigned maps, and it provides that information to South Australians.

By somehow just going out into the media saying, 'Oh, well, they're not releasing a list, that somehow there is some information that's missing,' that's not true. That information is there. When people—

Mr Picton: Show us the list.

The SPEAKER: The member for Kaurna is on two warnings.

The Hon. S.K. KNOLL: When people engage with public transport, they think about what it means for them personally, and that's why the system has been set up to provide that information on an individual basis. People are going to say, 'Well, this is where I get on here and this is what the new redesigned route looks like, and I want to see how this engages for me.' And that's how it has been set up. That's precisely the way that we know that can engage best with our customers and help them to provide us this feedback in the process.

Matter of Privilege

MATTER OF PRIVILEGE

The Hon. A. KOUTSANTONIS (West Torrens) (14:31): Sir, I rise on a matter of privilege. In an answer to a question just now the Minister for Transport informed the house information sought by the opposition in my previous question was publicly available on a government website. The new routes published by the government do not display bus stops. The opposition has searched the government website for any list of bus stops slated for closure as a result of the government's policy announcement last Saturday, and no such list exists on any publicly available government website.

I offer the Speaker a copy of every page publicly available relating to the government's policy change regarding bus routes. I assert it does not contain any list of bus stops set to close. I believe the minister has deliberately and intentionally misled the House of Assembly and that a prima facie case exists for the establishment of a privileges committee. I ask that you give consideration to my matter of privilege and rule if a motion to establish a privileges committee should be given precedence over other business in the House of Assembly.

The SPEAKER: I thank the member for West Torrens. I will read the information provided and come back to the house in due course to establish whether I believe, prima facie, there exists a matter of privilege. Thank you, member for West Torrens. You have one more question, and then we will switch to the member for Narungga.

Question Time

MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL PLANNING

The Hon. A. KOUTSANTONIS (West Torrens) (14:33): My question is to the Premier. Does the Premier know the identity of the Liberal MP who described the Minister for Transport as 'the best value Labor MP going around at the moment'?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33): I have no idea to what the member is referring.

The Hon. A. Koutsantonis: InDaily.

The SPEAKER: The member for West Torrens has had a fair crack today. He is warned for a second and final time for interjecting.

REGIONAL SOUTH AUSTRALIA

Mr ELLIS (Narungga) (14:33): My question is to the Minister for Primary Industries and Regional Development. Can the minister please inform the house how the government is working to reduce costs for communities in regional South Australia?

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:33): I thank the member for Narungga for his very important question, because he knows that this government is the best friend that regional South Australia has ever had. After 16 years of neglect, the regions can finally accept that they have a government that is governing for all of South Australia, but in particular with the savings that regions are now seeing. The emergency services levy: the government has slashed those annual bills, up to a 50 per cent saving in the 2021 year, and that is an outstanding $360 million ESL saving over the four years.

For a property in the member for Narungga's electorate in Kadina, with a $300,000 residential property value, they will save $81.80. That is an outstanding saving under this proposed emergency services levy. A $1 million primary production property will save $85 compared with the ESL under the previous Labor government.

CTP insurance premium reforms provide users a choice—those families and businesses, particularly in the regions—knowing that many regional families, businesses and farms have multiple vehicles. They are going to have multiple savings: up to a $66 saving for a private passenger vehicle and up to $50 for a light goods vehicle, and that is an 18 per cent saving.

Last week, the Minister for Water made an outstanding announcement about savings on water bills. We know that in regional South Australia, particularly on SA Water trunk mains, a lot of our primary producers are feeding their livestock with treated SA Water. They will now see significant savings not only for their households but for their businesses. We know that livestock and those intensive farming businesses are intensive water users and so they will see intensive savings.

What we will see is that of that $186 million in water and sewerage bill savings, an average country residential water and sewerage bill will be reduced by 13 per cent. Better still, an average country non-residential water bill will be reduced by over 18 per cent. That is an outstanding result for the regional sector.

The government had also announced that isolated northern towns will have statewide prices extended. Marree, Manna Hill, Marla, Terowie, Oodnadatta and Yunta, these northern towns have seen exorbitant prices for their water over a number of years, and now they are coming into line with standardised pricing. I think that is an outstanding result. They are being treated like citizens of South Australia not citizens of a faraway place. Livestock SA chief executive, Andrew Curtis, has welcomed the reform, saying that the farming sector has been calling for these changes for many years and now has a government that is listening.

I can also say that the government is delivering these reforms to lower costs for families and businesses but, in particular, the regions now will be a much more attractive place not only to do business, not only to live, but also to visit because those reductions in operating costs—whether it is ESL, whether it is car insurance, whether it is water prices—just bring them onto a par with their city cousins.

So, again, as a state government we are proud to be representing all of South Australia but particularly the regions. I can say that I bet many Victorians wish they could visit regional South Australia and escape the putrid stench of Labor's branch-stacking scandal over in Victoria. What I can say is that South Australia will be a great place to visit if you do live in Victoria, particularly regional South Australia because we know #RegionsMatter.

BUS SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:37): My question is to the Premier. Does the Premier agree with his Liberal MPs that these bus cuts the government is proposing are putting the government's chances of re-election at peril?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:38): Again, I think this question gives extremely large scope but, in terms of re-election, we will put up—

Members interjecting:

The SPEAKER: Listening to the minister.

The Hon. S.K. KNOLL: —our record on jobs, on cost-of-living relief, on providing better services to South Australians, any day of the week. This is a government that is getting on with tackling the tough issues—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —delivering the reform that we know needs to be made in a responsible and prudent manner.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: I hazard to worry about what situation we would be in right now if those opposite were in charge because, when we talk about economic responses to severe external shocks like the coronavirus global pandemic or, let's say, the global financial crisis, where we see a government here that is willing to lean in with $1 billion worth of stimulus versus a government that ran for the hills, that cancelled capital project contracts and ran for the hills providing zero dollars in stimulus for South Australia, we are a government—

Members interjecting:

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

The Hon. S.K. KNOLL: —that is getting on and tackling the tough issues, providing the reform that we know needs to be provided and helping to deliver cost-of-living relief across a whole host of areas but, again, what we need is a willing partner in the upper house. Here is the Labor Party's opportunity to say that they stand on the side of South Australians and South Australian households and businesses in being provided rate relief. It is up to them whether they take that opportunity, but if they don't, then at the next election South Australians will once again be able to provide direct feedback to the Labor Party about what their position on that bill should be.

CONSTRUCTION INDUSTRY TRAINING BOARD

The Hon. S.C. MULLIGHAN (Lee) (14:39): My question is to the Minister for Innovation and Skills. Can the minister confirm that Maree Wauchope is to be the new chair of the Construction Industry Training Board?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:40): It will all be revealed in due course. There is a new board that will come to effect on Friday and I'm sure there will be an announcement in the *Gazette* on Thursday.

CONSTRUCTION INDUSTRY TRAINING BOARD

The Hon. S.C. MULLIGHAN (Lee) (14:40): My question is again to the Minister for Innovation and Skills. Can the minister advise how Maree Wauchope has more construction experience than the outgoing chair, 40-year veteran of Hansen Yuncken Peter Kennedy?

The Hon. S.K. KNOLL: Mr Speaker, this question is hypothetical in its construction. It presupposes a chair that has—

The SPEAKER: It probably contains argument, too. I uphold the point of order. Would the member for Lee like to rephrase?

The Hon. S.C. MULLIGHAN: Just on a point of order: the previous answer given by the minister said an announcement would be made on Friday, not that an appointment hadn't been made.

The SPEAKER: It's a fair point. I am going to allow an answer to the question. Could we have the question again.

The Hon. S.C. MULLIGHAN: Can the minister advise how Maree Wauchope has more construction experience than outgoing chair, Peter Kennedy?

The Hon. S.K. KNOLL: Again, sorry, Mr Speaker, but this question is hypothetical in its construction.

Mr Malinauskas: He's made a ruling; sit down.

The Hon. S.K. KNOLL: And he upheld the point of order.

The SPEAKER: Given the former answer, it's arguable but I am going to allow an answer—it can be a brief answer or a long answer—and then we're moving on. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41): As you would be aware, sir, these appointments are made by His Excellency the Hon. Hieu Van Le, Governor of South Australia, and I don't think he has made a decision on that.

The SPEAKER: We have the answer. Member for Frome.

PRIVATE BUS CHARTERS

The Hon. G.G. BROCK (Frome) (14:41): My question is to the Minister for Transport and Infrastructure. Can the minister advise when the restrictions that are currently placed on private bus charters for transporting sporting groups to Adelaide will be relieved or an exemption be made for that? With your leave and that of the house, I will ask further questions.

Leave granted.

The Hon. G.G. BROCK: There are two soccer clubs in Port Pirie that compete in the South Australian Amateur Soccer League and their competition is to resume on Sunday 28 June 2020. They are required to transport 40 players and officials to Adelaide and, in turn, the metropolitan teams will also be required to travel to Port Pirie in the home and away season. Currently, to my information, they are only allowed to have 20 passengers per bus.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:42): I do thank the member for Frome deeply for his question, knowing how important the return of community sport is in South Australia. It is something this government has been able to bring forward because of our very strong health response to COVID-19. As part of the first direction that was made by the police commissioner, public transport was exempt, and remains exempt, from the social distancing provisions.

I am happy to take the balance of the question on notice because this isn't an issue that has been presented to my office from any other quarter. Whether or not this is something the soccer clubs are doing of their own accord, as I understand it, one of the key reasons the exemption to public transport was put in there in the first place is because social distancing on transport is difficult to provide. Certainly, I'm happy to look into that matter and see if we can get some sort of ruling about ensuring that it's public transport.

PRIVATE BUS CHARTERS

The Hon. G.G. BROCK (Frome) (14:43): Supplementary: this is not public transport, minister; this is a chartered operation, so it is not under the exemptions of the public transport system.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:44): I might take that as a comment and then come back with an answer to the member.

LEGAL ASSISTANCE FUNDING

Mr TEAGUE (Heysen) (14:44): My question is to the Attorney-General. Can the Attorney outline to the house how South Australians will benefit from a significant boost in funding for legal assistance organisations?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:44): It's with pleasure that I do update the house. I have been pleased to commend the legal profession, including the Legal Services Commission and the Law Society, for their work post-bushfires. COVID-19 brought further challenges, and so negotiations with the Hon. Christian Porter (federal Attorney-General) and other attorneys-general around the country have resulted in some extra legal assistance being provided to supplement legal assistance organisations, particularly their ICT needs.

I also have the pleasure to inform the house of the important ICT and AVL upgrades in our court systems. This is really another important aspect, with $1.2 million going to be allocated to the Legal Services Commission, the Aboriginal Legal Rights Movement, South Australian Community Legal Centres, JusticeNet and Youth Law Australia for upgrades to their ICT equipment.

There is a further $3.6 million over the coming two financial years to help employ people to actually provide the service that is going to be in anticipated demand. Members might appreciate the spike in inquiries, particularly during the COVID-19 period—people who lose their jobs or people who are struggling with rent or experiencing other areas in which they require advice—so there has been a high demand and an expected further high demand. There have already been inquiries on domestic violence matters, elder abuse, social security issues, employment matters and tenancy disputes.

Obviously, new laptops, videoconferencing facilities and other technology are really what is required, and we have to fund the implementation and installation of this equipment and the training for people to operate it. There is all of this, together with upgrades in the courts and the support of the legal profession and their support in providing pro bono support, particularly post-bushfires. But this has been traversed during the time of COVID-19 and has brought about a sort of triage in identifying how we best address it, capitalising on the opportunity that we have to upgrade AVL and of course is supported by law reforms to enable that to be accessed.

I am very pleased by those advances. I have already had a letter of response from one community centre thanking both commonwealth and state governments for this initiative, and I am very pleased to inform the house on the same.

CONSTRUCTION INDUSTRY TRAINING BOARD

The Hon. S.C. MULLIGHAN (Lee) (14:47): My question is to the Minister for Innovation and Skills. Was Mr Kennedy given the opportunity to continue in his role as chair of the board?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:47): Mr Kennedy didn't express a desire to continue in the role. When I first discussed Mr Kennedy coming on to replace Gay Thompson, the former Labor MP who was appointed to the board by the then minister for education—I am not quite sure what experience she had in the construction industry, other than building the union pyramid where you take union fees off members of the workforce to build up your own political careers—

The Hon. S.C. MULLIGHAN: Point of order.

The SPEAKER: Point of order, minister.

The Hon. D.G. PISONI: —and boy, didn't it work for Gay Thompson. Didn't it work for her!

The SPEAKER: Minister, be seated for one moment. There is an improper motive there and I respectfully ask the minister to withdraw that last part of his statement, please.

The Hon. D.G. PISONI: I withdraw it.

The SPEAKER: Thank you. The minister has the call. Would you still like the call?

The Hon. D.G. PISONI: Yes, thank you, sir.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: I have answered the question. I also think that the member does need to read the act and what the requirements are—

The Hon. S.C. Mullighan: Yes, construction experience it says.

The SPEAKER: Member for Lee!

The Hon. D.G. PISONI: —for the various positions on the board. When I first spoke to Mr Peter Kennedy in 2018 about taking on that role, it was always as a transitional role because, as you recall, there was a debate in this house about changes to the way the composition of the board was to be made up. Of course, one of the most successful parts of those changes was that we removed a minority union ability to overturn a majority decision of the board—a significant improvement to the way the board was operating.

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker.

The Hon. D.G. PISONI: Certainly, it was not—

The SPEAKER: There is a point of order, minister. Could you be seated for one moment?

The Hon. S.C. MULLIGHAN: The question was quite specific about an opportunity afforded to Mr Kennedy or not.

The SPEAKER: Yes. I'm listening to the minister's answer. I thank the member for Lee. I will listen carefully. Minister.

The Hon. D.G. PISONI: I have answered the question. Perhaps he wasn't listening, so I will refer you to the *Hansard* and you will be able to pick up the context, but I do think it is important to look at this in a broader context of course. The Construction Industry Training Board was set up for a single purpose, and that was to deliver skills for the building industry. Those who participate in the building industry pay a fee for that, and those people, whether they be the first-home buyers—

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker: with respect, the minister is clearly debating and not addressing the substance of the question.

The SPEAKER: I have been listening carefully. I would ask for the interjections to cease. If the minister does deviate from the substance of the question, I will call him out on it. Has the minister completed his answer, or is he still going?

The Hon. D.G. PISONI: There is no debate, sir. This is purely a history lesson, if you like, on the establishment of the CITB and why it's there. Over the years, unfortunately it had drifted and even got to the stage where almost anything that was soft and cuddly that was approached for money by the CITB, they handed it over. If you recall, Gay Thompson, when she was the chair, decided that she was going to spend $50,000 on a 25th anniversary party for the CITB. She also decided to take the entire board to Brisbane for a meeting—

The SPEAKER: Minister, this is now getting off topic a little bit, so I would ask you to come back to the substance of the question.

The Hon. D.G. PISONI: Of course, this is an important question. It is the choice of the board that makes all the difference. Under the old system, there was no choice for putting that board together—no choice at all. That's why we had to make those changes in this chamber—because it simply wasn't working. By the way, who would hire a venue for a party that had no furniture so you got a bill for $20,000 to hire the furniture for the venue?

The Hon. S.C. MULLIGHAN: Mr Speaker, he is now openly defying your ruling.

The SPEAKER: There is a point of order. Please be seated.

The Hon. D.G. PISONI: They didn't have a liquor licence. They had to buy that as well from CITB funds.

The SPEAKER: Please be seated. The point of order is for debate. I uphold the point of order. The member for Hurtle Vale has the call.

The Hon. T.J. Whetstone interjecting:

The SPEAKER: The Minister for Primary Industries is warned. There was nothing about a spoon in the question.

SAFEGUARDING TASKFORCE

Ms COOK (Hurtle Vale) (14:52): My question is to the Premier. Since the shocking death of Ann Marie Smith, has the Premier asked to be alerted to any such cases where there have been deaths of vulnerable South Australians either in state care or receiving services in the community?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:52): What I have done since that shocking news came to light was listen to people who have lived experience, those people who are living with a disability, their families, the people who provide care to them and people within state government services. What we learned from those people is that there are gaps in terms of the safeguarding provided to some of our most vulnerable people in South Australia, gaps that have existed for too long. That's why we acted very quickly to establish the Safeguarding Taskforce in South Australia.

This has only been in operation for weeks, and they have already presented to the government on Monday afternoon their interim report. We have received that. We have thanked them for their early work. We look forward to them providing the government with their final report by the end of July. In their interim report, they identified 12 key safeguarding gaps and they made five recommendations. This is an issue. This is an area of government that we are taking extraordinarily seriously. We thank Kelly Vincent and Dr David Caudrey for the work that they are doing chairing

this committee, and we look forward to providing a response to the final report when it is received in late July.

PEARCE, MS D.A.

Ms COOK (Hurtle Vale) (14:54): My question again is to the Premier. Has the Premier been made aware of the death of Debra Ann Pearce in state care? With your leave and that of the house, I will explain.

Leave granted.

Ms COOK: Debra Ann Pearce was a 62-year-old resident of a Pooraka state government disability support accommodation. She died in hospital on 9 May 2020 following an incident in the state care facility on 1 May 2020. As a result of her death, a formal complaint was lodged about the circumstances leading to Ms Pearce's death. This has now prompted a departmental investigation.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:54): I will take that on notice and get back to the member specifically in relation to advice from the Minister for Human Services and any action that has been taken in that regard and provide an answer back to the member.

I make the point at this stage, if I may, that I'm responsible as the minister for a number of agencies that overlap and account to me, including the Coroner and the Public Advocate. I have advised the house before, and I think it's an important matter to remember, that I receive a number of memos and advices and briefings, sometimes daily but many each week, in relation to people who for one reason or another are under state care, not necessarily just receiving a disability service but who may be under a guardianship order, and in a circumstance where they may die or be seriously injured, then frequently I am promptly briefed in relation to those matters.

As you would know, Mr Speaker, and I'm sure the member would recall, in relation to the Coroner's responsibility there are certain mandatory inquiries they need to make in relation to certain deaths by definition, including deaths in custody, and the deaths in custody, of course, relating to prisons and police custody in particular—some in youth detention—which is covered by the department of health services. So, there are a number of different aspects in relation to those that require a level of both notice and response. In relation to the death of the person identified, I will get some information for the member.

INDOOR ENTERTAINMENT CENTRES

Mr BELL (Mount Gambier) (14:56): My question is to the Premier. When will the government give indoor entertainment centres, such as Kaboom and the indoor Treehouse in Mount Gambier, clarification around a date they can reopen?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:57): I thank the member for Mount Gambier for his question. I am not familiar with either of those two facilities, but he raises a question regarding larger venues. There isn't a simple answer because it really all depends on the activity which is taking place indoors. We are at the moment about to enter stage 3. Nominally, the upper limit for activities in stage 3 is 100, but we have already said that as part of stage 3 we are moving to a new arrangement, which is one person per four square metres, but there are some nuances around that, depending on what the activity is.

As the member would be aware, when the coronavirus pandemic was first declared we thought about the resourcing within the Chief Public Health Officer's agency. What we did was appoint three separate deputy chief public health officers. Dr Chris Lease is looking after this complex issue of working through sector by sector and, in some instances, organisation by organisation to work with them in identifying the risks and then mitigating against those risks. He has a very important task to do. As a government, we have stated many times that we don't want to have any restrictions in place that are going to hamper people getting back to work, getting people back to a sense of normality, but we do need to do it in a careful way, with the best health advice.

I am more than happy to follow up the issue and the premises that have been raised by the member and get back to him as quickly as possible. What I would say is that not only have we decided to lift that upper limit in stage 3 and make it a ruling generally of one person per four square

metres, but we have also brought forward the effective date for stage 3 from 3 July to 29 June. In addition to that, we have created a stage 2.5, if you like, which will come into effect on Friday this week. This moves that upper limit for gatherings from 20 up to 75 for many, many applications, including, importantly, churches, places of worship, as well as hospitality in South Australia.

We've still got to abide by that one person per four square metres, but what we do have is a new upper limit which will come into effect this Friday, and I know this is going to provide enormous relief to people. So 75 persons per area, a maximum of 300 per venue. That is massively up on the current arrangements, which are 20 persons per area and a maximum of 80.

One of the things we are also looking at, and I am sure the house would be interested, is this density issue, the issue of one person per four square metres. What we are told is that this is unnecessarily disadvantaging some of our smaller venues. This was an issue I specifically raised at the national cabinet on Friday. It was acknowledged by the national cabinet, and Professor Murphy, who is the Chief Medical Officer for Australia and the chair of the AHPPC, is taking that on board. We are doing work here in South Australia on this issue as well to feed into that AHPPC advice because our goal is to get people back to work, back to normality, but doing it in a safe and considered way.

PEARCE, MS D.A.

Ms COOK (Hurtle Vale) (15:01): My question is to the Attorney-General. Given that the Attorney-General has informed the house that, as part of her role, she is notified of deaths of vulnerable people or critical incidences within care or support situations, what did the Attorney-General do when notified of the death of Debra Ann Pearce?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:01): I think that, firstly, what I have identified is that there are a number of agencies that account to me in relation to what is reported. In relation to the specific case that you have raised, I will need to get the detail as to whether in fact she was a client of one of those agencies. I think I have indicated to the house, if I haven't made it clear to the member, that I will seek advice because I think that she specifically sought that, in relation to a disability state service, she may have therefore been under the responsibility of agencies that account to either the Minister for Health or the Minister for Human Services.

As the member might appreciate, the Community Visitor Scheme, for example, is an agency that is accountable to the Minister for Health. Therefore I will make that inquiry, and I am happy to provide that information to both her and the house as soon as it is available.

Grievance Debate

GOVERNMENT POLICIES

The Hon. A. KOUTSANTONIS (West Torrens) (15:02): It is pretty obvious that there are some internal differences within the government over policy direction, and I am attempting to be generous. However, it seems pretty clear that everything the Minister for Transport and Infrastructure touches turns into some sort of political disaster.

It was not me who spoke to InDaily saying that the government's changes are putting the government's chances of re-election at peril. It was not me who held a Facebook video before the election decrying the regularity or the time it takes to go from Aberfoyle Park into the city only to see that entire service cut altogether. It was not me who went and saw the Premier and the transport minister to complain about cuts in Elder, in King, in Newland, in marginal Liberal seats, and to complain about the transport minister being, and I quote, 'the best Labor MP possible'.

What that means when government members say that, Mr Speaker—not that I need to educate you on this—is that they mean it as an insult. Unfortunate as it is for us, it is an insult because they know that we are working towards their demise for the benefit of the people of South Australia. Therefore, when their own members of a government say that about one of their most senior members, what does that say about the way that minister is handling their portfolio? They are maladministering that portfolio to within an inch of its life.

What has happened here is the greatest con on backbenchers since the emergency services levy was introduced by the Olsen government; since they built the one-way expressway.

Fancy being told that moving bus stops and closing routes would be good for you. Fancy being told by your minister, your Premier and your government that less is more, that your constituents will thank you for cutting their services, that somehow they will not remember that you promised better services and lower costs, despite constituents now being forced to walk, in some cases, over a kilometre to a bus stop, or now being forced to get into their car and drive and park their car in car parks, let alone the convenience that people have lost.

This will fundamentally change the way people commute in Adelaide forever. This is the game change that members of the government did not want. This is the moment when they all realised that it is now two years to the election and that their futures are not guaranteed, that they will be answerable for the decisions they have taken, that the member for King will be held to account by her constituents who can now no longer use the amenity they once had taken for granted under a Labor government, or that the member for Newland, despite promising so much to so many, delivered so little to the people of Newland, will be held to account for that.

The minister who sat in cabinet in Adelaide, the member for Adelaide, sat there and agreed and defends these decisions to the Premier, who is like some sun god sitting on a throne, not listening to the concerns of those out there in the fields, thinking 'No, you'll be fine.' He uses public transport every day: it pulls up in front of his house, picks him up and brings him to Parliament House. What are you all complaining about? You have never had it so good. It is the equivalent of 'Let them eat cake.'

In two short years, ministers are so out of touch with the aspirations of ordinary suburban South Australians who just want to see their children go to university safely and efficiently, who just want to get to work and get home safely and efficiently and who are trying to save some money by catching public transport.

The former minister for transport, the member for Lee, did a body of work showing that people who caught public transport regularly could pay off their mortgages faster, save money on insurance costs and save money on car costs and fuel costs. It does not help just their pockets; it helps our pockets too. This is besides the other drivers on the roads who have to drive to work who, all of a sudden, are going to be inundated with a whole group of people who normally catch public transport and who are now going to start driving to work.

There is no utopian world where there are five people per car driving to work. Our roads will be congested, and when they are congested I will be blaming the member for King, the member for Newland, the member for Adelaide, the member for Elder, the member for Davenport and every Liberal MP who does not have the courage to speak up against these cuts.

GLENTHORNE NATIONAL PARK

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:07): It is good to be able to make a presentation this afternoon on the—

Mr Picton: What about the Hallett Cove buses, all those buses in Hallett Cove?

The SPEAKER: The member for Kaurna can leave for half an hour under 137A.

The honourable member for Kaurna having withdrawn from the chamber:

The SPEAKER: The Minister for Environment and Water has the call.

The Hon. D.J. SPEIRS: It is good to be able to update the house today on the creation of Glenthorne National Park or Ityamaiitpinna Yarta, the co-name, which we have worked on with the Kaurna traditional owners of that park.

It was a historic occasion for the southern suburbs when on 28 May this year the Governor in Executive Council was able to proclaim this new national park in Adelaide's southern suburbs—a unique opportunity to weave a new national park into the suburbs and create opportunities for many South Australians to be able to engage with this open space, to be able to connect with nature and to be able to immerse themselves in green areas in a way that will be good for their wellbeing, where

they can learn, where they can grow their knowledge and understanding of the natural environment and where they can recreate with their friends and family.

This has been a vision I have been working on with the local community since 2016, and it is so great to be able to see it come to fruition and take a big step forward. In October 2019, we were able to secure the tenure of the Glenthorne Farm property, that 208 hectares of open space on the south side of Majors Road at O'Halloran Hill. We secured that tenure and an agreement with the University of Adelaide, and since then we have been working on a master plan to unfold in the coming months and years to bring that 208 hectares of open space to life, to create a place where people can go to enjoy themselves, to immerse themselves in that open space, and also to create a place that becomes part of a vibrant open space corridor stretching from the Hills behind Happy Valley through the Happy Valley Reservoir area across Glenthorne and O'Halloran Hill into the coastal areas at Hallett Cove through the Field River area and at Marino Conservation Park as well.

This is a precinct that the Marshall Liberal government is investing significantly in. We are investing in a state BMX facility on Majors Road. We are investing in a new soccer precinct on Majors Road. We have invested over $2 million in the upgrade of the Hallett Cove Boardwalk. That will be extended, repaired and revitalised. It is one of South Australia's great local walks. It attracts people from the local area and also from further afield and forms a key part of the broader Glenthorne precinct. We are taking multiple areas of open space. We are investing in them and we are bringing them to life to ensure that they are secured for future generations and that they are able to be a great asset for our natural environment and our wildlife.

A real dark cloud hung over the Glenthorne Farm site for many, many years. Throughout the 16 years of Labor government, it regularly came under threat of being sold off to development. We said in 2016 that we did not want houses built on that site; we wanted to bring it to life and we wanted to work alongside the local community—the passionate local community—to ensure that it was preserved and met the needs of the local community. We want the vision for Glenthorne and the master plan, as it is developed and rolled out, to bubble up from the community.

That is why we have formed the Glenthorne Partnership, a group of highly engaged local people connected into the area who can use their networks to feed ideas and opinions into the planning for Glenthorne and ensure we get this right. This is a once-in-a-lifetime opportunity to create a new urban national park. We need to get it right and we need to have the community involved at every single step of the way. That is why this Glenthorne Partnership model is so innovative and will lead to so much success for this new national park.

I want to take the opportunity this afternoon to thank the members of the partnership for their work to date: our chair, David Greenhough; our City of Marion councillor, Ian Crossland; chair of the Hallett Cove Business Association, Marie Soliman; Alan Wilson from the Friends of Marino Conservation Park; the patron of Friends of Glenthorne, Pam Smith; Corey Turner, a Kaurna leader; Alan Burns, the secretary of the Friends of Glenthorne; Kinda Snyder from Friends of Pine Gully; Chris Thornton, an expert in environmental communications; Kersten Stengel, who has an education background; John Hoult from O'Halloran Hill Recreation Park; local parent and outdoor educator, Tash Howard; and Bob Major from Friends of Hallett Cove Conservation Park. They are great local people partnering with the government to drive the vision for Glenthorne National Park forward.

BUS SERVICES

The Hon. S.C. MULLIGHAN (Lee) (15:12): It is now abundantly clear that this is a period of crisis for public transport here in South Australia. This transport minister and his transport department have completely walked away from their most basic responsibility to provide public transport services to the community. Just think about it: trams have been privatised, trains are being privatised, road maintenance has been privatised, and the latest bus contract awarded by this minister under the Liberal's privatised model has massive cuts to bus services. Why? Because one of the first acts of this government was to impose $46 million worth of cuts to public transport services across metropolitan Adelaide.

The electorate that I represent, the electorate of Lee in the western suburbs, is being particularly hard hit by these cuts. It seems, from the limited information that has been released by the government, that the following bus routes are being scrapped in the electorate of Lee: the route

112 services along Military Road from West Lakes Boulevard to Trimmer Parade; route 371 from West Lakes Centre Interchange, the clockwise loop; route 372, the anticlockwise loop of that service; route 376, West Lakes Centre Interchange to Delfin Island; and route N30, West Lakes Centre Interchange to the city.

Forty-five bus stops in the electorate of Lee alone are being lost, judging by the route maps. These bus stops are being lost on Military Road, Grange Road, Trimmer Parade, Clark Terrace, Frederick Road, Island Drive, Corcoran Drive and Delfin Drive. The impacts of these cruel and unnecessary cuts are extraordinary. Someone who catches a bus from Delfin Island will now need to walk up to 1.1 kilometres to access a bus service on West Lakes Boulevard.

A person living in Tennyson who catches the bus on Military Road will have to walk up to 1.8 kilometres to West Lakes Boulevard to catch a bus, or nearly 1.9 kilometres in the other direction to catch a bus on Fort Street, Grange. People living in Seaton, Woodville West and Findon who access West Lakes via either the 115 or 117 bus routes will now need to walk up to 1.7 kilometres to access a bus on Tapleys Hill Road or, alternatively, up to 1.7 kilometres to access a bus on West Lakes Boulevard.

The West Lakes interchange loop—that 371/372 service that I mentioned before—which goes via Frederick Road, Clark Terrace, Trimmer Parade and Military Road, is being scrapped and the impacts will be felt by residents in Grange, Seaton, Hendon, Albert Park, Royal Park, West Lakes and Tennyson, constituents of the electorate of Lee as well as the electorate of Cheltenham. Five bus routes are to be cut, along with 45 bus stops, in the electorate of Lee alone.

There are no bus services along the western part of Grange Road, dividing my electorate of Lee with the electorate of Colton, and that means there is now no bus service which provides people wanting to get to the Western Hospital with an approximate service. People will now have to walk nearly triple the distance if they want to get to Western Hospital on Cudmore Terrace in Henley Beach, a major service provider to residents of the western suburbs.

It is abundantly clear that these cuts are being driven by nothing more than cost saving. They are being delivered by a minister and a bureaucracy who have completely ignored the needs of bus patrons in metropolitan Adelaide. The way to increase public transport patronage is to provide services, not take them away.

The spurious argument that a new system of Go Zone buses, of collector buses and that local bus services will be able to cover metropolitan Adelaide is rubbish. There is not one local bus service proposed under the changes by this transport minister in the entirety of the western suburbs, from Outer Harbor to Marino—not one local bus service.

These cuts are outrageous. They punish those people who rely on public transport. They punish those people who have no alternative transport options, and it shows that this government is completely out of touch with South Australians.

BUS SERVICES

Ms LUETHEN (King) (15:18): Today, I rise to speak about the state government's proposed bus service changes which have been put out to community consultation. The Minister for Transport has told us the proposed changes are in response to the government's aim to explore how we can optimise public transport services for the people of South Australia and encourage more people in South Australia to use public transport.

The minister also told me that a statewide review of the current network, and the current and future needs of users, has been ignored by the former government for over a decade. As a result, Adelaide has one of the lowest use rates of public transport in Australia with only 8 per cent of people catching public transport, and South Australia also has the highest percentage of people who choose to drive to work, compared with any capital city in Australia.

I am told that, in preparation for this proposal, Adelaide Metro has conducted market research to understand what South Australians think would improve public transport, and then they worked with the operators to redesign this new proposed bus network. The minister has told me that the 53 proposed Go Zones in King are new to the electorate of King, and that we do not currently

have any Go Zones in King. Go Zone services operate approximately every 15 minutes between 6.30am and 6.30pm Monday to Friday. They operate every 10 minutes or more in peak times and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.

I am strongly encouraging my community members to go to the Adelaide Metro website and explore if the proposed new zones, routes, times and changes will be beneficial to people currently using public transport, and secondly, whether this might encourage more people in King to use public transport.

For existing public transport users, you simply need to enter your bus route number to see what is planned. The website will then offer a summary of the new bus numbers, which in many cases replace the existing number. For example, the 545 becomes the bus No. 2, which is a new high-frequency Go Zone. Then, and most importantly, you have the ability to have your say, which is absolutely critical to this consultation process and critical to me to understand your feedback. If you cannot work out how the changes impact you, or you know—

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms LUETHEN: I know you do not like community consultation, but I do, and that is why I am encouraging people to have their say. You never did it genuinely, and we absolutely are now. So, if you cannot use the website, there is also an Adelaide Metro—

Members interjecting:

The DEPUTY SPEAKER: Order! The Leader of the Opposition is called to order.

Ms LUETHEN: —number for people to call: 1300 577 720. Alternatively, as I am always here to help, we can do this for constituents who may have challenges—

Mr Malinauskas interjecting:

The DEPUTY SPEAKER: The Leader of the Opposition—

Ms LUETHEN: —going online or even making calls to government departments.

Members interjecting:

The DEPUTY SPEAKER: Order! Member for King, could you take your seat for a minute, please. The Leader of the Opposition knows he is out of order; I have called him to order once, and I am warning him now. The member for King can speak.

Ms LUETHEN: Thank you. I understand they are doing that because they do not want people in King to understand or have a say on these proposed changes, but I am very, very keen for people to have a look at the individual impact and have their say. To date, the people of King have been very generous with their time and feedback to me on local and state issues and this has helped me best represent them in this place.

I am pleased to note that people in Greenwith advocated for a service from Greenwith to Mawson Lakes and, with this government's support, I have been able to deliver this. The current bus network is complex and I need the help of everyone living in King to help me understand the impact for them. The King electorate is also unique; it has many steep killer hills such as Target Hill Road and Spring Hill Drive. Walking 500 metres, if that is the outcome in King, for an improved service may not be desirable or even possible for everyone.

Furthermore, as one in five South Australians self-report as having a disability, I recognise public transport plays an important role in promoting and preserving the quality of life for many individuals. We must have people's feedback to ensure that the changes to deliver a more accessible and easy-to-use service will be met, so absolutely have your say.

During this community consultation, it is important to do three things: (1) go online and accurately assess the impact—do not listen to the fearmongering coming from the opposition; (2) if you cannot do that, call Adelaide Metro or contact me and my office; and (3) please provide your feedback.

Members interjecting:

The DEPUTY SPEAKER: The Leader of the Opposition is warned by me for a second time.

REFUGEE WEEK

Mr SZAKACS (Cheltenham) (15:23): This week is Refugee Week, and I would like to take this important opportunity today to speak about the importance this has to me and the community that I represent in Cheltenham. This issue is very close to me, as the son of a refugee, and others in this chamber, including the Leader of the Opposition.

Since 1788, many millions of people have crossed the seas to call Australia home, seeking refuge or as migrants. In that journey, it is impossible for us not to recognise the effect that colonisation has had on the First Peoples of this country. This effect is often traumatic and deeply held. It also reminds us that we are all migrants in this great nation of ours.

Refugee Week, at its core, is an opportunity for us to tell stories. I could tell the stories of the hundreds of people in my electorate of Cheltenham who have sought refuge in Australia. Migration is arguably and undeniably almost the greatest success story that our state tells. It is extraordinary and, frankly, it is hard to find a community in this state that lives it more wholly and solely than the great western suburbs community that I represent.

But today, briefly, I am going to tell the story of my dad, a refugee who crossed those seas seeking that safety and refuge as so many others did—in fact, almost one million people—in finding their way to Australia. He was a revolutionary. He was part of the student-led uprising in Hungary in 1956. He was part of a movement that picked up arms and fought for safety, for freedom, for something as simple as the minimum wage. They fought an extraordinary oppressor in the Soviet Communists. Today, on my chest, I wear the colours that my dad wore whilst he was fighting during that revolution some 64 years ago. It was one of the very few things that he was able to escape with when he left Hungary across the border into Austria.

He fled Hungary on 4 November 1956, 12 days after the revolution started, the very night that the Soviet tanks rolled into Budapest. He escaped that night through the border into Austria. He was caught at the border. He was imprisoned. My dad is as tough as nails but, to this day, he is terrified of German shepherds because he was caught by a German shepherd at the border. He miraculously escaped again and found his way into the loving embrace of the Red Cross in Austria.

I had always asked my dad why Australia, as it was such a long way away. He would tell me it was because of the weather, the beautiful women and the beaches. The truth is much more sobering. The very last thing my grandfather, also a Joseph, ever said to my dad face to face was, 'Go. Leave. Get as far away from here as you can and never come back,' and that is why my story is an Australian story.

I am in this chamber today speaking about my father's story but it is a story that is replicated family upon family, individual upon individual, because migration is the greatest story we have to tell. But equally important to these stories are the stories that we must be honest about regarding modern-day experiences for refugees—the stories of offshore detention, sometimes indefinitely on a phosphate island in the middle of the Pacific; the stories of a slogan replacing a refugee policy like 'Stop the boats'; the truth that my dad—a tall, white, handsome, blond man, a Catholic man—had a deeply different experience as a refugee in this country than modern-day refugees who are fleeing from other countries.

Time expired.

The DEPUTY SPEAKER: Member for Cheltenham, I am going to allow you to continue.

Mr SZAKACS: Thank you, Deputy Speaker, for your indulgence. It is these stories that we must confront honestly if we can give true meaning to the stories of those who have built our nation as refugees. It is the story that refugees were able to fight for and win basic health care, only for that then to be taken away by the federal parliament. These are the stories which my dad did not experience, again, if I am being honest, because he was a white Anglo-Saxon man coming at the right time to the right country. It is something that I also cannot quite comprehend because the most

grief that I copped as a first-generation Australian growing up was because I had red hair, not because I was a European.

It is incumbent upon me to use my voice in this house to speak about my dad's story because, in talking about my dad's story and my story, I seek to empower the stories of all refugees who are not heard in here. It is potentially the fact that I stand in this place and have the political freedom to speak about this story that is the most subtle but profound illustration of the freedom that my dad found in the loving embrace of this country.

WANDEARAH UNITING CHURCH

The Hon. G.G. BROCK (Frome) (15:30): Today, I would like to talk about the Wandearah Uniting Church, 1895 to 2020. The earliest occupation of Wandearah was in 1847. The early settlers arrived in buggies, carts, drays and wagons. They were principally of Methodist religion and, after taking up land, quickly established places of worship in their community. They were people of deep faith and put their reliance completely in God's hands. The first divine services were held in the home of E. and G. Jacobs, with a Wesleyan minister coming from Port Pirie in the 1870-1880 era. Later, a weatherboard church was erected on land given by Mr Graham in 1875.

The present church, which celebrated its 125th anniversary this year, was opened in 1895 on land given by Mr Vanstone, with the committee at the time paying for his crop that had been planted. Four churches were built in the district known as Wandearah South, West, East and one known as the Lower Broughton Methodist Church. The first was East Church, being a wood and iron, but in the year 1894 they began building a solid stone church, as they decided the church was not big enough. The present church was built shortly afterwards at a cost of £160 and opened in 1895.

The opening ceremony was held on 6 January. Three services were held on this day. At the opening of the new church, the Sunday school scholars numbered 116. In those early years, Sunday school lessons were held prior to church service but, since the new Sunday school hall was built in 1957, lessons are being held at the same time as the church service, with the children participating in the first part of the service. In the early days, the pews on both sides of the church were labelled with the names of some of the members of the congregation, for which they made a special contribution to church funds.

Originally, the altar, pulpit and organ were raised in the centre at the front of the church. This was later changed, with the railings removed and the pulpit placed at the left side of the church. In these early days, lighting in the church was undertaken by carbide gas lamps and, later, petrol lamps. Power was connected in 1965. When the church became the self-supporting Wandearah Methodist Circuit in 1922, a manse adjacent to the church was ready for occupation, with the Reverend D'Arcy Dickinson being the first resident, with his wife.

The porch on the front of the church was opened and the last organ was purchased in 1927. The Sunday school room was dedicated on 21 April 1957, and 1977 saw the formation of the Uniting Church in Australia, with the joining together of the Methodist, the Congregational and the Presbyterian churches. The church is now known as the Wandearah Uniting Church. This year, the congregation, which would have included many descendants of the original early settlers, had decided to hold an anniversary celebration. This was both to celebrate the 125th year of this church and give thanks to those who had the foresight to commit to building this structure.

It has been an integral part of the community over the last 125 years for many people. Ladies' fellowship, youth group, Sunday school picnics, strawberry fetes and concerts have all featured strongly in the past. More recently, the congregation had been holding weekly services with visiting preachers as well as continuing community outreach with events such as the Biggest Morning Tea, Great Outback BBQ and Samaritan's Purse collections.

On 29 March this year, at 10am the celebration would have begun with a service at the church. This would have been followed by a shared luncheon at the Wandearah Memorial Institute. Christian memorabilia dating back to the 1800s would have been on display as well as wedding dresses from past Wandearah brides. Unfortunately, due to the coronavirus, the event had to be cancelled. However, I am sure that this community will be looking to celebrate the activities of the church over the past 125 years when the opportunity arises. With others, I am looking forward to the

celebration and hope that many past and present members of the community and surrounding areas will join to celebrate this great occasion.

In closing, I used to live at Wandearah. I did all my schooling there with seven grades in one classroom and one teacher. The people in those days were from quite a few farms. Today, there is only one church, and the Broughton Plains Heritage Society looks after all the memorabilia. Someone I would like to acknowledge is Mr Lawrence Joyce, a very religious person from a Wandearah pioneering family who unfortunately passed away just recently. Certainly, I pay my respects not only to Lawrence but also to the pioneers who came to Wandearah in the early days, and I look forward to the 125th anniversary post COVID-19.

Bills

LEGAL PRACTITIONERS (SENIOR AND QUEEN'S COUNSEL) AMENDMENT BILL

Introduction and First Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:35): Obtained leave and introduced a bill for an act to amend the Legal Practitioners Act 1981. Read a first time.

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:36): I move:

That this bill be now read a second time.

I am pleased to introduce the Legal Practitioners (Senior and Queen's Counsel) Amendment Bill 2020. The bill sets out a process by which legal practitioners who have been appointed as Senior Counsel by the Supreme Court can be appointed as Queen's Counsel.

The title of Senior Counsel is awarded to those members of the South Australian legal profession who have demonstrated outstanding ability as counsel, as well as leadership within the profession. The title came into use in South Australia in 2008 after the government of the day, in particular announced by the premier of the day and then acting attorney-general, the Hon. Michael Rann, ceased the appointment of Queen's Counsel in line with a consistent trend across other states and territories to discontinue it use.

I should say that at that time the premier of the day put out a press release, and subsequently a regulation was ceased to complete the process. It was not a matter that came before the consideration of the parliament in any statutory form. In recent years, however, a number of jurisdictions around the country have reinstated the optional use of the QC title, following strong support amongst the legal profession and indeed their advocates.

Unsurprisingly, therefore, the South Australian Bar Association has requested and indeed advocated for the QC title to be reinstated in South Australia so that its members who have been appointed by the Supreme Court as Senior Counsel have the option of seeking appointment as Queen's Counsel, further aligning with those other jurisdictions. I commend work also undertaken by the Law Society of South Australia who, as members may be aware, represents both solicitors and barristers, as we are a fused profession in South Australia. This society actually undertook a survey of all of its members in the legal profession in response to the question of whether there should be an option for a Senior Counsel to become a Queen's Counsel. An astonishing 67.26 per cent of the respondents answered in favour. I am advised by the Law Society that there were 843 respondents of the 3,444 admitted members of the profession.

At the time, I recall speaking to Ms Amy Nikolovski, who was the president of the Law Society at that time, and I think she remarked to the effect that it was the highest level of response to a survey that she had been aware of. The respondents to this survey identified, I think, an acknowledgment at that point that there was a clear merit in South Australia having a system of choice for those Senior Counsel appointed by the Supreme Court to be appointed as a QC by the Governor.

I confirm for members that the title of QC (Queen's Counsel) or KC (King's Counsel), as it may well be in the future, as some members would be aware, has been used in the past. Probably one of the most famous was Sir Robert Menzies, who was a King's Counsel and regular counsel in

the High Court. I am sure there are many other worthy people; I cannot think of them immediately who they all were. It was way before my time. In my entire lifetime Her Majesty has been the Queen, and it is acknowledged that we have had a very long era of Queen's Counsel appointments.

In any event, for South Australia it is a key tenet of our justice agenda to build the capacity in our legal sector in this state. This includes the promotion of South Australia as a fantastic place for businesses in which to operate and to arbitrate, particularly with our world-class legal profession. I acknowledge that many of our senior bar travel interstate and internationally to undertake work, and that is a big pat on the back for the value and contribution made by our profession in South Australia.

I will traverse in the committee stage a number of the stakeholder interests in this important reform, and although, as I have said publicly, it has not been a bill that was the immediate priority of the government, we have had sustained advocacy from the relevant parties over the last two years. Legal advice has been sought to assist the parties in how they might progress any development of this nature and, as I will outline at a later time, there has been some accommodation of how we move forward in this regard.

I will identify the clauses of the bill for the members who have an interest in the progression. Clause 4 of the bill introduces a number of new sections to the Legal Practitioners Act 1981. New section 91 provides that the Chief Justice may, on behalf of the Supreme Court and in accordance with the rules of the court, appoint any legal practitioner as a Senior Counsel and that that appointment must be published in the *Gazette* as soon as reasonably practicable. This retains the ability of the bench to appoint those barristers whom they think are fit to hold the Senior Counsel title and whom they see working on a daily basis.

New section 92 provides that the Attorney-General of the day, at the request of the legal practitioner who is appointed as Senior Counsel, recommend to the Governor that he or she be appointed as Queen's Counsel, or indeed King's Counsel as the case may require into the future. Upon that appointment by the Governor in the *Gazette*, the legal practitioner ceases to be a Senior Counsel but will still take precedence in accordance with his or her former precedence as Senior Counsel, that is, in the order of appointment.

New section 93 provides that the Chief Justice can, on behalf of the Supreme Court in accordance with the rules of their court, revoke the legal practitioner's appointment as Senior Counsel or as Queen's Counsel. The new section 93 sets out how the practitioner can resign that appointment by written notice to the Chief Justice, and the Chief Justice must ensure that revocations and resignations are published in the *Gazette* as soon as practicable.

Schedule 1 of the bill contains transitional provisions that provide that new section 92 will apply to Senior Counsel appointed before or after the commencement of that section, and the new section 93 will apply to Senior and Queen's Counsel who were appointed before and after the commencement of that section.

This bill offers choice. It reflects a clear position of a majority of the legal profession in South Australia, and aligns opportunities for senior advocates with other jurisdictions already making this change. I do not seek to curtail that choice and the objectives of the bar and simply wish to allow, through this bill, greater flexibility to those appointed as Senior Counsel to either retain the Senior Counsel title or become a Queen's Counsel, depending on their own personal wishes.

To be clear: the choice is of the practitioner who has been elevated to the honour of Senior Counsel via a process under the supervision of the Supreme Court, under their rules, and they have the choice. If they elect to seek a Queen's Counsel appointment then I, as Attorney-General—and any subsequent attorneys-general—must present their name for endorsement and consideration by the Governor. I therefore commend the bill to members and seek leave to insert a copy of the explanation of clauses.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Legal Practitioners Act 1981

4—Insertion of Part 7

This clause inserts a new Part 7 as follows:

Part 7—Appointment of Senior Counsel, Queen's Counsel etc

91—Appointment of Senior Counsel

Proposed section 91 provides for the appointment of Senior Counsel by the Chief Justice of the Supreme Court.

92—Appointment of Queen's Counsel etc

Proposed section 92 allows a Senior Counsel to request that the Governor appoint them as a Queen's Counsel (in which case the Attorney-General must recommend the making of such an appointment by the Governor and the person will, on appointment, become a Queen's Counsel rather than a Senior Counsel).

93—Revocation and resignation of appointments

This proposed section allows for the revocation, by the Chief Justice, of an appointment as a Senior Counsel or as a Queen's Counsel and also allows for resignations from such appointments.

Schedule 1—Transitional provision

1—Application of section 92

Section 92 extends to persons appointed as Senior Counsel before commencement of the measure.

2—Application of section 93

Section 93 extends to persons appointed as Senior Counsel or as Queen's Counsel before commencement of the measure.

Debate adjourned on motion of Mr Brown.

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Introduction and First Reading

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:47): Obtained leave and introduced a bill for an act to amend the Local Government Act 1999, the Local Government (Elections) Act 1999, the City of Adelaide Act 1998 and to amend various other acts related to the review of the system of local government in South Australia. Read a first time.

Second Reading

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:48): I move:

That this bill be now read a second time.

The Statutes Amendment (Local Government Review) Bill 2020 represents the most significant changes to our local government system that have been brought forward in a single bill since the parliament passed the Local Government Act at the end of last century. The bill is the culmination of 18 months' worth of consultation and discussion. The bill proposes to amend almost every chapter in the Local Government Act, along with the Local Government (Elections) Act, the City of Adelaide Act and five other pieces of legislation that interact with the system of local government.

While the reforms are wideranging, they have all been developed within the context of council as our local governments. It is often said that councils are the closest sphere of government to the community. They are delivering the services that are part of our day-to-day lives. Our council members are people from our local area, often living just down the road. Because of this, it can be easy to lose sight of the fact that councils are in fact governments, just like state and federal

government. They are elected to make serious decisions about the services they provide and the revenue they raise to fund them, and they have both the powers and the responsibilities that this requires.

Like governments, councils make these decisions within an ecosystem that needs to be as robust as possible. This ecosystem includes integrity agencies, media oversight, councils' own internal processes, support provided to councils by their administration and, most importantly, the interaction with and oversight by councils' communities and ratepayers.

Elected members and council administrations have complex and intertwined relationships. The changes in this bill will see a significant rebalancing of power and structures within the council ecosystem to ensure that administrations can comply with their obligations and members can represent their electors fully. It is all of these parts working together that helps councils to make the best decisions for their constituents when the services the communities most value are provided through the wisest use of ratepayer dollars.

These reforms, therefore, are a tune-up to critical parts of the local government system to improve the quality and level of both oversight and support that is provided to our local councils. From the start, the local government reform program has focused on four key areas, where it is clear that improvements to the practice and the system of local government is needed. These areas are:

1. Strong council member capacity and better conduct, helping our council members to perform their duties to the best of their ability and ensuring that the right measures are in place to deal with conduct issues when they arise;

2. Lower costs and enhanced financial accountability: enhancing financial accountability and improving efficiency within the local government sector by delivering greater confidence in council audits, improving council decision-making and financial reporting and making information about council financial performance more accessible to both council members and communities;

3. Efficient and transparent local government representation and improvements to an election process that is fair, transparent, run independently, that provides the right information at the right time and encourages participation from potential council members and voters alike; and

4. Simpler regulation: improvements to rules and regulations that seek to protect the interests of the community by making sure the councils operate with transparency and accountability and that their decisions and actions are and are seen to be in the public interest.

Before I detail reforms in these areas, I would like to take the opportunity to place on record my sincere thanks to the many people and organisations that have contributed to this bill, through reference groups, working groups, attending intense reform sessions, by providing ideas for reform and making submissions on reform proposals, participating in consultation or by genuinely making their ideas and views known to me and to the Office of Local Government. This has included consistent representation from the Independent Commission Against Corruption, the Ombudsman, the Auditor-General and the Electoral Commission of South Australia. I thank all these bodies for sharing their knowledge and expertise of our local government system.

More importantly, I acknowledge the time and efforts of many in the local government sector who have provided considered ideas, suggestions for reform and comments on proposed reform. This includes the Local Government Association, many individual councils and council mayors and members, council chief executive officers and professional organisations, particularly the governance policy office network, the finance managers group and the SA local government auditors group. All have taken time from their busy work lives to contribute to and improve the reforms within this bill. Finally, I thank the Office of Local Government within the Department of Planning, Transport and Infrastructure, parliamentary counsel and all the public servants who have worked hard to deliver this bill to the house.

I now turn to the key reforms in the four reform areas that I have outlined above. The first of these reform areas is stronger council member capacity and better conduct. The reforms in this area respond to a clear need to improve the system that is in place to manage the conduct of council

members when, from time to time, it does not meet the high expectations that people have of their local elected representatives.

The chief reform in this area is a new approach to the definition of 'conduct matters' within the Local Government Act. The bill proposes that chapter 5, part 4 of the act will make a clear distinction between council member behaviour and council member integrity. This will assist councils, council members and members of the public to better understand what matters of poor behaviour should be dealt with at a council level in the first instance and what matters could affect the integrity of a council member's decision and should therefore be dealt with by an independent body.

This more clearly delineated approach will replace the current general approach to conduct and the code of conduct in regulations. While the minister will have the ability to publish behavioural standards to be observed by members of council, it is not anticipated that these will be as prescriptive as the current code. Additionally, councils will have the ability to determine their own policies, that they as a group of elected representatives think will support appropriate behaviour.

Integrity matters will be clearly spelt out in the act rather than split between the act and the code of conduct. These include conflict of interest, proper management of confidential information and of gifts and benefits. This last matter has also been significantly simplified in the current provisions within the code of conduct with an expectation that council members can use their judgement to determine what is appropriate to accept, rather than follow more prescriptive provisions in the regulations.

While the bill makes a clear distinction between integrity matters and behavioural matters, it also recognises there needs to be a better way to deal with poor behaviour that is repeated despite a council's best effort to manage it, or that is sufficiently serious to pose a risk to health and safety or to a council's proper functioning.

To deal with these issues, the bill creates a behavioural standards panel. This will consist of three suitably qualified people, appointed by the minister and the Local Government Association, who will consider complaints lodged by councils about repeated or serious behavioural matters. The bill provides the panel with the flexibility to investigate and resolve these matters so that this can happen quickly and effectively.

Importantly, the bill also provides the panel and the Ombudsman, who retains a role in the investigation of integrity matters, with an expanded range of sanctions to apply if necessary, including the suspension of members. Other reforms in this area include a simplification of the conflict of interest provisions to assist council members to more easily determine when they have a conflict and to deal with that appropriately.

The bill maintains the current approach in the act that defines material conflicts, those where the matter at hand would result in a benefit or loss to the member from less significant conflicts, but simplifies the definition of the latter from actual and perceived to a clearer general conflict. As is currently the case, members will be required to leave the room when they have a material conflict but can make their own call as to whether they can remain for discussion and decisions on general conflicts. Members will still be required to manage general conflicts in a transparent and accountable way and to inform the meeting how they intend to deal with that.

I also now highlight some other significant reforms in this area. The bill proposes a range of reforms to improve the relationship between a council and its chief executive officer. Given the critical importance of this relationship to the proper functioning of a council, these reforms include a requirement for council to receive and consider independent advice on the employment and management of a chief executive officer. The bill also proposes that the South Australian Remuneration Tribunal should set salaries for council chief executive officers to provide assurances to communities that CEOs are paid appropriately for the work that they do.

The second reform area is lower costs and enhanced financial accountability. These reforms are focused on improving the quality of information and advice that is provided to councils, their administrations and their communities. This advice is critical when councils are fulfilling their responsibilities to manage their financial position and, most importantly, when they make a decision about the rates that their community will pay.

Councils will now be required to receive and consider advice from an independent body on their proposed revenue from general rates for each financial year. Councils will need to provide information on their proposed rate revenue to this body at the end of the calendar year, along with critical information on the context in which this revenue change is proposed. This will include the council's view of the impact of the rate change on its ratepayers, whether the council has considered alternate mechanisms such as the responsible use of debt, the use of council reserves or exercising spending restraint and, most importantly, how the proposed change is consistent with the council's long-term financial plan and infrastructure and asset management plan.

The council must then include the advice from the independent body in its draft annual business plan, which is released for consultation along with the proposed response to this advice. Councils will not be required to comply with this advice, but if they do not propose to implement it then they should clearly explain to their community why that is the case. Again, when a council makes its final decision in the context of adopting its annual business plan and budget, this should include advice and the council's response.

The intention of this reform is to give ratepayers confidence that the rates they pay are necessary for councils to provide the services they value. If the independent body is of the view that a council has not responded appropriately to its advice, it may report this to the minister. The minister may then consider making recommendations or a direction to the council on the basis of that report.

The other key source of advice for councils will be through an expanded role for their existing audit committees. The bill proposes to extend the work of these critical bodies into audit and risk committees to provide independent assurance and advice to council on accounting, financial management, internal controls, risk management and governance matters.

To ensure the independence of this advice, the bill requires that all audit committees consist of a majority of independent members. This is not a step that has been taken lightly. I am aware of the concerns of some councils about the resource implications of replacing council members with independent members on their committees. However, the bill does provide councils with the capacity to form regional audit and risk committees, noting that it is of course open to councils to share members through administrative arrangements without formalising a regional committee.

I also draw members' attention to the fact that the requirement for audit and risk committees to have between three and five members will remain unchanged. Therefore, councils may choose to maintain a smaller committee to generate some cost savings. Chiefly, however, I am of the view that engaging quality independent audit and risk committee members is a relatively small investment in an arrangement that is critical to providing councils and their communities with assurances that their councils are managed in a financially appropriate and sustainable way.

Over the decade that audit committees have been in place, they have become an integral part of council management, relied on by both council bodies and their administration to be a source of support, sound advice, oversight and assurance. It is time to take the next step towards independent and skilled oversight.

Finally, in this in this reform area, I note the bill's proposal that councils transition away from using site or unimproved valuations as the basis for their rating. Currently, only seven councils use site value as the basis of rating. The bill proposes a consistent approach across the state. If passed, this will take some time for the seven councils to make this change, and we anticipate that any commencement will therefore be delayed to enable a smooth transition to a new scheme.

The third reform area is efficient and transparent local government representation. Like all governments, councils are elected. Voters in local government elections choose who they want to represent them, to lead their communities and to make decisions about the services that are provided to these communities and how these services are delivered and paid for. Every four years, periodic local government elections are held in South Australia, with a number of supplementary elections held across the intervening years as needed. This cycle provides an opportunity for us to regularly review and improve local government elections; accordingly, this bill puts forward a number of these improvements.

Along with amendments to elections time lines that specifically address postal voting, the bill also proposes a greater role for the Electoral Commission of South Australia in the nomination

process. It will become the single body to receive nominations and publish information on candidates and their disclosure of campaign gifts—all online. This will provide a more convenient, centralised service for candidates and voters, with access to information ahead of the close of polls.

The bill also introduces some new requirements for candidates to release information that is of critical interest to voters: any political or other organisational representation, whether they live in the area they are contesting and large campaign gifts and donations that they receive, expected to be gifts that are more than $2,500 in value.

The bill also includes changes to the supplementary election process in response to concerns expressed by the sector that these were becoming an increasing burden, particularly when vacancies are created either soon after or soon before a periodic election. Where a vacancy has been created less than 12 months following a periodic election, the bill removes the need for a supplementary election process and instead appoints the last excluded nominated person for that election, provided that they are still eligible and willing to serve.

The bill also extends the period immediately before a periodic election in which a supplementary election is not necessary to a full 12 months and allows those councils without wards and with more than nine members to carry an additional vacancy. Along with improvements to the election process, the bill also contains two significant reforms to council representation itself. The first of these will be a requirement for all councils to consist of no more than 12 elected members. Currently, 14 of our councils have more than 12 members. Our largest council has 18 members, which I note is not far off half the numbers in this place, where our entire state is represented.

The other change to councils' representative structure is a requirement for all councils to have a directly elected mayor. At this time, 14 councils elect a leader from within their own ranks. While this structure has served them well for many decades, it is now time for a consistent approach across the state that fully recognises the important leadership role of mayors and provides all South Australians with an opportunity to directly vote for this critical position.

Finally, the fourth reform area is simpler regulation. This reform program has provided an opportunity to look at the requirements that apply to councils in the Local Government Act and ensure that they deliver public benefit with minimal impact on council resources. The bill proposes real improvements to a range of council processes.

I understand that when the act first commenced, the requirement for councils to have public consultation policies was a novel concept. However, the bill contains a more modern approach to community engagement that will see a single community engagement charter replace the current rigid public consultation requirements scattered throughout the act that require councils to undertake the same specific, regulated processes regardless of the matter at hand.

The community engagement charter will be underpinned by good engagement principles. It will allow for a more flexible, principles-based approach to community consultation that can be tailored to what a council is consulting on. While it can set out principles and performance outcomes that are to apply, it can also specify mandatory requirements. I expect that the community engagement charter will establish these specific requirements when councils are considering strategic planning, rating policies and other important decisions.

The community engagement charter will be established by the minister but its development will be a collaborative effort with the LGA, councils and communities. The bill also provides for parliamentary scrutiny of the charter. In line with a more streamlined approach to community engagement, the bill also removes a large number of specific provisions throughout the act that require a council to provide information to its community in a variety of ways. This multitude of specific requirements will be replaced by a single list of information and documents that a council must make available on its website.

Councils will be required to provide printed copies of this material on request and may charge a fee for doing so. This simplifies the management of council information while ensuring that members of the community who cannot access material online can still access what they need in a way that is most practical for them. The bill replaces 'informal gatherings or discussions' with a simpler scheme of 'information and briefing sessions'. These new sessions will enable councils to

more easily discuss and better understand their business but will also retain the expectation that these sessions cannot be used to obtain, or effectively obtain, decisions that should be made in a public council meeting.

Councils will also need to let their communities know what they have met to discuss and whether the sessions have been open to the public. The bill strikes a balance between enabling council members to be well briefed and properly informed and making sure that critical decisions are debated and decided in an open chamber.

The bill also establishes a much more effective process when a council is considering to remove the community land status of land. Currently, councils must seek the minister's approval for all such proposals regardless of their size and impact. Under the new scheme, only more significant proposals will require ministerial approval. These proposals will include those instances where a council is proposing to sell or dispose of land that is currently used for a public purpose or as a community open space where more detailed analysis and greater oversight is appropriate.

The bill also allows the minister to set conditions for these approvals to ensure that the land is used for the purpose that a council has planned, particularly given the importance that this future use has on the decision regarding its approval. The bill will remove the current scheme that requires councils to provide permits for mobile food vendors and establishes detailed requirements for councils to maintain policies and location rules that apply to these businesses.

Instead, the bill allows for any operator of a business in a council area to apply to the Small Business Commissioner for a review when they feel they have been unreasonably affected by a council's decision on an authorisation or permit. The Small Business Commissioner will be empowered to conduct a review and may make recommendations to the relevant council and provide a report to the minister. This will create both a simpler and fairer system for all businesses that may be affected by councils' decisions.

The bill will also simplify the registers of interest that council members must maintain. The process of submitting registers will be streamlined and registers will be required to be published online in full, rather than only an extract of the register as is currently the case. This responds to concerns that the current publication requirement is administratively burdensome. There will, of course, be an exemption so that councils are not required to publish residential addresses or any other suppressed address to ensure that members' safety is not compromised.

In closing, I note again the importance of this bill to our councils and their communities. While it proposes many changes to councils and their operations, it is at its core an opportunity to provide the most important people in our local government system—our ratepayers and communities—with a greater sense of trust and confidence in their councils through stronger support, greater consistency, accountability and transparency, and better value for money. I commend the bill to the house. I seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

The short title of the Bill is the *Statutes Amendment (Local Government Review) Act 2020*.

2—Commencement

Commencement is by proclamation. Section 7(5) of the *Acts Interpretation Act 1915* is disapplied.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Local Government Act 1999*

4—Amendment of section 3—Objects

The objects of the Act are amended.

5—Amendment of section 4—Interpretation

These amendments relate to various definitions and interpretative provisions for the purposes of the measure. Key definitions include *behavioural standards*, *community engagement charter* and *integrity provision*.

In relation to the definition of *Commission*—a reference in this Act to the Commission or the *South Australian Local Government Boundaries Commission* is a reference to the *South Australian Local Government Grants Commission*.

6—Amendment of section 6—Principal role of council

The provision relating to the principal role of a council is amended.

7—Amendment of section 7—Functions of council

The provision relating to the functions of a council is amended.

8—Amendment of section 8—Principles to be observed by council

The provision relating to the principles to be observed by a council is amended.

9—Insertion of section 11A

Section 11A is inserted:

11A—Number of members

A council must not be comprised of more than 12 members. Transitional provisions relating to the implementation of the maximum number of members are provided for.

10—Amendment of section 12—Composition and wards

Amendments relating to the representation report are included. Changes relating to public consultation on the representation report reflect the proposed establishment of the community engagement charter.

Certain amendments (including the deletion of subsections (11a) to (11d)) are consequential on the proposed amendment relating to councils only having a mayor as the principal member.

11—Amendment of section 13—Status of council or change of various names

The requirement relating to publishing a notice in a newspaper is deleted.

12—Amendment of section 26—Principles

See the change to the definition of *Commission*.

13—Amendment of section 44—Delegations

Power to delegate to a joint planning board is included.

The other amendment is a *consequential inspection and publication amendment*: a reference in this report to a *consequential inspection and publication amendment* is a reference to the amendments deleting various provisions in the Act relating to making documents available for inspection at council offices and for copies of the documents to be provided on payment of a fee. Instead, section 132 provides for publication and access to such documents.

14—Amendment of section 45—Principal office

This amendment is consequential on the establishment of the community engagement charter.

15—Amendment of section 48—Prudential requirements for certain activities

16—Amendment of section 49—Contracts and tenders policies

These amendments are consequential inspection and publication amendments.

17—Substitution of Chapter 4 Part 5

Chapter 4 Part 5 is substituted:

Part 5—Community engagement

50—Community engagement charter

The Minister must establish a community engagement charter for the purposes of the Act. The charter is modelled on the community engagement charter under the *Planning, Development and Infrastructure Act 2016*. It will relate to community consultation and participation with respect to any decision, activity or process where compliance with the charter is contemplated by the Act, any other circumstance where compliance with the charter is contemplated by the Act and may relate to any other circumstances, or provide for any other matter, determined by the Minister.

The charter will be published in the Gazette and on a website determined by the Minister and will be disallowable in the same way as a regulation is under the *Subordinate Legislation Act 1978*.

50A—Council community engagement policy

A council must prepare and adopt a community engagement policy relating to community engagement for the purposes of the Act.

The policy must be consistent with the charter and will relate to community engagement in decisions, activities or processes of the council.

18—Amendment of section 51—Principal member of council

These amendments relate to councils having a mayor as the principal member (rather than the option of a mayor or a chairperson).

19—Amendment of section 54—Casual vacancies

One amendment is consequential on new section 55A. Other amendments are technical.

20—Amendment of section 55—Specific requirements if member disqualified

A penalty is increased. The other amendments are consequential.

21—Insertion of section 55A

Section 55A is inserted:

55A—Leave of absence—council member contesting election

This section makes provision to deal with the situation where a member of a council stands as a candidate for election as a member of State Parliament—basically, the member will be taken to have been granted leave of absence from the office of member of the council from the date on which nominations for the election close until the result of the election is publicly declared.

22—Amendment of section 58—Specific roles of principal member

Provisions relating to the role of the principal member of a council are amended.

23—Amendment of section 59—Roles of members of councils

Provisions relating to the role of members of councils are amended.

24—Substitution of heading to Chapter 5 Part 4

The heading to Chapter 5 Part 4 is substituted.

25—Substitution of heading to Chapter 5 Part 4 Division 1

The heading to Chapter 5 Part 4 Division 1 is substituted.

26—Insertion of Subdivision heading

A heading to Subdivision 1 is inserted.

27—Amendment of section 62—General duties

Penalty provisions are deleted. Other amendments provide for certain integrity provisions (a defined term) that apply to council members—these are relevant to complaints against members under Chapter 13. Other amendments are consequential.

28—Repeal of section 63

Section 63, which provided for the Code of Conduct for members, is repealed.

29—Substitution of heading to Chapter 5 Part 4 Division 2

The heading to Chapter 5 Part 4 Division 2 is substituted with a Subdivision heading.

30—Amendment of Chapter 5 Part 4 Division 2

This amendment is consequential on the redesignation of this Division as a Subdivision.

31—Amendment of section 64—Interpretation

The deletion of the definition of *return period* is consequential.

32—Amendment of section 67—Form and content of returns

A penalty provision is deleted. The other amendment is technical.

33—Amendment of section 68—Register of Interests

Provision is made for suspension of a member for failure to submit a return for the purposes of the Subdivision. Disqualification by SACAT may follow if the suspension continues for a prescribed period.

34—Amendment of section 69—Provision of false information

A penalty provision is deleted.

35—Amendment of section 70—Publication of Register

Provision is made for the chief executive officer of a council to publish the Register on a website (except certain details).

36—Amendment of section 71—Restriction on publication

The penalty is increased.

37—Insertion of Chapter 5 Part 4 Division 1 Subdivision 3

Chapter 5 Part 4 Division 1 Subdivision 3 is inserted:

Subdivision 3—Gifts and benefits 72A—Register of gifts and benefits

The provisions relating to a register of gifts and benefits for member are inserted into the Act.

38—Substitution of Chapter 5 Part 4 Division 3

Chapter 5 Part 4 Division 3 is substituted:

Subdivision 4—Conflicts of interest

73—Preliminary

New Subdivision 4 provides for conflicts of interest as a Subdivision in substantially the same terms as much of the current Division, although certain changes are proposed. Certain requirements apply to general conflicts of interest, while other requirements apply to material conflicts of interest.

74—General conflicts of interest 75—Material conflicts of interest

75A—Exemptions and other matters

75B—Dealing with general conflicts of interest

75C—Dealing with material conflicts of interest

75D—Application of Subdivision to members and meetings of committees and subsidiaries

39—Insertion of Chapter 5 Part 4 Division 2

Chapter 5 Part 4 Division 2

Division 2—Member behaviour

75E—Behavioural standards

The Minister may establish standards of behaviour to be observed by members of councils. While Chapter 5 Part 4 Division 1 relates to member integrity, the behavioural standards will relate to member behaviour.

The behavioural standards will be published in the Gazette and on a website determined by the Minister and will be disallowable in the same way as a regulation is under the *Subordinate Legislation* Act *1978*.

75F—Council behavioural support policies

A council may prepare behavioural support policies designed to support appropriate behaviour by members of the council.

A policy may specify directions relating to behaviour that must be observed by members of the council and set out guidelines relating to compliance by members with the behavioural standards.

Division 3—Health and safety duties

75G—Health and safety duties

Certain health and safety duties are imposed on council members, including the requirement to comply with any reasonable direction that is given by a responsible person (a defined term) for the purposes of ensuring that the member's acts or omissions do not adversely affect the health and safety of other

members of the council or employees of the council. The duties are in addition to and do not limit the *Work Health and Safety Act 2012*.

40—Amendment of section 76—Allowances

These amendments are technical.

41—Amendment of section 77—Reimbursement of expenses 42—Amendment of section 79—Register of allowances and benefits

These amendments are consequential inspection and publication amendments.

43—Amendment of section 80A—Training and development

These amendments relate to the training and development policy of councils and mandatory training and development for members. Significantly, a member of a council who fails to comply with the prescribed mandatory requirements, must be suspended from office, unless the member satisfies the chief executive officer that there were good reasons for the failure to comply. Provision is made in relation to suspensions and for an application to be made to SACAT for disqualification of the member if the suspension continues for a period of more than the prescribed period.

44—Insertion of Chapter 5 Part 7

Chapter 5 Part 7 is inserted:

Part 7—Other matters

80B—Suspension—member of council subject to intervention order

Provision is made for the chief executive officer of a council to suspend a member subject to an interim intervention order where a person protected by the order is another member, or an employee, of the council.

If a member of a council is subject to a final intervention order where a person protected by the order is another member, or an employee, of the council, the member is suspended from the office of member of the council (by operation of the provision). An application may be made to SACAT for disqualification of the member if the suspension continues for a period of more than the prescribed period.

45—Amendment of section 83—Notice of ordinary or special meetings

One amendment is technical. The other is a consequential inspection and publication amendment.

46—Amendment of section 84—Public notice of council meetings

These amendments relate to inspection and publication of the notice and agenda for council meetings.

47—Amendment of section 85—Quorum

A member of a council who is suspended from, or on leave of absence from, the office of member of the council is not to be counted in the total number of members of the council for the purposes of calculating quorum.

48—Amendment of section 86—Procedure at meetings

The presiding member is given certain powers relating to members who behave in an improper or disorderly manner or cause an interruption or interrupt another member who is speaking at a meeting.

Another amendment is consequential.

49—Amendment of section 87—Calling and timing of committee meetings

This amendment is technical.

50—Amendment of section 88—Public notice of committee meetings

These amendments relate to inspection and publication of the notice and agenda for council committee meetings.

51—Amendment of section 90—Meetings to be held in public except in special circumstances

The provisions relating to 'informal gatherings' are repealed (see below). A new basis for a confidentiality order is included.

52—Insertion of section 90A—Information or briefing sessions

New section 90A is inserted. It replaces the current provisions relating to 'informal gatherings':

90A—Information or briefing sessions

Provision is made in relation to a council or chief executive officer holding or arranging for the holding of an *information or briefing session* (not being a formal meeting of a council or council committee)

to which 1 or more members of the council or a council committee are invited to attend or be involved in for the purposes of providing information or a briefing to attendees. The provision impose certain requirements relating to such sessions.

53—Amendment of section 91—Minutes and release of documents

These amendments are consequential inspection and publication amendments.

54—Amendment of section 92—Access to meetings and documents—code of practice

These amendments are both consequential inspection and publication amendments and also consequential on the establishment of the community engagement charter.

55—Amendment of section 93—Meetings of electors

One amendment changes the requirement to give notice by advertisement in a newspaper circulating in the area to notice on a website. The other relates to councils only having a mayor as the principal member.

56—Repeal of section 94A

Section 94A is repealed (as a consequential inspection and publication amendment).

57—Amendment of section 97—Vacancy in office

This amendment provides that before terminating the appointment of a chief executive officer on a ground referred to in subsection (1)(a)(iv) or (v) or (1)(b), a council must have regard to advice from a qualified independent person (which is defined).

58—Amendment of section 98—Appointment procedures

One amendment relates to the selection process for appointing a chief executive officer. The other changes the requirement to give notice by advertisement in a newspaper circulating in the State to notice on a website.

59—Amendment of section 99—Role of chief executive officer

Certain matters are added to the list relating to the role of chief executive officer.

60—Insertion of section 99A

Section 99A is inserted:

99A—Remuneration of chief executive officer

The Remuneration Tribunal will determine (from time to time) the minimum and maximum remuneration that may be paid or provided to chief executive officers of councils. The council will determine the remuneration (within that range). Other provisions relate to the jurisdiction and procedures of the Remuneration Tribunal.

61—Insertion of section 102A

Section 102A is inserted:

102A—Chief executive officer—performance review

Requirements relating to councils reviewing the performance of chief executive officers are provided for.

62—Amendment of section 105—Register of remuneration, salaries and benefits

These amendments are consequential inspection and publication amendments.

63—Substitution of heading to Chapter 7 Part 4

The heading to Chapter 7 Part 4 is substituted.

64—Substitution of heading to Chapter 7 Part 4 Division 1

The heading to Chapter 7 Part 4 Division 1 is substituted.

65—Insertion of Subdivision heading

A heading to Subdivision 1 is inserted.

66—Amendment of section 108—Interpretation

This amendment is consequential.

67—Amendment of section 109—General duty and compliance

Provision is made that an employee of a council must comply with the integrity provisions relating to employees (and disciplinary action may result in the event of a breach).

68—Repeal of section 110

Section 110, which provided for the Code of Conduct for employees, is repealed.

69—Amendment of section 110A—Duty to protect confidential information

The offence provision relating to protecting confidential information is amended consistently with the equivalent provision for members.

70—Substitution of heading to Chapter 7 Part 4 Division 2

The heading to Chapter 7 Part 4 Division 2 is substituted with a Subdivision heading.

71—Amendment of Chapter 7 Part 4 Division 2

This amendment is consequential.

72—Amendment of section 117—Provision of false information

73—Amendment of section 119—Restrictions on disclosure

Penalty provisions are deleted.

74—Insertion of Chapter 7 Part 4 Division 1 Subdivision 2A

New Subdivision 2A is inserted:

Subdivision 2A—Gifts and benefits 119A—Register of gifts and benefits

The provisions relating to the register of gifts and benefits for employees are relocated from the regulations into the Act.

75—Substitution of heading to Chapter 7 Part 4 Division 3

The heading to Chapter 7 Part 4 Division 3 is substituted with a Subdivision heading.

76—Amendment of section 120—Conflict of interest

Certain amendments are for consistency with the equivalent amendments for members. Other amendments increase the penalty provisions.

77—Insertion of Chapter 7 Part 4 Division 2

Chapter 7 Part 4 Division 2 is inserted:

Division 2—Employee behaviour

120A—Behavioural standards

A council may prepare and adopt employee behavioural standards that specify standards of behaviour to be observed by employees and provide for any other matter relating to behaviour of employees. Contravention of, or failure to comply with, the council's employee behavioural standards constitutes a ground for suspending, dismissing or taking other disciplinary action against the employee.

78—Amendment of section 122—Strategic management plans

Councils are required to prepare a funding plan. Other amendments are technical. One relates to the establishment of the community engagement charter.

79—Amendment of section 123—Annual business plans and budgets

Certain amendments relate to councils being required to state their change in total revenue from general rates for the financial year (and various related details) in their annual business plan. Provision is made for a process of councils providing the draft plan to a designated authority (along with other information required by the authority) and then receiving advice from the authority relating to the appropriateness of the change in total revenue from general rates (and that advice along with the council's response is included in adopted annual business plans). The designated authority is authorised to recover from a council its reasonable costs in performing its functions under this section in relation to the council.

Another amendment relates to the establishment of the community engagement charter. Other amendments are technical.

80—Amendment of heading to Chapter 8 Part 3 Division 2

The heading to Chapter 8 Part 3 Division 2 is amended.

81—Amendment of section 125—Internal control policies

The policies, practices and procedures of internal control of a council (under section 125(1) of the Act) must comply with any standards or other document relating to internal control prescribed by the regulations. Requirements for councils to have appropriate policies, systems and procedures relating to risk management are provided for.

82—Insertion of section 125A

Section 125A is inserted:

125A—Internal audit functions

A requirement for the chief executive officer of a council that has an internal audit function to consult with the relevant audit and risk committee before appointing a person to be primarily responsible for the internal audit function is provided for. That person must report directly to the audit and risk committee in relation to the internal audit function.

83—Amendment of section 126—Audit and risk committee

Key amendments relate to the membership of a council audit and risk committee, its functions and reporting requirements. One amendment provides for the purpose of an audit and risk committee.

84—Insertion of section 126A

Section 126A is inserted:

126A—Regional audit and risk committee

Provision is made for two or more councils to establish a regional audit and risk committee. Key amendments relate to the membership of a regional audit and risk committee, its functions and reporting requirements. One amendment provides for the purpose of a regional audit and risk committee.

85—Amendment of section 127—Financial statements

This amendment is a consequential inspection and publication amendment.

86—Amendment of section 128—Auditor

Requirements relating to a firm that has held office as auditor of a council for 5 successive financial years are imposed. Other amendments are consequential.

87—Amendment of section 129—Conduct of audit 88—Amendment of section 130A—Other investigations

These amendments are consequential.

89—Amendment of section 131—Annual report to be prepared and adopted

This amendment is a consequential inspection and publication amendment.

90—Insertion of section 131A

Section 131A is inserted:

131A—Provision of information to Minister

This section provides for councils to provide certain information to the Minister for publication by the Minister.

91—Amendment of section 132—Access to documents

Provision is made for councils to publish a document referred to in Schedule 5 on a website determined by the chief executive officer of the council and provide a printed copy on request (for a fee, if charged by the council). Other amendments are consequential.

92—Amendment of section 147—Rateability of land

This amendment is consequential on the amendments relating to rating on the basis of site value.

93—Amendment of section 151—Basis of rating

One amendments relates to rating on the basis of site value. Another amendment relates to the establishment of the community engagement charter. Other amendments are consequential inspection and publication amendments.

94—Amendment of section 153—Declaration of general rate (including differential general rates)

This amendment is consequential.

95—Amendment of section 156—Basis of differential rates

These amendments are all consequential on the establishment of the community engagement charter and the inspection and publication amendments.

96—Substitution of section 170

Section 170 is inserted:

170—Notice of declaration of rates

This is a consequential amendment relating to the giving of public notice.

97—Amendment of section 181—Payment of rates—general principles

98—Amendment of section 184—Sale of land for non-payment of rates

These amendments are consequential.

99—Amendment of section 188—Fees and charges

This amendment is a consequential inspection and publication amendment.

100—Amendment of section 193—Classification

These amendments are all consequential on the establishment of the community engagement charter and the inspection and publication amendments.

101—Amendment of section 194—Revocation of classification of land as community land etc

Amendments are made to the process by which a council may revoke the classification of land as community land in accordance with this section. In particular, power is included for the Governor to make certain defined amendments to Schedule 8 (which provides for certain land to be community land) from time to time by regulation.

102—Insertion of sections 194A and 194B

New sections 194A and 194B are inserted:

194A—Revocation of community land classification requiring Ministerial approval—process

This section sets out the process for the revocation of any community land classification that requires Ministerial approval.

194B—Revocation of community land classification of other land—process

This section sets out the process for the revocation of any other community land classification.

103—Amendment of section 196—Management plans

104—Amendment of section 197—Public consultation on proposed management plan

105—Amendment of section 202—Alienation of community land by lease or licence

106—Amendment of section 207—Register

107—Amendment of section 219—Power to assign name, or change name, of road or public place

These amendments are consequential.

108—Amendment of section 221—Alteration of road

Amendments are made in relation to consultation requirements relating to alterations of public roads approved as part of development authorisations under the *Planning, Development and Infrastructure Act 2016*.

109—Amendment of section 222—Permits for business purposes

The requirement that a council must grant a permit for a mobile food vending business is repealed.

Subsections (6a) to (6c) (to be inserted by the *Planning, Development and Infrastructure Act 2016*) are repealed.

110—Amendment of section 223—Public consultation

111—Amendment of section 224—Conditions of authorisation or permit

112—Repeal of section 224A

113—Amendment of section 225—Cancellation of authorisation or permit

114—Repeal of section 225A

These amendments are consequential.

115—Amendment of section 225B—Review of granting of authorisations and permits

A business operator may apply for a review of certain types of matters relating to authorisations and permits by the Small Business Commissioner.

116—Amendment of section 231—Register

117—Amendment of section 232—Trees

These amendments are consequential.

118—Amendment of section 234AA—Interaction with processes associated with development authorisations

119—Amendment of section 234A—Prohibition of traffic or closure of streets or roads

120—Amendment of section 237—Removal of vehicles

These amendments are consequential.

121—Amendment of section 246—Power to make by-laws

One amendment increases the maximum penalty for breach of a by-law to $1 250. Other amendments are consequential.

122—Amendment of section 249—Passing by-laws

123—Amendment of section 250—Model by-laws

124—Amendment of section 252—Register of by-laws and certified copies

125—Amendment of section 259—Councils to develop policies

These amendments are consequential.

126—Insertion of Chapter 13 Part A1

Chapter 13 Part A1 is inserted and relates to behaviour of members (as opposed to integrity of members). Division 1 provides for councils to deal with allegations that a member of a council has contravened or failed to comply with Chapter 5 Part 4 Division 2 (the Ministerial behavioural standards and council behavioural support policies). Division 2 establishes the Behavioural Standards Panel. Provision is made for the Panel to inquire into and take action in relation to complaints referred to Panel. These complaints must relate to *misbehaviour*, *repeated misbehaviour* or *serious misbehaviour* (all of which are defined) by a member of a council and only certain persons and bodies may refer matters to the Panel. Provisions is made relating to the referral of matters to the Office of Public Integrity by a council or the Panel in certain circumstances.

Part A1—Member behaviour

Division 1—Council to deal with member behaviour

262A—Complaints

262B—Behaviour management policy

262C—Action

262D—Reasons

Division 2—Behavioural standards panel

Subdivision 1—Preliminary

262E—Preliminary

Subdivision 2—Behavioural standards panel

262F—Establishment and constitution

262G—Conditions of membership

262H—Acting member

262I—Meetings of Panel 262J—Remuneration and expenses 262K—Staff

262L—Validity of acts of Panel

262M—Costs 262N—

Functions 262O—Delegation

262P—Annual report

Subdivision 3—Inquiries and action on complaints referred to Panel

262Q—Referral 262R—Proceedings of Panel

262S—Assessment 262T—Inquiries

262U—Powers relating to inquiries

262V—Dispute resolution

262W—Action

262X—Reports on inquiries

Division 3—Miscellaneous

262Y—Referral of complaint to OPI

127—Amendment of heading to Chapter 13 Part 1

The heading to Chapter 13 Part 1 is amended to reflect the fact that Part 1 is to relate to integrity of council members.

128—Repeal of section 263

This amendment is consequential.

129—Amendment of section 263A—Investigations by Ombudsman

Certain amendments relate to the fact that the Ombudsman will investigate matters that involve a contravention of, or failure to comply with, an integrity provision by a member of a council. Other amendments relate to the referral of integrity matters to the Ombudsman by councils or the Panel.

130—Amendment of section 263B—Outcome of Ombudsman investigation

Amendments are made to the powers of the Ombudsman following investigation of a matter.

131—Amendment of section 264—Complaint lodged with SACAT

These amendments provide that a complaint against a member of a council may be lodged with SACAT under this section on the ground of failure to comply with an integrity provision, misbehaviour, repeated misbehaviour or serious misbehaviour or for certain failures to comply with recommendations or orders of the Ombudsman or Panel. Consequential amendments are made to certain preconditions that apply before a complaint may be made.

132—Amendment of section 265—Hearing by SACAT

This amendment is consequential.

133—Amendment of section 267—Outcome of proceedings

Amendments are made to SACAT's power to make orders on a complaint. Another amendment is consequential.

134—Repeal of section 269

A spent provision is repealed.

135—Amendment of section 270—Procedures for review of decisions and requests for services

One amendment imposes a time limit for applying for a review under the section. A fee may be imposed on the application. Another amendment provides that no provision may be made under the section for a review of a decision of a council to refuse to deal with, or determine to take no further action in relation to, a complaint under Part A1 Division 1 by a person who is dissatisfied with the decision.

136—Amendment of section 273—Action on report

The list of persons who may provide the Minister with a report on which action may be taken under the section is expanded to include the designated authority under section 123, the Small Business Commissioner, the Behavioural Standards Panel and an administrator of a council. Other amendments are consequential.

137—Amendment of section 279—Service of documents by councils etc

138—Amendment of section 280—Service of documents on councils

These amendments are technical.

139—Amendment of section 303—Regulations

An amendment is made to the regulation making powers to include power to make savings and transitional regulations for the purposes of the measure.

140—Amendment of Schedule 1A—Implementation of Stormwater Management Agreement

141—Amendment of Schedule 2—Provisions applicable to subsidiaries

These amendments are technical or consequential.

142—Amendment of Schedule 3—Register of Interests—Form of returns

Various technical amendments are made to the requirements relating to the Register of Interests.

143—Amendment of Schedule 4—Material to be included in annual report of council

144—Amendment of Schedule 5—Documents to be made available by councils

These amendments are consequential.

145—Amendment of Schedule 8—Provisions relating to specific land

Schedule 8, clause 13(5), definition of *Gawler Park Lands and Pioneer Park*—delete the definition and substitute:

Gawler Park Lands means the whole of the land comprised in Certificate of Title Register Book Volume 6182 Folio 891;

Pioneer Park means the whole of the land comprised in Certificate of Title Register Book Volume 5846 Folio 672 and Volume 5846 Folio 673.

146—Insertion of Schedule 9

Schedule 9 is inserted:

Schedule 9—Suspension of members

The Schedule makes provision in relation to the suspension of members under various provisions in the Act.

147—Transitional provisions

Certain fundamental transitional provisions are included for the purposes of the measure.

Part 3—Amendment of *Local Government (Elections) Act 1999*

148—Amendment of section 4—Preliminary

This clause replaces the definition of *public notice* so that it has the same meaning as in section 4(1aa) of the *Local Government Act 1999*.

149—Substitution of section 5

This clause replaces the current provision dealing with how often periodic elections will be held and when voting will close with a provision that states that periodic elections will continue to be held at intervals of 4 years and that voting closes on the second to last, rather than last, business day before the second Saturday of November in 2022 and so on.

150—Amendment of section 6—Supplementary elections

This clause amends the circumstances in which a supplementary election will not be held to fill a casual vacancy such that a supplementary election will not be held if:

- the vacancy occurs within 12 months before polling day for a periodic election or general election if the date of the polling day is known at the time the vacancy occurs; or
- there are no more than 2 vacancies in a council of 9 or more offices (excluding the office of mayor) or there is only 1 vacancy in a council of less than 9 offices (excluding the office of mayor); or
- the vacancy occurs within 12 months after the conclusion of a periodic election, can be filled in accordance with section 6A and is not for the office of mayor or a member declared elected under section 25(1).

This clause also amends the circumstances in which a supplementary election must be held such that a supplementary election must be held if an additional vacancy occurs more than 12 months before polling day for a periodic election or general election if the date of the polling day is known at the time the vacancy occurs.

It also removes the provision stating that voting in a supplementary election will close at 12 noon on polling day and instead requires that a notice fix the time for voting to close.

151—Insertion of section 6A

This clause inserts section 6A into the Act.

6A—Filling vacancy in certain circumstances

This section allows a casual vacancy to be filled without a supplementary election where section 6(2)(c) applies by determining, in accordance with the regulations, the successful candidate in the most recent election for the relevant office to fill the vacancy and whether they are still willing and eligible to be elected and, if not, the next successful candidate and so on until the vacancy is filled.

152—Amendment of section 7—Failure of election in certain cases

This clause includes in section 7 of the Act that an election will be taken to have failed if, between the close of nominations and the close of voting, a nominated candidate becomes ineligible in accordance with section 17 and the election was to fill 1 vacancy or 2 or more candidates become ineligible.

153—Amendment of section 9—Council may hold polls

The amendments in this clause require the council to fix a day as polling day for a poll by notice published on the council website, rather than in a newspaper circulating in its area, and change the time at which voting at a poll closes where the poll is being held in conjunction with an election to the time at which voting at the election closes.

154—Amendment of section 13A—Information, education and publicity for general election

The amendments in this clause provide that councils must inform potential electors in their area of the requirement to apply to be enrolled on the voters roll in accordance with the community engagement charter (which has the same meaning as in the *Local Government Act 1999*).

155—Amendment of section 15—Voters roll

This clause amends section 15 of the Act as follows:

- by reducing the period by which the voters roll must close before a periodic election to 81 days before polling day; and
- by allowing the Electoral Commissioner to supply the chief executive officer with a list of the persons who are enrolled as electors for the House of Assembly in respect of a place of residence within the area at any time; and
- by removing the requirement that a copy of the voters roll provided to a nominated candidate be in printed form; and
- by including an offence with a maximum penalty of $10,000 if a person uses a copy of the voters roll, or information in a copy of the roll, for a purpose other than the distribution of matter calculated to affect the result of an election or a purpose related to the holding of such an election.

156—Amendment of section 17—Entitlement to stand for election

This clause removes the concept of a *prescribed person* from section 17 and allows a person who is not the person designated to vote on behalf of a body corporate or group to be nominated to stand for election as a member of a council (subject to certain qualifications such as being above the age of majority and being an officer of the body corporate or a member of the group, or an officer of a body corporate that is a member of the group).

157—Amendment of section 19A—Publication of candidate profiles

This clause deletes the option for a nominated candidate to provide an electoral statement to the LGA, requires the returning officer, rather than the LGA, to publish each candidate's profile on the Internet and deletes the requirement for the returning officer to forward a copy of a candidate profile to the LGA.

158—Substitution of section 21

This clause substitutes section 21 of the Act.

21—Publication etc of valid nominations

This section requires the returning officer to provide a council with a list of all valid nominations relevant to the council's area and publish a list of all valid nominations on the Internet within 24 hours after the close of nominations.

159—Amendment of section 27—Publication of electoral material

This clause amends section 27 of the Act as follows:

- by replacing the requirement that printed electoral material contain the address of the printer with a requirement that it contain prescribed information; and
- by inserting a new subsection that excludes the requirement for the name and address of the person who authorises publication of electoral material to be contained in the material if the material is published on the Internet and the name and address of the person is immediately accessible by viewers of the material in accordance with any requirements prescribed by regulation; and

- by inserting a new subsection that provides that a person is not taken to have published electoral material or caused it to be published if it is published by someone else on an Internet site or platform established or controlled by the person unless they directly or indirectly authorised its publication.

160—Amendment of section 28—Publication of misleading material

This clause inserts a new subsection into section 28 of the Act to provide that a person is not taken to have authorised, caused or permitted the publication of electoral material if it is published by someone else on an Internet site or platform established or controlled by the person unless they directly or indirectly authorised its publication.

161—Amendment of section 29—Ballot papers

This clause amends the time at which the drawing of lots is to be conducted to 4 pm or soon after on the day of the close of nominations in the case of a periodic election and 12 noon or soon after on the day of the close of nominations in any other case.

162—Amendment of section 31—Special arrangements for issue of voting papers

This clause removes the reference to 'personal' delivery of voting papers in section 31 and provides that voting papers may be delivered in printed or electronic form.

163—Amendment of section 35—Special arrangements for issue of voting papers

This clause removes the reference to 'personal' delivery of voting papers in section 35 and provides that voting papers may be delivered in printed or electronic form.

164—Substitution of heading to Part 9

This clause changes the heading to Part 9 from 'Postal voting' to 'Voting generally'.

165—Amendment of section 37—Postal voting to be used

This clause provides that voting being conducted on the basis of postal voting is subject to proposed section 41A and removes the requirement that delivery and collection of voting papers under Part 8 be personal.

166—Amendment of section 38—Notice of use of postal voting

This clause extends the time by which the returning officer must inform electors that voting will be conducted entirely be means of postal voting to at least 28 days, rather than 21 days, before polling day.

167—Amendment of section 39—Issue of postal voting papers

The time by which voting papers must be issued to voters on the roll is extended to 21 days before polling day and the time by which a person, body corporate or group whose name does not appear on the voters roll but who claims to be entitled to vote must apply to the returning officer for voting papers is extended to 5 pm on the seventh day before polling day.

168—Insertion of section 41A

This clause inserts section 41A.

41A—Assisted voting

This section allows the regulations to make provision for voting in an election or poll by prescribed electors, being sight-impaired electors or electors of a class prescribed by the regulations, by means of an assisted voting method.

169—Amendment of section 43—Issue of fresh postal voting papers

The current time frame for an application for the issue of fresh voting papers to be received by the returning officer is deleted and replaced with a requirement that such an application be received by the returning officer not later than 5 pm on the seventh day before polling day.

170—Amendment of section 47—Arranging postal papers

The current time frame for the returning officer to ensure that all voting papers returned for the purposes of an election or poll are made available is deleted and replaced with a requirement that this occur, in the case of a supplementary election or a poll held in conjunction with a supplementary election, as soon as is practicable after the close of voting and, in any other case, on the second day following polling day.

171—Amendment of section 48—Method of counting and provisional declarations

This clause inserts a new subsection into section 48 of the Act to provide that the method of distributing ballot papers in an election with 1 vacancy is the same as the method used when conducting an optional preferential count and provides that the method of distributing votes if a candidate becomes ineligible in accordance with section 17 between the close of nominations and close of voting is the same as if a candidate has died in that period.

172—Amendment of section 55A—Filling vacancy if successful candidate dies

This clause amends the method used to replace a successful candidate who has died between the close of voting at an election and the first meeting of the council after that election, where the election was to fill at least 2 vacancies and no other successful candidate has died, so that the returning officer determines, in accordance with the regulations, the successful candidate in the most recent election for the relevant office to fill the vacancy and whether they are still willing and eligible to be elected and, if not, the next successful candidate and so on until the vacancy is filled.

173—Amendment of section 57—Violence, intimidation, bribery etc

The definition of *bribe* in section 57 is amended to only apply to food, drink or entertainment the value of which is of or above the prescribed value.

174—Insertion of section 69A

This clause inserts new section 69A.

69A—Electoral Commissioner may lodge petition

This section allows the Electoral Commissioner to lodge a petition, signed by the Electoral Commissioner, in the Court of Disputed Returns to dispute the validity of an election on the basis of an error in the recording, scrutiny, counting or recounting of votes and disapplies certain provisions of section 70.

175—Amendment of section 70—Procedure upon petition

This clause changes the wording in section 70(1)(b) of the Act from 'to which the petitioner claims to be entitled' to 'which the petitioner seeks'.

176—Amendment of section 73—Illegal practices and orders that may be made

This clause inserts 2 new subsections into section 73 of the Act which allow an election to be declared void on the ground of the defamation of a candidate or on the ground of publication of misleading material if the Court of Disputed Returns is satisfied, on the balance of probabilities, that the result of the election was affected by the defamation or publication of the material.

177—Substitution of section 80

This clause substitutes section 80 of the Act.

80—Returns for candidates

This section provides that a candidate for election must furnish to the returning officer a campaign donations return and large gifts return in a form and manner determined by the returning officer and within certain time frames.

178—Amendment of section 81—Campaign donations returns

This clause amends section 81 as follows:

- by removing the exception that information about a registered industrial organisation need not be included in a campaign donations return when a gift is made on behalf of the members of such an organisation; and
- by providing that a gift disclosed in a large gifts return need not be included in a campaign donations return; and
- by deleting subsection (3) (the contents of which is to become section 81B and apply to both campaign donations returns and large gifts returns).

179—Insertion of sections 81A and 81B

This clause inserts sections 81A and 81B.

81A—Large gifts returns

This section provides that if a candidate for election receives a gift or gifts from a person during the disclosure period, the total amount or value of which is more than the prescribed amount, the candidate must furnish a return to the returning officer. It also sets out the information that must be included in the return and states that such a return need not be furnished in respect of a private gift made to the candidate.

81B—Disclosure period etc for returns

This section sets out provisions relevant to campaign donations returns and large gifts returns (that are currently in section 81(3) of the Act) such as the disclosure period for the returns, when a candidate is a 'new candidate' and when a gift is a 'private gift'.

180—Amendment of section 83—Inability to complete return

This clause amends section 83 of the Act so that the reference to the 'chief executive officer' becomes a reference to the 'returning officer'.

181—Amendment of section 84—Amendment of return

This clause amends all references to the 'chief executive officer' in section 84 of the Act to the 'returning officer'.

182—Amendment of section 86—Failure to comply with Division

This clause amends section 86 of the Act so that the reference to the 'chief executive officer' becomes a reference to the 'returning officer' and moves text in brackets in subsection (3) to a note.

183—Amendment of section 87—Public inspection of returns

This clause amends section 87 of the Act to require the returning officer, rather than chief executive officer of a council, to keep at their principal office, and publish on a website after a certain period of time, returns furnished under Part 14 Division 1. It also removes the entitlement of a person to inspect a return at the principal office of a council or obtain a copy of a return for a fee.

184—Amendment of section 89—Requirement to keep proper records

This clause amends the reference to the 'chief executive officer of the council' in section 89 to 'returning officer'.

185—Amendment of section 91A—Conduct of council during election period

This clause moves the requirement that a caretaker policy must prohibit allowing the use of council resources for the advantage of a particular candidate or group of candidates during the election period from the definition of *designated decision* to subsection (2).

186—Amendment of section 93—Regulations

This clause amends the regulation-making provision to allow the regulations to provide that the Electoral Commissioner or a prescribed authority have the discretion to determine, dispense with, regulate or prohibit a matter or thing.

Part 4—Amendment of *City of Adelaide Act 1998*

187—Amendment of section 4—Interpretation

This clause inserts definitions of *default person*, *eligible person* and *nominated person* into section 4 of the Act.

188—Amendment of section 20—Constitution of Council

This clause removes the prohibition on a person holding office as Lord Mayor for more than 2 consecutive terms.

189—Amendment of section 21—Lord Mayor

This clause inserts additional roles into the list of the roles of the Lord Mayor as principal member of the Council.

190—Amendment of section 22—Members

This clause inserts additional roles into the list of the roles of a member as a member of the governing body of the Council.

191—Amendment of Schedule 1—Special provisions for elections and polls

This clause amends Schedule 1 of the Act as follows:

- by ensuring consistency with the amendments to the *Local Government (Elections) Act 1999*; and
- by providing for a scheme for bodies corporate and groups to nominate a person to vote on their behalf or, if no nomination is made, for the Council to nominate a default person to vote on behalf of a body corporate or group.

Part 5—Amendment of *Crown Land Management Act 2009*

192—Insertion of section 20A

Section 20A is inserted:

20A—Revocation of dedicated land classified as community land

This section sets out that if the dedication of land is revoked under section 19 or the land is withdrawn from the care, control and management of a council under section 20 of the *Crown Land Management Act 2009* the land is deemed not to be classified as community land under the *Local Government Act 1999*.

Part 6—Amendment of *Equal Opportunity Act 1984*

193—Amendment of section 87—Sexual harassment

The provision making it unlawful for a member of a council to subject to sexual harassment an officer or employee of the council is expanded to include another member of the council.

Part 7—Amendment of *Planning, Development and Infrastructure Act 2016*

194—Amendment of section 83—Panels established by joint planning boards or councils

A member of a council appointed as a member of an assessment panel is not required to disclose their financial interests in accordance with Schedule 1 of the *Planning, Development and Infrastructure Act 2016* while the member holds office as a member of a council (on the basis that they disclose interests under the *Local Government Act 1999*).

195—Amendment of section 84—Panels established by Minister

A member of a council appointed as a member of an assessment panel is not required to disclose their financial interests in accordance with Schedule 1 of the *Planning, Development and Infrastructure Act 2016* while the member holds office as a member of a council (on the basis that they disclose interests under the *Local Government Act 1999*).

Part 8—Amendment of *Public Finance and Audit Act 1987*

196—Amendment of section 4—Interpretation

197—Amendment of section 30—Obligation to assist Auditor-General

These amendments are consequential.

198—Amendment of section 32—Audit etc of publicly funded bodies and projects and local government indemnity schemes

The power to conduct audits and review are added to the existing powers of examination under the section. Certain amendments relate to confidentiality of documents. Other amendments relate to reporting on audits, reviews and examinations. Other amendments are consequential.

199—Amendment of section 34—Powers of Auditor-General to obtain information

This amendment is consequential.

Part 9—Amendment of *South Australian Local Government Grants Commission Act 1992*

200—Amendment of section 19—Information to be supplied to Commission

Section 19(3) is made subject to any relevant provision of the Commonwealth Act or an instrument under that Act.

Debate adjourned on motion of Ms Hildyard.

LABOUR HIRE LICENSING (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:11): I move:

That this bill be now read a second time.

The Labour Hire Licensing (Miscellaneous) Amendment Bill 2020 amends the Labour Hire Licensing Act 2017, which hereafter I will refer to as 'the act', introduced by the former government. Following consultation with various stakeholders and members of the parliament, the bill I introduce here proposes amendments to narrow the scope of the scheme to target vulnerable workers in high-risk industries, which have been consistently identified in government reports.

The act currently requires anyone who provides labour hire in South Australia to be licensed; however, since the commencement of the licensing scheme, the government has received numerous complaints about the scheme's broad scope and application. Numerous submissions have been made, including from industry representative groups and small businesses, outlining their confusion, angst and concern in relation to the scheme.

Following a review of the submissions, it became apparent that the licensing scheme applies to a range of businesses that were not intended to be captured, as opposed to focusing on the exploitation of vulnerable workers in high-risk industries. These laws create an unnecessary layer of red tape for a number of industries well and truly beyond what is reasonably required. Some examples of the businesses that are currently captured but would not be under the revised bill include:

- IT consultants being outsourced to various businesses;
- dental labour hire businesses providing hygienists, dentists and receptionists;
- legal firms engaging in labour hire by providing legal practitioners to work with other businesses as in-house counsel or barristers being sent to work for various clients;
- universities sending academic staff to other educational institutions, as well as medical professionals being sent to act as lecturers at universities; and
- church ministers being sent to other parishes where the resident minister is unavailable.

Accordingly, we now seek amendments to narrow the scope of the scheme to ensure that these laws apply specifically to labour hire providers operating within high-risk industries where workers are more vulnerable to exploitation, rather than capturing industries where there is no suggestion of worker exploitation occurring.

The industries prescribed arise from findings from the Migrant Workers' Taskforce, the Harvest Trail Inquiry, and the Victorian Inquiry into the Labour Hire Industry and Insecure Work. Consistent with work identified as high-risk, the bill proposes that the following be prescribed work for the purposes of the licensing scheme: horticultural processing work, meaning a variety of activities relating to the production or processing of fruit, vegetables, flowers and nuts, which includes berries, grapes and vines; secondly, meat processing work; thirdly, seafood processing work; fourthly, cleaning work; and, fifthly, trolley work.

The bill has also been improved following amendments from SA-Best that were incorporated into this version of the bill. I thank the Hon. Connie Bonaros MLC, in particular, for her thoughtful and considered approach to this issue. The effect of her changes means that new industries and activities under prescribed work can be done by regulation so that the government can swiftly address instances of worker exploitation that arise. Other amendments include:

- prescribing specific work activities focusing on low-skilled work within the prescribed high-risk industries;
- excluding in-house employees where individuals are engaged on a regular and systematic basis, to avoid capturing genuine employee arrangements rather than labour hire work arrangements;
- removing all imprisonment penalties;
- requiring labour hire providers to disclose certain information to their workers;
- refining prescribed information that is required annually to focus on information relevant to compliance;
- differentiating between licensees and responsible persons when considering whether a person is fit and proper (in relation to insolvency);
- an evidentiary provision in relation to proceedings for an offence against the act, where an individual supplied by a provider is deemed to be a labour hire worker in the absence of proof to the contrary; and
- better aligning annual reporting periods and payment of periodic fees with existing legislation administered by CBS.

The SA Labour Hire Taskforce that was recommended by the Economic and Finance Committee continues to meet regularly and comprises representatives of the Australian Taxation Office,

SafeWork SA, ReturnToWorkSA, RevenueSA, Australian Border Force and Consumer and Business Services. The task force is supportive of the proposed amendments and the industry-specific approach. The government anticipates that these amendments will align closely with the future introduction of a national scheme and will enhance protections for our most vulnerable workers.

As I have said in the house in the past, if we see that reform is needed we will advance it in our state. We do not always wait for the national agenda, which sometimes moves at a glacial pace. We consider that these matters need to be clear for the implementation now and not inadvertently capture parties that have been referred to.

I stress to the house that the government intends to implement these reforms as soon as possible to avoid businesses that will no longer be required to be licensed having to pay the periodic annual fee for the forthcoming year. Small businesses that do not need to be licensed should not be subject to these fees, especially during these challenging times due to COVID-19. In the circumstances, I commend the bill to the house and 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 *Labour Hire Licensing Act 2017*

4—Amendment of section 6—Interpretation

This clause amends section 6 of the Act as follows:

- the definitions of *labour hire services* and *labour hire worker* are defined consequential on the amendments in clause 5 which substitutes the definitions currently in sections 7 and 8 of the Act;
- a new definition of *prescribed work* is defined as cleaning work, horticultural processing work, meat processing work, seafood processing work and trolley work;
- definitions of cleaning work, horticultural processing work, meat processing work, seafood processing work and trolley work are inserted.

5—Substitution of sections 7, 8 and 9

This clause substitutes sections 7 and 8 which provide for the definitions of *labour hire services* and *labour hire worker* respectively.

7—Meaning of labour hire services

This clause provides a broad starting point in subclause (1) for the definition of labour hire services in that a person provides *labour hire services* if—

- in the course of conducting a business the person supplies, to another person (the *host*), an individual to undertake work; and
- the individual is a labour hire worker for the person (the definition of labour hire worker is in proposed section 8).

However, the definition in subclause (1) is then narrowed by the exclusions in subclause (2). Subclause (2) provides that a person does not provide labour hire services in the following circumstances:

- where an individual is supplied to a host to undertake work that is not undertaken as part of a business or commercial undertaking of the host;
- where an individual is supplied to undertake work that is not prescribed work;
- any other circumstances prescribed by the regulations.

Subclause (3) provides clarification on circumstances that might otherwise give rise to ambiguity.

8—Meaning of *labour hire worker*

This clause provides the definition of *labour hire worker* in subclause (1). An individual is a *labour hire worker* for another person if the individual enters into an arrangement with the other person under which—

- the other person may from time to time supply, to a third person, the individual to undertake work; and
- the other person is obliged to pay the individual, in whole or part, for the work (whether directly or indirectly through 1 or more intermediaries).

Subclause (2) then excludes the following from the definition—

- an individual who is an *in-house employee* of the other person and is only supplied to a third person to do work on a temporary basis; and
- an individual or a class of person prescribed by the regulations.

Under subclause (3), an individual is an *in-house employee* of another person if—

- the individual is engaged as an employee by the other person on a regular and systematic basis; and
- in the circumstances of the case, it is reasonable to expect that the employment will continue; and
- the individual primarily performs work for the other person other than as a worker supplied to a third person to do work for the third person.

9—Meaning of *supply*

This clause includes a new provision that qualifies the concept of supply of an individual to undertake work for the purposes of the Act. Proposed section 9 provides that an individual is not supplied by a person (the first person) to undertake work for another person (the second person) where the 2 persons have entered into a contract for the performance of the work by the first person and the individual undertakes the work for and on behalf of the first person as an employee, agent or independent contractor of the first person.

This proposed new section also retains the current provision providing that the supply of a labour hire worker to do work for a person commences when the labour hire worker first starts to do work for the person in relation to the supply.

6—Amendment of section 10—Fit and proper person

Currently, section 10 of the Act provides that a person is a fit and proper person to be a responsible person if they are a fit and proper person to be the holder of a licence. This clause amends section 10 to separate the question of whether a person is a fit and proper person to be a responsible person. Specifically, this clause provides that a person is not a fit and proper person to be a responsible person if the person—

- has been found guilty or convicted of an offence, or an offence of a class, prescribed by the regulations; or
- is a member of, or a participant in, a prescribed organisation; or
- is a close associate of a person who is a member of a prescribed organisation or is subject to a control order under the *Serious and Organised Crime (Control) Act 2008*.

7—Amendment of section 11—Licence required to provide labour hire services

This clause amends section 11 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

8—Amendment of section 12—Person must not enter into arrangements with unlicensed providers

This clause amends section 12 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

A further amendment makes it clear that the offence of entering into an arrangement for the provision of labour hire services where the person providing the services is not authorised by a licence to do so applies, without limitation, to a person irrespective of whether the person is—

- the person to whom the labour hire services are to be provided under the arrangement; or
- entering into the arrangement as an agent or intermediary of the person providing the labour hire services under the arrangement; or

- the person providing the labour hire services under the arrangement.

9—Amendment of section 13—Person must not enter into avoidance arrangements

This clause amends section 13 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

This clause also inserts the words 'an individual to undertake work' consequential on the removal of the definition of *worker* by clause 5.

10—Amendment of section 14—Persons must report avoidance arrangements

This clause amends section 14 of the Act to insert the words 'an individual to undertake work' consequential on the removal of the definition of *worker* by clause 5.

11—Insertion of section 14A

This clause inserts a new section 14A which provides that the holder of a licence who supplies a labour hire worker to a host to undertake work, and any agent or intermediary who acts in respect of that supply, must, before the labour hire worker is supplied, take all reasonable steps to ensure that the host is provided with specified licence particulars (being particulars current at the time of their provision). Those particulars are the name and contact details of the holder of the licence, the name and contact details of each responsible person for the licence and the licence number.

12—Amendment of section 18—Conditions of licence

This clause amends section 18 of the Act to provide a mandatory condition for each licence, being a condition that the holder of the licence must comply with the requirements prescribed by the regulations for the provision of information to labour hire workers by persons who provide labour hire services. A penalty of a maximum fine of $4,000 for non-compliance with the new mandatory condition is proposed and an offence is expiable with an expiation fee of $300.

13—Amendment of section 19—Prohibition on licence transfer, sale etc

This clause amends section 19 of the Act to remove the maximum penalty of imprisonment for 1 year that currently applies for the offence.

14—Amendment of section 20—Duration of licence, periodic fee and report

Under section 20(2) as amended by this clause, the holder of a licence will be required to pay a prescribed fee, and to lodge a report with the Commissioner, at intervals prescribed by regulation. A new definition of *reporting period* is also inserted by this clause.

15—Amendment of section 21—Notification of certain changes in circumstances

This clause amends section 21 of the Act consequential on the new definition of *labour hire worker* inserted by clause 5.

16—Amendment of section 34—Authorised officers

This clause amends section 34 of the Act to provide that an authorised officer under the *Fair Trading Act 1987* is taken to be an authorised officer appointed under the section.

17—Amendment of section 41—Evidentiary provisions

This clause inserts an additional evidentiary provision so that, in proceedings for an offence against this Act, where it is proven that a person, in the course of conducting a business, supplied an individual to another person to undertake work, it will be presumed, in the absence of proof to the contrary, that the individual is a labour hire worker for the person making the supply.

Ms HILDYARD (Reynell) (16:18): I indicate that I am the lead speaker for the opposition and I rise to speak on this labour hire licensing bill introduced by the Liberal government for what seems to be the umpteenth time, a bill that follows a shameful attempt to destroy protections for labour hire workers altogether, workers who need our support, not to have their rights and protections extinguished in the name of red-tape reductions.

This Liberal government first tried to completely destroy the hard-won labour hire laws in South Australia in 2018. As such, we know what their true intentions are in this area. Their only goal is to dismantle and destroy protections for labour hire workers. Workers engaged through labour hire are often low paid and are almost always in insecure work. They are workers who need us and who need laws to ensure that they are treated with dignity and respect and able to work free of exploitation.

After the 2018 repeal bill was rightly rejected by the parliament, this government came back with a proposal to sever the vast bulk of the law with their 2019 amendment bill. After proroguing the parliament, this was one of the first bills that this government brought back to the parliament on 20 February this year, a move that speaks to this government's priorities and to the lack of regard that they give to hardworking South Australians engaged in insecure work.

The 2020 version of the bill includes some small concessions based on amendments proposed by SA-Best to secure its passage through the other place. Despite these small concessions, the 2020 bill still attempts to completely gut this critical legislation. Despite this government's clear commitment to killing off labour hire laws, it still took them four months to move it through the other place. This is reflective of their casual approach to legislation and of the deep suspicion that is afforded to them when they attempt to repeal protections for workers.

Having debated this matter literally for three years in a row, the opposition did not think there was much else to add. However, the COVID-19 crisis has created an alarming level of unemployment, underemployment and job insecurity, a situation that is incumbent on us to consider for those South Australian families who rely on a labour hire worker's wage. When the government drafted this bill, they did so with the wording that labour laws should only apply to vulnerable workers who undertake low-skilled work in high-risk sectors. Vulnerability, low skill and high risk is simply a hat trick of terms to narrow the scope and avoid providing critical protection to workers who deserve that protection.

I am pleased to report that in the other place the government's proposed changes to the objects and principles were defeated. In debating that clause, the Treasurer was not able to explain who vulnerable workers were, what a high-risk sector was or what low-skilled work was. The Treasurer could not explain why the objects should be changed and the other place reasonably rejected the government's proposal.

The irony here in relation to the objects and principles, along with other parts of the legislation, is that the words were written before the labour market underwent a major contraction due to COVID-19. Despite the government using the word 'unprecedented' an unprecedented number of times in recent months, they have done nothing to review this bill in light of the unprecedented emergency with which we now grapple. We saw growing industrial challenges before this bill emerged: unpaid superannuation, wage theft and unregulated work in the gig economy were just the beginning.

In the post COVID-19 environment with less employment and greater competition for scarce jobs, we may have swathes of new vulnerable workers, yet this government has not touched on the incredibly short list of workers who would be covered by this bill nor understood who they are. Based on a few reports, some dating back to 2016, the government cherrypicked a tiny list of occupations that would be covered in this legislation. These include cleaning, meat processing, seafood processing and horticulture work. A number of these workers would not welcome at all the government describing their work as 'low skilled' and nor should they.

Despite this government's antiworker approach, low paid does not mean low value or low skilled; it is offensive to deem it as such. More than ever, our community rightly sees and appreciates the deep value of a range of professions, including cleaning. They are amongst those who have kept us safe in our hospitals, schools and in the broader community throughout this COVID-19 crisis. As Malcolm Turnbull once observed, 'There are cab drivers out there who work harder than prime ministers.' I say there are many horticultural and other workers whose incredible skill and dedication make a difference in communities and regional economies across our state.

Without pre-empting the entirety of the committee stage, Labor strongly objects to narrowing the scope of labour hire laws; laws that need and should have a broad scope in order to protect the greatest number of workers engaged in this way. Reasonable people would expect labour hire laws to apply where labour hire practices are applied, and not in a tiny subset of this area. In support of this approach, Labor moved two groups of amendments in the other place. We will not move them again here but our views and the views of workers and their unions are a matter of record.

I also note that the Wine Industry Association supports Labor's approach. They wrote to the opposition to advocate for a level playing field across industries, and I think they object to the

government describing them as high risk. They do not believe that the government should make assumptions about a small number of industries and subject them to reputational damage and higher standards when less reputable industries are exempt.

Winemakers produce one of our most recognised and lucrative exports, and by virtue of their link to horticultural work the government has tried to brand them as vulnerable, low skilled and high risk. This is an affront to an industry that we have fostered for more than 100 years. The Labor Party supports flexibility and productivity in our workplaces because this boosts jobs and wages but, unlike this government, the Labor Party deeply understands that flexibility and productivity can and absolutely must go hand in hand with decent minimum standards and basic positive legal protections. Without these standards and protections labour hire workers, their families and communities suffer; suffering and insecurity we will always stand against.

The opposition would prefer the three-year odyssey of the bill to end with its defeat or at least its substantial amendment. Workers deserve so much better than this bill. Employers who do the right thing deserve better than this bill. Nobody wins in a race to the bottom. The opposition opposes the bill.

Mr BROWN (Playford) (16:27): I rise to oppose this legislation, as I did the last time we saw the bill in this chamber. I think it is now a well-established matter of public record that a number of serious problems have arisen in the labour hire industry over the last few years. Various select committees and other investigative looks at the industry have found some harrowing tales, such as workers being pressured to provide sexual favours, many workers being underpaid and many workers who have come in from overseas being completely exploited by employers.

It was in the context of these allegations and other things being raised that the previous government sought to bring an element of regulation to the industry, which I think was sorely needed. All of us in this place have heard stories of people being exploited in this sector. As I said previously the last time I spoke on this legislation, I think one of the biggest concerns about the approach the government has taken of completely deregulating this sector means that not only workers do not have protection but also people seeking to do the right thing—who are actually employers in the sector—can be undercut by those people who are exploiting workers. I think that is also quite shameful.

It is sad that the government has not taken on board the will of the parliament to defeat this legislation and has, in a very bloody-minded way, gone forward to try to achieve what it wants to do in this area. It is vital that this parliament stands up for those people who work in the sector, that it stands up for those small businesses that are trying to do the right thing and that those of us in this place do the right thing by the people of South Australia and oppose the bill.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:29): I thank members for the contributions made. Whilst I appreciate the opposition's position on maintaining a very broad brush in the application, I just wish to place on the record as a matter of correction that the South Australian Wine Industry Association Incorporated in fact wrote on 14 November 2019, and I quote, as follows:

> We wish to reinforce that our position on the Bill remains, namely that we have very much welcomed and appreciated the consultative approach the Government has taken with regards to labour hire licensing and its genuine engagement with the South Australian wine industry and that there are sensible changes in the Bill that we do not oppose.

Mr Smedley goes on to write:

> We have also advised other parties in writing, including the opposition, of SAWIA's position.

Clearly, they did not wish to be incorporated in the unreasonable application of a provision which, frankly, under the Labor amendments, if they ever got up, would have been a nightmare for them. I just place that on the record.

Notwithstanding all that, I respect the opposition's position generally, that they wanted to legislate across the board. You would have to go along and beg to opt out, really, rather than actually have clearly identified nationally and across the board and with continued consultation in South Australia these key areas which we need to progress and provide the protection for. They

have not identified the use of labour hire workforce. They have not identified the level of vulnerability. They have not identified the level of risk.

We on this side of the house want to make sure that we progress this legislation today to ensure, it having been comprehensively debated in the other place, that we have a framework by which we can relieve those who have been inappropriately captured and, if necessary, give them a refund. I think it is something like a $1,800 fee to be registered under this program. I just find it extraordinary to think that we would want to make many of these small businesses sign up to this further red-tape process when they are not even in an industry of risk.

We want to be able to give them relief, but we certainly want to be able to make sure that those who are not captured are not having to sign up and pay these sorts of moneys. It is the will of the government that the parliament address this matter today. There has not been any identified objection of that from the opposition. I thank them also for progressing that today for that purpose. With those words, I commend the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The CHAIR: We are in committee on the Labour Hire Licensing (Miscellaneous) Amendment Bill 2020. There are four clauses, the schedule and the title for the committee to consider. Can we have an indication from the opposition in regard to their first question? Is that in relation to clause 1?

Ms HILDYARD: Yes. I have just some broad questions, first of all, about consultation and data. Which labour hire workers were consulted on this bill and what did they say?

The Hon. V.A. CHAPMAN: There was not specific consultation with labour hire workers themselves but with the industry associations. I can confirm that they were the SA Wine Industry Association; the Recruitment, Consulting and Staffing Association; the Australian Industry Group (the AI Group); Primary Industries and Regions SA; Self Insurers of South Australia; and AUSVEG.

If the member has not already had it brought to her attention, I reiterated in the second reading that a number of reports were reviewed for the purposes of relying on the areas of industry that were clearly identified as at risk. What is very important about those reports is that they actually interviewed not just associations but employees as labour hire workers who are vulnerable and who have told them their stories. As a result of that, reports which were very comprehensive, including the Migrant Workers' Taskforce, made their recommendations that it should be a national scheme and what areas were at risk, and we have translated those into our bill.

I urge the member to look at the Victorian Inquiry into the Labour Hire Industry and Insecure Work report released in October 2016. Again, they have highlighted areas such as horticultural, meat and cleaning industries, which suggests that there was a significant focus on the Fair Work Ombudsman's need to focus on compliance activities as to payment. They are a couple. I referred to some others in the second reading speech that deal with that, but I think we have a very clear picture of repeated areas of risk, and we accept that.

In addition to that, during the development of the bill I had the opportunity to meet with the member for Cheltenham in his previous life as the—was it the director of SA Unions? Whatever it was, he was the boss of SA Unions.

Mr Szakacs: You've called me worse.

The Hon. V.A. CHAPMAN: I have called you worse. Whatever, he was obviously the lead advocate, I think, on behalf of the umbrella body for unions in South Australia. I remember we had a long conversation about areas of risk and concerns that he brought to that debate. So I think we have heard from people who have had direct involvement in unions who have represented industries where there may be some risk in the use of labour hire employees, and we have very comprehensive

case studies to be the foundation of the recommendations in these very comprehensive reports. I am also advised an additional communication to all labour hire providers has been sent.

Ms HILDYARD: Attorney, I have heard about the reports, but what data specifically was used to justify the proposed changes made through this bill?

The Hon. V.A. CHAPMAN: I cannot think of any immediate data. As I said, I had a conversation most relevant outside of the reports, which I think were compelling. We did not take issue with those areas. We thought that these reports were deemed to be spot on, they had been thoroughly investigated and would identify there was a major area of vulnerability and risk. We accepted that, so we did not look for other data from the areas of vulnerability.

In relation to the application of the implementation of that, we had meetings with Mr Soulio. As the head of Consumer and Business Services, he was responsible for the management of this new scheme. We received reports from concerned stakeholders to Mr Soulio and myself. They had complained, for example, of conversations they had with the former attorney-general that gave sympathetic indications that they did not really intend to be captured but then they were.

Obviously, we heard the plaintive cries of people who had to sign up to a scheme designed to protect certain industry workers where labour hire agencies' workforce was used, and suddenly they are stuck in it. As to data, I do not understand the question other than to tell you what we have relied on in that regard. I think I asked the member for Cheltenham a number of times whether he had any case studies. This was before the legislation was made. He referred to a *Four Corners* program, but otherwise I did not—

Ms Hildyard interjecting:

The Hon. V.A. CHAPMAN: I am simply making the point that I think we had positive indications from the former attorney-general, when this bill was originally debated, that there would be an opportunity to listen to industries, to be able to identify if they were to be carved out, and it did not happen. Unsurprisingly, a number of these people were saying to the CBS, and to the commissioner in particular, that they were looking for some relief.

In any event, as a parliament, it has been comprehensively traversed in the other place. I think we have hit on the most vulnerable and I would urge the parliament to get on with making sure that we provide the protections for them in this bill as promptly as possible.

Ms HILDYARD: Attorney, were there any functions of the act that were not operating as intended, and if so, were these not operating as intended because the act was intentionally not being enforced?

The Hon. V.A. CHAPMAN: I think the member is aware that the commissioner identified a period in which he had said he would consider what was progressing in the parliament under the new government but then identified a date on which he would get on with it. I am advised there has been a time line of events. The act commenced 1 March 2018; obviously, that was a few days before state election. The original compliance date was 1 September, and then on 14 June 2019, after a huge number of concerns were raised about the legislation, he commenced accepting and granting labour hire applications.

What we have to do now is work through and, if this bill is passed, see who may be eligible for a partial refund if they have been caught up in this. The commissioner also has other applications waiting to be processed and they may no longer need to be. I think the commissioner has done as responsibly as he can to identify a law that has been commenced. He understood there was some reconsideration by the parliament.

The commissioner has already collected some money. As I said, some might be eligible for a partial refund and new applications may not need to be processed, but it is my understanding that the new applications that do need to be processed required completion by 31 December 2019. As I understand it, there has been compliance with that time line.

Mr SZAKACS: Attorney, you have previously commented about a task force that you were seeking advice from. That was first mentioned in your public comments signalling your intention as

Attorney to repeal the existing act. Have you sought advice from that task force for the purposes of this bill? Is that task force still meeting and who are the participants in that task force?

The Hon. V.A. CHAPMAN: I refer the member to my speech I just made in introducing the bill which confirmed that the SA labour hire task force has continued. That was a recommendation of the Economic and Finance Committee. It comprises the Australian Taxation Office, SafeWork SA, ReturnToWorkSA, RevenueSA, Australian Border Force, and Consumer and Business Services. I think the commissioner chairs it, from memory, and they meet at a minimum every six weeks.

Mr SZAKACS: I take this as question 1.1 with your indulgence. Have you sought advice from—

The ACTING CHAIR (Mr Cowdrey): I am not sure you have the authority to pre-empt the Chair's judgement.

Mr SZAKACS: It is going to be a long day. Attorney, did you seek advice from the task force in relation to this bill?

The Hon. V.A. CHAPMAN: Yes. Again, I refer to what I have just indicated to the parliament, and that is that I have, and the task force is supportive. I also regularly meet with Mr Soulio, as commissioner, and he brings me up to date with any other advances. Yes, they support the amendments which were designed to become an industry-specific approach.

Mr SZAKACS: Attorney, has the task force, in its advice to you in respect of this bill, identified any other inadequacies in other legislation that would better be used to protect or enforce the rights of workers in vulnerable states in the industries captured by this bill? For example, have they advised any inadequacies or otherwise in the Fair Work Act or other pieces of legislation that deal with wage theft, workplace health and safety, work health and safety otherwise?

The Hon. V.A. CHAPMAN: They have not expressed any particular view in relation to that. However, in a number of the consultations I have had with members of parliament in the presence of Mr Soulio, the commissioner, firstly, other industry sectors have been raised. I think the commissioner has identified that there is a regime of regulation over them. For example, the aged-care sector, a highly regulated sector which provides services to aged persons, explained how that works. In the course of that, we have canvassed various processes through Fair Work. We even touched on the wage theft inquiry which is proceeding in this house. I do not think it has yet finalised its recommendations.

But to this extent, an area such as hospitality was raised in the consultation. What has been highlighted is that, whilst it is an area that does not use labour hire services, underpayment of wages has been an issue. That is comprehensively dealt with, by and large, by Fair Work. I think I had occasion to commend the processes in relation to underpayment of wages in the state system at SAET as being a process through which we have had happy satisfied customers after being able to promptly have their disputes resolved.

I am not sure that Fair Work, as a national body, is as efficient as what we provide in the state scheme, but then I was a strong opponent of the transfer of all those matters going to a national scheme and I remain so. I think we provide an excellent service of dispute resolution in South Australia, and to go to a clumsy Canberra option, frankly, is never something I have been all that overjoyed with. Even the former attorney and I agreed a few times on how those transfers were not necessarily in the interests of a smaller state, especially if you are a long way from Canberra, but I can only indicate in the context of those that have been raised.

Some industries have been raised in consultation. The commissioner has given his view and identified areas of regulation that they are currently subject to. He has usually excluded them as being a user of labour hire as a peripheral nature. Who resolves those disputes has been canvassed in those consultations.

Mr SZAKACS: It is heartening to hear your view that I share about the clumsiness of Canberra bureaucracy. I trust that you will use your particularly persuasive ability within cabinet to lobby for greater funding for SafeWork SA and the inspectorate here.

Attorney, I have a final question on this clause. In November 2019, in announcing your task force, amongst other matters you said the task force would be focusing on 'protecting vulnerable workers by sharing data that would more effectively identify, and potentially prosecute, those unscrupulous operators'. Have any referrals for prosecution arisen from the work that the task force has undertaken to date?

The Hon. V.A. CHAPMAN: During the times I met with Mr Soulio, who chairs this task force, on the occasions that we have discussed it he identified where a case has been referred. I cannot recall specifically what they were. They are not necessarily in the category of labour hire either. In other words, it may be a concern that is raised, but it turns out not to be within the charter of what they have received. I could probably get that information for the member.

I suppose it goes to the argument that was raised historically that there was no need for a national scheme, or things as comprehensive as had previously been introduced by the former government, because we already have processes to make sure that we protect the workforce in workplaces—a number of these agencies have a direct role in that regard—and we do not need a national scheme.

Having got over that issue, we tailored this bill to be for specific industries and, from time to time, he has advised me. I could not tell you specifically what action had been taken on those. For example, at the meeting, SafeWork SA identifies an area of risk. I usually only read about those things now when I get a Coroner's report that says someone had been locked in a freezer or should have had these sorts of things and they died. You find out about workplace situations that are very concerning. Obviously, the purpose of the Coroner is to then make recommendations. I now get them at the pointy end and sometimes when it is too late.

SafeWork SA is no longer under my remit, as such, as Attorney-General. It has been transferred to the responsibility of the Treasurer, so I do not have direct meetings with them anymore, but I think, as I am advised, they are much improved in their prosecution role, which I think was identified in some terrible circumstances where there had been an abandonment, for example, of a prosecution years after the death. One of them was a very famous one at the Royal Adelaide Hospital site.

From time to time, I was informed much more when that agency was under my remit, but I am advised that there has been some substantial improvement in the prosecution capacity, I suppose, of that agency. There are all sorts of bodies that reviewed it. Mr Lander provided a comprehensive review of that agency. It helps to get them into a state where they can be more useful to the role they have and that is keeping people safe at work.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Ms HILDYARD: Attorney, what is the reason for only covering these specific areas in the bill?

The Hon. V.A. CHAPMAN: As per the reports that I have referred to, they have been clearly identified as areas of potential risk and vulnerability.

Ms HILDYARD: Attorney, are there any workers the government can identify who are at risk but will not be covered by this bill?

The Hon. V.A. CHAPMAN: Yes, I can provide that, and the answer is no.

Clause passed.

Remaining clauses (5 to 17) and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:56): I move:

That this bill be now read a third time.

I wish to place on the record my appreciation to the advisers on the matter and members of the committee.

Bill read a third time and passed.

FAIR TRADING (FUEL PRICING INFORMATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 May 2020.)

Mr ELLIS (Narungga) (16:57): I am pleased—in fact, thrilled—to rise today in support of the Fair Trading (Fuel Pricing Information) Amendment Bill 2020, in particular as a country MP who is, as are all country people, well used to having to pay higher fuel prices in comparison with those that are found in the city. As well as that, we are seeing inexplicable price discrepancies between petrol stations located within townships and between townships and at prices that do not seem to be about transport costs or fluctuating oil prices.

Port Augusta can be cheaper than Kadina, Whyalla cheaper than Pirie and Port Wakefield dearer than Wallaroo, and prices at different petrol stations in the same town can vary widely. That is apparent to all of us who drive through Port Wakefield on our way to town for these wonderful sitting weeks that we enjoy so much. All three of the petrol stations along the main street can have different prices mere metres apart.

The reasoning behind such differences has long sparked kitchen-table and front-bar discussion. It is hoped that the Fuel Check scheme proposed in the bill before us will help to demystify overall price cycle behaviour and that the result will be that less money from household budgets will have to go into filling up the family car. The price of fuel really matters to households and businesses. It impacts budgets, profits and losses, particularly for regional transport operators and regional businesses that have no choice but to fill up in order to get their goods and services delivered.

The bill before us is a very welcome one indeed. Every $1, $20 or $50 a tank will bring welcome relief for many regional consumers who have for too long been charged exorbitant prices for petrol because they lack a competitive market. Now regional customers will have access to real-time data that will enable them to shop around instead of being stuck paying high prices compared with motorists in our city areas.

People are incensed at the regular yo-yoing of pricing— $1.34 in some places, $1.72 in others—and that Adelaide motorists can enjoy 20-year lows recently while regional people remain paying almost 50¢ a litre more at times. I understand that this happens because country retailers do not fill up their tanks as often as city stations, and many set their prices on a weekly basis. Country operators have to retain prices in line with the price of fuel at the time at which the tanks are filled up in order to make a profit.

Country retailers are different from city petrol stations that change their prices more frequently. When a small town retailer orders a load of fuel, they have a price they are going to charge based off profit margins and it stays the same until the next load. But even in country towns where there are multinational branded stations near independents, one minute the independent can be 10¢ more expensive and the next they can be 10¢ cheaper.

The Fuel Check model is the chosen model the bill before us facilitates, and feedback to my office indicates that this model and the intent of this bill is very welcome. This model requires petrol stations to report any price changes to a centralised database, and it is the universal view that it will help motorists make informed choices and find the cheapest prices at any given time.

Every petrol station will need to report to the state government when they change the price of fuel, and this data is then made available to app providers, providing the opportunity for us to choose a local petrol station with the best price within 30 minutes of any price change, and then the data is then fed into the system and made available to all app users.

It will be great to just get in the car, turn on your chosen app because you will know you have the timely and accurate data you need on your screen ready to look and see which is the closest and cheapest petrol for you, whether you are in the city or the country. For us in Narungga, we will be able to see what one town over is offering and work out whether a drive to that station is worth providing a cost saving or, if we are planning a trip to Adelaide, where the best spot on the route is to fill up.

Constituents do not question the need for such a scheme and have mainly shown interest in how the scheme will work and its practical implementation—that a third-party data aggregator will collect the fuel price information from fuel retailers for private app developers to use free of charge. If that retailer is found not to comply, they will be fined, regulated by Business and Consumer Services. They are also interested in enforcement and how retailers will be fined should they be found not to comply.

Associated amendments to the Fair Trading Act create a series of offences punishable by a maximum fine of $10,000 to enforce compliance with the scheme by fuel retailers. Regional retailers advise they prefer the model chosen over others because it requires reporting only when price changes rather than every, single day, which means that compliance will be less of an impost on smaller businesses, which is a good thing.

It is predicted that the improved transparency that comes with real-time price monitoring will lead to improved competition, which will put downward pressure on prices, helping to alleviate cost-of-living pressures. Fuel is an essential item for people living in country areas where there are no taxis and no public bus or train transport, thus this issue is a vital one for regional people. We often see price differences from town to town, a cent or two difference per litre in the main but sometimes more, and I believe that the price check scheme will result in cost savings for constituents in my electorate.

Country people well understand that retailers need to maximise profits, and they are also well used to and expect to pay more for products and services that have to incur the transport and delivery costs from metropolitan areas, but it has always been frustrating to see fuel prices leap at peak demand times—in school holidays, public holidays, at Christmas, Easter and harvest time—so it is hoped that the bill before us will help increase market competition and put more control back into the consumer during such peak times.

In the past 12 months, fuel prices in South Australia have surged by up to $30 a tank, according to the RAA, with prices regularly staying high for five rather than two or three days compared to interstate counterparts. According to the ACCC, daily average retail prices for petrol in Adelaide are above the estimated average costs up to two-thirds of the time. The fuel check scheme proposed will certainly offer choice for consumers, and the increased transparency of fuel prices will enable us all to take advantage of the cheapest prices out there at any given time.

It was important to get the bill right, and for this reason the Marshall Liberal government requested that the South Australian Productivity Commission investigate and report on potential models that will provide the best net benefit for consumers, to recommend a model that will be taken up by consumers, acted on by consumers and provide benefits that exceed the costs of regulation to retailers and government.

The commission was charged with looking at the effectiveness of real-time pricing schemes interstate, including in New South Wales, Queensland, the Northern Territory and Western Australia, and to find the most cost-effective solution to increase transparency in fuel prices in this state, which is characterised by a small number of retailers that collectively account for the bulk of retail outlets. Currently, retailers display their current prices at their site and, whilst there are already commercially driven smart phone apps that provide fuel prices by location and which work well, they are incomplete in coverage and some data is out of date. The commission report states:

> The RAA commented that some apps are more comprehensive and timelier than others, and not all of them include prices for the lowest priced retail sites.

It further states:

> The RAA assessment is that around 70 per cent of fuel retailers information is available on the commercial apps in SA.

So now our aim, as part of this initiative, is to gather accurately the data from the other 30 per cent. The RAA has called for real-time fuel price monitoring for many years. In its submission to the commission inquiry, it cited a study by the Australian Competition and Consumer Commission showing massive savings to motorists by increased competition. The RAA argues that direct access to browser prices at nearby stations will increase competition and, further, that access to real-time information on mobile phones is essential for Adelaide motorists because of the extremes of the fluctuating price cycle.

The bill today ensures that the lost 30 per cent of information can now be captured and used to inform South Australians for the bottom line result that consumers are better off and that markets will work better when consumers are well informed. We all stand to save money on our fuel costs because of the bill today. Of note is the ACCC estimate that the potential savings to Adelaide motorists of price transparency could be up to $75 million a year or up to $300 annually.

Submissions to the South Australian Productivity Commission inquiry during the consultation period thoroughly examined different scheme options, whether consumers should provide the information or the retailers, and it had a forensic look at price cycles in this state and at the benefits of existing models in this country and overseas. Whilst it was found that retail price cycles may still persist over time, even with price transparency schemes, any scheme offered to consumers is better than none at all. Key issues addressed by the commission and raised by stakeholders included:

- any likely impact of interventions on the information available, the amount of information available;
- price impacts following the transparency schemes;
- competition among retailers;
- benefits to motorists; and
- potential regulatory burden on retailers.

I am reassured that the research preceding the introduction of the bill was thorough and, whilst the Productivity Commission was not charged with making formal recommendation, its analysis of the various policy models greatly assisted the government in forming the legislation that is before us today.

I applaud the work of the commission, and the Attorney-General and her office, for the extensive work undertaken to get the best available scheme possible here in South Australia. An especially positive decision by the Marshall Liberal government in relation to this matter is to undertake a two-year trial to ensure that the stated benefits are met. On a reassuring note, this government has reiterated that no policy of fuel price monitoring will have its support if it is found to have increased fuel prices.

Another question put to me by constituents is: why is the government spending money on this when there are other apps that appear to be working well? The answer is that in our view they are not working as well as they could.

Currently, retailers are not compelled to provide contemporaneous fuel pricing and coverage from the current apps is lacking. The government is legislating that retailers provide the price of their product within 30 minutes of a change and will then provide that information to apps like those already available for more accurate fuel price watching.

The difference on offer to non-regulated data gathering is that the scheme proposed will be regulated by Consumer and Business Services to ensure that retailers are complying. It is mandatory data entering, with fuel retailers who do not comply facing a maximum penalty of $10,000 for offences such as not being registered in accordance with requirements, refusing or failing to comply with requirements or providing false or misleading information.

It is also reiterated that what is proposed is not a government app, but it is a government collecting the reliable and accurate information and passing it on to consumers, who can then determine which app they use the information on. They are free to choose what they prefer to do

with the data based on additional services, discounts or whatever else that may be offered by app developers.

I concede the benefits at the bowser for city motorists will be greater just by the fact that city folk have far more choice on where they fill up close to home than people who live in regional areas. Reports show that there will be benefits, and everything helps. The trial will show what savings there will be for regional motorists, and I will be watching with great interest, as there have been mixed results in other states.

At the height of the Christmas break last year, motorists were angry to see again that the price peak came just as motorists were due to fill up for the next break. An RAA poll of more than 500 motorists found that nearly two-thirds would use online real-time prices to source petrol and that one in five would use such an app that is proposed. I hope more people use the price monitoring, as there is ample evidence that prices will be driven down when motorists have informed freedom of choice to shop around with real-time pricing.

In Queensland, the equivalent of the RAA revealed in December last year that the average monthly price of unleaded petrol was around 2.3¢ a litre cheaper in Brisbane since the introduction of their 12-month trial of a real-time price scheme. There is exciting potential for savings and accountability by retailers driven by consumer demand more often than plain profit. I am confident we have the best possible advice from the Productivity Commission on this, and now, as a result, we are getting on the job to trial the scheme and ultimately relieve more cost-of-living pressures for South Australian consumers.

Whilst the state government cannot control fuel prices, what we can do is give motorists access to accurate and timely pricing information to allow consumers to find the best possible price. That is what the bill before us facilitates, and I commend it to the house.

Ms BEDFORD (Florey) (17:12): I indicate I am the lead speaker for the crossbench and that we are in furious agreement with you except that the actual model you have chosen is not the correct model. This legislation has indeed been a long time coming but does not deliver the fuel watch pricing system the South Australian public deserves. In February this year, in an attempt to deliver reform and bring on debate, I introduced the Fuel Watch Bill on behalf of and with the support of my crossbench colleagues. At the time, I indicated I would be happy for the government to take carriage of the bill, and I renew that offer today.

To provide some context, it was February 2018 when both the Liberal and Labor parties gave election commitments as part of their campaigns. The RAA had been campaigning for the principle of fuel price monitoring for years, although their calls were not heeded by either major party until just before the last election. The RAA seems to be the only consumer body to make a submission to the Productivity Commission; alas, I contend, not solely with the consumers in mind.

Without knowing if any of the confidential submissions to the commission were pro-consumer, I can only assume the submission made by my office was the only one to put consumer considerations first. I thank my staff for their committed efforts on behalf of the South Australian public. Here we are now in June 2020 still waiting for action. It was only in December 2019 when the government referred this issue to the Productivity Commission for inquiry. A report was subsequently forwarded to the government on 18 March 2020. The report was publicly released the same day as their bill was tabled, which was 13 May.

The government's own legislation—this bill—has come to parliament a further two months after receipt of the Productivity Commission report. In summary, it is almost now 2½ years since the government made its promise to South Australian consumers, now well weary of price fluctuations and the constant chase for the cheapest fuel prices in the retail petrol market.

Motorists have lost substantial amounts of money and time in the interim. It is not uncommon to see motorists queueing across roadways to take the opportunity to buy cheap fuel when they see it.

I note the government's proposal, enabled by the bill before us today, is for a two-year trial of so-called 'real-time price monitoring'. I say to the government: a two-year trial would have been a reasonable approach two years ago. Now, however, for South Australian motorists, it seems like a

status quo position with little interest in the day-to-day struggles consumer-led reform would relieve. While it is disappointing it has taken so long to reach debate in this chamber, particularly given I and my colleagues on the crossbench put a fully researched proposal for legislation on the table over four months ago, I welcome the debate has at last arrived.

When the Premier referred the issue of fuel pricing to the Productivity Commission for inquiry on 18 December last year, I and many others were pleased. It was a positive movement which indicated the government remained committed to fulfil the promise it made to voters at the 2018 election. Until recently, it did seem the government was reluctant to act and, like many, I am bemused why this could be, so referring this matter to the Productivity Commission for inquiries seemed like a move forward and a way to revive the issue.

With the benefit of that inquiry, I have a better understanding of the delay. It appears the only thing we are trying to achieve with this bill is better governance of the daily price changes, however numerous, occurring within the petrol retailing system.

No other commodity relied on in such a fashion by the public fluctuates in this way, changing its price so often within a 24-hour period. No-one can organise a household budget with this sort of variance nor do they have the time to chase fuel discounts through the suburbs in the hope the price will be the same when they eventually get to the outlet.

It is clear, when reviewing submissions made by industry and paid industry lobbyists to the Productivity Commission, major retailers were amply represented and prepared. It reminded me of the Australian cinema classic *The Castle* and a recent attempt by local residents to oppose the establishment of a fast-food chain outlet in a less than ideal location—ordinary people do not really have a chance. It seems everyone except consumers is intent upon doing all possible to maintain the current business model which relies upon extracting maximum profits by keeping consumers at a disadvantage.

As a local MP, I represent communities on incomes where unpredictable cycles delivering unexpected high prices, be it for petrol or any other essential service or household commodity, can present real dilemmas and difficulties—often the difference between themselves and their family eating or not. When I moved the Fuel Watch Bill on 4 March this year, with the support of the crossbench, Australia was already facing a flat economy, a per capita recession and rising unemployment and underemployment.

Now, as we enter Australia's first recession in nearly three decades, a time when more Australians than ever before are reliant upon income support from governments via JobSeeker, JobKeeper or any other payment such as superannuation early withdrawal, the need for effective and transparent fuel price monitoring is even more apparent. Not all consumers are price conscious, but price conscious consumers all face the same issues when purchasing petrol: they need to know where to find the best deal.

When you consider price-sensitive consumers could save, as stated by the ACCC, around $300 a year, with other agencies suggesting it could be as much as $500 a year if they were able to buy fuel at the bottom of the fuel price cycle, the imperative for this parliament to deliver the very best fuel price monitoring scheme is obvious. Indeed, as the Productivity Commission states, and I quote:

> The evidence from a variety of sources suggests that price is a key consideration for about half of motorists.

As has been noted in the other place, pre-COVID there was an unprecedented price spike in Adelaide petrol prices, with the RAA estimating rising fuel prices over the past 12 months were costing Adelaide motorists up to $30 extra to fill their tanks. Now, post-COVID, at a time when the global crude oil price has dropped to a 17-year low in response to the drop-off in demand as the COVID-19 pandemic hits economies around the world, retail prices remain stubbornly high.

What this means is wholesale prices are not always adequately reflected in retail prices, especially when you consider retail outlets source their petrol from the same location and their tanks are not refilled at the same rate we see prices change. Three things affect prices: competition, turnover and transport costs. That is why, during committee, I will seek to incorporate an amendment

to address issues affecting regional prices put to the house by the members on the crossbench, particularly the member for Frome.

In April, CommSec found retail profit margins are at a record high of 22.73¢ a litre, close to double the average level seen over the past two years. Evidence of fuel market behaviour utterly stacked against consumers is something that would not have been tolerated by our former premier and progressive consumer advocate, Don Dunstan. A market dominated by a few majors inevitably leads to manipulation. It disadvantages smaller independents who are so often price leaders, and it disadvantages motorists, who are held hostage to unchecked, unchallenged and unwarranted prices.

To understand fuel prices, consumers now need to have the skills of a stockbroker as well as a source of accurate and timely price information and enough time to chase petrol discounts—an extraordinary expectation which stacks the deck squarely against fuel consumers, particularly the most price-sensitive consumers and those families often with two working parents and little time to spare.

I have become a committed watcher of fuel prices and I cannot believe some of the price behaviour and fluctuations I have witnessed recently. While heading home from the city, I routinely see service stations along my 30-minute drive with prices differing by as much as 40¢ a litre. Coincidentally, 30 minutes is the time that this bill will enshrine for price changes in regulations, if passed without amendment.

Adelaide motorists deserve better than a second-best system. The best that can be said is this bill will entrench the current market practices, albeit with a commitment to better information being available to consumers. Consumer time is valuable. Unless we have the time to take advantage of prices when they are cheap, so-called 'real-time' fuel price monitoring is a waste of time for us all.

This is a Clayton's bill; it is the fuel price bill you have when you do not really want anything to change. In simple terms, this bill will deliver a fuel price monitoring scheme where only one group benefits. The government will claim it is the obvious scheme when the Productivity Commission report is considered. That, of course, would be entirely true if the Productivity Commission was asked to make recommendations, but it was not—a point made abundantly clear in its report.

The commission considered two options, and importantly stated both options deliver benefits. Moreover, it makes the point the choice of which option to implement is a matter for government, and ultimately for parliament, which is the place charged with representing and safeguarding the rights and best interests of the people of this state.

Option 1 is based on the model applying in Queensland and in various guises in other jurisdictions. This model is referred to as Fuel Check in the report and requires fuel retailers to lodge information about retail fuel prices whenever they change their price. This can be as regular as 30 minutes, with the data aggregated and available on a portal and able to be used by motorists via an app.

Option 2 is based on the model applying in Western Australia. This model is referred to as Fuel Watch in the report and requires fuel retailers and wholesalers to lodge their price for fuel at 2pm each day, with that price guaranteed to be stable and unchanged for a 24-hour period from 6am to 6pm the following day.

To be fair to the Attorney-General, she has not sought to claim the report suggests that this is the government's preferred model, and to her credit, she is prepared to finally make the effort to progress this reform in line with the election commitment. It is not really clear why the government prefers the Fuel Check model over Fuel Watch, which is advocated for by myself and my colleagues on the crossbench.

Perhaps the question of cycles needs to be further explored. Are they a help or a hinderance, and for whom? A regular cycle is a help for price-sensitive consumers, but a widely swinging and volatile cycle disadvantages consumers and more importantly the independent retailers who provide the competition keeping majors in check. It is a bit like what we are seeing with supermarkets, which is ironic when you consider their involvement in petrol sales.

In analysing the available evidence, the commission concluded both options would deliver net benefits for consumers each year. The commission also stated that these benefits are likely to

grow over time with increased use of fuel price information by consumers—so no real difference there. Mind you, I would say—and, indeed, the Western Australian authorities also say—this is a mistaken conclusion. The evidence I have seen suggests the consumer benefits from Fuel Watch will far exceed the Fuel Check model preferred by this bill.

Indeed, the commission's report does not explore in any depth which model will deliver the most benefits to consumers. It contains no detailed modelling and makes the point, on the available evidence—and I emphasise, on the available evidence—'unequivocal findings are difficult'. The commission has told me, in discussion following the release of the report, that the WA model is old and has not yet been reviewed, and in return for reliable information, the WA motoring public pays higher overall prices per annum.

The only real point of difference the report identifies is likely based upon information provided by retail chains, and that is readily rebuttable, but some of it has been provided in confidence leaving no room to have it challenged. The most contestable argument raised by the major chains is there is no evidence to support the effectiveness of Fuel Watch. The fact Fuel Watch has operated for nearly two decades in Western Australia and consistently delivers the lowest retail fuel prices in the price cycle for Perth motorists is ignored.

I can inform the house the suggestion the Fuel Check model delivers the same benefits as the Fuel Watch model is utterly rejected by the Western Australians. Rather, they contend and have provided proof the Fuel Watch model delivers far higher benefits for consumers. Indeed, in Western Australia, the Fuel Watch scheme is not only supported by consumers but also by industry, including peak groups such as the Motor Trade Association.

Despite this evidence, the major petrol chains here have pointed to a pilot scheme in Queensland with benefits remaining unclear and unproven. What we know about the Queensland scheme is, after two years in operation, it has hardly made a dent on prices in Brisbane which continues to have the highest average petrol prices and the highest prices at the peak of the price cycle of any capital city.

That should come as no surprise as the Fuel Check model only guarantees prices for half an hour. That does very little to remedy price manipulation which has become a routine feature of our metropolitan petrol markets.

But this model has also been delivered in New South Wales and the Northern Territory some claim. Well, yes, but in both jurisdictions consumer take-up has been pathetically low and there have been no discernible impacts on the worst of price manipulation behaviours routinely seen. Simply put, this is a model which has repeatedly failed. I echo the comments of my colleague the Hon. Frank Pangallo, who has given notice he will introduce the Fuel Watch Bill in consolidated form in another place. The current model this bill will enshrine does the same thing time and again in the vain hope it will one day work. This is not the smartest way to approach public policy.

With one in five Perth motorists buying at the lowest price in the price cycle, it is clear the Western Australian Fuel Watch scheme has long proven its value to price-sensitive consumers. But it is worth noting petrol is still sold every day in Perth, not just the one day, the cheap day, but every day. This is achieved while also giving fuel retailers a profit margin, something that has not been challenged by them in the years since the model was introduced there.

Despite the rhetoric of some of the submissions made to the Productivity Commission by vested interests and their lobbyists, the world has not fallen apart in Western Australia since Fuel Watch was introduced 19 years ago.

Why on earth would we want to pick up a model from the eastern seaboard with a proven track record of failure to deliver when we have a clear model from Western Australian consumers and industry used for years without a challenge. The evidence from Western Australia is clear: price-sensitive Perth consumers use Fuel Watch to time their purchases to avoid price jumps and to seek out the lowest-price station at a point in time. As the Productivity Commission states:

> To get the benefit of lower prices, consumers need better information, better access to it and to act on it.

In simple terms, Fuel Watch makes it easier to find the cheapest price, and that is why 20 per cent or more of Perth motorists buy fuel on the cheapest day in the price cycle. Compare that to other jurisdictions where prices rose despite Fuel Check-style schemes being introduced. Indeed, in New South Wales, only one in eight motorists even access the government scheme.

For the above reasons, I will be moving amendments to this bill at the committee stage. My amendments to this government bill will have a simple aim: they will deliver the proven Fuel Watch model instead of the failed Fuel Check model. Members will note my amendments incorporate two additional features not included in the original bill. These are designed to improve its operation, and I will come to them in due course.

Importantly, these minor adjustments make the suggestion put by retailers of the burdensome cost of a Fuel Watch scheme to bed. These amendments are incorporated in the bill being introduced by the Hon. Frank Pangallo in another place and will ensure South Australian consumers get a fair go. I am also aware of amendments to be moved by my colleague the member for Frome intended to bolster the Fuel Watch scheme, with particular regard to the high retail fuel prices we have seen in regional South Australia in recent months. I indicate I will be supporting them.

It is time for this parliament to choose. As the Productivity Commission has stated, both the Fuel Watch model and the Fuel Check model will result in net benefits to South Australian consumers. The government has chosen to put model 1, Fuel Check, to the parliament.

At a time of economic crisis, in the face of a once-in-a-generation global pandemic, it is time for parliament to choose—to choose the scheme proven to deliver for the motoring public, not a deficient scheme favoured by eastern seaboard lobbyists and the big petrol chains, to choose a scheme which will protect country and city consumers alike and which will ensure local independent retailers are not forced out of the market by predatory price gouging and market manipulation, to choose the scheme which will best address escalating fuel prices and empower consumers in a sellers' market heavily skewed to major retailers.

I ask this house to choose to support my amendments so consumers have the opportunity to make an informed choice for themselves at a time when it suits them. Let's not let them down. I say to the government: if you support my amendments, I am sure you will know the South Australian motoring public appreciates you keeping your word and find they are very grateful you have put their needs first. With that, I look forward to the committee consideration.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (17:30): It is a great opportunity that I take today to speak on this bill, a bill that builds upon the Marshall Liberal government's very strong cost-of-living agenda in South Australia, an agenda that has seen us decrease water bills in South Australia, an agenda that has seen us start to reduce electricity prices in South Australia, an agenda that has seen us cap natural resource management levies, an agenda that has seen us reduce by $90 million emergency services levy bills in South Australia, and an agenda that has seen us reduce land tax and payroll tax for households, investors and businesses.

When it comes to state government-influenced taxes and charges, we have a very strong record of delivering cost-of-living improvements in South Australia. There are other improvements that are the subject of other bills before this house, which we will talk about at another time, that help to build upon that in the local government sector, but today we are talking about the Fair Trading (Fuel Pricing Information) Amendment Bill, a bill that is going to seek to create a better market and a more informed market for the purchasing of fuel in South Australia.

Fuel is a staple. It is a very significant portion of the household budget. Because of the way fuel pricing works, subject to the vagaries of the exchange rate and subject to the vagaries of the daily oil price, that cost goes up and down significantly, and that creates a burden on consumers. We also have in South Australia, as we see in other jurisdictions, a fuel price cycle that does not immediately make sense to consumers and a fuel price cycle that is evolving and changing, making it difficult for consumers to predict when is the best time to buy fuel.

When it comes to intervening in a market, which is what this bill seeks to do in a fashion, we need to be very careful. We cannot go in and essentially take what is a free market and attempt to manipulate it in a way that reduces competition and in a way that stifles the operation of that free

market. On this side of the house, as people who believe in the free market as the best way to be able to reduce prices and deliver goods and services of a quality that people are prepared to pay for, we want that market to operate free from constraint by government.

But what we are seeking to do here is a very fundamental principle—that is, as any first year economics student is taught, that improving information makes a market work better. That fundamental principle is true right across markets of all types and persuasions. More information leads to better decision-making by all parties, which leads to a better outcome and the better operation of that market. That is what we are seeking to do here—not to manipulate the market but to provide better information to the market.

At the moment, what we know happens is that fuel companies look at each other and watch each other and watch pricing and essentially adjust their pricing in line with what competitors are doing. They already have and are using that information to make decisions about how much they should charge for fuel. But, given that fuel pricing information is currently only properly available at the petrol station, it is very difficult for a consumer to understand where the best price is.

In this modern age of technology, where in the palm of our hand we have so much information, information at our fingertips that we never thought possible, providing consistent and comprehensive information on fuel pricing across different petrol stations across Adelaide and South Australia is a good step forward. It is why we took to the election a policy around fuel pricing and it is why we have the bill that has been introduced and is the subject of this debate today.

There are reports all over the place that discuss fuel pricing. Providing fuel pricing information through an app is only one bit of information or one part of how this market operates. Yes, it is difficult to get a definitive answer on how much provision of this information is going to make a difference. There are studies from the ACCC and studies from Griffith University and others that do say there is a benefit. It is hard to quantify but, yes, there is a benefit. If the worst that happens from this is that consumers get better choice for themselves, then that is a win.

Even more than that, as the studies suggest, if the opportunity for consumers to purchase cheaper fuel helps to reduce their cost-of-living pressures, then that is a massive win and something this parliament should support. There has been some debate about what method of providing this information the government should look at, and we come back to the fundamental principle that we do not want to put in place a mechanism that tries to manipulate that market. What we want to do is provide a system that gives information to consumers and lets their natural market behaviour dictate what happens.

That is why choosing this scheme—which exists in New South Wales, exists in the Northern Territory and exists in Queensland—is the right way to go about it because we need to let these free markets operate and do what they do, rather than make those markets less free. Last year, we asked the Productivity Commission to look into this issue to make sure that we were doing good without doing harm. Its report says that there are benefits to introducing this scheme. Again, it is difficult to quantify but, at the end of the day, it provides consumers across South Australia, motorists across South Australia, with the choice to use that information.

How much that is taken up is in the hands of individuals, but at least now through this scheme we are creating a system where people can get accurate and comprehensive information about what fuel pricing is right across our city and right across regional South Australia.

We think that this is a really massive step forward, one that we know needs to pass this parliament to become law and one that I think all sides of the house should join with in seeking to move forward. It is one that we know builds on this government's very strong cost-of-living agenda and, again, is another plank in our efforts to help ease the squeeze on households' back pockets and put more money back into their back pockets so they can choose to spend it in other areas as they see fit.

It is a commonsense measure, one that, as I said, the majority of Australian jurisdictions have chosen to take up, one that this government supports and one that I look forward to seeing in practice in the near future. To conclude, I want to thank the RAA. They have been a champion of this issue for a long period of time. They have helped, conducted research and been a willing partner in

the development of this. They are a fantastic organisation in South Australia. Certainly, as we see this bill progress through the parliament, we can know that their 700,000 members will be the chief beneficiaries of what we are seeking to do here today.

The Hon. A. KOUTSANTONIS (West Torrens) (17:38): I will be speaking on behalf of the opposition but not as the lead speaker because in I think an extraordinary new precedent set by the parliament—

Ms Bedford: We should have debated it, actually. The crossbench has just as much influence—

The Hon. A. KOUTSANTONIS: It certainly does, and hopefully more influence.

The DEPUTY SPEAKER: My understanding, member for West Torrens, is that it was agreed upon; is that correct?

The Hon. A. KOUTSANTONIS: It was, sir.

Ms Bedford: If there was one more of us, it would be a lot more exciting.

The Hon. A. KOUTSANTONIS: Yes, I am looking forward to the day. We will take it for a drive and see how it goes. I can just point out that the opposition will be supporting wholeheartedly the crossbench amendments to the bill. We believe they are a good outcome for the people of South Australia. We will be supporting the amendments moved by the member for Frome and the member for Florey. They are well thought out, well researched and well done, and we are supportive of what the crossbench are doing.

Members interjecting:

The Hon. A. KOUTSANTONIS: I have to say that I find that type of laughter unbecoming, members opposite, and I think that this is a very, very good measure. Let's get some history into context here, Mr Deputy Speaker, before you pull me up, because government members are interjecting at me and you would somehow assign blame to me for that.

The truth is that this was a bipartisan piece of policy. At the last election both political parties went to the election promising a form of real-time disclosure of petrol pricing, and you could say that we both had the same intent because, despite what the Minister for Transport and Infrastructure has said, claiming that there is a 'free market' in petrol pricing, there is not a free market.

There is widespread evidence of collusion. There is widespread evidence that consumers are paying more for petrol than it is a cost with a reasonable level of profit. Recent examples are pretty obvious. We had some markets in the United States showing a forward market with negative oil prices; that is, people were paying people to store their oil, to take their oil. That oil was being refined and petrol prices in the United States were not reflective of the cost of processing that oil into petrol.

The question we have to ask ourselves here as a nation is, I believe: why have we given up a lot of our sovereignty when it comes to energy, especially in fuel. We used to process a lot of our own fuel in this country and that is diminishing by the day, and it is an indictment on both governments, Labor and Liberal, that we have allowed that to continue.

We have let the economic boffins convince us that a world trade in processed, refined petrol will somehow work its magic and Australia can be independent. We are one of the largest energy producers in the world. South Australia produces the most barrels of oil on the mainland. The offshore oil, obviously, is eclipsed by Bass Strait and the North West Shelf, but in terms of mainland we produce more oil here than anywhere else in the federation. We import all our petrol, all of it.

The Hon. V.A. Chapman interjecting:

The Hon. A. KOUTSANTONIS: It is that type of unnecessary and unfortunate interjections that have taken me off my bipartisan—

The DEPUTY SPEAKER: Member for West Torrens, you were just hitting your stride and you should not be distracted at all by interjections.

The Hon. A. KOUTSANTONIS: I will take your advice and ignore the Deputy Premier, sir. You are absolutely right: if someone deserves to be ignored, it is the Deputy Premier.

The DEPUTY SPEAKER: I said, 'Don't be distracted,' member for West Torrens.

The Hon. A. KOUTSANTONIS: Sorry, sir. I thought you said, 'Ignore her'. Sorry, my mistake. I thought it was a party room meeting. Now, let's get back to the substance. Australia has basically outsourced its fuel sovereignty to the international markets, and South Australian consumers know that they are hostage to petrol pricing.

We are very lucky in this chamber. We get little fuel cards given to us by the Treasurer very generously through a SAFA program legislated here in the parliament, which means that we make a salary sacrifice contribution to get our fuel cards.

Out there in the real world, and for a lot of our partners and for those of us who are still in business in the parliament who are buying their petrol retail, they see what our constituents go through trying to balance whether or not to fill their car with fuel, or to buy groceries, or to buy food and the distance people travel and the anomalies that are in place, depending on which side of the road you are driving on at any one time, about what fuel price you should pay. Now, the genius in the crossbench amendments, the genius of them—

The Hon. D.C. van Holst Pellekaan: Whatever they are.

The Hon. A. KOUTSANTONIS: That's unfair and unfortunate.

The Hon. V.A. Chapman: What does ESCOSA say?

The Hon. A. KOUTSANTONIS: ESCOSA? Well, I'm going to get to the Productivity Commission report. That is much more interesting than what they have to say. The genius of the amendments moved by the member for Florey is about the risk retailers have to take in pricing 24 hours in advance. That puts immense pressure on retailers.

I have to say that I initially was not convinced. I initially thought that real-time pricing was a much better option than a 24-hour in advance, but the truth of real-time pricing compared with the option the member for Florey is proposing, is that it places all the risk on the retailers. If they get it wrong, if they make a mistake, they are in serious jeopardy, and the only way they can go is down to match others. There is genius in that, and the reason that there is genius in it is it does stop collusion up. If anything, it incentivises more downward pressure.

Let's face it: is there any South Australian who does not really believe that the major chains do not talk to each other and do not know what each other is charging? Do we not know that, really, petrol stations are just glorified supermarkets that happen to also sell fuel and that their business model really is not on the fuel and that the way they have structured themselves internally is all about each leg of the distribution and logistics chain charging each part of that business a certain fee and penalty to make sure that at the end it is more important that you sell the KitKat and the litre of milk than the 60 litres of fuel?

That is what we have come to here. It is not a free market. We do not have competitive forces in the fuel sector—we just do not. What we need is to smash this monopoly into a thousand pieces, smash it and smash it hard and place all the risk on the retailers. If they get their advance pricing wrong, no-one shops there, no-one goes there. They cannot sell the doughnuts, they cannot sell the KitKats, they cannot sell the bread, and they cannot sell the profit margins that they rely on to grow. Petrol becomes, again, the key focus of petrol stations. What that then does is make it a real competitive free market. That is the genius in what the member for Florey is offering us.

The government, in my opinion, have simply chosen a different option because they had not thought of it. That is the unfortunate thing about governments sometimes: rather than choosing the best option, just because it is someone else's idea they choose something else. The gift that the member for Florey is offering the people of South Australia is to say, 'Let this be a government bill,' and the opposition would carry the government on their shoulders, but of course we know that will not happen. Pride, the devil's favourite sin, will not allow the government to accept that they are wrong. The government will press on with a system that is substandard, that is not as good as what

the crossbench have come up with; that is not as monopoly-breaking as what the crossbench have come up with.

I also point out the time—not that it is 12 minutes to 6pm but that it is nearly two years into a term and this was promised to be done immediately. Indeed, I remember holding press conferences about where this reform was. Let's look at what the government hid behind as this reform was delayed. There are real questions about why this reform was delayed. What are the interests behind the delay?

What are the powerful interests that are pushing for a certain model over another? These are interesting questions that I think need to be answered, but I suspect that we will never really know the powerful forces that move behind the Liberal Party, pulling the strings about what it is that should or should not be done.

The question about the history of all this is that, as I said earlier, at the last state election the then opposition, in their natural state of opposition stated—this is from the member from Gibson at the time—that the Liberal Party was looking at options for publishing petrol prices to put downward pressure on prices. He further stated:

> South Australians are paying some of the highest household bills in the nation and need greater state government support.

He went on to say:

> Easing cost of living pressures will be a major focus of the Marshall Liberal Government, if we are elected in March next year.

Regardless of the $500 million in increased fees and charges that have come past in the last budget, which I think is a broken promise, and the increases in land tax, the Attorney-General was quoted in the paper after the election, on 29 March 2018:

> The state government is working through the legislative changes required to implement real-time fuel pricing...

On 29 March 2018, the Attorney-General said, 'We're on it, working at breakneck speed.' A year and a bit later, on 19 December 2019, the Premier was criticised on FIVEaa radio for backing away from the commitment and claiming there was, and I quote from the Premier:

> …plenty of evidence around the world that by providing the data it can be used to game the market and actually increase the price for consumers.

So what happened between 29 March 2018 and December 2019? What happened in that period? What was going on internally in the Liberal Party? What powerful forces were stirring that wanted the government to change one of their key election promises? But, of course, with breaking promises comes pressure and, as we all know, the Attorney-General can stand up to anything but pressure.

Mr Basham: Really?

The Hon. A. KOUTSANTONIS: Yes. I don't know; how does she treat you? Well?

Mr Basham interjecting:

The Hon. A. KOUTSANTONIS: Good. The report was completed in March. The Productivity Commission was asked to do a report. So everyone was thinking the Productivity Commission was asked to do a report, that they were going to go away and work out a scheme. It is important to understand what the commission was not asked to develop. It was not asked to develop a business case or address detailed design matters, which would of course affect the cost of implementation. It was not asked for any recommendations. The Productivity Commission was told not to make recommendations. Why? Why establish a Productivity Commission, give it the task of fuel pricing, and then this from the commission, and I quote:

> The Commission was asked to investigate potential models for improving transparency of fuel prices in SA and improving the information available to motorists when buying fuel. It was not asked to make recommendations.

Why not? We will go through this in committee stage, when we eventually get there. Why was the Productivity Commission, a body that we were told was going to depoliticise economic decisions like

this, not asked to make recommendations? How much more could the Liberal government ask the Productivity Commission not to do when investigating this?

It seems to me that the fix was in to go slow—go slow—which is why the crossbench and the opposition have been agitating on this. Credit to the member for Florey for the work, research and effort she and her colleagues on the crossbench have put into this. They have been exemplary and they have put the government under a lot of pressure and I think, quite frankly, embarrassed them into action, which is exactly the role of the crossbench and the opposition. We do not have the numbers in here, unfortunately. We are working on it but we are not there yet.

Media reports from 13 May this year quote the Attorney-General as saying—and she is smiling, which is always a good sign—and I quote:

> After considering this report, we have concluded to trial a real-time option, which would require petrol stations to report on any price changes to a centralised database.

She goes on to say:

> While this may not reduce the overall cost of petrol, it will help motorists make informed choices and find the cheapest prices at any given time.

It gets worse. The article then goes on to say, and I quote:

> The government aims to begin the two-year trial in spring.

A trial. Go back to before the election. We had the fierce urgency of now: families were suffering, petrol prices were too high, and 'We need a change of government. We need to make sure we do this.' Get in—a leisurely pace. Go slow. The Productivity Commission was asked not to make recommendations. The Attorney-General says on radio straight after being sworn in, 'We're working on this,' and not a year and half later the Premier says it might not actually work.

I am not a suspicious man. In fact, I like to side with the angels most times, but I suspect something is going on—something is rotten. We will not stand in the way of the government's legislation. We will be voting for the amendments wholeheartedly, forcefully. All of our people will be alongside the member for Florey, the member for Frome and the other crossbench members to get this legislation up. If we are unsuccessful, we will back the government's legislation. We do not want to stop this.

Ms Bedford: It's an improvement.

The Hon. A. KOUTSANTONIS: It is an improvement.

Ms Bedford: A teeny-weeny one.

The Hon. A. KOUTSANTONIS: Inches, life is about inches—moving forward always.

Ms Bedford: Size does matter, though.

The Hon. A. KOUTSANTONIS: I don't know about that. Like many South Australians, I want to see a fuel pricing scheme. I think it makes sense. I think it will sharpen the pencil of retailers. I would prefer to see them taking the risk. I would prefer to see the pressure on them 24 hours in advance. I would prefer to see them risking it all a day in advance.

Imagine the incentive for the plucky independents—the great South Australian miracle—the independent retailers, whether they are in groceries or in fuel. Think of the incentive for them to get a beat on the big retailers, the big owners, come in hard, low, 24 hours in advance and give them that advantage throughout the day. What would that do for building brands, building customer loyalty?

South Australians will travel for cheaper fuel. Regional members know this better than metropolitan members. They are the ones who are stuck with the tyranny of distance. They are the ones who see their constituents pay exorbitant amounts for petrol. That risk of getting it wrong, I think, is all we need to make sure that we get a real fuel price system that will work.

Given the government took two years to produce a two-page bill, this casual approach to whether it is abandoning GlobeLink, increasing prices after promising to decrease the cost of living,

despite the promises of jobs that have not come, despite the promises of less freight on our roads and despite not having the jobs that we would expect from infrastructure spending, we will support this legislation. I was reading the official Liberal Party website, as I do when I am bored, and I found a member's profile that is still up. I found it very interesting. It says:

> Fraser is a proud member of the Marshall Liberal Team and a strong advocate for the GlobeLink plan which will boost the economy and create jobs in construction, transport and exports whilst giving our exporters a competitive advantage to get quality Yorke Peninsula products to international markets.

I have to say that I drove to Whyalla the other day and, coming out of Port Wakefield, I did not see any bulldozers. I did not see any roadworks starting this massive overpass that was promised over 2½ years ago. I seek leave to continue my remarks.

The DEPUTY SPEAKER: Member for West Torrens, your time had expired because, remember, you were not the lead speaker; the member for Florey was the lead speaker.

Debate adjourned on motion of Mr Pederick.

At 17:59 the house adjourned until Thursday 18 June 2020 at 11:00.

Answers to Questions

GOVERNMENT REVENUE

55 The Hon. S.C. MULLIGHAN (Lee) (13 May 2020). How much additional revenue is forecast to be raised by increasing government fees and charges in 2020-21?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Excluding fines, approximately $27 million in additional general government sector revenue is forecast to be raised by increasing government fees and charges in 2020-21.