LEGISLATIVE COUNCIL

Tuesday, 30 June 2020

The PRESIDENT (Hon. T.J. Stephens) took the chair at 14:15 and read prayers.

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

Bills

LABOUR HIRE LICENSING (MISCELLANEOUS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

LIQUOR LICENSING (LIQUOR PRODUCTION AND SALES LICENCE) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Personal Explanation

PRESIDENT'S STATEMENT

The PRESIDENT (14:17): My principal place of residence is Victor Harbor. At all times during my residency in Victor Harbor I have complied with the rules in respect of accessing the country members' allowance.

Since 2011, I have lived in an apartment in Victor Harbor. From 2011 to 2017, I lived in an apartment that I owned, and from 2017 to the current day, I live in an apartment that I lease in the same complex, which is basically next door. As a member of the Legislative Council, my electorate office is in Parliament House.

The significant volume of standing committee meetings, select committee meetings, constituent meetings, stakeholder meetings and events that are part of an MLC's work has meant that I am often required to be in Adelaide when parliament is not sitting.

Having recently been elected as President of the Legislative Council in February this year, much of my time is spent at Parliament House ensuring the parliament operates effectively, in conjunction with the Speaker of the House of Assembly, and especially during the COVID period.

The Auditor-General has oversight of payments of the country members' allowance, and today I have written to the Auditor-General requesting an audit of all country members' allowances and to expedite a review of my own as a priority.

I have also written to the Commissioner of State Taxation requesting the commissioner to undertake a reassessment under section 10 of the Taxation Administration Act 1996 of any land tax obligations relating to my jointly owned property at Norwood and previously owned properties at Victor Harbor.

While it has never been the practice of previous governments and parliaments to release information with respect to country members' allowances, I have taken the decision to release this information.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Tandanya National Aboriginal Culture Institute Inc—Report, 2018—2019
Fee Notices under Acts—
Education and Children's Services Act 2019
Regulations under Acts—
Births, Deaths and Marriages Registration Act 1996—Surrogacy
COVID-19 Emergency Response Act 2020—
Section 14—No. 2
Section 16 No. 1
Environment, Resources and Development Court Act 1993—General
Emergency Services Funding Act 1998—
Remissions—Land—Miscellaneous
Remissions—Motor Vehicles and Vessels—Miscellaneous
Family Relationships Act 1975 —Surrogacy
Public Sector Act 2009—Regional Landscape Boards
Relationships Register Act 2016—Surrogacy
Surrogacy Act 2019—General
Emergency Services Funding (Declaration of Levy and Area and Land Use Factors) Notice 2020
Emergency Services Funding (Declaration of Levy for Vehicles and Vessels) Notice 2020

By the Minister for Trade and Investment (Hon. D.W. Ridgway)—

Fee Notices under Acts—
Aquaculture Act 2001
Fisheries Management Act 2007—Fishery Licence and Boat and Device Registration Application and Annual Fees
Regulations under Acts—
Local Government Act 1999—General—Ministerial Notice
National Energy Retail Law (South Australia) Act 2011—Local Provisions
Planning, Development and Infrastructure Act 2016—
General—Miscellaneous
Swimming Pool Safety—Construction of Safety Features
Transitional Provisions—Miscellaneous
South Australian Commercial Blue Crab Fishery—Management Plan July 2020

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

Regulations under Acts—
Landscape South Australia Act 2019—
General
Water Management

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

Regulations under Acts—
Controlled Substances Act 1984—Poisons—Electronic Prescriptions

Ministerial Statement

KURLANA TAPA YOUTH JUSTICE CENTRE

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:21): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M.A. LENSINK: On 24 September 2019, the Marshall Liberal government announced it would ban the use of spit hoods at the Kurlana Tapa Youth Justice Centre, previously known as the Adelaide Youth Training Centre. It followed a report by the Ombudsman that looked at the use of spit hoods at the centre in 2016 and 2017. We welcomed the report and accepted all three

spit hood recommendations and immediately committed to banning their use by the end of June 2020.

Today, I am pleased to report that the acting chief executive of the Department of Human Services will prohibit the use of spit hoods from tomorrow, 1 July 2020. In this day and age, the use of spit hoods in our youth justice system is unacceptable and that is why we moved to ban them in favour of more appropriate ways that balance the rights and welfare of young people with the safety of staff.

As always, the safety and wellbeing of our young people and staff remains our priority. Since the Marshall Liberal government announced spit hoods would be banned, staff have been engaged and trained accordingly to ensure the transition has been safe for both staff and young people. I would like to acknowledge the improvements that youth justice staff have made and commend their commitment to continuous improvement, learning and review.

Our ongoing commitment to improve the system is highlighted in the recent release of our new 'Youth Justice State Plan 2020-2023: Young People Connected, Communities Protected', which outlines our strong plan to better support children and young people in the youth justice system. Broadly, our vision is to provide South Australian children and young people in the youth justice system and their families with better support programs and services to achieve positive outcomes. We remain committed to making significant improvements in our youth justice system and we will continuously review best practice for both young people and staff.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): Sir, my question is to you regarding allowances. Why does the White Pages list your sole contact address at Norwood, and are you claiming any parliamentary allowances for telephone services or line rentals at your Norwood home?

The PRESIDENT (14:26): I'm happy to answer that question. No, I am not claiming any line services. My internet at my Norwood property is by landline, so I only use a mobile phone. If you ring the number listed in the White Pages, you are never going to get a response because I don't use it.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): A supplementary arising from your answer, sir: are you claiming any global allowance reimbursement for any aspect of the internet or telephone at your Norwood property?

The PRESIDENT (14:27): I would have to check, but I suspect that I am, as is the right of any member with regard to a country member's city property. Although, having said that, I suspect that it's probably mobile devices anyhow, but there is an internet fee with mobile devices.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): A further supplementary, sir: is a member allowed to claim costs for internet or telephone services to any property other than their 'usual place of residence'?

The PRESIDENT (14:28): I would need to take advice, but I am assuming that we are allowed to be provided with services at both residences.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Sir, my question is to you regarding allowances. What does 'primary place of residence' mean for the purposes of land tax exemptions, and what is your primary place of residence for land tax purposes?

The PRESIDENT (14:28): My primary place of residence for land tax purposes at the moment is a leased apartment in Victor Harbor.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Supplementary arising from the answer, sir: over the last decade, what has been your primary place of residence for land tax purposes?

The PRESIDENT (14:28): I suspect for about seven years it would have been an apartment in Victor Harbor that I owned before moving to a leased apartment.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:29): Sir, my question is to you regarding allowances. For the purposes of the country members' accommodation allowance, what has been your usual place of residence during the last 10 years and, to be very clear, can you inform the chamber of exactly when you moved to Victor Harbor?

The PRESIDENT (14:29): I am happy to let the chamber know that I purchased what was to become my official residence in I think it was 2010 and later, in 2011, was the official move. But, the honourable Leader of the Opposition, I refer you to my statement. I have urgently asked the Auditor-General—I have written to the Auditor-General asking the Auditor-General to review all country members' allowances and to give mine some priority so that there is actually some clarity.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:30): Supplementary arising from the answer, sir: do you consider that you're responsible to this chamber for the use of our parliamentary allowances?

The PRESIDENT (14:30): Do I consider I am responsible to the chamber? The Clerk will correct me if I'm wrong, but I assume that I am. Is that correct, Chris? Yes, the President is ultimately responsible.

EMPLOYMENT FIGURES

The Hon. D.G.E. HOOD (14:30): My question is to the Treasurer. Given the generally gloomy labour force figures recently released for the Australian economy in South Australia, are there any slightly optimistic aspects of these figures that the Treasurer can enlighten us upon?

The Hon. R.I. LUCAS (Treasurer) (14:30): I think it's fair to say that the recent unemployment figures nationally and in all the states and territories have been generally gloomy. Significant increases in unemployment rates and underemployment rates are perhaps not to the extent that the federal Treasury was originally predicting at the start of the global pandemic here in Australia, which was in around about March.

Nevertheless, for those unemployed or underemployed there are still very significant increases in the numbers of officially recorded unemployed, bearing in mind of course that those numbers are masked somewhat by the use of the JobKeeper allowance, where people in any other circumstance would clearly be unemployed were it not for the availability of the JobKeeper allowance.

Clearly, in terms of potential slivers of light in the gloomy outlook, the easing of restrictions in South Australia in particular and in some of the other jurisdictions is cause for some degree of optimism. I do refer members to the most recent labour force figures that have been released under the Single Touch Payroll information. These were figures for the week ending 13 June 2020. These figures are a month more recent than the unemployment figures for May.

The unemployment figures for May generally refer to a period ending in and around about the middle of May and these Single Touch Payroll figures are for the week ending 13 June, so the second week of June. These Single Touch Payroll figures cover about 80 to 85 per cent of total employment in South Australia. The cautionary note is that they are in the original terms, so they are not seasonally adjusted, so members need to be aware of that.

I think the cause for a little degree of optimism is that the total value of employee wages paid in South Australia rose by 1.1 per cent in the week ending 13 June compared to the week ending 6 June, the week earlier. Nationally, the figure was only 20 per cent of that. It was a 0.2 per cent rise in employee wages paid in that week in Australia. What those figures are indicating is, albeit with the gloomy outlook in terms of unemployment, the total number of hours being worked by South Australian workers and the total value of the employee wages being paid for South Australian workers is rising, in the most recent figures, at a greater rate than the national figures.

The fact that these figures have been reflected for about a month now, that is it is not just this particular week that we have seen reasonably consistently total value of employee wages figures in South Australia rising at a greater rate than the national figure, is a cause for some optimism.

The other aspect, pleasingly, is that it was the under 20s who experienced the highest growth in employee wages. They actually rose by 2.0 per cent in that particular week. That may well be consistent with the view that many young people with part-time or casual work might have increased their hours and therefore their value of employee wages during that particular period was rising at a greater level or a higher level than for other states and territories.

Finally, looking at the employee job numbers for the week of 13 June, again, this is only one week's figures but it does show that the total number of employee jobs in South Australia rose 0.4 per cent, whereas nationally that particular measure was unchanged. Whilst acknowledging the generally gloomy nature of the labour force and unemployment figures in the nation and in South Australia, we are hopeful that those glimmers of light in relation to the value of employee wages under the Single Touch Payroll figures report of 13 June might continue to be reflected over the coming weeks as South Australia continues to lead the way in terms of its response to the health crisis, but increasingly, in terms of easing restrictions, is giving the capacity for employers and the labour force figures to improve, we hope, at the same rate.

GOVERNMENT ADVERTISING

The Hon. T.A. FRANKS (14:36): I seek leave to make a brief explanation before asking the Treasurer questions on the topic of government advertising guidelines.

Leave granted.

The Hon. T.A. FRANKS: Two Sundays ago, residents of South Australia were given a day's reprieve from the eternal Harvey Norman wraps on our papers at the moment to see a wrap on the *Sunday Mail* of four full pages touting the government's water bill savings. My questions to the Treasurer are:

1. What is the name of this campaign?
2. What is the purpose or function of this campaign?
3. How will that campaign be evaluated?
4. What is the cost of the campaign to date and into the future?
5. Will you table the evaluation plan for this campaign?

The Hon. R.I. LUCAS (Treasurer) (14:37): I am delighted to answer these questions on behalf of the government, in reverse order. The government is committed to doing evaluations of its government advertising and makes available those particular evaluations publicly on the government website, so the answer to that question is yes, at the end of the campaign there will be an evaluation. In terms of the cost, that has already been publicly acknowledged, as I understand it by the minister for carriage of it, at approximately $1.2 million.

The extent of the campaign I believe is not only for the remainder of this calendar year but extends, as I understand it, into the early part of next year. I am advised by those responsible for the campaign that the purpose of the campaign is to drive people to the SA Water website to the estimator I think it's called, not a calculator, to estimate the extent of the savings. I am sure the honourable member will be delighted that the average South Australian household will save around about $200 a year.

Having reversed some of the decisions of the former Labor government in relation to the cost of water, many other high-use households—particularly those with two parents and three or four, particularly teenage, children who might shower a lot—and high water consumers in average value households may well save $400 or $500 a year.

Businesses, on average, are saving about $1,300. I think the Premier was at Heyne's Nurseries a week or so ago where the proprietor there indicated that his savings might be up to $100,000 a year. It's all about lower water prices, it's all about driving down the cost of living in households, but it's also trying to drive jobs and economic growth in South Australia.

In terms of how much has been spent so far, I can't give an answer on that, but the answer is that the total value of the campaign, I am advised, is about $1.2 million. As I said, the purpose of the campaign, so I am advised, is to drive people to the SA Water website and to the estimator. The other rationale for the campaign is that the more people are confident that governments are actually going to deliver concrete reductions in their water prices, the more confident they will be in going out and spending money in the economy.

If the member has been taking notice of the ads, they talk about the capacity to go out and spend money in the economy, buying footy boots for the kids because they might not have been able to afford them, going down to the local pub and spending money in a local small business, or taking a holiday down to Victor or to Robe and spending money in terms of the tourism and visitor economy. It's a question of trying to generate confidence in the economy, because it is important that people do have confidence that there is more money coming into their pockets and that they have some confidence that they might be able to spend a little bit of that money in the economy and get the economy churning along.

The final point I would make is that this government made a couple of commitments prior to the election. One was that we would spend significantly less on government advertising. In each budget, we report on that, and that has been shown to be the case: significantly less has been spent by this government on government advertising. We also prevented the shameless use of promotion under the former government, where former premier Jay Weatherill, with his energy plan, was saying 'Look at me, look at me, look at my energy plan,' and the millions that were spent on that.

We made sure that the Premier, the Liberal government, or indeed the minister, wouldn't in an equally shameless way be allowed to appear in government-funded advertising, and we have ensured that that is the case.

GOVERNMENT ADVERTISING

The Hon. F. PANGALLO (14:42): Thank you to the Treasurer—'that's a relief', to coin a phrase from the ad. Can the Treasurer please supply figures of how many people have responded to the website since the start of those ads?

The Hon. R.I. LUCAS (Treasurer) (14:42): I am happy to take that on notice, but I suspect they might have been flooded by responses.

GOVERNMENT ADVERTISING

The Hon. T.A. FRANKS (14:42): Given the function of this advertising campaign is to drive hits to the website, is there any other purpose or any other measurable associated with this campaign?

The Hon. R.I. LUCAS (Treasurer) (14:42): I refer the member to my answer to the earlier question, that is, yes. It is all about engendering or trying to engender confidence in the economy in terms of consumers to get out and spend money in the local economy, whether it be on footy boots,

or whether it be on the local hotel for a pub meal, or whether it be to a South Australian location for a visitor economy experience. There are a number of purposes for the campaign.

In terms of the evaluation, there are a number of technical measures with a lot of these campaigns, and we have committed to making that publicly available when it's done. I suspect a lot of these campaigns have some similarity and they would measure the number of hits, which is the question I think the Hon. Mr Pangallo has asked, to the particular website. They would probably do post-campaign research to indicate the responses to the particular campaign.

The evaluation mechanisms, as used under the former government, are pretty consistent and continue to be used by this government. The only major changes we have made, as I said, were to stop shameless promotion of premiers and politicians in campaigns, and, secondly, to significantly reduce the total amount of money we spend on government advertising.

GOVERNMENT ADVERTISING

The Hon. T.A. FRANKS (14:44): Supplementary arising from the original answer that wasn't answered: what is the name of the campaign?

The Hon. R.I. LUCAS (Treasurer) (14:44): I don't know that it actually has a name. There are taglines—

The Hon. T.A. Franks: You really don't know what it's called?

The Hon. R.I. LUCAS: Well, it is a campaign that promotes the savings to consumers, both businesses and households. It has a tagline, which the Hon. Mr Pangallo has clearly remembered, and it therefore demonstrates the success and the effectiveness of the campaign. In a mere week he was able to repeat the tagline in the commercial and the government advertising, so we will put him in the evaluation column as a tick—proudly so.

These campaigns, having chaired this particular committee, don't have names. They actually are promoted by the Tourism Commission or SA Water or the various departments and agencies. It might be a road safety campaign, it might be a promotion of water savings campaign, it may well be a 'stop smoking' campaign, but the taglines will be completely different to the general nature and the structure of the particular campaign.

GOVERNMENT ADVERTISING

The Hon. F. PANGALLO (14:45): A supplementary to the Treasurer: I can recall the tagline because there is a repetition of each ad on television after about 90 seconds. Can the Treasurer explain why it was necessary to take out a full colour four-page wraparound in the *Sunday Mail*?

The Hon. R.I. LUCAS (Treasurer) (14:46): That was part of the promotion that the minister of the department put in terms of the $1.2 million campaign: the combination of television, radio, digital, press—including the wraparound to which the honourable member refers. In some cases, and I am not sure in this case whether it's bus packs and a variety of other advertising media which are used, they are all part of an overall package which is recommended by the agency and the media placement agency—probably Wavemaker but there are two or three the government uses—recommends in terms of how best to get your message out so that people like the Hon. Mr Pangallo can remember the tagline.

They clearly made the judgement that the best way to get the Hon. Mr Pangallo to remember the tagline was to have a wraparound, together with television, so that he was aware of the particular tagline which, more importantly, we hope drove him to the estimator on the SA Water website to find out how much money he is going to save under a Marshall Liberal government compared to the travails of the former Labor government.

GOVERNMENT ADVERTISING

The Hon. F. PANGALLO (14:47): A supplementary: will the minister be able to provide a detailed breakdown of the costs involved in the multimedia campaign?

The Hon. R.I. LUCAS (Treasurer) (14:47): I am happy to take on notice to see what information I might be able to provide because it is a lengthy campaign. I might be able to provide

some general information in relation to the general costs of the campaign in terms of television and radio. But I will take that into consideration to see what, if any, further information I might be able to provide.

GOVERNMENT ADVERTISING

The Hon. T.A. FRANKS (14:48): A supplementary: what is the Treasurer's role in approving government advertising?

The Hon. R.I. LUCAS (Treasurer) (14:48): I chair GCAC.

GOVERNMENT ADVERTISING

The Hon. T.A. FRANKS (14:48): A supplementary: what financial number per hit on the website will be seen as a good outcome? Are we talking $10, $20 per hit on a website for a $1.2 million campaign or are we talking less than the postage stamp it would have cost to post them this with their water bills?

The Hon. R.I. LUCAS (Treasurer) (14:48): I have already indicated that the government will make publicly available the evaluation of the campaign. I have already indicated in general terms how campaigns like this are judged in terms of their effectiveness and I am not sure there is much more that I can add to the responses to the two or three earlier questions of a similar nature that have been put to me.

Parliament House Matters

CHAMBER CLOCK

The PRESIDENT (14:49): Just before I call the honourable Leader of the Opposition, we are obviously having some problems with the clock. The Clerk has advised me that we will go through until 3.28pm.

An honourable member interjecting:

The PRESIDENT: There is some visual thing here that is reasonably accurate, so it gives you a guide.

Question Time

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): I seek leave to make a brief explanation before asking you a question on allowances.

Leave granted.

The Hon. K.J. MAHER: Earlier today, you informed the chamber by way of a statement that from 2011 until 2017 you lived in an apartment that you owned in Victor Harbor and then from 2017 until the current day you live in an apartment in the same complex which you lease. My questions in relation to that statement are:

1. When did you first claim the country members' accommodation allowance, the use of which you are responsible to this chamber for?

2. Are you paying full market rent in the property that, from your statement, you have leased since 2017?

3. Have you ever paid land tax on the property that you own in Norwood?

The PRESIDENT (14:50): I have issued a statement. I intend to stick to that statement. Your question—can you just repeat; there was one question I felt I could answer?

The Hon. K.J. MAHER: When did you first claim the country members' allowance?

The PRESIDENT: I am sure that was in 2011, but I would need to check. The honourable Leader of the Opposition, I believe you are going to move a motion at some stage insisting that those allowances are made public, so it will all be there when you get around to that.

The Hon. K.J. MAHER: The other part of the question was: are you paying full market rental?

The PRESIDENT: Am I paying full market rental? I am. I am paying a slightly inflated rate as to what the previous tenants were paying.

The Hon. K.J. MAHER: Have you ever paid land tax at your place in Norwood?

The PRESIDENT: I'm sorry, I have issued a statement. I am going to clarify those issues quite urgently with I think it's the Commissioner of State Taxation.

CREATIVE INDUSTRIES SECTOR

The Hon. N.J. CENTOFANTI (14:51): My question is to the Minister for Trade and Investment. Can the minister please provide an update to the council about how the government plans to grow jobs and drive investment into the creative industries sector?

Members interjecting:

The PRESIDENT: Order! Minister for Trade and Investment.

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:51): Last sitting week, I outlined to the chamber how the government plans to grow our economy by targeting growth and investment in more high-tech service-focused jobs to ensure South Australia returns stronger than before. I firmly believe our handling of the COVID-19 crisis has positioned us as the premier investment destination for companies seeking a safe, stable and cost-effective jurisdiction to base their businesses and valuable employees. One of our priority sectors that we have identified as having potential for significant growth is creative industries.

The Hon. J.E. Hanson interjecting:

The Hon. D.W. RIDGWAY: Mr President, I am always alarmed that the members opposite are not interested in listening when we are trying to grow the economy. We have been closely consulting with industry—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —as part of the development of the industry-backed sector plan—industry backed. We have been out consulting. Everyone here would be aware that we already have a thriving film and VFX industry, thanks in part to the existing Post Production, Digital and Visual Effects Rebate (PDV), which was introduced by the previous government. We also think there is great potential in growing the closely aligned video game sector, which is why the Marshall Liberal government made the decision to broaden the existing PDV rebate to include video game development.

The video game sector is already growing at over 10 per cent a year and globally is worth more than the film and music industry put together. During COVID-19, the sector has produced record results and is one of the few COVID-resilient growth sectors. Furthermore, over 80 per cent of Australian game revenue comes from export markets, which is an area the Marshall Liberal government is targeting and has been targeting ever since we came to office.

While other states have introduced their own 10 per cent PDV rebate for the VFX industry, this extension to include video game development is a national first—again, the Marshall Liberal government leading the nation. This extension has the potential to turn South Australia into a creative industries hub and will also support the long-term growth of other industries such as space, defence, manufacturing, construction, health and medical, and more, which are increasingly using the same technologies as the video game sector to visualise and test their products and services.

It is technology and industries like these that are the future for the global economy, as skills become increasingly complex and sought after by employers. The Marshall Liberal government is committed to investing in these sectors to ensure South Australia emerges into the post-COVID world stronger than before.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:54): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about the trial of CCTV cameras in residential care facilities.

Leave granted.

The Hon. F. PANGALLO: After questioning by SA-Best and almost 15 months after the minister and Premier announced a trial of a cutting-edge surveillance and monitoring system across at least five SA Health managed aged-care facilities, the minister dropped a media release to *The Advertiser* at the weekend to announce the winner of the tender for the pilot.

The federal government had provided $500,000 for the trial on the understanding the state government was going to use the proven services and expertise of a UK company, Care Protect, operating in 50 British and Irish aged-care and mental health sites. However, there was a major falling out with SA Health when Care Protect became concerned about its intellectual property and other probity concerns.

There is no company in Australia which provides the high level of services and standards like Care Protect; however, SA Health saw fit to award the pilot contract to a small Torrensville-based company called Sturdie Trade Services with no starting date. There were no details about how it was going to carry out the pilot, which will now be carried out in just two of the smallest SA Health aged-care facilities, not the promised five.

A look at its website reveals it is an installer of sophisticated electrical and electronic security CCTV systems and alarms—nothing there about any experience or expertise in the monitoring of aged-care or other health facilities. I called the company today to find out, but they refused to answer my questions, instead referring me to the SA Health media adviser, but I will ask the minister instead:

1. How can this company possibly deliver the specialised services of triage, assessment and protection of vulnerable people that was a requirement in the original grant funding terms to the federal government when it has no proven experience in the sector?

2. Has the federal government been informed of the significant alteration of the original terms?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:57): I thank the honourable member for his question. I fundamentally reject his assertion in his explanation that the commonwealth gave us $500,000 on the condition that our supplier was Care Protect. The commonwealth, like the state government, goes through procurement processes for these matters. It was the case that Care Protect was our original technology partner.

The issues arose in relation to security and ICT concerns. It went to an open tender. Sturdie Trade Services submitted to that open tender; Care Protect did not. I don't think it's appropriate to reprosecute a procurement process by reference to an alternative commercial provider who did not put a proposal to the tender.

The PRESIDENT: Supplementary question, the Hon. Mr Pangallo.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:58): Well, the minister has failed to answer the question actually. Will a separate company or South Australian health professionals now have to be engaged in the monitoring process to assess risks to residents?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58): My understanding is that Sturdie's proposal involves an independent security monitoring service.

The PRESIDENT: A further supplementary, the Hon. Mr Pangallo.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:58): Can the minister detail who this independent monitoring service will be? Will it be able to deliver 24/7 monitoring? Will it be in conjunction or will it be carried out with SA Health?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59): In my response to the previous supplementary, I was indicating that my understanding is that Sturdie's proposal involves a 24/7 independent monitoring centre. My understanding is that that is not provided by SA Health, it's provided by the contract partner.

The PRESIDENT: A further supplementary question.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (14:59): Can the minister explain whether Sturdie have health professionals, professionals engaged in the aged-care sector, who will be involved in the trial?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59): As I have already indicated, the CCTV pilot project was subject to an open tender. This is a pilot that we are proud of. This government, in the shadow of Oakden and in the context of the commonwealth aged-care royal commission, has been pursuing an Australian-first trial of surveillance and monitoring systems in aged-care facilities.

We are very keen to test the acceptability of audiovisual monitoring amongst residents and families to see what opportunities there are to improve safety and care and to reduce adverse events. We went out to an open tender process. We took the best offer on the table through an evaluation process. We cannot be held accountable for people who didn't put their bid on the table.

The PRESIDENT: A supplementary question, the Hon. Mr Pangallo.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:00): They pulled out, so they weren't going to put a bid on the table. What does the minister actually mean when he said 'responses to the tender have led to the project initially focusing on two pilot sites'? How many tenders did the government actually receive?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01): I am afraid I don't know the answer to that question. I will take it on notice.

The PRESIDENT: Further supplementary question, the Hon. Mr Pangallo.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:01): Can the minister also detail the make and type of cameras Sturdie intends to use? Is he aware that Sturdie has a partnership with Hikvision, the makers of cameras and other surveillance equipment the minister says were unfit for the government and were to be removed from government buildings?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01): I am also happy to take that question on notice.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (15:01): My question is to you, Mr President, regarding allowances. What is your current enrolled electoral address? What was your registered electoral address at the time of your most recent election to this place? Has your enrolled electoral address always been the same address as the address for which you have claimed your usual place of residence for the purpose of the country members' accommodation allowance?

The PRESIDENT (15:02): I will take that question on notice, and refer the honourable Leader of the Opposition to my previous statement.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (15:02): Supplementary for clarification: are you taking the question on notice and providing a reply back to the chamber for which you are responsible for this allowance?

The PRESIDENT (15:02): I will take the question on notice, and I will bring back a reply at some stage.

CORONAVIRUS

The Hon. J.S.L. DAWKINS (15:02): My question is directed to the Minister for Health and wellbeing. Will the minister update the council on the government's ongoing response to the COVID-19 pandemic?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02): I thank the honourable member for his question. Australia has been very successful in combating the first phase of the COVID-19 pandemic, with only 104 deaths and over 7,000 of our total case load recovered. We have been fortunate not to see the tragic loss of life which overwhelmed and, to be frank, continues to overwhelm health systems around the world.

South Australia has been at the forefront of this success to this point. Fortunately, the death toll is low. Tragically, four South Australians have died. There have been 443 cases, with no community transmission since late March, with nearly 150,000 tests performed.

However, as the situation in Victoria has demonstrated and as the government has been reiterating, we are still living in a world with COVID-19. We will see more cases in South Australia and we must be prepared to move quickly to stop any contagion into the broader community. There is no vaccine, and globally the case load has passed 10 million, with over 500,000 deaths.

We know that the commonwealth government has closed Australia's international borders and that South Australia is requiring interstate visitors from at least three jurisdictions to quarantine on arrival in South Australia, but we do not live in a bubble either internationally or within the country.

Today, the State Coordinator, the police commissioner, received and accepted the advice of the Transition Committee that he will not be lifting the restrictions in place with Victoria on 20 July as previously foreshadowed.

The Marshall Liberal government will always prioritise the health and safety of South Australians, as we have done throughout the pandemic; however, that health and wellbeing includes maintaining the supply chain for food and other goods and services, and during the pandemic we have seen tens of thousands of essential travellers come into the state.

What happens in other jurisdictions will affect South Australians. This government recognises this and we have moved to provide support to Victorians as they work to bring the recent spike in cases under control. We have sent three senior officers from the Communicable Disease Control Branch, led by the director of that branch, Dr Louise Flood, to support the Victorian efforts, lending their skills and expertise in combating the pandemic.

We are providing additional support through remote support by contact tracing experts—the virus sleuths who showed their worth here in South Australia as we got on top of the Barossa cluster and the airport cluster. Working from premises in South Australia, they will phone suspected contacts to track the movement of the virus through the Victorian community and get the data needed to stop the spread.

In this pandemic, we need to stand shoulder to shoulder with other Australians and, as these efforts made clear, this is more than rhetoric. I thank all our South Australian staff who are supporting Victoria in this current spike and I look forward to seeing the fruits of their labour through the flattening of the curve.

CORONAVIRUS

The Hon. F. PANGALLO (15:06): Supplementary to the health minister: what conditions or regulations does the government intend to impose on arrivals who refuse to undertake COVID-19 testing?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): Up until this point, we have received four plane loads of international arrivals, if I remember correctly, but also to be clear, a number of people who are international arrivals didn't come on dedicated flights. I am advised that none of them have refused the test, but if that was to be the case the Chief Public Health Officer and other authorised officers have the legal power to require them to have a test, and that would be my expectation.

The PRESIDENT: Supplementary question, the Hon. Mr Pangallo.

CORONAVIRUS

The Hon. F. PANGALLO (15:06): If they refuse to undertake that test, what will happen to them?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): I certainly don't want to pre-empt any decision by the Chief Public Health Officer, but I would not be surprised if a public health officer put an individual order on them under either the Public Health Act or under the Emergency Management Act. Under both pieces of legislation, there are severe penalties for noncompliance.

Let's be clear: the law that was passed by this parliament made it clear that the right of individuals to refuse medical treatment, which is normally respected, needs to give way to public health. We do not have the right to endanger the health of others by refusing to be tested and that includes international arrivals just as much as citizens within this state.

The PRESIDENT: Supplementary question, the Hon. Mr Pangallo.

CORONAVIRUS

The Hon. F. PANGALLO (15:07): What are those penalties, minister?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): I am happy to take that question on notice.

CORONAVIRUS

The Hon. F. PANGALLO (15:07): Further supplementary to the response: has the AFL contacted SA Health or the government to seek exemptions for its players as 'essential persons'?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): They don't come to me, but my understanding is that the AFL and, I suspect, also some AFL clubs have made a number of representations to our public health team and I think it's a matter of public record that they are often not happy with the answer.

The PRESIDENT: Supplementary question, the Hon. Mr Pangallo.

CORONAVIRUS

The Hon. F. PANGALLO (15:08): Just to clarify: they are not considered essential and it would be refused if they asked for it?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I'm not saying that. I'm saying that each exemption request would be considered by public health officers.

The PRESIDENT: The Hon. Mr Pangallo, supplementary question.

CORONAVIRUS

The Hon. F. PANGALLO (15:08): Does the minister consider AFL footballers as essential workers or travellers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): For one thing, I can't actually see how this comes out from the original answer. Be that as it may, I would be very surprised if footballers came under the definition of essential travellers, but, to be frank, my opinion matters little, it's what the Chief Public Health Officer and her delegates consider.

GOVERNMENT BAD DEBTS

The Hon. M.C. PARNELL (15:09): I seek leave to make a brief explanation before asking questions of the Treasurer around debts that are owed to government.

Leave granted.

The Hon. M.C. PARNELL: One of the consequences of the COVID pandemic is that many payments for goods and services are not being made at the moment, whether that is in the public sector or the private sector. In addition, there are many prepayments for goods and services that are not being honoured, again both in the public and the private sector. My questions of the Treasurer are:

1. Is the government able to indicate how its levels of bad or doubtful debts have changed during the COVID pandemic?

2. Has the government's criteria for writing off debts that are owed to government changed or been revised due to COVID?

3. In relation to prepayments for services, does the Treasurer know how much money the state government has likely lost through the cancellation of travel arrangements by public servants, whether that be domestic or overseas, for example, in consequence of Virgin Australia's difficulties?

The Hon. R.I. LUCAS (Treasurer) (15:10): I am happy to take the final question on notice. I am not sure how much information we might be able to provide but, if I can, I will endeavour to provide some information. In relation to whether there have been any changes to the government's bad debt policy, I think the answer to that is no but within the context that, during COVID-19, we have made alternative arrangements in relation to people who have sought additional funding or have sought forgiveness of loans or deferral of loans, etc.

I am not sure that technically comes within the purview of the member's question but, in broad terms, I think I have outlined before that there are a significant number of loans that businesses in particular had with the government. We have allowed deferral of those loans at least for a six-month period and, in some rare cases, for longer periods, consistent with the practice that the banks have adopted in relation to mortgages and other business loans.

We have done that, but in relation to writing off debts, I have not agreed to any permanent position in relation to that. In terms of trying to provide assistance to organisations and others, we have had a case-by-case merit-based process in terms of considering the position of a particular individual, company or organisation in relation to that. I must admit that, working backwards, I have forgotten the honourable member's first question, if he could just refresh my memory.

The Hon. M.C. PARNELL: Whether there is any indication of how levels of bad or doubtful debts have grown.

The Hon. R.I. LUCAS: I will have to take that on notice. I think the answer to that is probably no. I don't have any information in relation to that. As I said, to my knowledge we have not been writing off debts at this stage, but whether we have any information in relation to categories of doubtful debts, for example, categories like that, I will take that particular question on notice as well to see whether there is any information that I might be able to provide to the honourable member.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (15:13): Sir, my question is to you regarding allowances. Sir, are you confident that you have complied with all requirements of the legislation that governs land tax and all requirements of the legislation that governs electoral enrolment, and what steps have you taken to make sure of your compliance with both those regimes?

The PRESIDENT (15:13): I refer the honourable member to my opening statement.

SMALL BUSINESS GRANTS

The Hon. J.S. LEE (15:13): My question is directed to the Treasurer about government assistance that supports small businesses during COVID-19. Can the Treasurer please update the

chamber on the number of $10,000 grants paid to small businesses as part of the government's job recovery package?

The Hon. R.I. LUCAS (Treasurer) (15:14): I thank the honourable member for the question. As I think I might have indicated to the chamber before, we had approximately 21,000 applications for these $10,000 grants from small businesses and non-government organisations. In some cases, they might have been sporting clubs or other non-government organisations that met the eligibility criteria.

As of yesterday, I think it was, I am advised we have handed out, on behalf of taxpayers, just over $180 million in grants, or just over 18,000 $10,000 grants to small businesses and non-government organisations. I am advised that as of yesterday there are still 1,300 applications which are to be assessed. In many cases, the applicants have been asked to provide further information. I am told the rejection rate may well be higher for the final 1,300 than has been the case thus far because further information has been sought over a period of time to judge whether or not the applicants have met the eligibility criteria.

It would appear that the final number of $10,000 grants is likely to be in and around the original estimate. I pay tribute to the Treasury officers because it was an almost impossible task to try to estimate how many people might be eligible and the difficulties of estimating eligibility are well evident from the federal experience. The only qualification I would make is that we, I am advised, received significantly more small businesses in the approximately 19,000 (we think) eligible applications and a smaller percentage of non-government organisations that met the eligibility criteria.

Whilst the overall number looks like being relatively close to the original estimate, the mix between small businesses and non-government organisations was different to the original estimate, which therefore means that more money is being expended out of the business and jobs growth fund and less funding out of the community and jobs growth fund. I am in the process of transferring some funds out of the community and jobs growth fund into the business and jobs growth fund because of the tremendous demand for funding out of the business and jobs growth fund.

Whilst the overall aggregate, at this stage, in those two funds will stay the same, I am in the process of making a change in terms of the relative allocation between the two funds. I am advised that in the next week or so hopefully the final 1,300 applications will be finally assessed as to whether they are eligible or not, and that will be the conclusion of one important element of the jobs recovery package, which is the expenditure of close to $190 million of taxpayer funds in trying to support a significant number of small businesses in the state.

I note, because questions have been asked before, we were not able to afford to support every small business in the state. There were eligibility requirements which excluded certain categories of small businesses. We concentrated the funding of taxpayers' money on those that actually employed people and met other eligibility criteria as well.

SMALL BUSINESS GRANTS

The Hon. F. PANGALLO (15:18): Supplementary question arising from the answer: what does the assessment process actually involve, Treasurer? Is their solvency, for instance, a part of that process?

The Hon. R.I. LUCAS (Treasurer) (15:18): The eligibility criteria are outlined on the RevenueSA website. I won't go through all the detail; I can just refer the honourable member to it. Part of that was employing people, being able to demonstrate that they were COVID-19 impacted, so generally that meant that they had met the eligibility requirements for JobKeeper, and that is that their revenue had been impacted by 30 per cent or more in some comparative period post-COVID and pre-COVID and a variety of other eligibility requirements.

Whilst there is no specific provision there which says you have to be solvent, I think the natural aggregation of the eligibility criteria will make it clear that if you were insolvent then you wouldn't be eligible.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:19): My question is again to the Minister for Health and Wellbeing regarding CCTV cameras. Why can't the minister reveal a date for when this pilot will start and what is the reason he cannot do this?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19): My understanding is that the rollout will occur in late 2020 following the installation of the surveillance equipment and engagement with residents, their families and staff. It won't surprise the honourable member that the rollout of this installation is likely to be significantly affected by COVID restrictions on visitations to aged-care facilities, including contractors working on site, which has impacted and will impact on work in nursing homes.

The PRESIDENT: The Hon. Mr Pangallo, supplementary.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:20): Yes. Did it not go to tender because the company Care Protect actually withdrew? Why would they tender if they withdrew from the project?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): The partnership with the South Australian government was terminated, but it was certainly open to Care Protect to apply. I don't understand. To be honest with you, I'm surprised that Care Protect didn't apply.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (15:21): My questions are to you, sir, regarding allowances. Given that you have informed the chamber that you are responsible to this chamber for the use of the country members' accommodation allowance, have you ever claimed any income tax deductions for properties in Victor Harbor that were also being claimed as your usual place of residence for the purposes of the country members' accommodation allowance, and have you ever received any rental income on properties that were being claimed as your usual place of residence for the purposes of the country members' accommodation allowance?

The PRESIDENT (15:21): No.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. K.J. MAHER (Leader of the Opposition) (15:21): Sorry, sir, supplementary question in light of qualification—

The PRESIDENT (15:21): The answer was no.

The Hon. K.J. MAHER: Is that no to both of those questions, sir?

The PRESIDENT: Yes: no.

HOMEBUILDER PROGRAM

The Hon. D.G.E. HOOD (15:21): My question is to the Treasurer. Can the Treasurer update the chamber on the number of applications for the HomeBuilder grant?

The Hon. R.I. LUCAS (Treasurer) (15:22): There has been enormous initial interest in the HomeBuilder grant: the $25,000 grant announced by the federal government to try to help stimulate new home construction nationally, but in South Australia as well. The expressions of interest, which is the extent to which people can express their interest at this stage—I think I issued a press release on the weekend that indicated that the South Australian government had signed up to the national partnership agreement for HomeBuilder.

I think we were the second state jurisdiction to sign up after Tasmania, although I'm informed that this week a number of the other bigger jurisdictions in the Eastern States may now be either signing up to the national partnership agreement or about to sign up to the national partnership agreement. There is the capacity both on the federal government's website and on the state government's website to express interest in the HomeBuilder scheme and I'm advised that, I think it was at the end of last week, there were just over 4,000 expressions of interest in the HomeBuilder grant.

I hasten to say that not all of those people will be eligible. They will have to go through the eligibility criteria but given that the initial estimates from the commonwealth government, or our share of the national estimates of the total number of grants to be provided would have been just under 2,000, it would appear that there may well be significantly more interest in South Australia in terms of the HomeBuilder grant, for the obvious reason that if you add as a first new home builder the $25,000 federal grant with the state government's provision of a $15,000 grant, you have $40,000 towards the building of a new home.

Given the cost competitive nature of the South Australian home building market, $40,000 goes a lot further in South Australia than $40,000 in Melbourne, Sydney or Brisbane.

The PRESIDENT: The Hon. Mr Pangallo, you have a supplementary question?

HOMEBUILDER PROGRAM

The Hon. F. PANGALLO (15:24): Yes. Does the government intend to offer any further incentives to the stimulus, apart from what it has already announced? It hasn't really announced much, but does it intend to add further to the stimulus?

The Hon. R.I. LUCAS (Treasurer) (15:24): As I outlined in the statement to the house two weeks ago, the taxpayers of South Australia—it's not the government—have already put their hands in their pockets to the tune of $1 billion and there has been an extra $1 billion of stimulus that the taxpayers of South Australia have provided by way of bringing forward funding from future years into South Australia, so the stimulus provided directly and indirectly by the taxpayers of South Australia has been either $1 billion or, on a more general definition, $2 billion of stimulus.

In relation to the specific question, no. I have ruled this out on a number of occasions in this chamber and publicly as well and that is, we won't be adding an additional home owners grant or HomeBuilder grant or the abolition of stamp duty on the purchase of the first home. The proof in the pudding of the state government's position is that the current package has attracted more than 4,000 expressions of interest. So there is considerable potential demand out there with the current range of incentives that both the federal and state taxpayers are providing.

The South Australian government only uses money that the taxpayers provide us with and despite the notion, as glibly as it might fall off some people's tongues, 'Why not give them another $20,000 first-home owner grant and how great would that be', in the end you have to make some decisions. If you already have more than 4,000 people interested in purchasing or building a new home with the current incentives, how much more incentive or stimulus do you need?

There are already some within the building industry who are expressing the view that if ultimately there are 4,000 eligible applicants, it may well be difficult to get all those buildings away within the strict six-month time frame and the three-month time frame that the federal government has already outlined from the signing of the contract to the commencement of construction. I am sure the Hon. Mr Pangallo, with his contacts in the construction industry, would be aware of the concerns some have about the tightness of that particular time frame.

The PRESIDENT: The Hon. Mr Pangallo, you have a supplementary?

HOMEBUILDER PROGRAM

The Hon. F. PANGALLO (15:27): Has the government sought an extension from the three-month period to six months, as the industry is requesting?

The Hon. R.I. LUCAS (Treasurer) (15:27): The answer to the question is we have sought to extend the three-month period. The federal government has indicated that it was prepared to concede some ground, which I have acknowledged previously either in this chamber or publicly and which we were grateful to see. They have said that in unforeseen circumstances or unforeseen events, the state department, which has to manage this, can extend the three-month period, but it has to be within the criterion that the commonwealth lays down, which is that it has to be an unforeseen event.

There have been arguments in relation to potential planning delays. There have been arguments in relation to potential housing construction delays. There have been arguments in

relation to organising bank finance delays. For those reasons, there is some modest degree of flexibility that state government officers will have if it can come within the criterion of an unforeseen event, but in terms of the context of extending or hardwiring the extension of three months to some longer period, the federal government has said no.

It wants to see immediate stimulus to the industry, and it therefore wants this scheme to be time limited to six months maximum, because they believe that is the time period within which the stimulus is required.

HOMEBUILDER PROGRAM

The Hon. F. PANGALLO (15:29): Supplementary to that: I am sure the Treasurer read *The Australian* yesterday, where it was reported that banks are now reverting to—

The PRESIDENT: The Hon. Mr Pangallo, you just have to ask your supplementary question. You can't give an explanation.

The Hon. F. PANGALLO: Is he aware that banks are now reverting to more scrutiny of home loan applications that may well take it beyond the 28 days?

The Hon. R.I. LUCAS (Treasurer) (15:29): The answer to the honourable member's question is yes, I am aware of that, and it's an issue that the industry has raised with me and with other state treasurers. It's an issue we have raised with the federal Treasurer and the federal government officers.

In the discussions I have had with Treasurer Frydenberg, he and others have met with the CEOs of the four major banks to put the point of view that it is not going to be in the national interest to have problems in relation to the processing of these loans. Also, the issue that was raised with the financial institutions was that, at the end of the September period, the six-month period, the introduction of even more stringent business loan conditions on businesses in South Australia would not be supportive of national recovery.

There is some concern in business and industry that, at the end of this six-month period when business loans and home mortgages have been deferred, the hammer might come down from some of the banks and financial institutions. I know the federal government has raised those issues and sought assurances from the leaders of the banks and, from public reports, they have given some assurance to the commonwealth government and others that that's not their intention post the September period.

Bills

TEACHERS REGISTRATION AND STANDARDS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:32): The Teachers Registration Board plays an extremely important role in the management of a vital and important profession in South Australia and, while the opposition is generally in agreement that this piece of legislation needs updating, there are some serious areas of concern that I will address in this contribution.

Under the construction of the government's bill, the proportion of teachers on the board would significantly reduce. It is hard to believe that a board charged with regulating a serious and essential profession would have fewer than one-quarter of the board comprised of registered professionals in that industry. This Liberal government has shown plenty of contempt for teachers in its short time in power, from enterprise bargaining negotiations to their treatment during the height of the current corona pandemic, and this latest insult will rub salt into those wounds.

It is highly unlikely that other professional bodies such as health professionals, architects or any other professional body would be subject to this treatment. Teachers should expect at least the same level of respect. The opposition will not support the passage of this bill without reasonable

reinstatement of teacher nominations to the board. We will also be addressing the ways in which teachers are selected to join the board.

Last year, the government attempted to remove the provision for the Australian Education Union to be represented on education review committees looking into school closures and amalgamations. That was altered in this place and the Minister for Education begrudgingly accepted the position, and that is a very good thing given the Treasurer's habit of closing schools at will in his previous stint as an education minister.

However, now the government has come back again and is attempting to remove the Australian Education Union's capacity—in this case, not just the AEU for public teachers but the Association of Independent Schools for independent school teachers—to nominate the teachers who will be on the board. This is an extremely short-sighted move. Union representation brings a layer of confidence to the process and will prevent the stacking of the board by the minister of the day, as well as providing a conduit for information to be provided to teachers about the work the board is conducting.

A number of other stakeholders have been removed from representation on the board in this bill and the opposition will seek to reinstate many of those positions through our amendments. Other amendments the opposition will be seeking to make include:

- reinstating a requirement for the board to consist of, as far as practicable, equal numbers of men and women;
- ensuring the board must consult with unions and all education sectors before adopting codes of conduct or professional standards;
- ensuring a consultative approach to the drafting and adoption of codes of conduct;
- making any code of conduct adopted by the board disallowable by either house of parliament, as set out under the Subordinate Legislation Act 1978;
- requiring the Teachers Registration Board to survey teachers once every five years on the quality of initial teacher education programs (that is the teaching courses typically offered by universities) and have that tabled in parliament. The Teachers Registration Board accredits providers, and seeking feedback on the quality of the courses is not currently a requirement of this process; and
- requiring the Teachers Registration Board to offer a discount of not less than 5 per cent for teachers who pay the full five years of registration, as opposed to paying annually.

In preparing these consultations, the Labor opposition has sought feedback and advice from bodies including the Australian Education Union, the Independent Education Union, individual teachers, the Association of Independent Schools in South Australia, and Catholic Education South Australia. We look forward to the committee stage and the council's positive consideration of a number of the amendments that have been filed.

The Hon. I. PNEVMATIKOS (15:36): I rise today to indicate my support for this bill with amendments. As the member for Port Adelaide in the other place has indicated, the opposition is supportive of this bill with the exception of some key issues that have been addressed by the Hon. Kyam Maher's amendments. During this pandemic, we have come to realise how vital certain industries are—teaching is no exception. Unlike many other professions, South Australian teachers were put in a compromising position by the government, having to either adapt to online teaching, which they were able to do in a matter of weeks, or return to classrooms during the pandemic.

It is disappointing that the government does not recognise the important work that our teachers undertake to the same extent as the opposition. While teachers have been on the front line of the pandemic, the government seeks to diminish the representation of teachers on an integral mechanism which oversees their profession. I think we are all in agreement that the current size of the board at 16 is too large and cutting it down to a maximum of 14 is an appropriate measure; however, cutting down the representation of teachers on the board from seven to three is unacceptable.

The bill also abolishes the Australian Education Union and the Independent Education Union from nominating these teachers and leaves the appointments up to the Minister for Education. Both the IEU and the AEU have played a crucial role in the Teachers Registration Board's establishment and development. Their history with the board, as well as their connection to the teaching community, makes them the most appropriate group to nominate teachers to the board.

Once again, this government is pushing their broader agenda of taking away unions' freedoms and attacking democratic processes. They tried and failed with the proposed amendments to the Education Act last year, which, if passed, would have taken away the union's ability to nominate teachers to public school committees. That loss apparently did not discourage the government at all and they are again backing the same agenda with the same profession. The bill not only wants to take away the union's stake in the board, but shifts the decision-making to the minister.

In true Liberal Party form, this government has created a top-down approach for appointing members of this board. Does the minister truly believe that he knows the profession better than the union closest to the workforce? Not only are the teachers chosen by the minister, but the registrar and presiding member, further meaning minister Gardner and his successors, will effectively be able to control the board with members who represent no-one and could potentially be no more than mouthpieces of government policy. This limits open and more insightful discussion, giving the minister undue power when it should be given to the profession, for the profession.

In the proposed bill, the registrar has also been granted extended powers to suspend a teacher where the registrar, and I quote, 'reasonably suspects that the teacher poses an unacceptable risk to children'. While I think we can all understand the intent of this provision, and I am sure it is well-intentioned, there is no framework for how a matter will be dealt with. With no detail on how this operates and no detail on the recourse the accused teacher might have to appeal or challenge the findings, it will need to be considered further.

The bill also makes provisions to create and publish a code of conduct. The proposed code of conduct developed by the board should be subject to review and scrutiny by parliament. As with any regulations or delegated legislation, the board must consult with those groups who are directly affected and require any code of conduct to be scrutinised by legislative review.

I have held discussions with both the Australian Education Union and the Independent Education Union. While both unions agreed that it was time the act was amended to modernise the system, they hold concerns over the government's proposals. The amendments of the Hon. Kyam Maher and the Hon. Connie Bonaros go some way to supporting a stronger act.

Once again, this government is proposing legislation where the ministers have greater control, in turn creating a disproportionate balance of power in the profession. One cannot ignore the greater debate here that is this government's attempt to rehash failed ideology and ignore the critical involvement of those directly involved, namely, the teaching profession.

The Hon. R.I. LUCAS (Treasurer) (15:41): I thank all members who contributed to the debate on the bill. The bill will amend the act to improve its operation and further support the work of the Teachers Registration Board. I note members have raised concerns about some matters in the bill, particularly the changes to the composition of the board. The government respects and supports the contribution of teachers as members of the board, and the bill ensures this will continue. The minister, in nominating members for appointment to the board, will have to be of the opinion that they collectively have the knowledge, skills and experience necessary to enable the board to carry out all its functions effectively.

The bill includes provision for, at minimum, a practising teacher in each of the areas of early childhood education, primary education and secondary education. However, the bill does not prevent further teachers being appointed to the board except to the extent that one of the board members must be a legal practitioner and one must be a parent of a school student, appointed to represent the community interest.

The Hon. Connie Bonaros has raised specific concerns about the removal of university representation on the board. The bill clearly requires the minister to ensure that the board consists of members who have knowledge, skills and experience in the area of teacher education, which includes the role of universities, and in matters affecting employers of practising teachers. The

government is proposing a model of board membership under which members are appointed based on the knowledge, skills and experience required by the board, rather than based on the nominations of various specified stakeholders.

The government notes that the Hon. Mr Maher has filed a number of amendments to the bill. The proposed amendments include an amendment to modify the composition of the board so that it is similar to current arrangements whereby various stakeholders nominate members of the board. Further to that amendment, the Hon. Ms Bonaros has moved amendments to permit the Independent Education Union to nominate two members of the board, rather than one as proposed by amendments filed by the Hon. Mr Maher.

As I have already outlined, the government is proposing a model of board membership based on the knowledge, skills and experience required by the board, rather than based on the nomination of various specified stakeholders. For that reason, the government will be opposing these amendments.

The remainder of the amendments filed by the Hon. Mr Maher include, in summary, amendments to reinstate requirements for gender balance on the board; retain existing provision for appointment of deputies for members of the board; require the board to conduct surveys of registered teachers on initial teacher education; require the board to provide a discount of at least 5 per cent on annual registration fees if they are paid up-front for the full five years; remove the option for the board to adopt codes of conduct or publish or adopt professional standards, and require any codes of conduct published by the board to be subject to disallowance by the parliament; and require the board to seek submission from, and conduct consultation with, specified stakeholders before it publishes a code of conduct.

These amendments will be debated further in committee; however, the amendments filed by the Hon. Mr Maher and the Hon. Ms Bonaros will not be supported by the government.

Bill read a second time.

STATUTES AMENDMENT (LICENCE DISQUALIFICATION) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:45): I rise to speak on this bill and indicate that I am the lead speaker for the opposition. The government has tabled the Attorney's speech from another place, which goes into some detail about the technical aspects of this bill. As such, I will not go into the same level of detail, but I will provide a short summary.

This bill makes two small changes to the Motor Vehicles Act (the MVA) and the Road Traffic Act (the RTA) that make the calculation of licence disqualification easier. In simple terms, if a person is subject to immediate loss of licence via a police officer, then that is subject to a court process. The law sets down a minimum disqualification period based on the level of seriousness of the offence. The court may set a disqualification period that is not less than the mandatory minimum, minus any period already served under the immediate loss of licence, and the court may set a disqualification period longer than the minimum, if the court sees fit.

Under current law, outcomes that deal with minimum disqualification periods take into account the police imposed immediate loss of licence that may be achieved. However, the outcome described above requires a process of calculation application. The intent of this bill is to improve court efficiency by establishing court imposed minimums that link the two periods. The bill amends the Road Traffic Act to achieve this outcome and makes consequential amendments to the Motor Vehicles Act to reflect the updates to the Road Traffic Act.

It is often said that imitation is the greatest form of flattery, and in that case the opposition would be duly flattered by the introduction of this bill. The provisions have been taken almost identically from the Statutes Amendment (Transport Portfolio) Bill 2017 that was brought into

parliament under the former government. The bill was then affected by parliament being prorogued before the 2018 election.

It is interesting to note that it is more than two years since this measure has been taken up by the current government. It would be interesting to see why a measure that aims to improve the efficiency of how one aspect of the administration of justice works has taken two years to reintroduce. The Treasurer, although he is not a lawyer, might have an idea as to why there has been a two-year period before a measure to increase court efficiency has been taken up.

Also, the Treasurer might be in a position to inform the chamber why a number of other measures that were included in the previous bill—the streamlining for referrals of expiation notices; introducing a penalty for making a false statement on an online expiation referral; supporting a tow away of vehicles that are parked in clearways; and additional powers to the police commissioner with regard to immediate loss of licence—the former government's transport portfolio bill, were deemed not worthy of reintroduction by way of this bill, and why this is the only measure from that bill that the government feels ought to be moved upon.

With that, I indicate support of the bill and look forward to the Treasurer explaining why this is the only measure from a previous bill that the government has seen fit to give effect to.

The Hon. R.I. LUCAS (Treasurer) (15:48): I thank the honourable member for his contribution and for his wholehearted support for the government's initiative in this particular area. When my adviser arrives, I will endeavour to answer any questions the honourable member may well wish to put.

I do have some answers, I think, to questions that Mr Odenwalder might have put in the House of Assembly. I am not sure whether they have already been answered or if I am to provide those answers on behalf of the minister. When the cavalry arrives in the context of the Attorney-General's adviser, if I am required to place on the record the government's response to Mr Odenwalder's questions, I will do so at clause 1 of the committee stage of the debate.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.I. LUCAS: I am advised that a question was put by Mr Odenwalder, the member for Elizabeth, to the Attorney-General in another place and the answer that has been approved by the Attorney-General to the member for Elizabeth's question is as follows. The government has already implemented one of the other measures contained in the Statutes Amendment (Transport Portfolio) Bill 2017 by amending the Road Traffic Act 1961 to enable the penalty that applies to a body corporate that fails to nominate the driver of a vehicle that is involved in the commission of a camera detected offence to be prescribed by regulation and to increase the maximum penalties that apply to camera detected offences.

These amendments were part of the Statutes Amendment (Budget Measures) Act 2019 and came into operation on 3 October last year. As a result of these amendments, the penalty that applies to a body corporate that fails to nominate the driver of the vehicle was increased by regulation from $300 to $1,800 for a single offence and from $600 to $3,600 where the vehicle was involved in both a red light offence and a speeding offence as part of the same incident.

The maximum penalty for individuals was increased to $5,000 from maximums of $3,000 for a single offence and $4,000 where the vehicle was involved in both a red light offence and a speeding offence as part of the same incident. The maximum penalty for bodies corporate was increased to $10,000 from maximums of $4,000 for a single offence and $5,000 where the vehicle was involved in both a red light offence and a speeding offence as part of the same incident.

I am advised by the Minister for Transport, Infrastructure and Local Government that some of the remaining measures from the 2017 bill have been considered for reintroduction into parliament. If any of the measures are approved for reintroduction, they will be reintroduced in accordance with the government's priorities.

Clause passed.

Remaining clauses (2 to 5) and title passed.

Bill reported without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (15:54): I move:

That this bill be now read a third time.

Bill read a third time and passed.

EQUAL OPPORTUNITY (PARLIAMENT AND COURTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:55): I rise today to speak on the Equal Opportunity (Parliament) Amendment Bill 2020, and I indicate I am the lead speaker for the opposition. With regard to the substance of the bill proposed by the government, it seeks to make two small but important changes. Firstly, it amends section 87 of the act to make it clear that it is unlawful for one member of parliament to sexually harass another. Secondly, it amends section 93 of the act to effectively prevent the equal opportunity commissioner from taking any action on a complaint until any related criminal proceedings are completed or permanently stayed.

It is notable that the government has not referred to the alleged misconduct of one of its former members when debating this bill. I am not going to overly dwell on this matter, but suffice to say this bill was not on the government's radar until one of its own crossed lines and the Premier failed to take action to fix this situation. In a sense, this bill is a bandaid to cover up the Premier's lack of willingness and ability to deal with problems within his own ranks.

Despite making a positive change, it is a reminder of how bad behaviour has been compounded by bad leadership and bad management. Events that have come to light in recent weeks, such as the report of the actions of former High Court Justice Dyson Heydon, serve as another reminder that this sort of behaviour is still a major problem in many of our institutions. In that case, it was reported that numerous women were harassed, including those who had secured positions as associates to a High Court judge.

Several of the victims have reportedly left the legal profession after this treatment. They cited the inability to have any confidence about progressing in a profession where the culture from the top was so toxic. We cannot have this parliament fall into the same trap. For those reasons, the opposition will support this bill but again notes that this bill seeks to remedy the unwillingness of leadership to take action when they should have.

The Hon. I. PNEVMATIKOS (15:58): I rise today in support of this bill with amendments. As with other social policy issues in this place, legislative change in this parliament is either not identified as a priority and therefore not promulgated at all. In light of the worldwide Me Too movement and re-evaluations of structures and practices within our society to tackle discrimination and inequality, it seems extraordinary that parliament sees itself above these issues. This double standard is anachronistic.

We cannot require changes in the community and in employment and not require changes in parliament. Similarly, there is no room for inequality in the Equal Opportunity Act. The bill is a great example of double standards where members of parliament maintain a position of exemption from the laws that apply to everyone else. For far too long, members have had this privilege. I recognise that I am relatively new to this place; however, I—as well as the public, I might add—am not unaware of past indiscretions and inappropriate behaviours in the roles of representatives in this state.

With privilege comes responsibility and accountability. Parliamentarians are not exempt from that. In fact, they have a duty to our community and the voting public to ensure that they are role models. Likewise, we have seen recent media attention in relation to the judiciary, highlighted by

sexual harassment allegations by no less than six women lawyers against former High Court Justice Dyson Heydon. High Court Chief Justice Susan Kiefel said, quote:

> We're ashamed that this could have happened at the High Court of Australia…
>
> We know it would have been difficult to come forward. Their accounts of their experiences at the time have been believed.

Her comments were timely and welcome. They demonstrated a real attempt to grapple and address the issues raised. The Hon. Connie Bonaros's amendments on inclusion of the judiciary and the courts demonstrate another group who have placed themselves above the law.

Both parliaments and the courts have a responsibility to ensure that any power imbalances and inequalities leading to discrimination and harassment are identified and addressed. We cannot expect the community to change their structures and behaviours when the enactors and enforcers of the law are not held to the same standards.

This bill will never undo what the member for Waite's and former members' inappropriate actions and behaviours have done. I would have thought that the shame and tarnished reputation that precedes these unspeakable actions would act as a deterrent for members and result in a re-evaluation in the structures that enable this and unacceptable behaviours. But time and time again that thought is proven wrong. It is almost as if some members in this parliament see themselves as above the law. Perhaps this bill will serve as a greater warning for members to consider and re-evaluate their actions and behaviours. We have moved beyond a time when this behaviour can be tolerated and, by implication, condoned. The community expects better.

We have passed all this legislation to protect people's rights in the workplace and ensure that workplaces are safe from discrimination and inappropriate practices in workplaces. We have a responsibility to ensure that our workplace also reflects a safe working environment free from discrimination and harassment. And I hope it does because this is an issue of equal rights and equal opportunity for all.

Once becoming aware of the incident, the Premier and the Attorney-General initially took swift action, but from then until now nothing else has progressed. We have had to wait six months for this legislation which, quite frankly, should have been done months ago. When the state government cannot even act on an issue this serious in a timely manner it sends a powerful message to the public that encourages inaction. This incident has reignited the discussion on the deep-rooted inequalities and inappropriate practices that go on in this place.

Recently, we marked 10 years since the first female prime minister, Julia Gillard, was appointed. Perhaps one of her most memorable speeches was directed at leader of the opposition Tony Abbott about his awful display of misogyny and sexism towards Ms Gillard. Using Tony Abbott's own words and actions against him showed the validity of her argument and the hypocrisy that transpires in parliaments. Her speech forced the debate of harassment and sexual inequalities within the parliament. It is unbelievable that this speech happened 10 years ago and that we can still see similarities in our parliaments today.

We can no longer ignore the disproportionate sexism and harassment women receive in this place. This government has labelled this bill as a 'minor technical fix up', but we know that its implications have a much greater effect on the whole culture of this place. The bill before us today is only one piece towards growing a safer and more equal parliament. Members must commit to changing the attitudes and some of the practices in this place.

The Hon. T.A. FRANKS (16:04): I rise to support this bill and welcome that we will finally address this matter before the parliament. It is unfinished business from the 1980s. It is unfinished business for many members of this place who have been sexually harassed, who have been subjected to degrading and vindictive behaviours in a way that would not be acceptable in any other workplace of this state.

This bill will make it unlawful for a member of parliament to sexually harass another member of parliament. Very simple words, but I think most members of the South Australian community would be astounded that currently it is lawful for a member of the South Australian parliament to sexually harass another member of the South Australian parliament.

We know with the suffrage anniversary—not the one just passed but the one before that, now over 25 years ago—that the work of that committee ensured that staff in this place and in our electorate offices were no longer able to be sexually harassed by members of parliament with impunity, but that impunity has continued for over 25 years since that particular debate.

We know from the *Hansard* back in the 1980s and 1990s that everyone knew that these behaviours went on in this place, that everyone knew who the perpetrators and the harassers were and that everyone chose not to legislate to stop it, and yet this is our job: we make the laws of this land but when it comes to sexual harassment, for decade after decade the majority in these chambers have decided not to take action on these issues.

I wrote to the equal opportunity commissioner in November 2017 about the then Speaker of the House of Assembly, now retired—Mick Atkinson—who on Twitter had sent myself and another member of this chamber faux vaginas, continued to harass us and say that we should enjoy what he called 'jolly japes', and continued to harass many women who held elected positions in this place over a number of years. The equal opportunity commissioner wrote back to me in August 2018 stating:

> I understand that you feel the treatment that you have experienced may seem unfair. However, I can only make inquiries into your complaint if it is covered by the Act.
>
> In your complaint you say the Speaker was opposed to the results of a vote on the decriminalisation of sex work and as a result engaged in a course of conduct regarding you. You say he presided over innuendo regarding you in the House of Assembly, without sustaining points of order and was uncivil, demanding you attend meetings and respond to correspondence. You say he re-tweeted a message containing an inappropriate image, asking you and a colleague to comment on it. You believe his actions constitute sexual harassment.

The equal opportunity commissioner went on to state that:

> Section 87 of the Act contains a provision relating to sexual harassment and outlines the various areas of public life the prohibition relates to. Section 87(6c) specifically relates to Members of Parliament and covers complaints by: members of an MP's staff; an officer or member of staff of the Parliament; or other persons who in the course of employment perform duties at Parliament House.
>
> The method of dealing with complaints regarding allegations of sexual harassment by MPs is set out in section 93AA of the Act. This states the complaint must be referred to the appropriate authority, which in this case was the Deputy Speaker of the House.

Given the complaint was about the Speaker of the house. The letter further stated:

> By letter dated 22 December 2017, the Deputy Speaker advised that the allegation did not come within section 87(6c), as the section did not apply to an allegation made by another Member of Parliament. As such she advised that she would not be investigating it, nor deciding whether it impinged on parliamentary privilege.
>
> The Deputy Speaker's decision meant that section 93AA(d) applies and I thereby need to decide whether the complaint can be dealt with under the Act. Initially I believed that in order to do this the Deputy Speaker had to decide the issue of parliamentary privilege; however, after receiving further information, including a relevant section of the Hansard record, I no longer believe that this is necessary.
>
> The Hansard record indicates that there was some debate on the bill in 1996-7, which amended section 87 to include Members of Parliament. The Opposition at the time expressed disappointment that a recommendation of the Select Committee on Women in Parliament was not taken into account by recognising that sexual harassment can occur between one MP and another. The then Attorney-General was clear on this point. He quoted from the review of the Equal Opportunity Act by Mr Martin QC, which indicated the issue of power inequality was central to consideration of the areas of public life where the provision relating to sexual harassment would apply. He said MPs:
>
> '…are in a different position from the normal workplace participant. They are frequently adversaries in the public eye. Other means of coping with offensive behaviour are readily available and there are dangers associated with an attempt to intrude into these relationships' (page 1708 Hansard).

The letter from the equal opportunity commissioner goes on to state:

> The Attorney-General indicated the Government agreed with that view and opposed any attempt to extend the Act to cover sexual harassment by one Member of Parliament against another.
>
> In my view this debate and the wording of the amendment, makes it clear that section 87(6c) was not intended to apply to complaints of sexual harassment by one MP against another. It is further my view that given section 87(6c) is the section which specifically applies to MPs, then section 87(1), by virtue of this fact and its wording, relating to sexual harassment in the workplace, does not apply to the situation you describe in your complaint, involving the actions of the Speaker.

> You evidently believe an MP should be able to utilise the provisions of the Act—

meaning the Equal Opportunity Act—

> to make a complaint of sexual harassment against another MP.

I certainly did believe that. The letter goes on:

> However, my view is that the situation you describe does not come within the Act, in its current form. As such I do not have jurisdiction to enquire into, or examine the substance of your complaint.
>
> Although I do not believe this is a complaint within my jurisdiction, the subject of sexual harassment in all areas of public life is of concern to me. I continue to promote awareness on the issue and I am always grateful for the opportunity to reflect on whether the current form of the Act is an appropriate reflection of community values and expectations. Furthermore, I will continue dialogue with the Government in relation to the question of possible future amendments to the Act.

I thank her at least for that response, which put into words what we all knew in this place. When I was inducted to this place, the previous Clerk, Jan Davis, outright told me that I had no protections against sexual harassment as a member of parliament but my staff did. I was given the history at that time in that induction that this had been attempted to be amended back in 1996 and 1997. Three decades on, here we are finally actually changing the act. Here we are finally coming in, not to the 21st century but to the 20th century, with appropriate workplace protections.

The complaint that I made to the equal opportunity commissioner at that time was about more than the Speaker, it was about many members of the opposition and their behaviour and the way that the Speaker had presided over it. In this place, if we wish to raise a point of order, if we think something is out of order, we have the power to stand up and challenge it at the time. We have the power to make a personal explanation if we feel that we have been misrepresented. When on the public record in perpetuity similar slanders, similar denigrating comments are made, we have no power, if we are elected in this place, to stop what they say about us just a few metres away in the parliament in the other chamber.

When I made this complaint, I got my staff to do a *Hansard* search. We found that between July 2015 and late 2017, the time frame in which I lodged the complaint, there had been dozens of instances where I had been subject to denigrating language, aspersions on my character, accusations of sexual relationships, accusations that in any other workplace would not be suffered, as I had to do, and would not be put up with by management. Certainly, they would not be presided over in the way the Speaker did as to his entertainment to paraphrase one particular ruling when the now Speaker made a point of order against what the member for West Torrens was saying at the time.

With the tweeting at myself and the Hon. Michelle Lensink of a faux vagina that Christmas, I decided enough was enough and I was not going to put up with it anymore. I knew as I did so in the words of Jan Davis, the former Clerk, that I probably had no protection whatsoever. Certainly, over the course of time, I had had conversations with members of the opposition. I had one occasion where a member of the opposition had weighed in on this childish debate and piled in on me that day and I would receive text messages from some of those in the opposition who were disgusted by their colleagues' behaviour saying, 'They are doing it again.' Much of it, of course, was not even recorded in *Hansard* but we found dozens over many years of this gutter trash in *Hansard*.

That day, I ran into that member who I was quite disappointed in who I thought was a respectful colleague who had weighed in thinking it was all a bit of fun. I was on my way to an event in The Old Chamber and I ran into him in the corridor. He said, 'How are you, Tammy?' I said, 'Not very well, thank you. I don't like what you said in question time today,' to which he started to retreat away saying, 'You should take it as a compliment. It means you are a powerful woman.' The implication that one, as a woman in this place, somehow has to resort to some perceived fabricated sexual wiles is something that belongs in the script of *Mad Men*, not in the chambers of the South Australian parliament in the 21st century.

At that time, I was deeply upset. This had been sustained over years and I was sick of it. I was sick of the snide remarks in public ways that were presided over by a Speaker who thought they were all a bit of fun and was entertained by them. I was sick of having stakeholders and constituents tell me that they had been told things about me by members of the opposition, then in government,

holding positions of ministers of the Crown. I was fed up with those sympathetic members of the opposition who would text me and offer me quiet consolation, and that nobody called it out. I did raise this with the then premier and I did raise this with many members of the opposition, and I was told, 'Yes. He is awful to us, too. What can we do about it? We have to put up with similar types of behaviour. Just keep away from him.' Seriously?

This is a party that says they stand up for workplace rights, and I have to say the member for Ramsay was the only one who had the guts to say to me, 'You know what, Tammy? In any other workplace, this would not be accepted and they only do it because you are a woman. They only do it because they think that you can get away with it.' I thank her for that because that solidarity that day actually showed me that not everyone in the opposition felt this way and thought that this behaviour was appropriate.

I am reasonably sure there have been instances of it under this government but with a different Speaker it is a little harder to get away with this type of behaviour in the other place. I do say that I think because we have a chamber where the government does not have the numbers and it is not as adversarial that we do not see that sort of behaviour in this chamber. But we should not see it in any chamber. It should not be accepted by any political party of any colour in any parliament of this country and yet here we are today finally fixing up what we should have done back in 1996-97.

I am frustrated that members of the opposition have focused on the current situation, again leading up to Christmas—perhaps there is something in the air around Christmas in this place—of the member for Waite. I think his behaviour was appalling, I think it was unacceptable, and I have made several complaints in formal ways. I look forward to the interview that I had with the private investigator being part of a resumed investigation into what happened that particular evening in this workplace.

I also look forward to the equal opportunity commissioner's offer to do what she has done with SAPOL and do an audit of this workplace, this parliament, to ensure that this sexist behaviour, this sexual harassment, beyond the letters of the law that we will change in this coming debate—but that in the culture of this place people will not revert back into their red or blue camps, revert back to victim blaming, revert to gaslighting people who do complain, revert to snide innuendo and false claims about people who you disagree with politically, thinking that it is somehow a legitimate political tool.

I do hope this parliament takes up the equal opportunity commissioner's offer to do the audit work with us and I understand that the Sex Discrimination Commissioner federally is most interested in this particular workplace. We have a proud history but we also have a dirty little history in this place as well where we all pretend that somehow these behaviours are either not happening or not affecting people in their workplace.

I actually got really quite upset that this debate was brought on earlier than I expected. Emotionally and mentally I had to prepare to talk about this because it is not something that I want to talk about in this parliament. It was something that I have deliberated on for weeks whether I would, but I think it is actually time we called it out and stopped blaming victims and stopped pretending that we are not all culpable when we turn away from it, and to actually realise as well that this is not just for the equal opportunity commissioner to address but it is for each and every member of this parliament to change the way that we behave or change the standard that we are currently walking past and accepting, and to call it out no matter who it is or how powerful they might be in this place. With those few words—because I could say a hell of a lot more—I commend the bill.

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

SINGLE-USE AND OTHER PLASTIC PRODUCTS (WASTE AVOIDANCE) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2020.)

The Hon. M.C. PARNELL (16:24): Two years ago, the Greens introduced a very similar bill into this place to that which the government has now brought forward. The government was not keen

to progress the bill that I introduced because they were going to do their own, following community consultation. It took 18 months, but I am pleased that we now have a bill. This bill is by no means perfect. It is certainly a start, but I think we can make it better before it leaves this chamber.

When I introduced the Greens' bill two years ago, I reminded the council that the impact of single-use plastics on the natural environment was an unfolding environmental disaster that had been upon us for a number of decades and it was getting worse year by year, and I have never had anyone tell me that I am wrong in relation to that. It is a massive global problem and it is getting worse year on year.

It is hard to go anywhere out into the environment without coming across plastic waste that has its origins in single-use items. Almost everywhere, you can find the lids from plastic coffee cups, straws, the little stirrers that you use to dissolve the sugar in your coffee, as well as plastic plates and cups and other plastic crockery and cutlery. It is all out there in the marine environment, on our beaches, by our rivers and in our parks and other natural places. The waste that ends up in the marine environment has attracted particular attention because even small children know that these plastic waste items end up inside turtles, birds, whales and other marine creatures. They are killing millions upon millions of creatures around the world every year.

That is the legacy of plastic products, the legacy of plastic packaging and, in particular, single-use plastic items, but there is a better way. There is no doubting the convenience of the throwaway society. There is no doubting that it is convenient not to have to wash something, but that convenience comes at a terrible price, and that price is largely being borne by our environment, our wildlife and, in particular, our marine wildlife.

You do not have to watch a David Attenborough documentary to know how ubiquitous plastic has become in the environment, because we have decades of statistics that have been kept by a range of government and private programs, such as the results of Clean Up Australia Day and other community clean-up events. We know that Clean Up Australia volunteers collect tonnes of waste from beaches, rivers, roadsides and other public places, and plastic makes up a large proportion of that waste. Estimates vary from a quarter to a third, depending on the jurisdiction. In some ways, in a place like South Australia, we do not have as many plastic drink bottles but we do have other plastic items. The results vary, but plastic is a considerable proportion of the waste that is collected by volunteers at Clean Up events.

We now know that these plastic items never completely break down. They get smaller, but they stay in the environment. If you eat fish, you are eating plastic. Plastic in the ocean is responsible for killing, directly, hundreds of thousands of turtles, birds, such as penguins, as well as dolphins, and we know it is a massive global problem. The idea of banning single-use plastics is not new. Certainly, in the Greens, it has been our policy for many years. My colleagues in other states, as I have, have introduced bills into their parliaments, and I am pleased now that the government has a bill for us to consider as well.

I also said two years ago that these initiatives were gaining a lot of traction overseas, and I mentioned that my bill was largely based on European Union initiatives. The EU list of products to be banned is bigger than the modest list proposed in this bill. They have included things like cotton buds, where the sticks are plastic. They include plastic plates, bowls and cups as well as the low-hanging fruit that is already incorporated in this bill, such as drinking straws, drink stirrers and plastic cutlery.

A number of other jurisdictions are also looking at the harm that is caused by the mass release of balloons. Even balloons that are not mass released still often are accompanied by single-use plastic sticks and ties that end up in the waste stream. Mass balloon release is a particular problem that needs to be addressed. You have something that is beautiful for a few moments and causes pain for many years.

Two years ago, I also walked members through all of the other jurisdictions that were moving on dealing with plastic waste. Since then the list has grown significantly, with new jurisdictions taking action every day. We also have action that is happening at the local area. Many councils are banning single-use plastics at events that are held in their council area. We also have event organisers, such

as the organisers of WOMAD in Adelaide, who insist that the food vendors do not use single-use plastics.

The event this year was an overwhelmingly compostable event. To make sure that people did the right thing, because most people do want to do the right thing, they have volunteers standing next to every group of rubbish bins, so people knew exactly what they should put where and make sure that the food waste and the food containers ended up in the compost bins. That is great, but it is not enough to wait for individual councils, individual organisations or even individual companies to take small initiatives to achieve what we know needs to be done. Of course they are to be congratulated, but overall it is not enough. We can and we must do more.

The minister in the second reading explanation pointed out the range of consultation that had been undertaken. The bill that we have now been presented with is narrower in its scope than the range of issues that were flagged in the consultation. Certainly, one of the elephants in the room is takeaway coffee cups, many of which are plastic lined. We have a lot of issues around plastic bags, beyond just the supermarket bags that this parliament dealt with some time ago, and we have lots of issues around the containers used for takeaway food.

As the minister said to parliament, she had no doubt that other members would have better suggestions and their constituents would have suggestions. In fact, when you look at the public consultation report, from memory 91 per cent of respondents thought there were other things that could be included. The minister will correct me if I am wrong. I am working from memory on the results of that consultation.

The government quite reasonably emphasised that consultation is necessary. We are talking about a major transformation of the way many businesses operate, so yes, the government does need to consult with people who use these single-use plastic products or sell them or give them away as part of the services they provide.

There is obviously time needed for transition, but one of the debates I think we need to have is: how long is enough? I think it would be a very rare food seller that did not see the writing on the wall, that at some time they were not going to be able to use the plastic food packaging and the plastic straws and cutlery and other things they have been using. I think they must have known the writing was on the wall, but nevertheless, it will be important to give businesses some time to adjust.

I think this bill quite reasonably sets the framework. When we do get eventually into the committee stage, I think we will spend a fair bit of time talking about the detail. I have been negotiating over a period of many weeks in relation to appropriate amendments to this bill. I am still in discussions with the opposition. I know that there are some items that we can add to the list that the government is proposing be banned shortly, perhaps within six months, and those items that can be banned within, say, 18 months or two years. I am sure that we can do better than the very limited list.

For example, I find it beyond comprehension that the list of banned single-use plastic items includes the plastic knives and forks and spoons but does not include any of the plates, bowls or cups that accompany those utensils. It seems to me that they go together and it make sense that a time frame for their banning also be put in place. As I have said, one of the elephants in the room is the coffee cups. Australia has become a very coffee-oriented society. It is very rare to walk down the street and not see every third or fourth person with a coffee cup.

We know that for consumers it is difficult. Some of the cups are labelled as biodegradable. Many of them are just plain paper, which is biodegradable, but they are plastic lined. Others are labelled as being compostable. I think that even people who want to do the right thing are scratching their heads and struggling to know what to do. They can see that it is largely paper, so does that mean it can go into the yellow bin and be recycled with other paper products? Well, no, it has a plastic lining. You certainly do not want to put the compostable ones in with the recycling because they are going to degrade. I think there is a lot more work to be done.

I am looking forward to the committee stage of the debate, which I expect will be in the next sitting week. I would like to get this bill through certainly before the winter break because then we give businesses longer to adjust. As I have foreshadowed, my amendments will be looking primarily at the list of items, many of which have been consulted on. It is not as if they have all just come out

of left field. As I have said, a vast number of people who commented on the government's discussion paper recommended that these additional items be added. With those words, the Greens are pleased to be supporting the second reading of this bill.

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

LOBBYISTS (RESTRICTIONS ON LOBBYING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 March 2020.)

The Hon. M.C. PARNELL (16:36): In November last year, I spoke in support of the second reading of an earlier iteration of this bill and that position has not changed. The bill itself extends the existing restrictions on lobbying to certain political party officials and those of associated entities and the Greens support those changes.

When we looked at last year's bill, the Greens introduced amendments that go to the heart of what the act is trying to achieve, and our amendments clarified that the restriction on lobbying that currently applies to former South Australian state ministers should also apply to former federal ministers. I have reintroduced those same amendments in relation to this bill this year. If the purpose of the bill is to restrict the lobbying activities of people who have in recent times been in a position of some authority such that they may still hold influence over current members of either the executive or the parliament then the list of those caught by the restriction should be grounded in that reality.

In relation to this bill, the Greens believe that the restriction on former ministers working as lobbyists should apply to both former South Australian and federal ministers. The importance of this provision came to light recently in relation to the lobbying activities of Christopher Pyne, a former long-serving federal member of parliament and former minister.

Since leaving parliament, Christopher Pyne has, amongst other commitments, worked as a lobbyist with his lobbying firm, GC Advisory Pty Ltd. Mr Pyne was a federal minister, until the House of Representatives was dissolved on 11 April 2019 ahead of the last federal election, which was on 18 May. Under federal laws, as a former minister he is banned from lobbying in relation to federal matters for 18 months. That period expires on 11 October this year, as I understand it.

According to *The Guardian* newspaper, on 15 January this year the Attorney-General's Department formally warned Christopher Pyne that he was banned from lobbying for a defence contractor that won millions of dollars in government work, including during his time as minister. This follows earlier revelations in *The Guardian* on 9 October last year that the former defence minister's lobbying firm, GC Advisory Pty Ltd, was lobbying for a Sydney-based space company, Saber Astronautics. That company won more than $2 million in contracts from the defence department in the previous year.

A representative of Mr Pyne's lobbying firm—incidentally another political insider and Mr Pyne's former chief of staff, Adam Howard—responded that Mr Pyne was 'acutely aware' of his obligations and that measures had been taken to ensure he would not lobby for Saber. I note that Mr Howard had left Christopher Pyne's office sometime earlier and had already served his time on the bench, as it were.

That is the federal situation, but at the state level there is no forced time on the bench after leaving a ministerial office because the state act only prohibits state ministers from lobbying within two years of leaving office. It does not apply to former federal ministers. As members would know, former federal minister Christopher Pyne has been involved with lobbying on state issues here in his home state of South Australia. On 1 October last year, the *Australian Financial Review*'s senior reporter Simon Evans wrote an article under the headline, 'Billionaire Con Makris applauds hiring Chris Pyne as land tax lobbyist'. The opening paragraphs of that article read:

> Billionaire property developer Con Makris says proposed land tax changes by the South Australian government are a 'disgrace' as he warned the state economy was at risk of falling further behind other states.
>
> Mr Makris applauded some of his property developer counterparts for hiring former federal cabinet minister Christopher Pyne's advisory firm GC Advisory in the fight against a revamped land tax package.

The entry of Mr Pyne's firm into the land-tax debate is awkward for Premier Steven Marshall because Mr Pyne, a powerful South Australian Liberal, was instrumental in elevating Mr Marshall into the position of Liberal leader in the state in 2013.

The whole purpose of the restriction on ministerial lobbying in the Lobbyists Act is to deal with people who have that level of influence and to make sure that they spend some time on the bench. Under the current South Australian Lobbyists Act, Mr Pyne, a former minister, is not on the restricted lobbyists list, but I will say that there is no suggestion from me, and I have not heard from anyone else, that he has actually breached the law. I think the issue is that the law is inadequate. There is a loophole in the law that we need to fix. We need to fix it so that in future it is clear that both former federal and former state ministers spend time on the time-out bench before engaging in any lobbying of state ministers, state MPs or state officials.

The clear intention of the act is to remove inappropriate influence, and my amendment addresses precisely that issue. In relation to Mr Pyne—and I just use him as an example—the bill as amended would make it clear that people in that position need to cool their heels on the bench, in his case until 11 April next year, which is the same two-year period that his counterparts in the ranks of former state ministers are required to serve. With those brief remarks, the Greens will be supporting the second reading of this bill.

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

RADIATION PROTECTION AND CONTROL BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 June 2020.)

The Hon. J.M.A. LENSINK (Minister for Human Services) (16:43): I believe that all second reading contributions have been made to this important bill and would like to thank members for their contributions. Among the contributions from the other place and this place, there has been mention of various radiation matters of strong community interest that are beyond the scope of the bill and what it is designed or able to regulate. It is important that I address these to ensure the committee stage is adequately informed.

Firstly, the bill does not and cannot have any application to the proposed national radioactive waste management facility. The national radioactive waste management facility is being established under commonwealth law that strictly prevents state laws from applying in every facet of its establishment and operation, including transport of waste to and from the site. Similarly, the radiation associated with telecommunications infrastructure, including the rollout of the new 5G network, is regulated by the Australian Communications and Media Authority under commonwealth legislation. Commonwealth law prevails in the regulation of this technology.

Finally and relevant to one of the amendments proposed by the Hon. Mark Parnell, nuclear power is something that is completely prohibited throughout Australia under commonwealth legislation. The establishment of a nuclear fuel fabrication plant, a nuclear power plant and enrichment plant or a reprocessing facility are all prohibited under the Australian Radiation Protection and Nuclear Safety Act 1998.

This bill continues the prohibition in South Australia of the enrichment or conversion of uranium, but this is largely symbolic given commonwealth legislation prohibits it nationally. As has been the case with the National Radioactive Waste Management Facility, if ever there was the political will needed to overturn the commonwealth prohibitions on aspects of the nuclear fuel cycle, such as enrichment or conversion of uranium, it would be highly unusual if the commonwealth laws needed to do so would allow state laws to continue to apply. The South Australian ban on conversion and enrichment of uranium would be made redundant if that were to occur.

There has also been comment made in the second reading stage regarding the Olympic Dam mine at Roxby Downs. It is important to understand that the Roxby Downs indenture is applied through the Roxby Downs (Indenture Gratification) Act 1982. Section 7 of that act dictates that the law of the state is so far modified as is necessary to give full effect of the indenture, and the provisions

of any law of the state shall accordingly be construed subject to the modifications that take effect under this act.

As such, the bill before us is subject to the indenture and the indenture act, and schedule 1 of the bill for the most part usefully outlines how the indenture applies to this area of regulation. There are some minor additional provisions that carry over from the 1982 act, but this bill does not add further dispensation or favour to the Olympic Dam mine. In fact, the bill introduces a number of stronger regulatory provisions that will apply to Olympic Dam mine as they will every other user of radiation in South Australia.

The bill includes a general duty of care that applies to Olympic Dam mine as it does every other person in South Australia. The bill also provides for order-making powers. These include radiation protection orders to gain compliance with the general duty, a condition of licence or any other requirement of the act. There are reparation orders that can be used by the EPA to require a person to make good any harm that has resulted from a contravention of the act. The maximum penalty for noncompliance with an order is $100,000 or a $3,000 expiation.

The bill also introduces major offences of causing radiation harm and serious radiation harm. The maximum penalty for the serious radiation harm offence is $5 million for a body corporate and $1 million or 15 years in prison for a natural person. These offences apply to Olympic Dam mine as they do anyone else should they offend them. To say that the Olympic Dam mine is, to quote the Hon. Mark Parnell, 'above the law' ignores the considerable new powers that the bill makes available to the EPA to regulate all radiation users and ensure all South Australians are safe and protected and can still enjoy the many benefits that radiation use brings.

The setting of limits for occupational exposure has also been raised by the Hon. Mark Parnell and features in amendments to the bill proposed by him. I will reiterate from my previous contribution that the South Australian government is committed to implementing the National Directory for Radiation Protection, which establishes a nationally agreed and uniform approach to radiation protection and safety. The adoption of national standards and codes of practice are a key part of national uniformity in radiation protection and reflect the best available international science. This includes for occupational exposure.

Radiation protection and safety is not only a South Australian concern; it is a global concern. There has been and continues to be significant international investment in ensuring radiation protection and safety standards remain contemporary and scientifically robust. While the South Australian EPA is likely humbled by the view that they should be given the imprimatur to set their own occupational exposure limits, to do so contrary to national and international best available science makes no sense and in practice simply would not happen.

The Hon. Mark Parnell quotes the European Committee on Radiation Risk (ECRR) in stating that the current radiation standards are deficient and not suited for 2020. The ECRR is an informal committee formed in 1997 following a meeting held by the European Green Party at the European Parliament. ECRR is not a formal scientific advisory to the European Commission or to the European Parliament. A visit to their website, which is euradcom.eu, may interest members, but not their old website, which according to their current website 'should be assumed to be in the control of the nuclear/military complex'. This is not a reputable authority on the matter.

The standards that are currently applied in South Australia, and will be continued if the bill passes, are derived from an international science-based governance framework which I will outline for the benefit of members. The United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) was established in 1995 by the United Nations. UNSCEAR is the world's authority on the effects of ionising radiation.

The International Commission on Radiological Protection (ICRP) is an independent, not-for-profit organisation that provides recommendations and guidance on protection against ionising radiation. It has more than 250 globally recognised experts in radiological protection science, policy and practice from more than 30 countries. The ICRP makes recommendations on radiological protection based on the advice of these international experts and using UNSCEAR publications.

The International Atomic Energy Agency (IAEA) was formed by the United Nations in 1957. It publishes safety requirements and guidance based on the recommendations of the ICRP. The most recent report of UNSCEAR to the United Nations General Assembly was presented in 2017. The ICRP published its most recent general recommendations in 2007, and more than 40 publications since that date. The IAEA published its most recent standards, including dose limits that are reflected in this bill, in 2014.

The recommendations and requirements of these internationally recognised bodies are reflected in Australia's radiation protection standards and are adopted by South Australia. ARPANSA has updated its Code for Radiation Protection in Planned Exposure Situations, which sets out the requirements in Australia for the protection of occupationally exposed persons, the public and the environment in planned exposure situations, as recently as January 2020, which also maintains the 20 millisievert occupational exposure limit. Therefore, the government states that the evidence is that the Hon. Mr Parnell is incorrect in saying that national occupational exposure limits are out of date.

If South Australia decided to have radiation dose limits that were contrary to international standards, it would be going against the world's authorities on radiation protection and would go against its national commitments to adopt Australia's national radiation standards. Stricter limits would also have to be applied equally to all occupations as there is no difference in the occupational limits applied to mining and those applied to other occupations that involve exposure to radiation. The national limit of 20 millisieverts is applied in all circumstances.

The highest individual doses are most often in the medical sector, in nuclear medicine and diagnostic radiology, so the biggest impact of any reduction in an occupational dose limit away from the international standard would be to providers of medical diagnoses and treatment that would potentially limit their ability to diagnose and treat serious illness. Around the world, average natural background ionising radiation is between one and 13 millisieverts and in some places as high as 100 millisieverts and there is no evidence in these areas of abnormal incidences of harm.

To reflect on the Hon. Mr Parnell's second reading contribution, he suggests that all radiation is harmful and would prefer a dose limit of two millisieverts per year. This is about the level of background radiation that all South Australians receive each year. The types of radiation sources and activities that this legislation regulates provide benefits to all South Australians in one way or another. This may be through the jobs provided in areas of mining, petroleum, industrial processing and analysis, and health care, or it may be through the improved health outcomes of having access to modern medical imaging, radiotherapy and other nuclear medicine therapies.

A variety of medical imaging technologies use radiation such as X-rays, CT scans and PET scans. These are critical tools used in the diagnosis and treatment of a range of serious medical conditions. Improved treatments for many cancers have been made possible by advancements to diagnostic imaging as well as advancements in radiotherapy technology. This legislation supports the safe and regulated introduction of these new technologies.

The legislation also supports the safe introduction of world-leading technologies into the state that is putting South Australia at the forefront of medical treatment and research globally. One example is the cyclotron, which was constructed in 2013 and is housed at the South Australian Health and Medical Research Institute (SAHMRI). The cyclotron produces radionuclides that are supplied to South Australian and interstate medical imaging facilities to aid in the identification and assessment of cancers and heart disease. Other radionuclides produced at the facility are used for the treatment of patients as part of nuclear medicine therapies.

SAHMRI also uses the cyclotron to develop radioactive traces that have shown promise in neurology for the early detection and diagnosis of Alzheimer's disease and other forms of dementia. The legislation will also support the safe construction of a proton therapy unit in South Australia, likely to be operational by 2022. This technology will be the first of its kind in the Southern Hemisphere and will greatly enhance cancer treatment options for South Australians as well as interstate patients. Currently, patients seeking this treatment need to go overseas.

These are excitements in nuclear technology and it is critical that our legislation is modern and agile to ensure that new technology is able to be adopted quickly and safely and that, more

generally, the community remains protected from unnecessary radiation exposure. Again, I thank honourable members for their contribution to the second reading debate.

Bill read a second time.

TEACHERS REGISTRATION AND STANDARDS (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

Clauses 1 to 6 passed.

Clause 7.

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

Amendment No 1 [Maher–1]—

Page 5, lines 4 to 19 [clause 7, inserted section 9(1) and (2)]—Delete inserted subsections (1) and (2) and substitute:

(1) The Teachers Registration Board consists of not less than 10 and not more than 14 members appointed by the Governor of whom—

(a) at least 5 must be practising teachers, of whom—

(i) at least 4 must be nominated by the Australian Education Union (S.A. Branch); and

(ii) at least 1 must be nominated by the Independent Education Union (S.A. Branch); and

(b) at least 1 must be a person nominated jointly by the Association of Independent Schools of South Australia Incorporated and Catholic Education SA; and

(c) at least 1 must be a person employed in the field of teacher education nominated jointly by the universities in the State; and

(d) at least 1 must be a person nominated by the Chief Executive of the Department; and

(e) the remaining members are members nominated by the Minister, of whom—

(i) at least 1 must be a legal practitioner; and

(ii) 1 must be a parent of a school student appointed to represent the community interest.

(2) At least half of the members appointed under subsection (1) must be registered teachers.

This amendment changes the composition of the board to ensure teachers remain represented at similar numbers to the current act and that unions are required to nominate those appointed to ensure a balance in decision-making and protection against a majority of direct ministerial appointments to the board, reinstating appointment by the universities jointly and the three education sectors.

I can indicate that we have a range of amendments that are moved to this bill. I also note that the Hon. Connie Bonaros has amendments that will be moved by the Hon. Frank Pangallo that effectively amend the opposition amendments, and I can indicate that the three amendments filed in the name of the Hon. Connie Bonaros will be supported by the opposition.

The Hon. R.I. LUCAS: The government opposes the amendment. This amendment seeks to modify the government's proposed changes to the composition of the Teachers Registration Board. It seeks to retain the current situation whereby members of the board are appointed by the Governor on the nomination of various stakeholders. These include relevant unions, non-government and Catholic school sectors, universities, the chief executive and the minister. The government opposes this amendment.

The bill introduces changes to ensure that members of the board are appointed based on the knowledge, skills and experience required for the board to carry out its functions effectively. It is seeking to move away from board membership based solely on the nominations of representative bodies. Clause 7 of the bill ensures that membership of the board will include practising teachers in

the areas of early childhood education, primary education and secondary education. It further ensures that a legal practitioner or a parent of a school student is appointed to the board and that the board will have knowledge, skills and experience in the areas of teacher education and matters affecting employers of practising teachers.

In opposing this, depending on how the actual amendments are put, the government, whilst recognising as I understand it that it is unlikely to have the numbers to successfully oppose these amendments, will divide on one of these particular amendments to clause 7 just to put our flag in the sand so to speak. But in the interests of expediting passage through the committee stage, we will not divide on the remaining amendments to the clauses, even though our passionate opposition to all of them will be recorded verbally on each occasion but not by way of division.

The Hon. F. PANGALLO: I move:

Amendment No 1 [Bonaros–1]—

Page 5, lines 4 to 19 [clause 7, inserted section 9(1)]—Delete '10' and substitute '11'

Amendment No 2 [Bonaros–1]—

Page 5, lines 4 to 19 [clause 7, inserted section 9(1)(a)]—Delete '5' and substitute '6'

Amendment No 3 [Bonaros–1]—

Page 5, lines 4 to 19 [clause 7, inserted section 9(1)(a)(ii)]—Delete '1' and substitute '2'

The Hon. T.A. FRANKS: I rise to indicate that the Greens will be supporting both the opposition's and SA-Best's amendments to this bill. We oppose moves by the government to enable the minister to hand-pick members of this board. We oppose the ongoing ideological warfare and campaign that this government wages against organised labour and their representatives. This government seems to want disorganised labour, to paraphrase something from a TV program. It seems to want a weakened voice rather than an organised voice and an expert voice when decisions are made and when representation is conducted.

We will not let the government get away with this ongoing ideological opposition to the word 'union' and, as they often say, 'union bosses'. Completely disregarding the expertise and the representation that unions provide in a workplace is to the detriment of good governance, not to the benefit of good governance.

We also applaud SA-Best for ensuring not only the AEU but also the IEU will retain their particular positions and note that the Greens stand strongly in support of keeping these unions on the board of the Teachers Registration Board. The petition that is coming to the parliament of some 10,000-plus signatures shows that the community is quite passionate about this issue. We note that because of the work of the member for Florey that was passed in both chambers and those 10,000-plus voices in that petition, that will ensure that debate is not silenced in this place and that it supports the opposition and SA-Best amendments to this government bill.

The CHAIR: I put the question that the amendments moved by the Hon. Mr Pangallo to the Hon. Mr Maher's amendment be agreed to.

The Hon. F. Pangallo's amendments carried.

The CHAIR: The question is that the amendment moved by the Hon. K.J. Maher, as amended by the Hon. Mr Pangallo, be agreed to.

The committee divided on the Hon. K.J. Maher's amendment as amended:

Ayes 11
Noes 8
Majority 3

AYES

Bourke, E.S.	Franks, T.A.	Hanson, J.E.
Hunter, I.K.	Maher, K.J. (teller)	Ngo, T.T.
Pangallo, F.	Parnell, M.C.	Pnevmatikos, I.

AYES

Scriven, C.M.	Wortley, R.P.

NOES

Centofanti, N.J.	Dawkins, J.S.L.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A.	Lucas, R.I. (teller)
Ridgway, D.W.	Wade, S.G.	

PAIRS

Bonaros, C.	Darley, J.A.

Amendment as amended thus carried.

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

Amendment No 2 [Maher–1]—

Page 5, after line 34 [clause 7, inserted section 9]—Insert:

(5a) The Minister must ensure, as far as practicable, that the persons appointed under subsection (1) consist of equal numbers of women and men.

This amendment reinstates the requirement of the board to consist of, so far as is practicable, equal numbers of men and women.

The Hon. R.I. LUCAS: The government opposes the amendment that seeks to modify clause 7 to insert a provision requiring the minister to ensure a gender balance on the Teachers Registration Board. Current section 9(2) of the act sets out an equivalent provision; however, this current requirement for a gender balance is not met by the board and has not been met for some time. There is significantly more women on the board than men and this broadly reflects the gender composition of the profession.

The Hon. F. PANGALLO: SA-Best supports the amendment by the honourable Leader of the Opposition.

The Hon. T.A. FRANKS: For the sake of the record, I thought I had already indicated that the Greens will support the opposition and SA-Best amendments.

Amendment carried; clause as amended passed.

Clause 8.

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

Amendment No 3 [Maher–1]—

Page 6, lines 10 to 27 [clause 8(2)]—Delete subclause (2)

This relates to the passage of amendment No. 1.

The Hon. R.I. LUCAS: The government opposes this amendment. The amendment seeks to remove subclause (2) from clause 8, which sets out that the Governor may appoint a person to be the deputy of one of four specified members appointed to the board under clause 7 of the bill. The amendment will retain existing provisions for deputies to be appointed by the Governor.

It is important that the provision be retained for a small number of deputy members to be appointed to the board to ensure the board is availed of the expertise of practising teachers and a legal practitioner in the temporary absence of relevant board members with that expertise. The government does not see the need for the appointment of a deputy for every member of the board, as is the practice under current arrangements.

Amendment carried; clause as amended passed.

Clauses 9 to 14 passed.

Clause 15.

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

Amendment No 4 [Maher–1]—

Page 8, after line 24 [clause 15, inserted Part 3A]—Insert:

19B—Teachers Registration Board to survey teachers

(1) The Teachers Registration Board must, at least once in every 5 year period and in accordance with any requirements set out in the regulations, conduct a survey of registered teachers in this State to ascertain their views on—

(a) the curriculum for initial teacher education in this State; and

(b) the quality and effectiveness of initial teacher education in this State generally.

(2) On completion of a survey under this section, the Teachers Registration Board must prepare a report on the results of the survey and provide a copy of the report to the Minister.

(3) The Minister must, within 12 sitting days after receiving a report under subsection (2), have copies of the report laid before both Houses of Parliament.

(4) Nothing in this section requires a teacher to take part in a survey conducted under this section (and, to avoid doubt, a teacher cannot be compelled to do so).

This amendment requires the Teachers Registration Board to survey teachers once every five years on the quality of initial teacher education—as I said in my second reading contribution, that is generally teaching courses offered by universities—and have it tabled in parliament.

The Hon. R.I. LUCAS: The government opposes the amendment. The proposed amendment would require the TRB to conduct a survey of registered teachers on the curriculum for initial teacher education in this state, and the quality and effectiveness of initial teacher education in this state generally. The survey would have to be completed at least once every five years and a report on the results would have to be provided to the minister and tabled in both houses of parliament.

The bill already provides the board the function to undertake research relating to the teaching profession, and this could extend to seeking the views of registered teachers on the quality and effectiveness of initial teacher education. The board accredits initial teacher education in accordance with the nationally agreed standards and procedures. The accreditation of initial teacher education programs in Australia, standards and procedures are agreed through the Education Council and published by the Australian Institute for Teaching and School Leadership. The institute reports to the Education Council annually on the performance of the accreditation system, including analysis of data on the impact of initial teacher education programs across the country.

The Hon. T.A. FRANKS: The Greens rise to support this amendment by the opposition and find it extraordinary that the government does not wish to ensure that we are getting feedback from those in the profession about how to improve the profession and whether or not the training and education that we are providing is serving the profession as it should. I think it is only 24 hours since the government actually listened to feedback on the bus stop debacle. Having a voice from teachers in an organised way about what is working and what is not working for their profession in terms of the education, every five years, would be something that might be valuable to those who were behind the debacle that was the most recent bus stop change campaign.

The Hon. F. PANGALLO: I rise to say that we support this amendment by the Hon. Kyam Maher and echo the words of the Hon. Tammy Franks in relation to the government finding some reason to oppose this. To give a recent example of why this is actually needed, we saw a survey that found that many graduates failed to meet some basic qualifications when it came to numeracy, for instance. I think what this amendment will try to do is lift the standard of the teaching

profession by having this review every five years. If we can improve the standard, all well and good for our students and also for graduates, so we wholeheartedly support the amendment.

Amendment carried; clause as amended passed.

Clauses 16 to 19 passed.

Clause 20.

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

Amendment No 5 [Maher–1]—

Page 9, after line 37 [clause 20, inserted section 26A]—Insert:

(2a) Without limiting any other circumstances in which the Teachers Registration Board may reduce or waive an annual fee under this section, if a teacher pays the annual fee in advance in relation to the full term of their registration period, the Teachers Registration Board must cause the amount payable to be reduced by at least 5%.

This amendment requires the Teachers Registration Board to offer a discount of not less than 5 per cent for teachers who elect to pay for the full five years of registration, as opposed to paying annually, to encourage that to happen.

The Hon. R.I. LUCAS: The government opposes the amendment. The amendment seeks to provide that, if a teacher pays their annual fee for registration in advance for the full term of registration, the board must reduce the amount payable by at least 5 per cent. The setting of the annual fee for registration and provision for it to be paid up-front will be set out in the regulations.

The board has yet to advise the government of its recommended annual fee and any associated arrangements. The government is not inclined to fix a discount on a fee not yet recommended or prescribed. A clear benefit of paying the annual registration fee up-front would be that a registered teacher would not be subject to any adjustment to the annual fee that may occur over the course of the registration period, such as an adjustment in line with CPI, for example.

The Hon. F. PANGALLO: I am just rising to say that we support this amendment.

The Hon. T.A. FRANKS: The Greens also support this amendment.

Amendment carried; clause as amended passed.

Clauses 21 to 25 passed.

Clause 26.

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

Amendment No 6 [Maher–1]—

Page 12, lines 21 and 22 [clause 26, inserted section 31B(1)]—

Delete 'or adopt codes of conduct and professional standards (or both)' and substitute:

codes of conduct

Amendment No 7 [Maher–1]—

Page 12, after line 22 [clause 26, inserted section 31B]—Insert:

(1a) Sections 10 (other than subsection (1)) and 10A of the *Subordinate Legislation Act 1978* apply in relation to a code of conduct published under this section (and a reference in those provisions to a regulation will be taken to be a reference to the code of conduct).

Note—

These provisions allow Parliament to disallow a code of conduct.

Amendment No 8 [Maher–1]—

Page 12, line 25 [clause 26, inserted section 31B(2)]—Delete 'or adopted'

Amendment No 9 [Maher–1]—

Page 12, after line 25 [clause 26, inserted section 31B]—Insert:

(2a) Before publishing a code of conduct under this section, the Teachers Registration Board—

(a) must call for submissions from—

(i) registered teachers; and

(ii) the Australian Education Union (S.A. Branch); and

(iii) the Independent Education Union (S.A. Branch); and

(iv) the Chief Executive of the Department; and

(v) Catholic Education SA; and

(vi) the Association of Independent Schools of South Australia Incorporated; and

(b) must have regard to any submissions made by a person or body referred to in paragraph (a) during the period specified by the Teachers Registration Board (being a period not less than 1 month); and

(c) must consult with—

(i) the Australian Education Union (S.A. Branch); and

(ii) the Independent Education Union (S.A. Branch); and

(iii) the Chief Executive of the Department; and

(iv) Catholic Education SA; and

(v) the Association of Independent Schools of South Australia Incorporated,

and may consult with any other person or body the Teachers Registration Board thinks fit.

Amendment No 10 [Maher–1]—

Page 12, line 26 [clause 26, inserted section 31B(3)]—Delete 'or adopted'

These amendments to clause 26 make any code of conduct published by the board disallowable by either house of parliament, similar to as set out in the Subordinate Legislation Act 1978. They also ensure the board must consult with unions before adopting such a code of practice or professional standards. I commend the amendments to the chamber.

The Hon. R.I. LUCAS: The government opposes the amendments. In relation to amendment No. 6, the amendment seeks to remove reference to adopting codes of conduct or publishing or adopting professional standards from the new section 31B that is to be inserted by clause 26. The government opposes the amendment.

New section 31B provides for the board to publish or adopt codes of conduct and professional standards. If the board, following consultation with teachers and other relevant stakeholders, determines that it should adopt an existing code of conduct or professional standard under the act rather than developing and publishing one itself, it should be able to do so.

The board already in effect adopts the Australian Professional Standards for Teachers in South Australia. New section 31B will formally recognise the board's role in adopting those standards. The national standards detail what teachers are expected to know and be able to do at different stages of their professional career.

The board uses the standards to guide its assessment of initial teacher education programs to ensure that students who complete a qualification will meet the graduate standards and to ensure that teachers only progress to full registration once they meet the standards expected of a proficient teacher.

The standards were developed following extensive research, expert knowledge and analysis and review of standards in use by teacher registration authorities, employers and professional associations across Australia. Their development was also the subject of extensive consultation. The standards were agreed by all Australian education ministers in 2011 as part of the national framework for teacher registration and are published and maintained by the Australian Institute for Teaching and School Leadership.

The government also opposes amendment No. 7. The amendment seeks to provide for any code of conduct published by the board under new section 31B to be subject to sections 10 and 10A of the Subordinate Legislation Act 1978. Under these sections, the code of conduct would have to be laid before the parliament, considered by the Legislative Review Committee and could be disallowed by resolution of either house of parliament. It is not clear what benefit would arise from allowing the parliament to disallow a code of conduct published by the board after consultation with the profession and other relevant stakeholders.

The government opposes amendment No. 8 because it is consequential to amendment No. 6. The government opposes amendment No. 9. This amendment seeks to modify clause 26 to include a requirement for the TRB to undertake consultation with specified stakeholders prior to publishing a code of conduct. The government supports the notion that the board should undertake consultation in relation to publishing and adopting new codes of conduct or professional standards, and the presiding member and registrar of the board have indicated it would be their intention to do that.

However, the process proposed under the amendment is unlikely to be practicable in all circumstances, particularly as there are no exceptions to the requirements to consult in relation to any minor amendments or corrections to a code or standard that may be needed from time to time. The government opposes amendment No. 10 because it is consequential to amendment No. 6.

The Hon. F. PANGALLO: I rise to say that SA-Best will support the amendments.

The Hon. T.A. FRANKS: The Greens will support them.

Amendments carried; clause as amended passed.

Remaining clauses (27 to 39), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (17:22): I move:

That this bill be now read a third time.

Bill read a third time and passed.

FIRST HOME AND HOUSING CONSTRUCTION GRANTS (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

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

Second Reading

The Hon. R.I. LUCAS (Treasurer) (17:23): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and the detailed explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The Bill implements the Commonwealth Government's HomeBuilder grant scheme in South Australia and incorporates amendments to the *First Home and Housing Construction Grants Act 2000* (the FHOG Act) relating to objection and debt recovery provisions.

The Commonwealth HomeBuilder scheme provides grants of $25,000 to build a new home or substantially renovate an existing home, where the contract has been entered into between 4 June 2020 and 31 December 2020.

The Commonwealth Government are seeking States to administer the HomeBuilder grant scheme within their individual jurisdictions. The National Partnership Agreement on HomeBuilder has been developed to facilitate the implementation of the scheme.

The National Partnership Agreement on HomeBuilder requires jurisdictions to take reasonable steps to ensure the eligibility criteria has been met and that there are appropriate integrity measures in place including auditing

and compliance processes. Where possible, States are requested to align these processes with existing arrangements for FHOG.

The FHOG is administered under the FHOG Act. The same Act has also been used to administer other housing assistance programs, such as the First Home Bonus Grant and the First Home Owners Boost, in South Australia.

Where possible, the relevant provisions of the FHOG Act will be extended to apply to, and in relation to, an application for a HomeBuilder grant as if it were an application for a FHOG, subject to modifications and exclusions prescribed by the regulations.

Where the provisions of the FHOG Act do not apply to a HomeBuilder grant, entitlement to the grant and the eligibility criteria will instead be determined by the Commissioner of State Taxation (and published on a website determined by the Commissioner) in accordance with the terms of the National Partnership Agreement on HomeBuilder.

The proposed amendments to the objection provisions of the FHOG Act will address a potential unfairness cited by Executive Member Stevens of the South Australian Civil and Administrative Tribunal in the matter of *Anastasia Marinis v Commissioner of State Taxation* (at paragraph 78, unreported) and ensure South Australia is aligned with all the other jurisdictions.

New South Wales, Victoria, Queensland, Western Australia, Tasmania and the Northern Territory all permit grant recipients to object to a decision to impose a penalty.

Payment of grants has ended in the Australian Capital Territory for transactions entered into after 30 June 2019. Notwithstanding, the Australian Capital Territory also permits grant recipients to object to a decision to impose a penalty.

The proposed amendments to the debt recovery provisions of the FHOG Act will address a technical anomaly and allow RevenueSA (and consequently the State of South Australia) to adequately protect its position, irrespective of whether a home has been completed on the property for which the grant was paid.

Without an amendment to the debt recovery provisions of the FHOG Act, RevenueSA's only option is to pursue relevant debts via criminal prosecution.

I also take this opportunity to thank the members of the Master Builders Association and the Housing Industry Association who took the time to meet with Department of Treasury and Finance, and RevenueSA and provide valuable feedback on the HomeBuilder grant.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of First Home and Housing Construction Grants Act 2000

4—Insertion of section 6A

This clause inserts a provision allowing the Act to apply to applications for HomeBuilder grants as if they were applications for first home owner grants (subject to modifications specified in the provision and any others prescribed by the regulations).

5—Amendment of section 25—Objections

This clause extends the objections provision to an applicant or former applicant who is dissatisfied with a decision of the Commissioner to impose a penalty under section 39(2) or (3).

6—Amendment of section 40—Power to recover amount paid in error etc

This clause substitutes a new section 40(3) so that the liability for an amount payable under section 40 will be a first charge on the applicant's interest in the land on which the home was built or was to be built (rather than referring to the applicant's interest in 'the home for which the first home owner grant was sought').

Schedule 1—Transitional provisions

1—Transitional provision

This transitional provision clarifies that an objection allowed by clause 5 of the measure may only be made in respect of a decision made after the commencement of that clause.

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

At 17:24 the council adjourned until Wednesday 1 July 2020 at 14:15.

Answers to Questions

E-SCOOTERS

In reply to **the Hon. M.C. PARNELL** (12 May 2020).

The Hon. D.W. RIDGWAY (Minister for Trade and Investment): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

1. E-scooters are an emerging technology and the Department of Planning, Transport and Infrastructure (the department) is working with local councils to conduct trials that support an evidence-based evaluation of these devices.

Two e-scooter trials have been approved to operate in South Australia; one administered by the City of Adelaide in the CBD and into North Adelaide and one by an alliance of councils along the Coastal Park Path. Due to the COVID-19 pandemic, the respective councils suspended both of these trials on 29 March 2020. Councils will work with the relevant health authorities and providers to reactivate trials where possible as restrictions are relaxed.

The current conditions for commercial e-scooters include:

(a) That the day-to-day operation of the trials and interaction with the e-scooter fleet operators is managed by the relevant local council for the area in which the trial operates.

(b) Fleet operators have been approved for operation under a business permit issued by the relevant local council(s). These council permits include specific deliverables regarding the operation of the trial(s).

(c) That the devices cannot go above a maximum speed of 15 kilometres per hour.

(d) That the devices do not exceed a maximum unladen mass of 25 kilograms.

(e) That the device not be operated by a person under 18 years of age.

(f) That the fleet operator holds a policy of public liability insurance of at least $20 million.

2. South Australia is already a market leader in the use of these devices by being one of a handful of Australian jurisdictions to allow e-scooter trials.

The use of personal mobility devices (PMDs) on the road network raises a number of complex issues including where these devices should be used, device specifications, education and enforcement, speed limits and the operation of the Australian road rules, insurance requirements and connectivity with other transport solutions.

The National Transport Commission (NTC) is leading a national review of the Australian road rules to identify regulatory barriers preventing the safe and legal use of PMDs. PMDs include small electric devices such as e-scooters, powered skateboards and the like. The objective of the review is to provide a nationally consistent approach to regulating PMDs that enables safe mobility and independence for all road users.

DPTI is working with other jurisdictions and the NTC on this review, with a consultation regulatory impact statement being released in October 2019.

The NTC's review, together with the trials that have been initiated in South Australia will be used to inform future plans for the use of PMDs, including for private use.

SUPERLOOP ADELAIDE 500

In reply to **the Hon. F. PANGALLO** (4 June 2020).

The Hon. D.W. RIDGWAY (Minister for Trade and Investment): The Premier has advised:

The COVID-19 pandemic has had significant impacts on major events throughout Australia. For Supercars, this has meant it has had to focus on how it might resume its 2020 season.

Supercars is also working through a plan for 2021 and beyond. I understand the current Holden cars will continue to feature for the 2021 season, but they will not be Holden badged, and each team may have a different badge on these cars. Discussions are continuing between the parties.

I also understand that Supercars is working on its Next Generation 3 car which is due to be implemented in the 2022 season and this plan has not changed with the Holden announcement.

Given Virgin Australia has gone into voluntary administration, I have been advised that Supercars is having discussions with various businesses who are interested in its product.

OPCAT AGREEMENT

In reply to **the Hon. M.C. PARNELL** (4 June 2020).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has provided the following advice:

The government remains committed to the effective implementation of OPCAT in South Australia, including the establishment of a framework for the National Preventative Mechanism (NPM) in South Australia.

The government is carefully considering its options with respect to an NPM model, ensuring that all government agencies are compliant. It is expected that an NPM model for South Australia will be formally agreed to by the government later this year, prior to the required commencement date.

The Attorney-General's Department is currently in consultation with other government agencies regarding the establishment of the NPM. It is the Attorney-General's intention to consult broadly with relevant affected agencies and statutory bodies once a model for the NPM has been agreed to by the government.

The Attorney-General notes the current inspectorate bodies which already exist and operate under government agencies. Work is actively occurring to ensure these bodies are fully compliant with OPCAT standards.

BIG RIVER PORK

In reply to **the Hon. I.K. HUNTER** (16 June 2020).

The Hon. D.W. RIDGWAY (Minister for Trade and Investment):

Big River Pork (BRP) has been vigilant in its obligations to its employees, customers and suppliers by adopting a range of stringent work health and safety measures to minimise the exposure and spread of COVID-19. I have been advised by BRP that the business has undertaken the following measures:

- temperature checks upon entry
- strict use of hand sanitiser and hand washing upon entry
- all guests to wear face masks upon entry
- entry to abattoir/workspace limited to regular workers
- extra lunchrooms to be able to maintain social distancing
- segregation of each department (Slaughter Floor and Boning Room)
- sanitation wipe down of all tables and door handles after breaks
- regular sanitation cleaning of driveways.

All of these measures have come at a cost of approximately $70,000 a month to the business.

TENANCIES MEDIATION

In reply to **the Hon. D.G.E. HOOD** (17 June 2020).

The Hon. R.I. LUCAS (Treasurer): I have been provided the following advice:

The Small Business Commissioner, who has responsibility for the relevant sections of the COVID-19 Emergency Act 2020 and relevant regulations, has advised that as at the close of business on 18 June 2020 he was dealing or had dealt with a total of 50 commercial landlord and tenant matters.

Of the 50 cases, I am advised 38 remain in progress as at 18 June 2020.

Of the remaining 12 cases, I am advised that

- Six matters have been successfully closed after an application for mediation was lodged but prior to mediation occurring, as an approach was made to the other party to the lease and this prompted resolution of the rental dispute.
- Two matters have been successfully resolved at mediation.
- One matter which went to mediation was not resolved and a mediation certificate was issued by the Small Business Commissioner which will allow the matter to be dealt with in the Magistrates Court on application by one or both parties.
- Two cases have been closed after the parties reached agreement following advice from the Office of the Small Business Commissioner (no mediation).
- One matter resulted in a mediation certificate being issued after the Office of the Small Business Commissioner did not receive any response to a request for mediation from the lessor.

The Small Business Commissioner also advises that since January 2020, inquiries relating to commercial leasing matters have increased considerably with his office dealing with 1099 inquiries form 1 January 2020 to 18 June 2020 compared with 614 inquiries in the period 1 July 2019 to 31 December 2019.