LEGISLATIVE COUNCIL

Thursday, 18 March 2021

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

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

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Determination of the Remuneration Tribunal No. 3 of 2021—Electoral Districts Boundaries Commission
Report of the Remuneration Tribunal No. 2 of 2021—Salary of the Governor of South Australia
Report of the Remuneration Tribunal No. 3 of 2021—Electoral Districts Boundaries Commission

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

Report of response by SA Health dated February 2021 following the Coronial Inquest into the death of Ricky Dale Noonan
South Australian Commissioner for Children and Young People 2021—Menstruation Matters Report dated March 2021

SITTINGS AND BUSINESS

The PRESIDENT: I remind honourable members that mobile devices ought to be placed on silent.

Question Time

COVID-19 VACCINATION ROLLOUT

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

Leave granted.

The Hon. K.J. MAHER: Aboriginal communities from around South Australia were considered so vulnerable during COVID-19 that federal biosecurity laws were enforced to prohibit nearly all entry and exit for a number of months in 2020 due to the pandemic. These communities in South Australia included Gerard, Davenport, Point Pearce, Yalata, Yarilena, Dunjiba, Nepabunna, Anangu Pitjantjatjara Yankunytjatjara and Maralinga Tjarutja.

The only references to a plan for vaccinating Aboriginal people in Aboriginal communities on the SA Health website are, 'Phase 1b, commencing late March: begin to vaccinate Aboriginal and Torres Strait Islander people,' and, 'Phase 2a, to be announced: continue vaccinating Aboriginal and Torres Strait Islander people.' My question to the minister is: what is the precise timetable for the rollout of vaccinations for the vulnerable Aboriginal communities that were subject to biosecurity lockdowns last year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): I will certainly come back with a detailed answer, but my understanding is that the Oak Valley and Yalata clinics will be

opening the week beginning 29 March. My recollection is that the APY clinics are due in the middle of April, but I am more than happy to come back with a detailed answer.

COVID-19 VACCINATION ROLLOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary: is the minister aware if there are already plans to offer vaccinations in the other communities around South Australia that were subject to those federal biosecurity lockdown restrictions?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): I will reiterate my commitment repeatedly: we are going to offer every South Australian an opportunity to be vaccinated.

COVID-19 VACCINATION ROLLOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): A final supplementary: is the minister aware if there are dates for the start of vaccination rollouts in all Aboriginal communities that were subject to federal biosecurity lockdowns?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): Again, I am not going to distinguish between Aboriginal people who live in an area that was subject to a previous lockdown or not. To be frank, commonwealth biosecurity historical restrictions have no relevance to our commitment to deliver the vaccine to all South Australians, whether they—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Certainly, Oak Valley and Yalata were two communities that were subject to commonwealth biosecurity declarations and also the APY lands, but I would reiterate that we have under our own—

The Hon. K.J. Maher interjecting:

The Hon. S.G. WADE: Excuse me, I would like to answer your question.

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Interjections from both sides are not helping. The minister has the call.

The Hon. S.G. WADE: I would make the point that, under state legislation, Aboriginal communities also have the right to restrict movement. My understanding is that that continued beyond the end of the commonwealth biosecurity zone declarations. As I said, Oak Valley and Yalata, two former biosecurity communities, are being vaccinated in a matter of weeks.

COVID-19 VACCINATION ROLLOUT

The Hon. C.M. SCRIVEN (14:23): My question is to the Minister for Health and Wellbeing regarding vaccines. Can the minister outline the exact plan and time line to vaccinate people in the government's transitional accommodation centres in Ceduna and Port Augusta, Anangu living in metropolitan Adelaide, Aboriginal people living in regional centres and elderly and vulnerable people living in metropolitan Adelaide?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): That was a detailed question. I am happy to come back with a detailed answer.

COVID-19 VACCINATION ROLLOUT

The Hon. E.S. BOURKE (14:23): My question is to the Minister for Health and Wellbeing regarding health. In the recent early morning breakfast meeting between the minister responsible for Aboriginal affairs and the Minister for Health and Wellbeing at Argo cafe, was the vaccination of the remote Aboriginal communities even discussed and, if so, what was decided?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): I don't want to dwell too much on the Argo coffees because if a pattern becomes known we might have a sort of pile on. I am happy to tell people that the Hon. Rob Lucas also frequents Argo's, but be assured, there is no

recent conversation that I have had with the Premier that doesn't include vaccinations, and it repeatedly relates to vulnerable communities.

COVID-19 VACCINATION ROLLOUT

The Hon. E.S. BOURKE (14:24): Supplementary arising: the minister mentioned that he has multiple discussions but I just wanted to know has he had a discussion regarding remote Aboriginal communities when having these discussions?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): I can assure you that the Premier and I have discussed remote Aboriginal communities and their vaccination needs.

LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM

The Hon. D.W. RIDGWAY (14:25): My question is to the Treasurer. Can the Treasurer please indicate when the government will announce the successful applicants for the Local Government Infrastructure Partnership Program?

The Hon. R.I. LUCAS (Treasurer) (14:25): Very, very soon. I am hopeful we will be in a position to announce the successful applicants, who I understand are all waiting with bated breath, no later than maybe Monday or Tuesday of next week. We had indicated publicly, as part of the process, that we had hoped to advise councils of the successful decisions by the 19th, which is tomorrow, but we are going to need a couple of extra days in terms of handling the paperwork and advising all of the successful applicants clearly in terms of any conditionality there might be in relation to various funding applications.

By that, if I can give by way of an example, what we have seen is that some councils have, in our view, met the eligibility criteria of the scheme and are therefore recommended, but they also have an application in to one of a number of federal government programs. So in some cases there will need to be an element of conditionality; that is, should they be successful in relation to federal government funding for a particular program, the state government grant would be adjusted accordingly in relation to that particular application.

As I said, it is the government's intention to advise councils no later than early next week—either Monday or Tuesday is my current thinking—in relation to their success or otherwise in terms of the application. I can say in conclusion that there was a very strong application process. Not all councils in the state made applications, although the overwhelming majority of councils did. Some councils made applications for a single application, some made applications for a number of applications. There was a panel process that was utilised by the government. I can indicate that I have accepted all of the recommendations of the independent panel. I have not adjusted, amended or altered any of the amended allocations.

What I have done, if I can place it on the record, is that because of the number of applications and the quality of applications, based on the advice I received from the independent panel I have actually, or I am in the process I should say—I don't know that I have signed the document yet—today of moving a quantity of funds from one of the business and jobs support funds over into this particular Local Government Infrastructure Partnership Program to provide an additional element of funding for local government partnership programs.

They, in and of themselves, will be excellent in terms of stimulus activity and creating jobs, which is what this government is about, stimulating jobs. We see the partnership with local government as being an important element of that particular program. I think the quality of the applications, the advice I received from the independent panel—and ultimately under the guidelines of this, I had absolute discretion, if I so chose, in relation to selection of the successful applicants. I am in the process of providing additional funding into this particular package to ensure that more councils will be able to undertake very important community infrastructure programs in their local communities over the coming two-year period.

HOVE LEVEL CROSSING

The Hon. J.A. DARLEY (14:30): I seek leave to make a brief explanation before asking the Treasurer, representing the Minister for Infrastructure and Transport, a question about the proposed Hove/Brighton Road crossing.

Leave granted.

The Hon. J.A. DARLEY: In *The Advertiser* on Tuesday 16 March this year, the CEO of the Department for Infrastructure and Transport advised that raising the rail line over Brighton Road at a cost of $295 million, or lowering it at a cost of $450 million, remained in contention. Residents have been lobbying for the rail under option, saying that rail over, with an associated 1.4 kilometre bridge, would be an eyesore and divide the community. My questions to the minister are:

1. Is it true that with the rail over option, in addition to the 15 Housing SA properties, one privately owned residence and one commercial property that have already been acquired, there is only a need to acquire another five properties, as suggested to the residents? If this is not the case, can the minister advise how many properties will need to be acquired?

2. If the department chose the rail under option not to use the temporary train line and instead use shuttle buses from Oaklands to Brighton station, how many houses will be saved from compulsory acquisition and how many houses will still need to be acquired?

The Hon. R.I. LUCAS (Treasurer) (14:31): I am happy to take the honourable member's questions on notice and refer them to the minister and bring back a reply, but I am able to provide some colour and light in relation to this issue. It might not surprise the honourable member or other members, if given the choice of a funding blowout to $290 million or a further blowout to $440 million or $450 million, as to what is my preference on behalf of the taxpayers of South Australia in terms of the sensible resolution of what has been a problem.

I can recall back in the 1990s, when we were last in government, this issue of people having to queue for kilometres in peak hours on this particular road and the complaints that local MPs, both Liberal and Labor, made to the then government about the absolute necessity to do something about this particular crossing. The former government was not in a position to do anything post the State Bank; 16 years of Labor government chose to do nothing in relation to solving this particular problem. The Marshall Liberal government has proposed a solution and, as the CEO has indicated, he believes that there are still two options on the table for a final decision by the government after appropriate consultation with the community.

The reality is that, if you are going to solve a significant problem which people have complained about for 20 or 30 years—and, to be fair, the people who are right on the intersection and own the houses are probably not the ones complaining but rather the thousands or tens of thousands of people who drive up and down the road and in peak hours are delayed for a considerable period of time are the ones that have been complaining about that intersection and delays in traffic movement as a result of that particular intersection.

In relation to the latter part of the honourable member's question, I will get the specific detail, but my recollection of what I have heard both the minister and CEO say is in broad terms agreeing with what the member put on the record, and that is that the over-the-road solution involves the compulsory acquisition of about five properties. My recollection—and I will correct the record if it is slightly wrong—was that actually going underground involves the compulsory acquisition of, I think, 38 properties.

So the solution that is being suggested may well resolve the issue for the five whose properties might be compulsorily acquired, but I am assuming, if those numbers are correct, the $440 million or $450 million solution will mean there will be another 38 different people who may well be complaining about a compulsory acquisition process as a result of that particular solution.

I will refer the honourable member's question to the minister and bring back a more specific reply, but I will be surprised if it is too much different from the information I have just shared on the public record.

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

HOVE LEVEL CROSSING

The Hon. J.A. DARLEY (14:35): Is it true that the actual time saving with the development is only going to be three minutes?

The Hon. R.I. LUCAS (Treasurer) (14:35): I will take the specific time saving on notice and make sure that is included in the reply from the minister.

MULTICULTURAL STAKEHOLDERS

The Hon. T.T. NGO (14:35): My question is to the Assistant Minister for Multicultural Affairs. Has the assistant minister ever had any conversation in which she advised or warned multicultural stakeholders to not support or invite the Labor Party to their community events?

The Hon. J.S. LEE (14:35): No.

FAMILY SUPPORT SERVICES

The Hon. N.J. CENTOFANTI (14:36): My question is to the Minister for Human Services regarding vulnerable families. Can the minister please update the council on how the Marshall Liberal government is helping vulnerable families to stay safely together?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:36): I thank the honourable member for her question. Indeed, we have been recommissioning a range of family support services, the unit that was known as EIRD. The Early Intervention Research Directorate was moved into the Department of Human Services I think in 2018 or 2019, and since then the government has been actively working towards implementing the recommendations for our most complex and vulnerable families in the state.

Broadly speaking, what the research of the directorate had found was that a lot of the services had a light touch, if you like, and that what we really needed to do was ensure that services that operate in the pre-statutory phase are working much more intensively with these families so that children are safe and, as far as possible, to prevent children from entering the statutory care system.

We do have funding to continue with the Child and Family Assessment and Referral Networks (CFARNs), which provide local level coordination to parents and children with complex needs. Also, in the budget we are trialling a program known as Breathing Space, which is to provide coordinated support to young women who are at a greater risk of requiring child protection intervention. That has been granted to Centacare.

The next steps in implementing the child and family support system reforms are in progress. We have done a very intensive co-design process, which I think I may have referred to in this place before, where people with lived experience and the frontline workers in this system gave the government advice about what works and how we should commission services going forward.

We are also developing what is known as a new front door for assessment and referral services, which has the effect of providing families who may be struggling with some advice and access to services, rather than necessarily going through the CARL reporting system. We will be working to integrate that better so that families can engage in help-seeking, because we have been told, particularly by people with lived experience and some Aboriginal families, that they don't wish to contact CARL in the first instance. So it's really about trying to get some early advice so that people can get assistance. I think I have advised before that, as a result of the consultation, we will be ring fencing 30 per cent of the funding for Aboriginal community-controlled organisations.

We are shortly to be announcing the new funding—the successful tenderers for the intensive family support services, which will be evidence based. The staff who work in those systems need to have some quite specific skills, including being trauma responsive and culturally safe. So the services will be working at a much more intense level with families, and we look forward to the outcomes of these services to ensure that children are kept safe into the future and, where it is safe to do so, that they remain with their families.

EARLY INTERVENTION RESEARCH DIRECTORATE

The Hon. C.M. SCRIVEN (14:40): Supplementary: can the minister explain why a briefing request from the opposition last year on the EIRD was refused by the minister, that briefing being requested in writing in October 2020?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40): I think the general practice of briefings is that, out of courtesy, at the start of each term members of the opposition are

provided with a briefing across the department. I have received so many requests for briefings from my shadow counterpart that I have lost count of them all. Some of them are quite ridiculous, and she wants to ask for sensitive information which, on that basis, I have not provided to her because she has demonstrated that she does not take care with confidential information.

EARLY INTERVENTION RESEARCH DIRECTORATE

The Hon. C.M. SCRIVEN (14:41): Further supplementary: what sensitive information would have been involved in the EIRD briefing that made the minister refuse to grant it to the shadow minister?

The PRESIDENT: I don't think that comes out of the original answer, but I will allow the minister to answer.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41): The shadow minister was provided with the same level of briefing as I was as a shadow minister, so that is the answer.

Members interjecting:

The PRESIDENT: The Hon. Mr Pangallo—

The Hon. J.M.A. LENSINK: She can't ask for briefings every five minutes.

The PRESIDENT: The Hon. Mr Pangallo has the call.

COVID-19 VACCINATION ROLLOUT

The Hon. F. PANGALLO (14:41): My question is to the Minister for Health and Wellbeing about vaccines:

1. Is the government planning to establish its own large vaccination centre at the Wayville Showground?

2. Why has SA Health not accepted an offer from, nor sought the assistance of, St John Ambulance for its own volunteers to help undertake vaccinations?

The Hon. S.G. Wade: Could you repeat the last bit, the bit about St John's?

The Hon. F. PANGALLO: Mr President, the health minister has asked me to repeat that last bit of my question, with your consent?

The PRESIDENT: Yes.

The Hon. F. PANGALLO: Why has SA Health not accepted an offer, nor sought assistance from, St John for its volunteers to undertake vaccinations in its rollout?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): The ongoing use of hospital-based clinics is something I have already made clear: that we will have every public hospital in South Australia engaged with a vaccination clinic at some time during the coming year. The placement of other clinics, particularly community-based clinics, significantly depends on the spread of not only GPs but also pharmacists. As the Hon. Tung Ngo, the shadow minister for pharmacy, knows, the pharmacist call hasn't even gone out yet. So as there is more clarity about where the commonwealth vaccination programs will be provided, we will certainly be continuing to develop our network of clinics.

In relation to St John, St John's is one of the state government's—and I mean the state government as an enduring entity. In other words, Liberal and Labor governments have had very strong relationships with St John's for many years. In fact, I think St John's has the distinction of being specifically referred to in our emergency management plans as a partner for the state government in responding to emergencies.

I will certainly follow up what offers have been made by St John's. I suspect that it may well be that we need the assistance of St John's as the vaccine program rolls out, but it may be too early to specify what that need might be.

COVID-19 VACCINATION ROLLOUT

The Hon. F. PANGALLO (14:44): For the sake of clarity, has the government discussed establishing a vaccination centre at the Wayville Showground or another location?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): I am not going to speculate about where clinics might be. We are going to do exactly what we did with the testing program, which is develop a very practical, dynamic network of clinics for testing. In fact, I think my reference to testing clinics might be a good opportunity to remind the house that, as SA Health is stepping up and providing leadership within South Australia for the national vaccination program, the largest peacetime operation this state has had to deal with, that does not mean it has put down the tools on a whole range of other parts of this program.

We are still conducting testing clinics, we are still monitoring compliance with QR codes, we are still meeting people at the border to make sure that they are complying with their public health responsibilities and, by the way, we are continuing to provide quality health services to South Australians through almost 45,000 employees across the state.

In terms of continuing to invest in top quality services, those of us who pass the Victoria Park racecourse would notice that we are continuing to invest. We have invested in a large—I presume you call it a tent—single arch shelter, which will provide four lanes of traffic through that clinic. One of the key benefits of that investment is to reduce the risk of that facility needing to shut because of inclement weather. As I said, there's a lot of work to be done to roll out the vaccination program, but that is in the context of a large ongoing effort by SA Health in a whole range of domains.

COVID-19 VACCINATION ROLLOUT

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Supplementary: will the minister consider using conveniently located large unused buildings, such as the vacant Masters hardware store at Colonnades?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46): As I said, I am not intending to have a workshop with legislative councillors about where they think a clinic could go. I appreciate all helpful suggestions, and I can assure you that—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —SA Health diligently reads every *Hansard* of the Legislative Council to make sure they don't miss any of these helpful suggestions.

MULTICULTURAL GRANTS PROGRAM

The Hon. R.P. WORTLEY (14:47): My question is to the Assistant Minister for Multicultural Affairs. Has the assistant minister or any of her staff—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wortley will start again, because his own front and backbench are interfering with the ability for him to be heard.

Members interjecting:

The PRESIDENT: No, it wasn't. It was his own benches. The Hon. Mr Wortley has the call.

The Hon. R.P. WORTLEY: Thank you, Mr President, for your protection. Has the assistant minister or any of her staff ever had conversations with the Office of the Commissioner for Public Sector Employment or any integrity body about the appropriateness of their conversations with multicultural stakeholders?

Members interjecting:

The PRESIDENT: I call the assistant minister, if she wishes to answer.

The Hon. J.S. LEE (14:48): Thank you, Mr President.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.S. LEE: From time to time, any staff, if they wish to actually have a conversation with the Commissioner for Public Sector Employment, are allowed to do so. Recently, I believe the Commissioner for Public Sector Employment presented to the South Australian Multicultural and Ethnic Affairs Commission, just to give a briefing about what's happening in terms of employing different employees coming to the public sector from different cultural and linguistically diverse backgrounds.

COVID-19 HEALTH WORKERS

The Hon. T.J. STEPHENS (14:49): My question is to the Minister for Health and Wellbeing. Will the minister update the council on how the pharmacy profession has innovated to respond to COVID-19?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): I thank the honourable member for his question. The COVID-19 pandemic has presented immense challenges in ensuring accessibility, availability and the safety of medication use, particularly for many of our most vulnerable and unwell consumers. The profession has stepped up to play its part in meeting these challenges, ensuring appropriate and safe supply of vital medicines, and extended their role implementing new initiatives to support their patients and to protect their staff.

The Marshall Liberal government appreciates the collaboration of the pharmacy profession to implement initiatives swiftly and seamlessly. Some of these initiatives included pharmacists being given temporary authorisation to dispense a prescription medicine based on a digital image of the prescription, consistent with the commonwealth decision to fund PBS prescriptions provided in this way to support telehealth consultations.

Regulatory changes were made to enable the use of electronic prescriptions. Electronic prescriptions provide many advantages, including reducing the potential for prescribing and dispensing errors and, importantly, providing another opportunity to protect community members and healthcare providers from exposure to COVID-19.

South Australia adopted the commonwealth's expanded continued dispensing initiative to broaden the range of medicines community pharmacists can supply to consumers under these arrangements. We also established emergency supply arrangements to further support consumers to access their medicines when, due to no fault of their own, they are unable to obtain a prescription. Regulatory changes were introduced to allow pharmacists to substitute a medicine in serious national shortages in accordance with a TGA Serious Shortage Medicine Substitution Notice.

Last Friday, I had the privilege of attending the Pharmaceutical Society SA/NT Branch annual Celebration of Excellence in Pharmacists Care. I acknowledge that the shadow minister for pharmacies was also there, the Hon. Tung Ngo.

The Hon. D.W. Ridgway: A very hardworking shadow minister.

The Hon. S.G. WADE: Indeed. It was an opportunity for me to honour the role of the pharmacy profession and the role they have played in the pandemic. I want to congratulate the award winners and acknowledge their important role in improving health outcomes for our community.

In particular, I was delighted to see that Dr Manya Angley was recognised as the Pharmacist of the Year. Dr Angley has made an exceptional contribution to pharmacy, both practically and academically. Dr Angley has a particular interest in the use of psychotropic medications and the ongoing need for pharmacists to be involved in the care for people with intellectual disability.

As a person responsible for both mental health and the delivery of healthcare services to people with a disability, to bring together mental health services and disability services in the way that Dr Angley does is highly commendable. I also acknowledge that Dr Angley recently was a

witness at the disability royal commission, and I trust that her wisdom can have an impact through that contribution.

The Lifetime Achievement Award was presented to retired Adelaide pharmacist David Cosh for his outstanding and ongoing contribution to pharmacy over a 40-year career. David was acknowledged as a pioneer in pharmacy, particularly in educating future generations of pharmacists and improving opportunities in this field.

Stacey Putland received the Early Career Pharmacist Award in recognition of her service to the regional community. Stacey has been a strong advocate for greater accountability for medication safety and embedding pharmacy services in aged care.

The PSA also recognised the outstanding academic achievements of Clarissa Chai with a Gold Medal Award. Clarissa is now completing her intern pharmacy program following her graduation from UniSA. To all of the award winners and finalists, I congratulate them on their innovation and hard work and look forward to their ongoing contribution to South Australia as part of our amazing pharmacy profession.

PUBLIC SECTOR

The Hon. T.A. FRANKS (14:54): I seek leave to make a brief explanation before addressing a question on the topic of public sector leaks to the minister for the public sector.

Leave granted.

The Hon. T.A. FRANKS: In a previous question time, I asked the minister about the claims that private investigators had been brought in to investigate the Department for Infrastructure and Transport leaks about spending. Following that, I raised questions with the Commissioner for Public Sector Employment. In answers to my questions, she indicated that perhaps there was a move within the public sector to look at a consolidated way of investigating public sector leaks. My question to the minister is: can he provide us any updates on such moves to investigate public sector leaks?

The Hon. R.I. LUCAS (Treasurer) (14:55): The honest answer is no, but I am happy to take the honourable member's question on notice and seek advice from the commissioner as to what might be in contemplation.

PUBLIC HOUSING

The Hon. J.E. HANSON (14:55): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding housing.

Leave granted.

The Hon. J.E. HANSON: On 13 January, public housing residents were issued relocation letters regarding a rail project despite a government commitment to consult in February. The minister said on 4 March, and I quote the following:

> The authority contacted the 15 affected tenants by hand-delivered correspondence on 8 January 2021 advising of the project. The correspondence advised that the authority would need to relocate them to alternative public housing by June 2021 to meet the requirements of the project.

This week, the Chief Executive of the Department for Infrastructure and Transport spoke publicly about this compulsory acquisition of public housing, and I quote:

> Yes, these are the five properties.

And:

> We gave the property owner the advice, which is SAHA, and I think our advice to SAHA was that we would need the property within 12 months. How they have subsequently communicated to their tenants is a matter for them…our practice is to doorknock.

He went on:

> When it's compulsory acquisition, based on my experience both here and previously in New South Wales—

where he had worked—

there are very few life events that are more stressful than compulsory acquisition.

My questions to the minister are:

1. Why is the minister kicking out 15 vulnerable households when the Department for Transport says they only need five homes?

2. Why couldn't the minister's staff knock on these doors that were just metres away from the mailboxes where they allegedly hand-delivered the eviction letters of those people?

3. Why does the Department for Infrastructure and Transport, or the head of it, seem to have more empathy and understanding for residents than the minister does?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:57): I thank the honourable member for his question. I have outlined to the chamber what the particular process was in this relocation. My department was advised by DIT—I think that's the name of the department—that the crossing project would necessitate the acquisition of authority-owned properties at Hove regardless of the option selected for the project. So on that basis the South Australian Housing Authority has undertaken this process to notify the tenants.

I do agree with the honourable member that housing acquisition is a very stressful situation for people, but just on a technicality, the properties are being acquired from the trust. The agreements that we have with tenants are a rental arrangement, as is the case for all of our tenants, and my understanding is that all of the affected tenants have been contacted in person.

I think it is circumspect to actually give as much notice to tenants as possible to enable them to keep their options open so that they've got more time to consider. Over time, other properties may become available that they may be more interested in than if they were given a short period of time, so on that basis that's the way that has proceeded.

PUBLIC HOUSING

The Hon. J.E. HANSON (14:59): Supplementary: given some of the confusion that has arisen, would the minister accept an invitation to meet with the SA Housing Authority residents in Brighton and Hove to explain exactly what's happened?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:59): I haven't been issued with an invitation but, if that is the case, then I would consider it.

ECONOMIC STIMULUS PACKAGE

The Hon. D.G.E. HOOD (14:59): My question is to the Treasurer. Treasurer, with the conclusion of the federal JobKeeper program in the next couple of weeks, what is it the government is doing to provide ongoing assistance to save jobs and businesses?

The Hon. R.I. LUCAS (Treasurer) (14:59): An important issue which has been canvassed by businesses, stakeholders—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The leader is not helping.

The Hon. R.I. LUCAS: —and governments collectively—

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway and the leader should not be conversing across the chamber. The Treasurer has the call.

Members interjecting:

The PRESIDENT: Order! I just asked that both of you stop a conversation across the chamber. Yes, both of you. The Treasurer has the call.

The Hon. R.I. LUCAS: The commonwealth—

Members interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: Mr President, the commonwealth government to its credit is continuing a range of programs post the conclusion of the JobKeeper program—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: And that applies to the Hon. Mr Hanson as well.

The Hon. R.I. LUCAS: —which has been enormously successful. They have recently announced, as you know, their travel-related scheme, and I won't go through the detail of that. There is a range of tax investment incentives which the commonwealth Treasurer has indicated will continue for varying periods of time post the end of March in terms of trying to encourage businesses across the nation in terms of further investment and inevitably then job creation as a result of that further business investment.

It is our understanding that the commonwealth government's position, as announced by the federal Treasurer in particular, is that similar to the travel scheme they will continue to look at what initiatives or incentives or assistance might be needed to be provided, particularly for those industry sectors which continue to be badly impacted by the travel restrictions for COVID-19—so clearly the aviation industry, travel and tourism industry—and the flow-on effect of that in some parts of the country in terms of the tourism hospitality industry and all those support services that support those industries such as the aviation industry. Then, separately, the international education industry has been significantly impacted as well.

From the commonwealth government, we congratulate them on that. The ongoing assistance we hope that we will see with the HomeBuilder scheme is where we hope we might see some greater flexibility in terms of the extension to that particular six-month restriction, as I discussed either yesterday or the day before. Again, I think it would be a further example in terms of trying to encourage both job creation and the saving of businesses within that particular sector.

From the state government's viewpoint, the $4 billion stimulus package, as I indicated on Tuesday, is relatively the second biggest or strongest stimulus package of any of the states in Australia. A number of the elements of that are programs which will continue beyond the end of March; for example, the payroll tax incentives that we are providing to all businesses in South Australia. So every small business in the state with a payroll under $4 million pays no payroll tax from last April through to 30 June. For the three months after the conclusion of JobKeeper, every small business in this state will not pay any payroll tax because that will be waived right across the board as an incentive to create jobs and also to preserve businesses.

Importantly, for the first time from January of this year but through to June—so, again, for three months beyond the closure of JobKeeper—any medium or big-sized business with a payroll of greater than $4 million that is a COVID-impacted business won't pay any payroll tax for that period of six months but in particular the three months beyond the closure of the JobKeeper scheme. So the taxpayers of South Australia are doing some of the heavy lifting and continuing to provide incentives for COVID-impacted businesses beyond 31 March and for the next three-month period beyond 31 March.

Again, I won't go through the detail in concluding my answer, but the $16.7 billion infrastructure program is structured for the construction industry broadly, not just residential housing but commercial construction and civil construction as well, to provide massive incentives to businesses and individuals operating within that sector, being funded by a record $16.7 billion infrastructure program.

As I said, in concluding, there are many elements of the government's record $4 billion stimulus package that are providing incentives beyond 31 March. This government doesn't have a short-term focus of just to the end of the JobKeeper program. The stimulus package was designed to extend over this year and into 2022 as well, as a conscious effort to try to save as many jobs as we can and to save as many businesses as we can in South Australia.

ECONOMIC STIMULUS PACKAGE

The Hon. I.K. HUNTER (15:05): Supplementary: Treasurer, has your agency, the Treasury, produced any modelling on the impact on unemployment in South Australia of the withdrawal of JobKeeper?

The Hon. R.I. LUCAS (Treasurer) (15:05): Nothing specific in terms of econometric modelling, if that is the nature of the question. Clearly, Treasury has looked broadly in that, when we brought the budget down last year, we were well aware that JobKeeper was going to end. That was the reason why the government announced a record $4 billion stimulus program and the reason why we didn't do as we were being called to do, and that is fire all our shots in the first six months of the COVID-19 pandemic.

We knew that, as various programs transitioned out, there would be the need for ongoing support for business and industry over a two-year period. That is why we have carefully budgeted for two years. The best example of that is that we approved, I think many months ago now, a $75 million housing stimulus package, but we have decided not to fire all our shots in that particular area because, frankly, the residential housing sector is overcooked at the moment. Anyone who wants to undertake a small housing project in their backyard or an extension has almost no prospects of getting a tradie or a builder at the moment because—

The Hon. D.W. Ridgway: Got to do it yourself.

The Hon. R.I. LUCAS: If they are talented like the Hon. Mr Ridgway, they can do it themselves. He can give testimony to his skills in that area, but some of us are less talented in that particular area.

The residential housing sector is overcooked in terms of being able to do things. So we have decided to delay the expenditure of the bulk of the $75 million housing stimulus package until we see the heat come out of the residential housing construction market, then we will be ready with a range of initiatives, later this year probably or possibly even early next year, to try to pick up the slack. Inevitably, with HomeBuilder, we have sucked forward a huge amount of the first-home builder demand. Inevitably, there will be a decline as we move off the peak.

ECONOMIC STIMULUS PACKAGE

The Hon. I.K. HUNTER (15:07): Supplementary: will the Treasurer table that economic advice provided to him by Treasury on the impact on unemployment of the removal of JobSeeker?

The Hon. R.I. LUCAS (Treasurer) (15:08): No.

HEALTH BUDGET

The Hon. C. BONAROS (15:08): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about the state's health budget.

Leave granted.

The Hon. C. BONAROS: InDaily recently reported that a government spokesperson claimed the government had invested more than $2 billion extra into the health system since it formed government in 2018. I think that is about a third of the budget increase. Talking to frontline clinicians, nurses and staff, they have seriously questioned some of those claims, including those who work at the Women's and Children's Hospital where, coincidentally, a recent mishap saw external cladding break away and plummet to the ground from several floors up onto the road below.

Luckily, no-one was injured in that, but there are concerns about ongoing maintenance at the hospital being the cause. There are also increasing concerns about the situation being likely to worsen as the government focuses on reducing costs across the health system and focuses on expenditure for the proposed new Women's and Children's Hospital.

My question to the minister is: can you provide a list of where the extra $2 billion that was claimed to have been spent, as reported in InDaily, has been invested, and not money committed to forward estimates; how much of that has been spent on building maintenance at the Women's and Children's Hospital over the same period; and can the minister provide a breakdown year-on-year of

money committed to building maintenance at the Women's and Children's Hospital over the past three years?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I would be very pleased to answer the honourable member's question but, if I may, could I seek leave to add to an answer that I gave to the Hon. Frank Pangallo yesterday?

Leave granted.

The Hon. S.G. WADE: The Hon. Frank Pangallo was asking about patrons within the Adelaide Oval precinct. I am advised that under the Adelaide Oval Stadium Management Authority COVID management plan, patrons in general seating can only consume alcohol seated in their designated seats. This is to avoid creating congestion at bar areas and allow people to socially distance as they move about the stadium or queue to buy food or use the facilities.

From a public health point of view, patrons are free to watch the game and heckle from the concourse but they must wear a mask while on their feet. The Adelaide Oval Stadium Management Authority COVID marshals and security will be there to make sure that patrons comply with the oval requirements. The authority has been discouraging people from spending too much time on the concourse to avoid causing congestion, especially in areas where people are queueing or trying to move about the stadium. I thank the council for its indulgence.

The Hon. F. Pangallo interjecting:

The Hon. S.G. WADE: You can't supp on it, can you? Have a go later. Sorry, I don't mean to bring chaos in.

The Hon. F. Pangallo: What about the cheering itself?

The Hon. S.G. WADE: No, that was included in the heckling—cheering is heckling. So to the Hon. Connie Bonaros's question: since the March 2018 election, the Marshall Liberal government has reinvested over $2.2 billion into the health budget, reversing Labor's cuts made in the 2017-18 budget. This is in addition to our record $1.1 billion investment in health infrastructure. Which leads me to answer a rhetorical question that the Treasurer asked me yesterday: how much is health spending on capital? My advice is that in the 2020-21 state budget, investing expenditure programs for SA Health were $378 million.

It won't surprise the house that that includes a massive investment right across the health system. That includes an increase of $50 million to the TQEH redevelopment, the redevelopment that the former Labor government made so famous because it was the most cancelled project in the state's history. We are actually delivering it—we are actually delivering it.

As the Hon. Treasurer does not need to be reminded, not only have we reversed Labor's cuts to health to the tune of billions of dollars, we are also continuing to invest new money. So the 2020-21 state budget included new money for budget measures for the Department for Health and Wellbeing with a net lending impact of $171 million, which meant that for the first time in this state's history the health budget in South Australia now exceeds $7 billion, so we are now spending $7.193 billion on health services.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Let me go to the particular capital project—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —that the Hon. Connie Bonaros asked me to reflect on, and that is the new Women's and Children's Hospital, another massive investment in the health and wellbeing of South Australians—a very exciting project.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Bourke is out of order and so is the Hon. Mr Wortley.

The Hon. S.G. WADE: The honourable member invited me to reflect on the facade falling off the Women's and Children's Hospital and what that said about the state of the asset. What that says about the state of the asset is that that precinct is well past its use-by date. That is why this government is committed to a new Women's and Children's Hospital in the North Terrace precinct. But what was Labor planning—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —when they went to the election? They were promising—

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter!

The Hon. S.G. WADE: —to actually deconstruct the Women's and Children's Hospital, one of the great assets of the South Australian health system and they were going to leave it—

Members interjecting:

The PRESIDENT: Order! We are keen to get on and finish question time and get in more questions. The minister is answering the question, but I am finding it very difficult to hear, and I am sure members of the opposition are too because they are all shouting over the top of each other.

The Hon. S.G. WADE: With all due respect, Mr President, I think the reason they are shouting over one another is that they don't want to hear the answer, so let me tell you some more.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Where the facade came off—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: Where the facade came off, where the facade came off—I'll keep repeating it until I get to say it!

Members interjecting:

The PRESIDENT: Order! Sit down. The Hon. Ms Pnevmatikos has the call.

Members interjecting:

The PRESIDENT: I can do what I like, but I will give the Hon. Ms Bonaros an opportunity to ask a supplementary.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. C. BONAROS (15:15): Can the minister confirm that he will provide the information I requested and also how much has been spent on the maintenance of the current Women's and Children's Hospital over the same period?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15): The honourable member makes a very good point. We need to maintain the asset at the current site while we build a brand-new hospital. Let's be clear what the alternative government proposed. They proposed—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: They proposed—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: They proposed to deconstruct the hospital and have the children's services remain at North Adelaide.

Members interjecting:

The PRESIDENT: Order! Finish your answer, minister; I'm going to move on to the crossbench.

The Hon. C. Bonaros: I want an answer.

The PRESIDENT: No, I am asking the minister to conclude his answer briefly, and then we will go to the crossbench.

The Hon. S.G. Wade: I'm not being given the opportunity to answer.

The PRESIDENT: The Hon. Mr Parnell has the call.

Members interjecting:

The PRESIDENT: The Hon. Mr Parnell has the call.

PROJECT ENERGYCONNECT

The Hon. M.C. PARNELL (15:16): I seek leave to make a brief explanation before asking a question of the Treasurer, either in his own right (if he knows the answer) or on behalf of the Minister for Energy and Mining, about Project EnergyConnect.

Leave granted.

The Hon. M.C. PARNELL: Project EnergyConnect is the name currently being given to the proposed electricity interconnector between South Australia and New South Wales. According to energy media reports in the last few days, a number of coal-fired power station interests in New South Wales are trying to slow or stop the project because they recognise that it poses a risk to their business model, because it is now regarded as an excellent avenue for exporting South Australian renewable energy into New South Wales and Victoria. So I think the project is gathering support.

The state government has put in some, I think it might be, up to $88 million (the Treasurer will correct me if that figure is not correct). The project has been declared a major development, so it is subject to an environmental impact statement, but we have not yet seen that statement. My questions of the minister are:

1. When might we see the environmental impact statement for Project EnergyConnect?

2. Is the government encouraging the developers to consider alternative routes for the project that avoid going through the middle of two of the most important conservation reserves in that part of South Australia, namely, Taylorville and Calperum?

The Hon. R.I. LUCAS (Treasurer) (15:18): I will have to take the questions in relation to environmental impact statements on notice and bring back a reply. The honourable member did offer in his explanation some commentary about who might be supporting or opposing EnergyConnect. One of the greatest opponents of EnergyConnect is the Australian Labor Party in South Australia and the member for West Torrens.

Everyone else can see the no-brainer logic that, when the wind is blowing and the sun is shining, we have bucketloads of renewable energy that we can export to the Eastern States to stabilise the market, to stabilise prices and to replace coal-fired power stations that might be being closed down. But if we don't have a second interconnector, we can't actually export the bucketloads of renewable energy that we've got.

Equally, if the sun ain't shining and the wind ain't blowing, we actually need an interconnector to ensure that whatever electricity, renewable or otherwise, that is being generated in the Eastern States can be imported to keep the lights on, to stabilise security and to stabilise prices.

Members interjecting:

The PRESIDENT: The Opposition Whip knows better.

The Hon. R.I. LUCAS: One of the greatest threats to EnergyConnect is the attitude of the member for West Torrens and the state Labor Party, because they have sought for years to undermine the interconnector which, as I said, to anybody else is a no-brainer. In relation to the EIS—

Members interjecting:

The PRESIDENT: The Hon. Ms Bourke!

The Hon. R.I. LUCAS: —I will take that on notice and bring back a reply. In relation to the issue of the moveability of routes—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: The Hon. Mr Hanson!

The Hon. R.I. LUCAS: —one of the issues, I suspect—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Ridgway is not helping.

The Hon. R.I. LUCAS: —but the detail will come back on notice—is that clearly the changing of routes may well impact on the costing of various proposals. Given that the Australian regulatory authority is currently looking at a regulatory proposal, I assume it's within a certain costing parameter that exists at the moment, therefore that may well be a restriction in relation to the possible movement of a route. It may well be; I don't know.

I would have to take advice on this, and I will bring back an answer. Is it if you move the route and it changes the cost, whether that has to then go back through another regulatory process, which might further delay the possible implementation of the project. I will take the EIS questions on notice and bring back a reply for the honourable member.

Resolutions

REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE

Consideration of message No. 103 from the House of Assembly.

The Hon. R.I. LUCAS (Treasurer) (15:21): I move:

That the council concur with the resolution of the House of Assembly contained in message No. 103 for the appointment of a joint committee on recommendations arising from the equal opportunity commissioner's report into harassment in the parliament workplace, that the council be represented on the joint committee by four members of whom three shall form the quorum necessary to be present at all sittings of the committee, and that the members of the joint committee to represent the Legislative Council be the honourable President, the Hon. Ms Pnevmatikos, the Hon. Ms Bonaros and the mover.

The Hon. C.M. SCRIVEN (15:22): I rise today to support the motion to establish a joint committee to inquire into and report on the recommendations arising from the equal opportunity commissioner's report into harassment in this workplace. We are all aware of the report. We are all aware of the specific instances that directly led to the report being prepared at this time, and I suggest we are all aware of instances of inappropriate behaviour in this workplace.

The report covered direct and potentially criminal behaviour but also insidious behaviour, that insidious behaviour that is sometimes referred to as everyday sexism or everyday harassment. It is an appropriate term in some ways because some women do indeed experience this every day—every day in the workplace. For any workplace, that is inappropriate, and in this workplace, where we are supposed to be not only setting the laws but also setting an example, it is even more inappropriate.

From being looked up and down to comments with a double meaning, supposed jokes that relate to their private lives, suggestive comments and unnecessary physical closeness, the list is long. It reflects a mindset that men have a right to sexual gratification, that men have a right to leering and that men have a right to objectify women. It is a mindset that affects the status of every woman in society, and it is a mindset that should not be present in this workplace in particular.

As we know, some people will say, 'Well, why isn't such behaviour reported?', as if to imply that if it is not reported then it does not happen. As we know from the commissioner's report, the mechanisms to do so in this workplace are difficult, flawed, confusing and potentially, in some areas, also pretty much non-existent.

To paraphrase one of the speakers at Monday's rally, no-one should have to endure unwanted sexual attention because they have children to support, meaning they need to keep their job, or they have bills to pay, meaning they need to keep their job, or because of other instances that mean that, because of power imbalances and because of rank economics, they cannot afford to report. That is how they feel; that is how these inappropriate behaviours remain unaddressed.

I am very glad that this also includes drafting a code of conduct for members of parliament. Hopefully, that code of conduct will go some way towards not only identifying the sorts of behaviours that are inappropriate but perhaps also allowing members and staff in this place to increase their own self-awareness so that they are aware of these behaviours in themselves and also to address the issue of bullying, which is a topic that is also worthy of further discussion.

We need to ensure that in this committee the implementation and the subsequent review of all of these matters are considered with due attention and with due resources. I therefore commend the motion.

The Hon. R.I. LUCAS (Treasurer) (15:25): In concluding the debate, I know that all other members who have not spoken have indicated that they support the motion. I thank the Hon. Ms Scriven for her contribution. I will say that I agree with the comments she has made and indeed other members have made on any number of occasions.

I will say that, whilst the overwhelming majority of people who have been offended against will be women, I can indicate—and it is a matter of the public record—that there are a small minority of other cases. In one well-known case, a former female Labor member of the House of Assembly on a regular basis used to inappropriately touch the backside of male members of parliament, both in the members' bar and elsewhere. So it is not something which is just gender specific.

It is overwhelmingly women who suffer the sorts of issues that the honourable member has outlined, but I can indicate in the nature of the discussions that have gone on that there are men who have been offended against by women members of parliament in this place, and that will be part of the discussion that will go on in terms of how we manage these sorts of processes. I am sure the Hon. Ms Scriven would agree that anyone offended against on the basis of this should have the right to be able to complain somewhere in relation to behaviour of an offending either member or staff member in relation to these particular issues.

With that, I welcome the Hon. Ms Scriven's contribution to the debate, and I am going to wish the committee, Mr President, with yourself and other members, including myself, warmest regards in trying to meet the challenges that confront that particular committee in terms of what it is being asked to do.

Motion carried.

The Hon. R.I. LUCAS: I move:

That it be an instruction to the joint committee that the joint committee be authorised to disclose or publish, as it thinks fit, any evidence or documents presented to the joint committee prior to such evidence or documents being reported to the parliament.

Motion carried.

The Hon. R.I. LUCAS: I move:

That Legislative Council standing order 396 be suspended to enable strangers to be admitted when the joint committee is examining witnesses unless the joint committee otherwise resolves, but they shall be excluded when the joint committee is deliberating.

Motion carried.

The PRESIDENT: I note the absolute majority.

Bills

STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 March 2021.)

The Hon. R.I. LUCAS (Treasurer) (15:29): I thank honourable members for their contributions to the debate, and I welcome the fact that the new shadow minister has 200 pages of amendments, I think, for us to consider. We look forward to the deliberations in the committee. I might be surprised, but given the complexity of the issues I suspect that in the time available this afternoon we might not be able to get through all the issues, but we will make some progress, I hope, during the committee stage.

As I have indicated to the Hon. Ms Bourke, I have to chair a Board of Treasurers meeting at 5.30, so I am proposing that we do as much as we can until 5.30, then my colleague the Hon. Ms Lensink will oversee the second reading of the Disability Inclusion (Restrictive Practices—NDIS) Amendment Bill and we will conclude the sitting as close to 6 o'clock as we can this afternoon. I thank honourable members for their indications of broad support and look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. M.C. PARNELL: Just to open the batting, I think the Treasurer's assessment is probably right, that this is a very complicated bill. It is made more difficult by the fact that the amending bill has to be read alongside, obviously, the original act, and then the amendments filed by various members also need to be put in. It is a complex one. I do not always do multi track changes versions of bills, but I have done for this one, to make sure I understand what is going on.

What I will say at the outset is that it has turned out that, as in a carnival sideshow, every player is going to win a prize from the Greens. I have advised the Hon. Emily Bourke that there is a number of her amendments that we are supporting but there are others that we are opposing. The Treasurer has two small amendments on file, both of which we are supporting. The Hon. Frank Pangallo has a number of amendments on file, one of which we are supporting, and I have a very brief one on file as well.

The Hon. R.I. Lucas: Are you supporting that?

The Hon. M.C. PARNELL: I might be supporting my own amendment, which I will talk about when we get to it. It is on behalf of the institution of parliament and its good governance, but I will get to that a bit later on. I just thought I would put that on the record. We will get as far as we can, as the Treasurer said, by about 5.30, but I suspect he is right that we might not finish it today.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

The Hon. E.S. BOURKE: I move:

Amendment No 1 [Bourke–1]—

Page 8, lines 12 to 15—This clause will be opposed

I put on the record that I had the great privilege of taking this role over just over a week and a half ago, so I have tried to get my head around this very complex bill as quickly as possible. In saying that, I would also like to thank quite a number of people who have helped achieve that. I would also like to point to the government for providing briefings on very short notice, so thank you to the

Attorney-General's office. I thank the LGA, many unions, councillors, mayors and also my own colleagues Jayne Stinson and Tony Piccolo from the other place.

In moving this amendment, it may seem like a very simple amendment, but everyday South Australians rely on the services provided by local government. They are generally services found literally at the front fence of many households, be that waste management, footpaths, parks or local roads. A longstanding expectation from the community is that these services are core local government services. The additional words inserted into the object of the act appear not to provide for additional services to the community. Instead, they focus on the need to go back to the ratepayer seeking perhaps additional and appropriate financial contributions for such services and facilities deemed appropriate.

When you look at the government's new words inserted into this section, they may appear harmless, but when you take into consideration additional changes made by the government throughout the bill, one starts to question the true intent of these amendments, that the bill is actually about focusing on what the ratepayer can provide to the councils rather than what the councils can provide to the ratepayers. This is why Labor has taken steps to unpick the government's moves towards weakening the objects of the local Government Act—and I do note the objects.

When you further take into consideration the government's changes to the principal role of councils in sections 6 and 7, it becomes clear that the government has a position on minimising the role of councils in providing quality services and facilities to their local communities and instead are focusing on their obsession with outsourcing.

Labor has addressed these concerns through amendments Nos 5 and 6 in my name, and I will expand on those later when we get to that section. Labor sees the government's approach as a backdoor path to privatisation of local government services and facilities. We all know the government's track record when it comes to privatisation, especially for essential services. They said they did not have a privatisation agenda, but since they have been elected they have proceeded with the privatisation of trains, trams and DIT services. They even wanted to privatise SA Pathology.

There is understandable concern that these language changes that may appear innocent open the way to greater privatisation and outsourcing of local government services. If the government is not intending to allow greater outsourcing and the privatisation of local government services, there is certainly no harm in reverting back to the language previously used in the act to describe the objects and the principles of the council, as Labor has addressed in their amendments.

The Hon. R.I. LUCAS: The government, I am advised, is opposing the amendment. The amendments to this section of the act clarify that councils need to consider the impact on ratepayers of decisions they make and on functions and services they choose to provide. The amendments do not provide an instruction or even an incentive for councils to privatise their services, not least because this chapter of the act does not direct councils on particular decisions. If a council decides to change the way in which it delivers a service, it will be on the basis that the change is of benefit to their communities and ratepayers.

The Hon. M.C. PARNELL: We looked very, very carefully at what the Labor Party were saying in relation to this particular amendment, and there are some others that follow. Like the Labor Party, we are very nervous about potential outsourcing and privatisation of essential services that we believe should really be conducted by public authorities, whether that be local councils, state government or the federal government.

Having accepted as valid the concerns of the Labor Party, when we look at the detail of this particular amendment it is an amendment to the objects of the act. As the Treasurer just said, it is not a part of the act that provides specific obligations. The sort of thing you would expect to be in the objects of the act would be, 'It's the job of the council to provide services to their community,' and I would have thought that it should have something in there saying, 'and they have to pay for those services'. The way they are mostly paid for is by rates.

This is in fact the only reference in the objects section to the fact that we have people called ratepayers whose rates pay for the things that local councils do. Whilst I try to be as alert as the opposition to any hidden meanings or subtle attempts to undermine the nature of the relationship

between citizens and different levels of government—in this case we have ratepayers and councils—I cannot see that adding the words 'and to provide for appropriate financial contributions [by ratepayers] to those services and facilities' actually does very much at all.

I guess the point then is: it not being in there for all these years has not done any harm. But it did strike me as odd because I thought, 'Surely there must be something else in the objects section that talks about ratepayers and actually contributing to these services,' but I cannot see anything else in there. I think this is the only reference—I am seeing nods around the chamber—so I do not think this has the dire effect that the honourable shadow minister thinks it does. We will listen carefully when she gets to her further amendments to see whether they are more sinister than this one, but we can see no harm in leaving this particular provision as it is in the bill.

The Hon. F. PANGALLO: We will be supporting the amendment.

The Hon. J.A. DARLEY: I will not be supporting it.

Amendment negatived; clause passed.

Clause 5.

The Hon. E.S. BOURKE: I move:

Amendment No 2 [Bourke–1]—

Page 9, after line 7—Insert:

(5a) Section 4(1)—after the definition of regional subsidiary insert:

registered industrial association means an industrial association or organisation registered under a law of the State or of the Commonwealth;

This amendment is to be considered in conjunction with amendments Nos 28, 34 and 35 in my name. We are moving to insert the definition of 'registered industrial association'. As members are aware, the government proposed in this bill to create a behavioural standards panel and I am going to explain in detail at this point why this is important in regard to amendments Nos 28, 34 and 35, because if this is not inserted now we cannot proceed with those amendments.

The panel is proposed to be comprised of a member jointly nominated by the minister and the LGA, as well as a member nominated by the minister, as well as a member nominated by the LGA alone. This amendment, together with amendments Nos 34 and 35, has the effect of including another member: a member who would represent the interests of council employees. This is a vitally important amendment and recent events in state and federal parliament highlight why.

In federal parliament, we have seen employees of parliament suffer greatly when behavioural standards are not maintained. I refer to the case of Brittany Higgins, although there are many others. In state parliament, the recent report of the equal opportunity commissioner has shown that there are multiple staff who have been harassed, intimidated or treated poorly while trying to carry out their daily duties.

Only this week, in the other place, the Premier stated, 'Every single person in South Australia should feel safe and respected within the workplace.' A person is only respected when their concerns are able to be heard and those concerns are supported by an advocate who represents their interests.

We have heard stories from this house and federal parliament that employees feel the power held by elected political representatives can exacerbate feelings of intimidation. One can only imagine that these issues would also exist in local government. New section 75G(1)(a) of the Local Government Act talks about the health and safety duties of a member of a council.

It specifically mentions that a member's behaviour should not adversely affect the health and safety of other members of the council or employees of the council. The government's amendments to this section mean that in cases where the council's employees' health and safety are adversely affected by a member's behaviour, a complaint relating to that matter should be referred to the Behavioural Standards Panel.

One of the defining features of recent events in federal and state parliament has been the lack of support that victims feel when they are faced with poor behaviour of their boss or employer. They feel that they do not have a voice, that there is not anyone in the room who would lend support and acknowledge their experience, their trauma or their distress.

By including an employee representative on the Behavioural Standards Panel, we ensure that victims will have a voice. This will ensure that complaints made by victims in local government will not merely be assessed by a panellist appointed by employers or employer advocacy groups but that these complaints will be assessed by an employee advocate.

I note that even in the government's own requirements of the panellists they have listed the following requirements for qualifications and experience: local government, law, dispute resolution, conflict management and human resource management. The experience of an employee representative meets all these categories and more. There is no reason why the voice of an employee should not be included on the panel. I urge all members in the chamber to support this amendment as well as the related amendments Nos 28, 34 and 35.

The Hon. R.I. LUCAS: The government is prepared, if the honourable member is, to treat this as a test case for the consequential amendments. It might assist the passage of the bill, if members can treat things in packages like that, that is, unless someone wants to argue to the contrary. Certainly, my advice is that, as the member has indicated, this is consequential to subsequent amendments Nos 28, 34 and 35. But I will leave that in the hands of the committee.

The government is opposing this amendment and the consequential amendments to clause 27 to include a requirement to consult with registered industrial associations on employee behavioural standards and the amendments Nos 34 and 35 to clause 129 of the bill to include a nominee of a registered industrial association on the Behavioural Standards Panel.

I am advised that the Local Government Association is not supportive of these amendments. If the member has information to the contrary, I would welcome her making that contribution during the committee stage of the debate. Essentially, there is no difference of opinion in relation to some of the issues the honourable member has raised; that is, the need for all staff members and employees to be able to work in safe working environments. Indeed, we can discuss some of those issues as we go through the committee stage of the debate.

I do not think there will be any opposition from any member contributing to this debate about that particular issue. The mechanisms for that can be debated and discussed during the committee stage as well. But the government does not see these particular amendments as resolving any of the issues that may or may not arise in terms of the operations of councils in South Australia.

The Hon. M.C. PARNELL: I see this in a slightly different way to the Treasurer in relation to whether these four amendments are all consequential. This amendment simply inserts a new definition. Effectively, unions are defined and put into the definitions section. There are two subsequent parts to this bill where unions might have work to do, and I think the arguments for and against each of those are quite different.

For example, the Hon. Emily Bourke referred to her amendment No. 28. I will not paraphrase it. I will read it because it is well written, 'Before a council adopts an employee behavioural standard, the council must consult with unions.' Employee behavioural standard; in other words, a standard to apply to the workers, many of whom are likely to be members of a union. In relation to amendment No. 28, it makes quite good sense to me.

What we are talking about is: who has to be consulted in the preparing of standards that apply to the workers at a council? Should the union be consulted? Yes, I think they should. If I am going to support amendment No. 28, I have to support this amendment because this is the one that inserts the definition. If we do not insert the definition, then amendment No. 28 does not make any sense. From an interpretational point of view, that is the way I see it.

Where I do require some more convincing is in relation to the other reference to unions, which is in relation to amendments Nos 34 and 35. That is to do with behavioural standards panels that go to the behaviour of the elected members, as I understand it. The question is: should there be a union rep on the panel deciding whether elected members have behaved well or not? As the

Hon. Emily Bourke has pointed out, unless people have been asleep for the last several days, we have realised that the behaviour of elected officials comes in a number of styles.

There are elected officials' relationships with each other. I have to say, my experience in a local council is that you forever have these codes of conduct, where councillors are sniping at each other and complaining about the behaviour of each other. It does not necessarily involve any staff at all. But as the Hon. Emily Bourke has said, there are instances where the elected members' relationship with the staff is what is the problem, the way they have behaved towards staff.

So I am going to hold my fire on amendments Nos 34 and 35, but I will be supporting this amendment now because it inserts the reference to unions, and I think the unions should be consulted on standards that are going to apply to workers in local councils. I will be supporting this amendment.

The Hon. F. PANGALLO: SA-Best will be supporting this amendment.

The Hon. J.A. DARLEY: I will not be supporting this amendment.

Amendment carried.

The Hon. E.S. BOURKE: I move:

Amendment No 3 [Bourke–1]—

Page 9, lines 29 and 30 [clause 5(10)]—Delete subclause (10)

This again may seem like a very simple thing to be doing, but it is not. Labor is seeking the support of the chamber to change one word, and that word is 'or', which has been inserted by the government in the other place. Labor is opposing the government's proposal so that we can take it back to its original form in the act.

The reason why we are doing this—again, this has to take into consideration our amendments Nos 4, 12 and 18 in my name—is that the government is seeking to replace the word 'and' with the word 'or', thereby making it an option to advise ratepayers of important public notices and events through newspapers, in particular regional newspapers. My amendment will ensure that whenever there is a requirement for a public notice, it is not merely an option but it is instead a requirement that the notice is published in a local newspaper that only circulates in the relevant area.

My subsequent amendment No. 12 will ensure that the community engagement charter requires the true intent of our amendment, which is to support trusted local newspapers in providing important information to ratepayers. I note that the charter has already been given a large amount of ministerial flexibility in how it is to be constructed and what it is to comprise. It is important that we include in this section some minimum requirements about how to communicate with ratepayers.

As has been circulated to honourable members by the Country Press Association, the government's amendments will have a lasting negative impact on regional papers, but more importantly, their communities. Darren Robinson, President of Country Press SA, states within his letter that regional papers are a trusted and reliable source of information for their communities. Very few, if any ratepayers, will turn to a website or Google the South Australian *Gazette* in search of a public notice that is relevant to their lives.

We are simply inserting a requirement back into the act that ensures the community is made aware of community consultation, meetings, development and planning issues, elections, local decisions and a large range of other council activities. As Mr Robinson states:

> Local newspapers generate an audience exceeding 130,000 South Australians each week and local Councils continue to rely on their local newspaper as their most trusted and reliable way of communicating their important messages. Regional and remote newspapers rely on Government advertising (Federal, State and Local Government) to ensure they are financially sustainable. Depriving country papers of this income will have a negative [and lasting] impact.

I would like to say that regional newspapers have always been a valuable asset to communities throughout South Australia. What might seem like a simple amendment, argued by the government as a streamlining and cost-saving measure, will also further increase the digital divide. This will hit hard in our regional communities where many do not have access to reliable internet.

People must not be excluded from civic engagement because they cannot afford or access the internet. By supporting this amendment, we can continue to provide the regions with the quality local independent journalism they deserve. I urge all members to support this amendment, thereby reverting this section to its current original form.

The Hon. R.I. LUCAS: The government opposes this amendment and the related amendment. I will speak to the detail as the honourable member has—I think this is now her amendment No. 12 of clause 17 of the bill. The reason the government is opposing the amendment on behalf of the councils is that publishing notices in newspapers is very expensive for some councils and does not necessarily reflect a contemporary approach to community engagement.

The Local Government Association has provided information to the government that shows that some small regional councils are being required to outlay tens of thousands of dollars to comply with the current provisions, often on publishing notices for relatively minor matters. The cost for small regional councils is obviously a cost that has to be borne by the ratepayers of the small regional council for that particular legislative requirement.

The government acknowledges that changes to this amendment will require councils to publish notices where a local or regional paper is published; however, in numerous instances the local newspaper will be published online. This means that the original purpose of the requirement to publish information in hard copy newspapers as an alternative means of bringing information to the attention of the community has, in many cases, sadly been largely lost already.

There are now more flexible, modern and locally appropriate methods of providing this type of notification and information to a council's local community, including publishing more information on the council's website. This move toward the community engagement charter that is included in the bill will place greater emphasis on consultation on the more significant decisions that councils make.

Outside the mandatory requirement this amendment would create, the community engagement charter as currently set out in the bill may include requirements for councils to publish notices in newspapers for significant matters, for example, consultation on draft annual business plans if there is a newspaper in the council area that could be considered to be an effective medium for consultation. Of course, it will be open to all councils to choose to publish information in local newspapers to provide information to their local communities, and the government expects that they will do so wherever they see their local paper as an effective way to inform their communities.

Essentially, it will be a decision for local councils in terms of representing the interests of their local ratepayers because, as I said, the requirement to spend thousands of dollars on what in some cases might be largely wasted expenditure, in terms of local newspapers, is a cost that has to be borne by someone, and that is the local ratepayers who will have to pay higher rates to meet those particular costs. For those reasons, the government is opposing the first amendment we are discussing now but, for the reasons I have outlined, also some subsequent amendments the member has highlighted.

The Hon. M.C. PARNELL: I have had a number of conversations with the new shadow minister about this, and I support what she is trying to do in relation to country papers. When I say that, I say that she is looking to ensure that people are notified in ways that are most appropriate to them—I understand that. I had made the Greens' position clear earlier that we were not interested in council ratepayers being a bottomless pit of cash for the Murdoch press.

Advertisements in *The Advertiser* or *The Australian* are a colossal waste of money. I think I have said before, I do not know anyone under 30 who reads *The Advertiser*; I do not know anyone under about 97 who reads *The Australian* (or at least takes it seriously). So I was more than happy to get rid of newspaper advertisements.

Members might recall—and I say this with some trepidation because it can elicit a Pavlovian reaction from the Treasurer—that when we have debated simplify bills in the past, one of the last simplify bills I think actually removed lots of references in lots of acts to mandatory newspaper notification and replaced it with 'must be published on a website to be maintained by the minister'.

I am paraphrasing, but basically we went through the exercise of going through the statute book and working out where there were mandatory newspaper ads that were mostly a waste of money. Of course there is nothing in these acts that says that newspapers must charge a reasonable price—they charge what they want. I think the Treasurer is right in saying that a lot of it is completely wasted money.

However, the flip side is that in country areas in particular the Hon. Emily Bourke is right: that is still an environment where a lot of people get their information from local newspapers. So when you put those two things together and you come to a legislative arrangement, the question then arises: are we stopping local councils from putting ads in newspapers? Well, no, we are not.

Are we mandating them? It is the government's position that we do not want to mandate them, but we will not prohibit them. In other words, a council that is genuinely wanting to consult with the maximum number of its residents in country areas will probably, I suspect, advertise in the local paper. The difference is that they will not be required to do that by the legislation; it will be something that their own community engagement policy either recommends or directs that they do.

I do not think that mandating is really the issue. Again, I will give another side to the coin. This coin must be a pyramid, it has three or four sides. There is another principle of legislation that, when you cannot trust authorities to do the right thing, it can be a good idea to mandate that they do certain things. I have been critical many times in this place of government agencies that work to rule; they do the bare minimum required by the legislation.

I have used examples, and I will not go through them all again, but there were two councils, for example, that had equivalent processes. One of them, a northern suburban council—it was Munno Para, so this is going back a few years—advertised strictly in accordance with the law in the paper, a six point font I think it was, and no-one read it, no-one put in a submission and no-one turned up to the meeting.

I counter that with Charles Sturt council which, under Kirsten Alexander I think as the mayor, had exactly the same process. It was a five-yearly review of their planning scheme—exactly the same process—and they filled the town hall at Woodville. How did they fill the town hall? They did not just put the small print ad at the back of the paper amongst the used cars and the massage parlours, they actually letterboxed people and put it into a community newsletter. They went to a lot of trouble and they filled the town hall. So if a council is serious about engaging with its community, there are a multitude of ways of doing that.

With probably some few exceptions, local newspapers usually are not the way to do that. The *Messenger* papers have now gone, so people who might look in their local *Messenger* paper for important ads that might concern them are not going to find those because that paper is no longer to be found in the letterbox.

I have two other things: first of all, I acknowledge the correspondence we received from Darren Robinson, the President of Country Press SA. He is urging us to support the Hon. Emily Bourke's amendment. He says that to do otherwise is effectively a vote against sharing information about community consultation, meetings, development and planning issues, elections, local decisions and a large range of other council activities. He would only be right if councils basically boycotted newspapers and never ever put anything in a paper. The point I am making is that in country areas a council that is serious about consulting its community is probably still going to use the local newspaper.

I would also acknowledge correspondence that we received very late in the piece from the Local Government Association. This arrived an hour before question time, so perhaps not all members have necessarily seen it. The LGA says that they have obtained urgent legal advice in relation to whether the Hon. Emily Bourke's amendments successfully do what she wants them to do, and that is to confine the mandatory newspaper advertisements to the country papers. I think it is a drafting nightmare to try to make sure that you do confine it.

Anyway, the advice the LGA have come back with is that because of—the word they use is—the legal advice confirms that there is ambiguity in Bourke amendment No. 12. We come to that one; this is consequential on that. There is ambiguity. It is arguable that the wording of the sentence could be construed as applying to newspapers which only circulate within the area of the council,

along with other councils, and it circulates in more than one area, and that therefore councils with no newspaper must place notices in Adelaide's *The Advertiser*. As I have said before, what we do not want to do—

The Hon. R.I. Lucas: *The Advertiser* would be happy.

The Hon. M.C. PARNELL: *The Advertiser* might be very happy, and whilst I have a genuine fondness for many of their correspondents, it is not the Greens' agenda to fill their coffers with mandatory government advertising. As I said, we do not want them to do that. The thing is, there is ambiguity, and the government's arrangement leaves the door open for newspaper advertising, including in *The Advertiser* but certainly for country newspapers.

Whilst I appreciate the Hon. Emily Bourke batting for country papers, which are primarily small family-owned businesses—and it is great to bat for those people—I think the doom and gloom scenario will not come to pass. I think councils will still use those papers in country areas, so the Greens will not be supporting this amendment.

The Hon. F. PANGALLO: It is good to see that the Hon. Mark Parnell has confidence that local governments in country areas would support country press, because I do not hold the same confidence as the honourable member. In fact, I am a strong supporter of newspapers in regional areas, and I will continue to be a supporter of newspapers. I am certainly not going to be a harbinger of the demise of newspapers, particularly in country areas.

I know how vital they are in informing people about not only what is happening in their community but also the goings on in local government and even perhaps matters that may not have caught their attention in relation to development matters or other things. So I am going to support it, which means I will support the further amendment that will follow.

I, too, have received the advice from the LGA today. I am still not convinced by what they say. As for filling the coffers of *The Advertiser*, well, we continue to do that with our own public notices for committees. I think they are very important when they are in those publications, and also in the regional areas, because, as has been pointed out, there are people in the country who do not have access to internet services that are quick and reliable. There are people who do not even have appropriate mobile phone services in that area. With television for instance, in some parts of the state they still get programs that are beamed from other states, particularly in the northern parts of South Australia where they get the broadcasts that come from Queensland or somewhere else.

So, as I have said, country newspapers play a very important role in informing and educating their readership, and they still remain a vital source of engagement in those communities and they still enjoy good circulation figures. Yes, we know that slowly but surely they will end up being phased out, and the day will come when even the esteemed and only daily newspaper we have here will probably make a decision to close down its plant at Mile End, but in the meantime there are still many people in our community who actually like the hard copy and like to see that.

There is another aspect of public notices. I will give you an example. When I go over to Kangaroo Island, I buy *The Islander* and the first thing I look at, apart from the front page and pages 2 and 3, is the public notices, just to see if there is anything there of any relevance that would affect me or others who have property over there. I find that a very important tool, which is why I am so supportive of this.

I note that the LGA seem to think it can be quite ambiguous the way it is all framed; however, I think it is important we do continue to support our country press, and I thank Darren Robinson for also contacting my office. They have done it tough and have been doing it tough for a long time. I believe even the state government has restricted its own advertising in country newspapers. I think we need to support country journalism, just like we also support journalism in our metropolitan areas. With that, I will be supporting the Hon. Emily Bourke's amendment and the one that follows.

The Hon. J.A. DARLEY: Whilst I have some sympathy for the country newspapers, I will not be supporting this amendment.

The Hon. E.S. BOURKE: I do have quite a bit to say in response to this, because I find it quite extraordinary. I might be the shadow minister for the City of Adelaide, but I am a country girl at

heart, and I am very disappointed and surprised that those members opposite do not feel the same. It is extraordinary that those opposite are not supporting regional newspapers, only to be supported in regional newspapers. When you pick up a newspaper in regional South Australia and you want to check the footy scores, check the netball scores, you also get to check public information in trusted and reliable print, and those opposite do not want to support the small businesses of regional South Australia. Extraordinary.

The *Country Times* is a local small business on the Yorke Peninsula, probably one of the biggest employers in Kadina, and you do not want to support it. I find this extraordinary from those opposite. If this is not a trusted resource, do not send them any more media releases. If this newspaper is not worthy of putting public information into, it is not worthy of your news releases, because it is a free newspaper for you.

When you send off those news releases and media releases, you are asking them to print that for free, but you are not giving the value of public information to those papers. You are taking it away from them and you should be ashamed of what you have done opposite in this chamber.

In regard to the Hon. Mark Parnell's concerns, I am not a lawyer—I will take the line of the Hon. Rob Lucas—but I am also pretty sure that *The Advertiser* is not an international newspaper because it is advertised online. I am also pretty sure that the *Yorke Peninsula Country Times* is not an international newspaper because it is advertised online. The word 'circulating' means a physical circulation within that area. The true intent here from those opposite is to stop public notices being put in country newspapers. That is what you are supporting.

The Hon. Rob Lucas might say that this is difficult and challenging sometimes, to be coordinated and have adverts put into regional newspapers, but I think the best person to be asking is not the LGA but Country Press South Australia. Honourable members in this chamber have received a letter about this issue, and they have said this will have a lasting negative impact on their small businesses.

This is about bringing information to the public so that they can participate in debates, and I will dwell on this because it is important. The government's own principles proposed their own new principles in section 52 of the act outline that ratepayers must have meaningful and timely access to information, including online opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.

The proposed principles then identify that information should be readily accessible and in a form that facilitates community participation. Further, participation methods should seek to foster and engage constructive dialogue, discussions and debate in relation to the proposed decisions, activities and processes of councils.

To my mind, these edited highlights that have been inserted by the government underscore why, particularly, regional communities' local newspapers are vitally important to enable such information to get into their households. I understand from feedback that the LGA considers a public notice section at the back of a newspaper an expensive and ineffective way of communicating information to the public. I do not think anyone in this chamber should think that a country paper is an ineffective way of communicating with regional South Australians.

The committee divided on the amendment:

Ayes 10
Noes..... 11
Majority..... 1

AYES

Bonaros, C.	Bourke, E.S. (teller)	Hanson, J.E.
Hunter, I.K.	Maher, K.J.	Ngo, T.T.
Pangallo, F.	Pnevmatikos, I.	Scriven, C.M.
Wortley, R.P.		

NOES

Centofanti, N.J.	Darley, J.A.	Franks, T.A.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Lucas, R.I. (teller)	Parnell, M.C.	Ridgway, D.W.
Stephens, T.J.	Wade, S.G.	

Amendment thus negatived.

The Hon. E.S. BOURKE: My amendment No. 4 [Bourke-1] is consequential. We will not be moving it.

Clause as amended passed.

Clause 6.

The Hon. E.S. BOURKE: I move:

Amendment No 5 [Bourke–1]—

Page 9, lines 35 to 39—This clause will be opposed

The reason for reinstating the text that has been removed by the government in the other place is again coming back to our core concern, at the beginning of this bill, of privatisation. Labor feels that this amendment is yet another attempt at achieving this aim, with the government removing words such as 'provide' and 'co-ordinate' and replacing them with 'make decisions'. I do not know how much clearer that can be. Replacing 'provide' and 'co-ordinate' with 'make decisions' seems like taking your hands off the steering wheel if you ask me.

This again reinforces Labor's concerns, when addressing this issue in amendment No. 1 in my name, that the government is taking steps to privatise essential services. It is important to note that a large proportion of the services that are provided by councils are mandated by the state government, hence it is important we address the government's moves to remove these key words 'provide' and 'co-ordinate' and replace them with 'make decisions'. It is hard to see how this change brings any benefit to the community, particularly when you take into consideration the commissioner's statement in a South Australian Productivity Commission report into local government:

> Given the broad definition of councils' functions outlined in South Australia's [Local Government] Act, the total number of mandatory services and functions is comparatively low. The majority do not arise from the [Local Government] Act itself, but flow from other state legislation.

This legislation includes, but is not limited to, the Dog and Cat Management Act, the Public Health Act, the Planning, Development and Infrastructure Act, and the Emergency Management Act. This is an important point when we consider the government is removing further responsibilities and requirements from the Local Government Act.

We should not forget we are amending the defining purpose of the Local Government Act, removing what the government would expect is the core local government responsibility, that being to provide and coordinate services and facilities to develop a community. This is fundamental to what we all know local government to be about. As the Productivity Commission report states:

> Local government is the level of government closest to individual communities. Local government's performance is important in terms of the human and economic services it provides to meet those individual [needs of every community].

The Hon. R.I. LUCAS: The government opposes the amendment for similar reasons to the earlier one, with great respect to the honourable member, whom I hold in the highest regard as the most impressive shadow minister for local government that I have seen in my time in this chamber in the last three years. The point that I want to make is that the existing words that the member seeks great comfort in are 'to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner'. These words are proposed to be deleted and the shadow minister is proposing to reinsert them.

I am advised that those words have not prevented councils at the moment outsourcing waste management services under the current definition; that is, where councils have made decisions in the interests of their ratepayers, and in terms of the efficient delivery of their service, the existing wording of the act, to which the honourable member wants to return, has not prevented the councils from making those decisions already. So the words in and of themselves are not going to impact the operations of local councils.

For the reasons I gave earlier, there is nothing in this amendment of the government's that provides an instruction or an incentive for councils to privatise their services, to use the honourable member's phrase, in any way at all. All the government's proposal is doing is stating that the basic role of the council is to balance the provision of services fairly with the rates that are expected to be paid by its ratepayers.

It is a similar argument from the government's viewpoint to the earlier argument that we had in relation to the fact that it is really a statement of fact; that is, ratepayers end up having to pay for the services that are being provided. This is talking about a fairness notion. But if we want to respond to the spectre of privatisation the honourable member is seeing behind every word the government is seeking to insert here, my denial will not convince the honourable member otherwise.

But put aside my denial, which I again put on the record, the mere fact that the words the honourable member seeks solace in have allowed councils to make decisions to outsource waste management services should be proof positive that what she is seeking to do is not going to be achieved by the amendment that she is proposing. There is no evil in the government's humble contention in relation to this particular amendment. It is merely seeking to make a statement of fact in relation to the operations of councils.

The Hon. M.C. PARNELL: We can look at this issue in two ways, I think. The first one is as the potential backdoor privatisation agenda and I think that the Treasurer is right in that these words have been here for a long time and they have not stood in the way, for example, of councils not owning their own rubbish trucks anymore or doing their own work.

The other thing I need to consider is that there are a couple of concepts in here that are proposed to be deleted and what I would not want is, for example, for one of my children to say to me, 'What did you do at work today, Dad?' and I said, 'I removed references to social justice and ecological sustainability from an act of parliament.' They are going to look at me and say, 'Really? That is what you did today at work?' The bill proposes to delete the words:

> to provide and co-ordinate various public services and facilities and to develop its community and resources in a socially just and ecologically sustainable manner;

I cannot vote to remove those words from the bill, so I think that means that I need to support the Hon. Emily Bourke's amendment who wants to keep those words in the bill.

The Hon. F. PANGALLO: SA-Best supports the amendment by the Hon. Emily Bourke and echoes the concerns of the Hon. Mark Parnell. I view this as opening the door to privatisation and that some vital services that are currently provided by local government, like libraries, could one day be either privatised or, in fact, abandoned altogether. There are many in the community, particularly the vulnerable and the elderly, who rely on vital services like that. I certainly do not want to be responsible for a piece of legislation that will rob communities of that ability in future years.

I have noticed that there are many councils currently, because of COVID-19 and the stimulus packages that are out, going on massive spending sprees. They are talking about multimillion dollar library facilities or other facilities, but somebody has to pay for them, and I wonder whether down the track they would then shirk their responsibilities for paying for them and try to off-load them to others. With that, we are supporting the Hon. Emily Bourke.

The Hon. J.A. DARLEY: I will not be supporting this amendment.

Amendment carried; clause negatived.

Clause 7.

The Hon. E.S. BOURKE: I move:

Amendment No 6 [Bourke–1]—

Page 10, lines 2 to 5 [clause 7(1)]—Delete subclause (1)

This continues on with our concerns from the previous change to the principal roles and function of councils. I want to quickly touch on the Treasurer's comments that there is 'no evil' in the government's plans. One could believe that if they had not said before the election that they had no privatisation agenda, but that clearly did not stay that way.

As with my amendment No. 5, which sought to retain the important role of councils, this amendment looks at retaining what many in the community would regard as core local government functions, which include waste management, welfare and community services and facilities, and cultural and recreational services and facilities. Removing these functions from the list within the act is not even a backdoor attempt at privatisation; it is a front door attempt. It is a weakening of the role of councils in serving our communities and opens further possibility for the privatisation of essential services.

By inserting a section that focuses on ratepayers' contributions in section 3(f) and removing a focus on services provided by the council in section 7, one can only conclude that these changes are yet another example of the government focusing on what ratepayers can provide to councils rather than what councils can provide to ratepayers. Council employees know only too well that when services are outsourced, councils and ratepayers pay more and it becomes difficult to control the timing of general maintenance, be that lawn mowing or any other maintenance services and upkeep of facilities and services within that community.

The Hon. R.I. LUCAS: The government opposes this particular amendment. The government's view is that essentially it is up to councils, and they are a many and varied breed in terms of what they perceive as the needs of the particular requirements of their councils. A small regional council may well see its role completely differently from a very large, metropolitan-based council. The make-up of the population is probably significantly different. The size of the population is obviously significantly different. The ratepayer base is obviously significantly different.

The government's view—together with, I suspect, the LGA's view—is that there should be the greatest degree of flexibility for councils. The existing words that the honourable member is seeking to hold onto say:

(b) to provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area—

It then says 'includes' and lists a whole series of services. It is fairly comprehensive; it is not completely comprehensive. One of the services it lists, which the honourable member believes councils need to include in a list of services they want to provide, is electricity services. There is only one council in the state, as I understand it, that has provided or is still providing electricity services, and that has not been entirely successful in terms of the provision. Good luck to the honourable member. She is going to fight very hard for all 68 councils to provide electricity services to their ratepayers. Good luck with that in terms of making it successful and what the sense of that is.

This whole notion that in some way this is a secret plan hatched by not me as the mere Treasurer but I assume as the former local government minister, and maybe the current local government minister, to somehow secretly privatise or outsource everything that moves within the local government sector, seems to be the campaign that the honourable member is seeking to portray.

This is merely acknowledging the fact that councils should make their own decisions. For the parliament at some stage to have outlined, and now the member wants to see it continued to be enshrined in legislation, that one of the services that councils should specifically have on their batting list is electricity services, makes no sense at all. I am not sure what the number is that provide gas and water services, but—

An honourable member interjecting:

The Hon. R.I. LUCAS: No gas? There might not even be any gas, but good luck with that. And water services, well I think there is a small number that are engaged in water services but

certainly not comprehensive in terms of 68. These are services that are being provided either by governments or, shock horror, outsourced private sector providers in South Australia, or a combination thereof.

The whole notion that we should be continuing to enshrine in legislation that this is a role for local councils is a fallacy. It is not a statement of reality. It has not been for decades—if it ever was—and it will not be in the future. So good luck if the honourable member can get a majority of members to support a continued provision of electricity, gas and water services and the like.

As we discussed before, they continue to provide waste collection services but they have already outsourced it under the existing act, so if you are concerned about the ogre of councils using these amendments to outsource their waste collection, well, they did that under the existing act that the former government was in charge of for the last 16 years, and 30 of the last 50 years or something.

The other ones are statements of fact. In some cases, health or welfare services and cultural services may be provided by many metropolitan-based councils and some regional councils, but not every small regional council will provide a collection of all those services right across the board. They may well see that the provision of health services is properly a role for federal and state governments, and not a role that they would see for themselves that their ratepayers have to pay for.

All the government is seeking to do here is to say: look, yes, they should be providing services and facilities to benefit the area. Ratepayers are going to have to pay for it, but ultimately it is going to be a decision, as it currently is, for councils, even though we have had this provision in the act for a long period of time.

The Hon. M.C. PARNELL: This is an interesting debate because I accept some of what the Treasurer has said, but not everything. I always defer to the learned lawyers in Parliamentary Counsel but my memory of doing statutory interpretation in 1978 at Melbourne University is that we learnt lots of Latin rules and they often related to lists in legislation.

We had to consider whether the fact of a list meant that you could only include in the interpretation of that section something that was close to something that was already in the list. I cannot remember the Latin phrases for all these rules but lists can be problematic. One thing that I was thinking is that there is a list of things here that local councils can do—not must, it is 'can do'. Some of them I support, some of them I do not support.

The Hon. Rob Lucas mentioned electricity and that is not something that traditionally local councils have provided; in fact, only one has. Gas: are the Greens going to vote for putting fossil fuel supply in as an optional exercise for local councils?

Then I look at the flip side of it: what is not on this list that the Greens would like to see there, because the problem with a list is, if it is not there, you could have elected members come budget time saying, 'Why should we spend our money on this revegetation project? Why should we buy all these nesting boxes for the public parks to help the birds and the parrots and whatever? They are not listed anywhere.' The environmental services, which many councils are now providing are not listed as one of these things.

The question then is: do we keep adding to the list that councils can do, or do you have a more general description, such as what the government is proposing, which is to provide services and facilities that benefit its area (so maybe the environment might be in that), its ratepayers and residents and visitors. It does not get any more basic than that. It does not tell them what they have to do and it does not tell them what they cannot do.

The Treasurer suggested that currently the word 'health' is in here and that councils will not want to do health. Many councils do want to do community health. We know that it is local councils that are largely responsible for public health. Their inspectors are out there with their thermometers, making sure that the fridge is cold enough that we do not get sick when we go and buy things from the local shop. Councils are involved in health.

So the two options are: keep adding things to that list, which runs the risk of limiting innovation and limiting things we have not thought about and have not put on the list, or removing the list. My position is that I think the government's approach is the better one. Let us take out this

list and leave it to councils to decide what they think are the best services they can provide for their residents and their visitors. We will not be supporting the Hon. Emily Bourke's amendment.

The Hon. F. PANGALLO: SA-Best will support this amendment. Yes, the Treasurer rightly points out electricity and who provides it. Yes, we know that there is only one council and of course it is the troubled Coober Pedy council, but this list tries to emphasise what sort of facilities ratepayers can expect. There is the one right down the bottom there that worries me, when you cut out this bit here: 'welfare or community services or facilities, and cultural or recreational services or facilities'.

'Cultural' is an important one. If you cut that out, are you giving councils now the opportunity to interpret that and to say, 'Oh well, we won't be having Christmas carols this year, we don't have to do that, we'll scrap that', or Australia Day citizenship ceremonies and other cultural activities we expect from councils? Some councils are already indicating that perhaps they may start not to recognise 26 January. That is what concerns me.

This list emphasises what the responsibilities are for councils. I have never had the legal training and education that the Hon. Mark Parnell has had, and I note his concerns about lists and whatever and go there with trepidation, but it is important that these are spelled out. It is spelled out in saying 'including', so that councils are aware of what their responsibilities will be. The one at the bottom really concerns me: 'cultural or recreational activities'.

I may have mentioned Christmas carols or whatever, but there are other cultural activities that also go on in local government. Could that mean they abrogate their responsibilities for providing those services? So we will support the Hon. Emily Burke's amendment.

The Hon. J.A. DARLEY: I will not be supporting this amendment.

Amendment negatived; clause passed.

Clause 8 passed.

Clause 9.

The Hon. E.S. BOURKE: I move:

Amendment No 7 [Bourke–1]—

Page 10, line 23 [clause 9, inserted section 11A(1)]—Delete '12' and substitute:

13

I think this comes to one of the more pointy discussions of the chamber in this debate. Labor recognises the intent of the government's amendment, but a cap cannot come at the cost of appropriate representation. The government has put an amendment that would require a cap of 12 members for each council, regardless of size, geography and demographics. Labor would like to see this cap increased to 13. I will expand in my next amendment on the options of what could be happening for representation in the community.

Labor believes that a cap of 13 is more appropriate, for the simple reason that of the 14 councils that are exceeding the government's proposed cap of 12 half of them are sitting at 13. It makes no sense to subject half of these councils to a reduction in representation when the final outcome of such a process would only remove one single councillor.

The amendment is supported by the LGA. The Treasurer has taken great delight in pointing to the fact that the LGA has supported his previous amendments, and I would like the Treasurer to take into consideration that the LGA has supported this amendment of mine.

The Hon. R.I. LUCAS: The government opposes 13 because it is an unlucky number. No, there are more significant, substantive reasons why the government is opposing 13. The other reason is that the Onkaparinga council has 13, and we all know the problems with that council. Clearly, that is enough of an argument, too.

The government's position has been pretty clear on this. There has been compromise and compromise. As the honourable member has indicated, the LGA, as I understand it, supports the honourable member's position in relation to this. My understanding is that there may well not be the numbers in this chamber to support the government's position.

Based on the advice that we received, the government's view has been that councils with a large number of members—in one case, as I understand it, it is up to 18 members, but there are also numbers of 13, 15 and 17—are not conducive to good decision-making. Most organisations these days have actually looked at refining and reducing the number of people on their decision-making bodies, some to much smaller, I might say, than 12 or 13, but between seven and 10 as being the ideal number. For a variety of reasons, councils, for representation purposes and others, were not attracted to any suggestions along those particular lines.

The government's position, as a result of negotiation, discussion, consultation and the like, was to settle on the number of 12. But if the majority of members in the council want to pick an unlucky number like 13 and there are the numbers for it, then so be it. We will await the judgement of the crossbench.

The Hon. M.C. PARNELL: The Greens' position has always been that we believe that local communities themselves are in the best position to determine the level of representation that they require. Our position has not changed, but the negotiations between various parties have resulted in this compromise position that is being put forward.

I want to put one quick thing on the record and that is that I understand the Deputy Electoral Commissioner had some concerns about how the regime might work. I have not been part of those discussions but certainly the Local Government Association has. They have emailed me, and I am assuming others, on Tuesday of this week, where they set out some of the Electoral Commission's concerns. They refer to the fact that the Hon. Emily Bourke has revised the amendments, and they conclude with the following paragraph. They say:

> The LGA considers that the revised amendments proposed by Labor sufficiently addresses and resolves the concern raised by Mr Gully. Accordingly, the LGA supports the proposed ALP amendments to section 11A and 12 of the Act and requests all Members of the Legislative Council support these.

We will go with the strength there. A lot of negotiations have taken place, expert advice has been sought and so the Greens will be supporting this amendment. On my calculations I think that means we support amendments Nos 7, 8, 9, 10 and 11. I—

The Hon. E.S. Bourke: No, this one is on its own.

The Hon. M.C. PARNELL: Is it? This one is on its own. Okay. Let's just support this one for now.

The Hon. F. PANGALLO: I do not share the Treasurer's superstition about the number 13 at all. In fact, my wife considers it a lucky number.

The Hon. C. Bonaros: So do I.

The Hon. F. PANGALLO: Thank you, the Hon. Connie Bonaros. I can see—

Members interjecting:

The Hon. F. PANGALLO: It was.

The CHAIR: The Hon. Mr Pangallo should proceed.

The Hon. E.S. Bourke: Do we need the blood line in here right now?

The Hon. F. PANGALLO: Probably might.

Members interjecting:

The CHAIR: Order! I think most of us would like to proceed with this bill.

The Hon. F. PANGALLO: It goes without saying that we will be supporting the amendment, and of course there is the fact that the LGA has also given it its endorsement. It is interesting how far the debate over numbers has gone since, I guess, the birth of this bill. We had many councils that had greater numbers (up to 18) that wanted to retain those numbers because of the representation—they were larger councils.

They pointed to the fact that what it would have meant is, for instance, if you made a comparison between the City of Salisbury and the City of Prospect, a member in Prospect, because

of the size of it—I think they had something just over 24,000 ratepayers—where there are 12 members, would be representing just 2,000 ratepayers, whereas it would be probably about 20,000-odd in the City of Salisbury.

That would certainly require those representatives in Salisbury to work extremely hard to give representation to all their ratepayers. That is not saying that the good representatives of Prospect do not work hard at all; in fact, they do, and they have a very good mayor, I must say, as does Salisbury. But the LGA supports it. The number 13 certainly gives councils the tie breaker opportunity if there was a tied vote, so we will be supporting the amendment.

The Hon. J.A. DARLEY: I will be supporting this amendment.

The Hon. R.I. LUCAS: Can I just take the opportunity to put a correction on the record of a statement that was made in the House of Assembly, I am advised. In the House of Assembly debate there was a statement made that the proposal to set a maximum of 12 council members was a recommendation of the Productivity Commission in its inquiry into local government costs and efficiencies. On behalf of the government, I would like to clarify that this was not a specific recommendation of the commission; rather, it reflects the commission's general view that councils should seek further efficiencies and take steps to enhance their capacity for sound, well-informed decision-making to improve their performance.

Amendment carried.

The Hon. E.S. BOURKE: I move:

Amendment No 8 [Bourke–1]—

Page 10, line 23 [clause 9, inserted section 11A(1)]—After 'members' insert:

, unless the council is granted an exemption certificate under section 12(11b) in connection with its most recent representation review

This amendment is consequential to amendments Nos 8, 9, 10, 11 and 39. It goes to the points that the Hon. Mark Parnell was making before about the community picking and choosing how their community should be represented. The LGA has indicated their support for these amendments, which deal with the process regarding how individual councils and people in those councils determine how many elected members they deem appropriate.

Labor understands that for some communities there may be an argument for additional representation within a council area. This may be, for example, because of the number of ratepayers residing within that council area. This is bolstered by the fact that many councils have within their borders differing geographies and demographics. For example, a council might have an area in the hills and an area on the plains, each area with different needs, costs and populations. In such cases, localised representation is vital and fundamental to the core principle of councils representing local interests.

As many have said, both in this house and the other, many of the core responsibilities of the local government are literally at the front doors of ratepayers' homes or businesses, highlighting the value of keeping council representation local. Labor is advocating to establish a process by which a council that feels it is justified in having additional councillors above the suggested cap of 13 is able to do so. That process would be incorporated into the already required independent representation review that all councils must complete every eight years.

The council conducts a representation review every eight years. This is required under division 2—Powers of councils and representation reviews. In the act as it is currently written, this is a requirement. This review, amongst other things, provides the opportunity to examine the advantages and disadvantages of various options that are available to councils under section 12(6) of the act, like the aspects of the composition of a council or the wards of the council, and if the community would benefit from an alteration to its composition or ward structure.

Labor is now seeking to provide the important option of providing appropriate representation that suits the needs of individual communities. This will be achieved through amendment No. 9 in my name. However, I will briefly walk honourable members through the key steps, including councils'

need to undertake and find a way of determining what is appropriate representation for their community.

I would like to highlight at this point that many of the steps I will walk the chamber through are already requirements that are either within the act or have been inserted by the government into the bill during the debate in the other place. As is required now, in order to commence a review, a council must initiate the preparation of a representation option paper, which would now be called a representation review under the government's own amendments.

The representation review is currently sent to the Electoral Commissioner, as outlined in the act and the government's amendments, for their determination. Labor's proposal would retain the government's process of having the Electoral Commissioner as a safety net by reviewing the council's representation report. In addition to a cap of 13 councillors, our amendments enable consideration to be given to what is appropriate representation for individual communities. This would need to be identified in the report through section 12(6), which requires both the community and the council to consider a number of factors relevant to their community.

After consultation with the community of the report, which is already required by the act, the council would submit the report to the Electoral Commissioner, in accordance with the current process. I note the Deputy Electoral Commissioner—and to the Hon. Mark Parnell's point—has raised questions regarding the term 'exceptional circumstances'.

As we are a party that is willing to listen, we have addressed this term and have now included a definition for the term 'exceptional circumstances' to the LGA's approval. 'Exceptional circumstances' means circumstances where the report does not examine the matters referred to in subsection (6)(a) or set out the reasons for the council being constituted in a matter referred to in subsection (11)(a) or (b). I am happy to walk the council through further steps of this process, but maybe I will do that at the end when everyone else has had their chance to have a say on this amendment.

The Hon. R.I. LUCAS: The government is opposing this amendment and its related amendment, which is the next one. The government went down in a screaming heap on the last amendment, which was the 12 to 13. I am advised that this will be a mechanism to allow those councils that currently have more than 13 members to be able to go through this process and justify keeping themselves at 15, 16, 17 and 18 members. My advice is that this is a relatively low threshold for the council to meet to justify keeping its large numbers and a relatively high threshold for the Electoral Commission to be able to reject the submission. That is the nature of the legal advice provided to the government.

As I said, the government went down in a screaming heap on the 12 to the 13. The council's majority opinion prevailed there. What we are now told is that those councils that actually are already above the 12 or the 13 members—now it will be the 13—are going to have a relatively easy task, on the basis of the legal advice provided to me, to justify staying at 15, 16, 17 or 18 members. That is the decision for the crossbenchers to take in relation to this.

We had the debate about 12 or 13, and we have settled on 13 members. I would have thought that the prospect of why we should be allowing councils, as I said, on the basis of the government's legal advice, a relatively low threshold to be able to justify keeping their member numbers at 15, 16, 17 or 18 makes no sense at all. We have made the decision that it is now going to be 13. There should not be this relatively easy test—or any test, frankly—to justify them staying at a number significantly higher than the 13 mark.

The Hon. Ms Bourke is not going to be able to give a guarantee, and neither can I assert 100 per cent assert the other way that there will not be councils that will be able to meet this particular test and stay at 15, 16, 17 or 18 in terms of the membership. Our strong position is that we should be opposing this amendment and also its associated amendment, which is the following one.

The Hon. M.C. PARNELL: Given what I said before, that the Greens were not supporting any cap other than what local communities want, then clearly we are going to support the Hon. Emily Bourke's amendment. The Treasurer talks about the very low threshold. There is another way of talking about a low threshold—that that low threshold is what their community wants. You

have to go through the process of consultation with the community but if at the end of that process the community wants more councillors then the Greens' position is they can have them.

The inclusion of some checks and balances with the Electoral Commissioner to make sure that the process has been done properly I think adds to it rather than takes away from it. But, at the end of the day, this amendment is entirely consistent with the Greens' position that local communities should be able to determine for themselves how many elected representatives they think they need to do the job of running the local council.

The Hon. R.I. LUCAS: Can I just add one point? The advice I have, just to follow on the point the Hon. Mr Parnell has said, is that the council is required to have consultation, but the council could actually get no support at all in the consultation for the increased numbers or the retention, and that is not a requirement under ECSA. They do not have to have demonstrated that there is majority support. They could say, 'We have been out to consultation,' and they received no feedback at all supporting 18 members, but the council just says, because there 18 of them sitting around the table, 'We want to keep 18 because we believe this is what our community wants.'

I hear what the honourable member says in relation to consultation, but there is no requirement in this drafting at all for a plebiscite or a referendum or whatever it is to say this is the community view. They can do it, get no submissions at all that support the position, but the 18 members sitting around the council table, because they all want to keep their position, can all say, 'It's our view that our community wants to keep the 18 members, all of us, because they love us so dearly,' and the ECSA will not be in a position to be able to reject that particular position.

The Hon. E.S. BOURKE: Just to clarify the points the Treasurer has made, that is why it was important that we did include 'exceptional circumstances'. If in (11c), I will repeat, there are circumstances where the report does not examine the matters referred to in subsection (6)(a) or set out the reasons for the council being constituted in a manner referred to in subsection (11a)(a) or (b), the commissioner will not provide the report. So he or she is required to examine the information that is provided in the report.

The Hon. R.I. LUCAS: There is a requirement to consult and to set out reasons but, in the end, there is no requirement for them to indicate that the majority of their community says they want to keep 18 members. Ultimately, it is for the council to decide. They have to go through a process, but there is no way of asserting, as the Hon. Mr Parnell says, that if the community wants 18 members, they can have them. There is no requirement to actually say they have conducted a referendum of their members or a poll of electors, and this is how many voted and this is the majority of support.

They just have to go through a process and then, in the end, set out their reasons. If the 18 of them are happy to accept their money sitting around the table, and they think in their wisdom that the community wants them to continue, they can say, 'We went through the process. We have done the consultation.' No-one replied or three people replied or whatever it might happen to be, but, 'In our judgement the community needs us to continue as 18 members rather than 13.'

The Hon. E.S. BOURKE: To further add to the Treasurer's point, the government themselves have put as a suggestion in the other place that the council must undertake public consultation on the representation report. So the council will have to undertake community consultation in regard to this report.

The Hon. F. PANGALLO: We will be supporting the Hon. Emily Bourke's amendment. In previous comments I mentioned the size of councils. The way I view this amendment is councils are going to need to put their case first before those numbers are going to be allowed. I think there is only one council that has 18 members. Some of the others only have 12 or 13, so it is not really a huge number that we are talking about here.

I also note that the LGA supports the proposal and has been quite strong in its views that communities should be able to have a say in how they are represented and that they be represented in a fair and equitable manner in some regard, so we will be supporting the amendment.

The Hon. J.A. DARLEY: I will also be supporting this amendment.

Amendment carried; clause as amended passed.

Clause 10.

The Hon. E.S. BOURKE: I move:

Amendment No 9 [Bourke–1]—

Page 11, line 29 [clause 10(2)]—After '(inclusive)' insert:

and substitute:

(11a) If—

(a) the report proposes that the composition of the council be altered so that it is constituted of more than the number of members that a council may be comprised of under section 11A(1) (the member cap); or

(b) the council is constituted of a number of members that exceeds the member cap and the report does not propose an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap,

the report must be referred to the Electoral Commissioner.

(11b) On receipt of a report, the Electoral Commissioner must give the council a certificate authorising the referral of the report under subsection (12) (an exemption certificate), unless the Electoral Commissioner considers that exceptional circumstances exist that justify a refusal to give an exemption certificate to the council.

(11c) In subsection (11b)—

exceptional circumstances means circumstances where the report does not—

(a) examine the matters referred to in subsection (6)(a); or

(b) set out the reasons for the council being constituted in a manner referred to in subsection (11a)(a) or (b).

(11d) If the Electoral Commissioner refuses to give an exemption certificate under subsection (11b), the Electoral Commissioner must refer the matter back to the council and must provide written reasons to the council for the refusal.

(11e) If the matter is referred back to the council under subsection (11d), the council—

(a) must take such action as is necessary (including by altering the report) so that the report proposes an alteration in the composition of the council so that it is constituted of a number of members equal to or less than the member cap; and

(b) must comply with the requirements of subsection (7) in relation to the report (as if the report (as altered) constitutes a new report); and

(c) must then refer the report to the Electoral Commissioner under subsection (12).

This is consequential to the previous amendment.

Amended carried.

The Hon. E.S. BOURKE: I move:

Amendment No 10 [Bourke–1]—

Page 11, after line 31—Insert:

(3a) Section 12(12)—after 'Commissioner' insert:

(and, if relevant, provide with the report a copy of an exemption certificate given to the council)

Amended carried.

The Hon. E.S. BOURKE: I move:

Amendment No 11 [Bourke–1]—

Page 11, after line 38—Insert:

(7) Section 12(19)(b)—delete 'by the Electoral Commissioner under subsection (13)(b)' and substitute:

under subsection (11d) or (13)(b)

Amendment carried; clause as amended passed.

Clauses 11 to 16 passed.

Clause 17.

The CHAIR: We have [Bourke-1] 12.

The Hon. E.S. BOURKE: This is consequential.

Clause passed.

Clauses 18 to 26 passed.

Clause 27.

The Hon. E.S. BOURKE: I move:

Amendment No 13 [Bourke–1]—

Page 19, after line 12—Insert:

(a1) Section 62—after subsection (2) insert:

(2a) Subject to subsection (2b), a member of a council must not undertake overseas travel that is, or will be, funded in whole or in part by the council, unless the council has, prior to the commencement of the travel, passed a resolution approving the travel.

(2b) It is not a breach of subsection (2a) if a member of a council undertakes overseas travel of a kind referred to in that subsection without prior approval in accordance with subsection (2a) if—

(a) as a result of exceptional circumstances, it was not reasonably practicable for the travel to be approved in accordance with subsection (2a); and

(b) the travel is approved by resolution of the council passed within 7 days of the conclusion of the travel.

(2c) If a member of a council undertakes overseas travel that is, or will be, funded in whole or in part by the council, the member must ensure that a report prepared by the member setting out the actual cost of the travel and the outcomes achieved by the undertaking of the travel is submitted to the council for consideration at a meeting of the council occurring within 2 months of the conclusion of the travel.

(2d) If the period of 7 days referred to in subsection (2b) or 2 months referred to in subsection (2c) would, but for this subsection, expire in a particular case during an election period for a general election, that period will be extended by force of this subsection so as to expire 7 days or 2 months (as the case requires) from the conclusion of the election period.

I will at this point address a number of the issues that we are trying to cover with our amendments regarding openness and transparency and will try to cover off on a number of those points when considering travel for councillors.

Amendment No. 13 works in conjunction with amendments Nos 14, 15 and 20 in my name. At the heart of this amendment, indeed the series of amendments, is a desire to ensure local government is transparent and accountable, and a desire to help ratepayers understand how their rates are spent and how local councillors and administrators account for that spending. At their core is a need to address the controversies that lead to statements such as this made by former West Torrens Mayor, John Trainer, quoted in *The Advertiser* on 2 June 2018:

Every council has a councillor or two that will drag them down. Across local government in South Australia, about 5% of all the councillors account for about 90% of all the bad headlines.

Comments about councils behaving badly by former minister Stephan Knoll MP from the other place were reported in *The Advertiser* in 2019 on 5 August when he was quoted as saying:

> We need to stamp out some of the inappropriate and childish behaviour we see in local government sector.

At this point, I would like to acknowledge the hard work of the member for Light, Mr Tony Piccolo MP, a former mayor and local government shadow minister. The member for Light tried to address such concerning behaviours in local government; however, when he brought to the other place a bill targeting council expenditure that simply would not pass the pub test, it was rejected by the Marshall government.

In that context, Labor puts forward a raft of amendments to increase openness, accountability and transparency by way of publicly disclosing staff and elected members' benefits. With Labor's amendments, members of the public who are so inclined could access this information online and inform themselves of their council's activities. These amendments, if supported, would see greater disclosure and public accountability for staff and councillor travel, credit card use and gifts. Further, Labor believes these are reasonable measures and additional safeguards.

Amendment No. 13 is not tricky in its application. Members will see these proposed subsections require that members can only travel at a council's expense if approved by resolution of the council. It addresses exceptional circumstances when prior approval was not reasonably practical before travel. Further, the amendment sets out that a report must be presented to a council meeting occurring within two months of the travel ending. That report details the travel, including costs and outcomes.

I consider an overseas trip might be exciting for a local councillor and beyond their usual routine of council work. I accept it would require planning and effort to arrange flights, accommodation, meetings, transport and activities. I do not consider it, and I do not think ratepayers would consider it, too onerous for a councillor also to seek council approval for travel in those plans. To the contrary, a council should be asked to decide and put on the record whether it believes that travel is so necessary as to allocate ratepayers' funds to meet its costs.

It is this layer of accountability that should prompt councillors to consider the true value of the travel and whether they can justify the expenses to their ratepayers. Amendment No. 13 legislates checks and balances in the interests of protecting all councillors and ratepayers against the 5 per cent Mr Trainer identifies. Introducing these across the board will ensure all councillors have the same spending and reporting requirements for overseas travel. This will benefit all councillors by introducing a transparent approval process for approving travel and holding all councillors to account for overseas travel expenses.

Feedback from the LGA on this amendment identifies that it reflects what is already common practice across the sector and it is not clear that there is a problem that requires a type of regulation intervention. Labor is seeking not only to protect those already doing the right thing but, as a minimum standard, to encompass all councillors, bringing councils into line with ratepayers' expectations. As the previous minister, Stephan Knoll, stated in a response to the Auditor-General's Report, 'What we've seen with the Auditor-General's report is what happens when we shine a light on council spending.' He also said, 'We have seen cases where councils go a bit far, and we do need to rein it in.'

The CHAIR: Before I call the Treasurer, I remind the shadow minister, the Hon. Ms Bourke, that you should refer to members of the other place by their seat. I know you did at one stage refer to the former Minister for Local Government. That is fine, but I will just remind you about that.

The Hon. R.I. LUCAS: I apologise to the committee, but I have to fly off to chair a Board of Treasurers meeting. I will move that progress be reported because I suspect this amendment might take a little time to conclude.

Progress reported; committee to sit again.

DISABILITY INCLUSION (RESTRICTIVE PRACTICES - NDIS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 4 March 2021.)

The Hon. T.A. FRANKS (17:24): I rise on behalf of the Greens to speak to the Disability Inclusion (Restrictive Practices—NDIS) Amendment Bill 2021. This bill will regulate the authorisation of the use of restrictive practices by participants in the NDIS and will provide for an operation structure for the new role of the senior authorising officer. We certainly support the aim of this bill, that is, to quote, 'protect and improve the rights of South Australians with disability under the National Disability Insurance Scheme (NDIS) who may be subject to the use of restrictive practices'.

The Greens, across jurisdictions, are being critical of and have raised concerns about the use and lack of regulation of restrictive practices. But while the use of restrictive practices remains, it is good to see better clarity and regulation being offered in an attempt to bring jurisdictions together, in line with the National Disability Insurance Scheme Act 2013 and the national principles for restrictive practices authorisation.

We are also pleased that the minister has indicated in her speech that the government is committed to reducing and eliminating the use of restrictive practices. We welcome in this bill the inclusion of the ability to legally review the authorisation of restrictive practices, particularly when their use has the potential to infringe on people's human rights. This has certainly been lacking in the current legislative scheme.

Importantly as well, this legislation ensures the authorisation of the use of restrictive practices is properly recorded. We know that there have been issues around the unauthorised use of restrictive practices by NDIS providers. This has been well highlighted by Greens Senator, Jordon Steele-John, through the Senate estimates process, where he was able to reveal that 66,999 reports of unauthorised restrictive practice had been made to the NDIS Quality and Safeguards Commission over a period of 18 months, that being July 2018 to December 2019.

I note that this bill has undergone public consultation through YourSAy, and I have read the feedback on there with interest. I am also reassured that, as was indicated to my office on the briefing of this bill, the government will similarly consult on regulations and guidelines associated with this legislation. As was indicated to me during the briefing, and as is clear from reading this bill, it is a skeleton bill and I do understand that this is partly because of the way in which drafting of the bill has been limited by some of the national agreements and requirements.

That said, the Greens will have several questions for the government during clause 1 of the committee stage, and we will give those to the minister ahead of time so we can assure both our party and the community that this bill does exactly what it sets out to do. We are open to considering amendments, which I understand may be coming but have not yet been filed. We support this bill in principle, and we will see through the committee stage, we hope, a fruitful discussion that answers those questions. With that, we support the second reading.

The Hon. C. BONAROS (17:27): I rise to speak on behalf of SA-Best in support of the Disability Inclusion (Restrictive Practices—NDIS) Amendment Bill 2021. As has been mentioned, the bill seeks to amend the Disability Inclusion Act 2018 to address an anomaly which has become apparent following the introduction of the National Disability Insurance Scheme, or the NDIS as it is more commonly known in South Australia.

From 1 July 2018, all registered NDIS providers have been regulated by the NDIS Quality and Safeguards Commission. They must comply with reporting requirements in the event that a restrictive practice as defined in NDIS rule 6 is used for a client. A restrictive practice for NDIS purposes is defined as seclusion, chemical, mechanical, physical or environmental restraint. Providers must also adhere to the state legislative requirements in seeking guardianship approval to make decisions on behalf of a person living with a disability who is unable to give consent.

The crossover is confusing and is creating a drain on resources for even the simplest of measures. As it stands, an application needs to be made to SACAT to put something as simple as a seatbelt on a client. I understand from our briefing that there has been an increase in SACAT applications following the introduction of the NDIS, so we wholeheartedly agree that the approval process needs to be simplified.

We are satisfied that there are safeguards that will continue to protect the rights of people living with a disability. I understand the Attorney-General's Department is currently reviewing the use of restrictive practices in broader settings and I support wholeheartedly that approach. I also take on board and reiterate the concerns that have been raised by the Hon. Tammy Franks just a few moments ago. This is certainly an area that warrants further review.

The bill focuses specifically on the disability sector where restrictive practices can be vital in ensuring the safety of the person and of others. For a person living with a disability, it might mean a wheelchair seatbelt to prevent falling, a helmet to prevent head injuries or even locks on fridges or cupboards to prevent choking hazards.

Until the introduction of the NDIS in South Australia, their implementation was a relatively informal process made in close consultation with family members, but it has since become an arduous task in certain circumstances where it should not. The current 'confusing legislative landscape', as executive senior member Rugless put it, was outlined extensively in the 2019 SACAT decision of Re KF; Re ZT; Re WD.

I will not trouble you with the complete citation, but the tribunal considered three similar guardianship applications by disability care coordinators caring for adults in disability services accommodation facilities who were unable to consent themselves. In attempting to navigate those cases, it was clear SACAT was looking for guidance and simplification from parliament.

We are satisfied that this bill aims to simplify the process, while retaining necessary safeguards. I understand some issues may be raised around those safeguards, which obviously we will consider in time if they are raised. We are assured the bill retains robust review mechanisms designed to protect and safeguard people with a disability, but note again that if there are concerns, obviously we will consider those.

Higher level restrictive practices will continue to require SACAT approval, and that is certainly something we support. I understand, as has been mentioned already, this bill has been the subject of very broad consultation. The report tells us the Department of Human Services received and considered 27 written submissions after reaching out to over 130,000 people. I understand the bill was strengthened in response to some of the submissions it received during the consultation process to include, amongst other things, a behaviour support plan that must be prepared in consultation with the prescribed person.

What is still to be determined—and this will be done in the impending regulations—is exactly what will constitute a level 1 and level 2 restrictive practice. That is really where we get to the nitty-gritty of the scheme and where we are more likely to see the more contentious aspects of this framework. What this bill really provides is just the legislative framework. The nuts and bolts, the nitty-gritty and the contentious parts of the scheme will all be covered by the regulatory regime that is to follow.

I hazard a guess that a locked cabinet in disability support accommodation and the use of wheelchair seatbelts for involuntary movement may fall under these categories, but we have been assured that there will be a thorough consultation in the development of these regulations. As I said, this is where the contention is likely to arise. Luckily for the Legislative Review Committee, we will have a huge job on our hands once again.

We are always on the lookout for proper consultation to ensure that subordinate legislation lands where it should, and I should say at this point that our preference, from SA-Best's perspective as legislators, is usually for the substance of any proposal to be incorporated into the act itself rather than left to regulatory instruments. That is certainly my preference.

That said, given the complexity of the regulatory regime, and perhaps even the more contentious nature of it and the need for even further consultation, I acknowledge we are not in a position to deal with that now. However, I do not think I need to forewarn the government that I will be looking closely at the development of those regulations. We know that tools are available to us in this place to address them if they fall short of the community standards.

I have some personal, firsthand experience in this area, particularly when it comes to the use of restrictive practices. I am somebody's guardian, and I understand firsthand how difficult it is when

decisions have to be made about even the simplest of things that a loved one might require, like the seatbelt on a wheelchair. It is easy to think that it might be as easy as saying, 'Person A has involuntary movements and they might fall over, so let's put a seatbelt on,' but the practical reality is that it is a much more difficult and arduous process than just putting a seatbelt on.

There is an entire process that you need to go through. There is SACAT that you need to go through. None of that is straightforward. The same applies to the locks on the fridge and the locks on the cupboards when someone has a choking hazard. These are not always straightforward processes, but now we have another complicating layer on top of that, and that is that the NDIS requirements do not marry up with our state requirements.

I understand wholeheartedly why we need this legislation. I understand that there may be concerns raised about this issue, which we will seek to address during the committee stage of the debate. I look forward to hearing those concerns, if they exist, and to the speedy passage of this legislation that is intended to make this process a lot smoother for the families involved.

The Hon. C.M. SCRIVEN (17:36): I indicate that I am the lead speaker for the opposition on this bill. The opposition supports the aims of this legislation in protecting and improving the rights of South Australians with disability under the National Disability Insurance Scheme (NDIS). We also support the protections that it provides to support workers of NDIS clients.

However, the opposition considers that this bill is fraught on a range of issues. These various issues have been raised with us during consultation with stakeholders, and it is our understanding that many, if not all, were raised in some way to the government during its YourSAy consultation. We thank the government for the briefing provided last week and for agreeing to a time line of debate—with second readings this week and the committee stage in the next sitting week—to ensure the opposition and those on the crossbench have adequate time to consult on the bill and amendments.

On the topic of consultation, the government claims to have consulted with people with lived experience, providers and other stakeholders. They may well have done, but it appears that they have not listened. Following the closing of consultation on the draft bill, there were little more than minor technical changes made. A number of recommendations that the opposition has seen in submissions supplied have clearly not been considered in any meaningful way.

The opposition has referred this bill to the Law Society of South Australia for further advice. The society will assess the request and provide a response next week. I thank them, given the tight time frame they have to review the legislation. We will be suggesting a number of amendments that have been carefully considered on the basis of feedback from stakeholders, in particular those with lived experience and providers who, during the course of the provision of supports, sometimes utilise restrictive practices in some form.

One significant change that we will be putting forward is the removal of the position of senior authorising officer from the Department of Human Services, as proposed by this bill. As we understand, that is a position that has already been advertised in the Notice of Vacancies. Instead, the opposition believes the position should be under the direction of the Public Advocate, not the Chief Executive of the Department of Human Services. Why? Because the Department of Human Services is itself a provider of NDIS services and in all likelihood a user of restrictive practices on people within their care. At best, this is a serious conflict of interest.

This would not be without precedent, as the government itself chose to establish the Disability Advocate at arm's length, within the Attorney-General's Department, when the role was implemented two years ago. There are a number of other concerns that have been raised by stakeholders. These include that the bill does not define what restrictive practices are within each level defined in the bill and that it gives the minister powers to define these by regulation. I think this has been mentioned by previous speakers as being of some concern.

NDIS behavioural support plans are reviewed annually; however, another concern is that the bill allows for both authorised program officers and the senior authorising officer to authorise the use of restrictive practices without a review and without a cessation date. So there is no end date on that. Another concern is that consultation with stakeholders has suggested that the name 'senior authorising officer' is not consistent with that of other jurisdictions, and there is no minimum standard

for authorised program officers, potentially meaning that any person employed by a provider of supports may be able to authorise restrictive practices without qualification.

A further concern is that authorised program officers are not required to justify their use of restrictive practices, the decision-making process leading to their use or for what reasons they were used. Therefore, prior to the committee stage, the opposition will be lodging a number of amendments aimed to further protect vulnerable South Australians, and I will speak further on these at the committee stage. As the minister mentioned in her second reading speech:

> Without appropriate legislative intervention there are risks that restrictive practices will continue to be used without authorisation and consideration of the person's behaviour support plan.

The opposition completely agrees. We will be supporting this bill, but we do want to make sure that the best interests of South Australia's most vulnerable people are taken into consideration and adequate provisions are considered by this place before that. I look forward to discussing in further detail the bill and our amendments during the committee stage of the bill.

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:40): I thank the honourable members for their contributions this afternoon on this important piece of legislation, which will provide a proper regime for the authorisation of restrictive practices in South Australia. I think in these more contemporary times we are all of the view that we need to minimise these practices as much as possible and ensure that they are only used as a last resort. I also appreciate comments, particularly from the Hon. Connie Bonaros, that the current regime that operates in South Australia is difficult to navigate, because there are quite a few pieces in the regime.

I would like to particularly acknowledge the contributions of the Hon. Tammy Franks, the Hon. Connie Bonaros and the Hon. Clare Scriven in concluding the second reading today and say that I look forward to the committee stage of the debate.

Bill read a second time.

LANDSCAPE SOUTH AUSTRALIA (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:43): I move:

> That this bill be now read a second time.

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

Leave granted.

The *Landscape South Australia Act 2019* provides the framework for the management of the state's water resources.

South Australia is considered a leader in water management and as part of this, a leader in water compliance and enforcement.

We must have the ability to establish and implement appropriate compliance and enforcement arrangements that best suit the state's many different water sources and the way that they operate. For example, these resources range from the ancient, deep groundwater in the massive Great Artesian Basin, to annually flowing streams in the Western Mount Lofty Ranges, to managed aquifer recharge schemes on the Adelaide Plains. It is simply not logical to think that the best outcomes would be obtained by applying exactly the same compliance and enforcement approach to each.

Recent advice has identified a potential anomaly in the *Landscape South Australia Act 2019* that may limit the ability to adapt the period in which compliance action can be taken for any unauthorised or unlawful water use to best suit the water resource.

The ability to undertake compliance action within a timeframe that best suits the respective water resource, will ensure that the government is best able to manage delivery constraints, deliver environmental water, inhibit market manipulation and respond to drought conditions, especially if conditions similar to the Millennium Drought were to be revisited.

I am pleased to introduce the Landscape South Australia (Miscellaneous) Amendment Bill, which will address this anomaly by making a minor administrative change to the *Landscape South Australia Act 2019* to reflect its original policy intent.

The main change will provide clarity of interpretation regarding an accounting period for the purposes of declaring a penalty charge for the unauthorised or unlawful water use and will enable the government to implement the most appropriate compliance approaches across the State.

I commend the bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The amendments to section 88 in clause 4 of this measure are to be made retrospective to 1 July 2020.

3—Amendment provisions

This clause is formal.

Part 2—Amendment of *Landscape South Australia Act 2019*

4—Amendment of section 88—Declaration of penalty in relation to unauthorised or unlawful taking of water

This clause amends section 88 of the Act which relates to the declaration of penalties in relation to the unauthorised or unlawful taking of water under the Act. The proposed amendment amends the definition of *accounting period* in subsection (7) by providing that the period may be determined by the Minister by notice in the Gazette. This provides for flexibility in determining the accounting period in relation to which penalties declared under the section may apply.

The provision also inserts the definition of *consumption period* from section 75 (as currently applies), but removes the reference to measurement of water by meter. This is by way of clarification that alternative methods of assessment of water taken may apply under the Act.

The amendment to subsection (6) is consequential in order to reflect the interaction of the operation of section 88 with the other provisions of Part 5 that are prescribed by the regulations to apply, as contemplated by this subsection.

5—Amendment of Schedule 4—The Water Register

This clause deletes clause 10 of Schedule 4 of the Act which relates to the Water Register and the variation of registered security interests.

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

Resolutions

REVIEW OF HARASSMENT IN THE SOUTH AUSTRALIAN PARLIAMENT WORKPLACE

The House of Assembly informed the Legislative Council that it had appointed the Speaker (the Hon. J.B. Teague), Mr Bell, Dr Close and Ms Luethen as its representatives on the joint committee on the recommendations arising from the equal opportunity commissioner's report into harassment in the parliament workplace.

The House of Assembly informed the Legislative Council that it had passed the following resolution:

That the House of Assembly concurs with the resolution of the Legislative Council contained in message No. 92 that it be an instruction to the joint committee on the recommendations arising from the equal opportunity commissioner's report into harassment in the parliament workplace, that the joint committee be authorised to disclose or publish, as it thinks fit, any evidence or documents presented to the joint committee prior to such evidence and documents being reported to the parliament.

Further, the House of Assembly agreed with the proposal to enable strangers to be admitted when the joint committee is examining witnesses unless the joint committee otherwise resolves, but they shall be excluded when the joint committee is deliberating.

At 17:59 the council adjourned until Tuesday 30 March 2021 at 14:15.