

## HOUSE OF ASSEMBLY

Tuesday, 18 October 2022

The **SPEAKER (Hon. D.R. Cregan)** took the chair at 11:00.

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

The **SPEAKER** read prayers.

### *Bills*

#### **STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (GAS PIPELINES) BILL**

##### *Second Reading*

Adjourned debate on second reading.

(Continued from 7 September 2022.)

**Mr PATTERSON (Morphett) (11:02)**: I take the opportunity today to speak in parliament about the Statutes Amendment (National Energy Laws) (Gas Pipelines) Bill, and in so doing I indicate that I am the lead speaker for the opposition.

This gas pipelines bill has been worked on by both national and state energy ministers since 2018 and is really about improving competition and transparency in the use of gas infrastructure, particularly in allowing third parties to access existing gas pipelines. Additionally, these reforms are intended to provide for the implementation of a simpler regulative framework that is going to continue to support the safe, reliable and efficient use of and also investment into these gas pipelines, which are significant pieces of infrastructure that deliver gas throughout the country from the gas wells themselves.

The bill looks to provide further constraints on the exercise of market power by these pipeline service providers. As I said, they are substantial pieces of infrastructure. There are not many of them around in certain areas, giving access to these gas wells and then onto gas markets, so it is important that market power is properly regulated. They are also about facilitating better access to pipelines to those who otherwise would not provide that access, but at the same time minimising any costs and risks associated with regulation where there are no third parties wanting to get access to those pipelines.

The bill itself aims to support commercial negotiations in a better format between shippers and service providers by providing better transparency, not only for the shippers but also for the regulators, and streamlining governance arrangements as well.

In terms of South Australian pipelines, as I have spoken about before, they basically connect the gas wells to markets. There are a number of significant gas pipelines in South Australia. One of them, of course, is the South East Australia or SEA Gas pipeline running from Port Campbell in Victoria through to Adelaide, and probably the better known of all the pipelines is the Moomba to Adelaide pipeline.

Other pipelines also go out from Moomba to other states, one over to Sydney and another one to Queensland. That pipe to Queensland then allows gas to also flow not only from Moomba into the Queensland market but also from Queensland into South Australia and then on to the domestic metropolitan Adelaide market and other regional towns as well.

Talking of regional towns, to have them connected we have gas pipelines connecting the Riverland, via Angaston, and also a pipeline connecting Murray Bridge. In the South-East, there is the South-East pipeline that connects Mount Gambier to that SEA Gas line running between Victoria and Adelaide, allowing Mount Gambier to get access to that as well.

The gas goes through these big transmission pipelines and, once it gets to regional towns or metropolitan Adelaide, it gets put into a distribution network where the gas pressure is reduced and also is metered. Gas retailers who work in these markets then sell that gas to residential people, to businesses and, significantly, to industrial customers as well.

Of course, it is the retailers who pay for the charges to get access via these transmission and distribution lines to transport that gas and ultimately that gets passed on to consumers through their gas prices. There are other components that will make up charges that gas consumers ultimately pay and these are the extraction and production costs of that gas from the gas wells and also then retail costs by these gas retailers.

In terms of regional towns that are connected up to these gas networks, we have metropolitan Adelaide and its surrounds and also regional centres such as Mount Gambier, Whyalla, Port Pirie, Barossa Valley, Murray Bridge and Berri. Any other towns that have access to gas do that through cylinders and the like. It is quite a significant network, and if you lay it all out in a single length it makes up nearly 8,300 kilometres of pipes. This gas distribution network is owned by Australian Gas Networks and is one of the fully regulated gas pipelines that were mentioned previously.

That is a bit of the state of the transmission and distribution of gas pipelines in South Australia. In terms of the genesis of this bill, in some part it relates back to 2013-14 when we saw the opening up of the Queensland LNG export facilities and, all of a sudden, by doing that it linked up domestic gas prices to international gas prices.

Prior to that, we had significant amounts of gas here in Australia when it was only in a domestic market and you had a big supply and small demand. Now that it is linked with the international markets, it brings into play what international markets are prepared to pay. That has caused issues around pricing, as I said, as far back as 2013-14, and the ACCC looked into this to see what the way forward was.

In 2016, they delivered a report, the East Coast gas inquiry report, on what was going on. As part of that inquiry bill in 2017, as part of the COAG gas market reform process, legislation was passed to implement a new commercial arbitration framework in part 23 of the National Gas Rules. This applied to uncovered pipelines that were providing third-party access.

At the same time, since 2017 all gas pipelines then became subject to some form of regulatory oversight, ultimately creating two pipeline frameworks: either scheme pipelines, which are regulated by the Australian Energy Regulator, or non-scheme pipelines, which are covered in part 23, which allows for more commercial arbitration as well. The only pipelines that do not provide third-party access can be exempt from all regulatory requirements.

So that is, I suppose, a bit of the framework of where it had got to when the COAG Energy Council wanted to continue looking at the gas markets to see what options there could be to improve gas pipeline regulations. In August 2018, the COAG Energy Council instructed senior officials to prepare a regulatory impact statement relating to this and as a result started consultation on this suite of reforms that we see before us, which began back in 2019.

While this consultation process was occurring, to give a bit of an idea of what the network was like in terms of transmission and distribution pipelines in eastern Australia and Northern Territory, this was made up of 103 gas pipelines. Of these, 10 were subject to full regulation, 4½ were subject to lighter regulation, another 51½ were subject to part 23, and they provided third-party access, and finally there were 37 pipelines not providing third-party access. You can see there the percentages of scheme pipelines versus non-scheme pipelines versus those that are not requiring third-party access, to give a bit of an understanding of the scale of the distribution system.

As the consultation continued, it came back to the energy ministers in May 2021, and they published a Decision Regulation Impact Statement that gave a number of options to improve gas pipeline regulation along with a recommendation of which option they wanted to go forward with, which really identified this package of reforms to improve the gas pipeline regulation, and the energy ministers agreed to move forward and implement this.

Out of this, a proposed legal framework was put out to implement these regulatory changes. It was put out to consultation and, in response to stakeholder feedback, some elements were

changed further to improve the framework to eventually bring the bill that we see before us today. It is worth noting that the vast majority of this consultation period—from August 2018 all the way through to 2021—was done during the term of the previous former Liberal government and also the former Minister for Energy and Mining, the Hon. Dan van Holst Pellekaan, who was sitting in with those state energy ministers.

Ultimately, in March 2022, the energy ministers agreed to the final package of gas pipeline regulatory amendments that we see before us today. The reason we see that is South Australia is the lead legislator when it comes to energy laws, be it gas, be it electricity. As a result, the convention, as we have said previously, is to offer bipartisan support for these laws when they are brought down to go through this process, and so I indicate that the opposition is going to be supporting this bill. Of course, the fact is this bill was worked on predominantly during the term of the former Liberal government, which really again emphasises why we will be supporting this bill going forward.

I cast my mind back to what was going on during this period of consultation and look at the state of the gas markets there. It was somewhat benign. You had wholesale gas prices at or below \$10 a gigajoule, and then fast-forward to what we are seeing now, with massive increases in the spot market in wholesale gas, even to the point where in the middle of the year we had gas prices capped at \$40 a gigajoule just because of the big increases and the pressures they were putting predominately on industry, with some of them exposed to the spot market.

In consulting with pipeline operators and industry stakeholders over this bill, they made the point that, when you are looking at \$10 a gigajoule for your gas, you look at the overall bill that either the industry or residents receive. In percentage terms the transmission line costs are around 10 to 15 per cent at \$10 a gigajoule; however, when you start having prices go up to that \$40-plus per gigajoule mark, you can see that will reduce the percentage of transmission line costs as well and how they contribute to the retail bill.

Yes, this bill is intended to put downward pressure on gas pipeline costs, but we should not resile from the fact that that is not the be-all and end-all of gas prices, the ultimate price that households and industry will pay. In fact, we will face more pressure in terms of the actual prices of gas. This legislation is not really so much about the production and the supply and demand metrics going on at the moment, and the pressing challenges facing the gas market at the moment, certainly in the domestic gas market, are trying to increase demand as well. That certainly should be taken into account when thinking about this legislation and where it sits in the scheme of things.

That said, the information provided as part of the stakeholder consultation process is that the energy minister has indicated that the reform package is estimated to save about \$1 billion over the 20 years. That is not immaterial, and that is a good reason to try to bring down costs, albeit not the only one. As I mentioned previously, if we look at the key areas of this bill, it seeks to look at four main areas: one is looking at the market power by these pipeline service providers and other areas facilitating better access to pipelines; another is providing greater support for commercial negotiations and streamlining the government's arrangements of these rules.

When we talk about the first aspect as being constraining the exercise of market power by pipeline service providers, that comes about because there is potentially a natural monopoly for pipelines. Interestingly enough, if you look from South Australia's perspective you have the Adelaide-Moomba pipeline and the SEA Gas pipeline. They are not actually classified as scheme pipelines because ultimately they are providing a competition source, whereas in the distribution network in metropolitan Adelaide it is because there is a natural monopoly there and there is no other provider as well. That is certainly one area this bill looks to—to try to make sure that is looked after.

It is also about trying to support shippers. These are companies that buy or sell gas or arrange for it to be transported through the networks that are owned by gas transporters and to help them in their negotiations with these pipeline service providers as well. In terms of market power, where the potential lies for it to be exercised, when there are existing pipelines, providers may be able to exert power over their existing capacity potentially by engaging monopoly pricing or, if they are vertically integrated, by providing favourable prices or denying access for others. That needs to be looked after.

In terms of exercising market power where there is potential for new capacity, again that could be done by blocking competition and not allowing interconnection into pipelines as well. Again, that needs to be looked after to encourage competition. If we look at facilitating better access to pipelines, that is one of the main thrusts of this legislation. Where this bill lands, it will require all pipelines to provide third-party access if that access is sought.

At the same time, it also repurposes definitions of both scheme pipelines and non-scheme pipelines, which were introduced in 2017. This has now been repurposed, so a scheme pipeline is classified and is subject to stronger form of regulation based on the existing full regulation category undertaken by the Australian Energy Regulator.

The other classification is for a non-scheme pipeline. This will be subject to a lighter, commercially oriented form of regulation, again based on a strengthened part 23, where regulation is undertaken by commercial arbitration as well.

In terms of the Australian Energy Regulator determining what the test is if a pipeline is to become scheme or non-scheme, they will have responsibility for that. Also the point should be made that if a pipeline does not provide the requisite information it will automatically be classified as a scheme pipeline, which then has the strongest set of regulations, so there are certainly incentives for pipelines to be open and forthcoming with the AER.

Importantly, there is also a provision for a greenfields incentive determination, which is available prior to the commissioning of a new pipeline. This is done if the AER is satisfied that the pipeline itself is unlikely to have a substantial market power over the exemption period, which is 15 years. The reason is that new pipeline developers are taking on substantial risk and there may be adverse effects that arise if there is a strong form of regulation on that pipeline while it is getting up and running, and ultimately, if that is the case it might mean that the project would not proceed, so this greenfields incentive allows for that relaxation for that initial 15-year period.

Certainly you can see why in the current environment. There is considerable risk. These pipelines come with significant cost, so the risk there is borne by that investor. They have to build the pipeline. These have multidecade time lines, and certainly what they are doing is they are banking on the fact that the gas market is going to stay strong over these coming decades. So they are the ones taking on the risk. The point was made, again, as I said, when consulting with stakeholders here that by them taking on the risk they are having to bank on gas remaining strong, so to not have these things overly regulated at the start is certainly advantageous for them in terms of getting the project up and running.

The existing framework prior to this bill either had a competitive tender or a 15-year no coverage determination framework. That is now going to be replaced, as I said, by a single greenfields incentive that will be available to new pipelines where they, again, as I said before, demonstrate the pipeline is unlikely to have a substantial market power over that 15-year period. It is going to provide an exemption from being a scheme pipeline and therefore regulation; however, it is important to note that these pipelines will be considered non-scheme pipelines and therefore they will still be subject to regulatory obligations that apply to non-scheme pipelines. There still is regulation there as well.

In terms of another aspect of this bill around providing greater support for commercial negotiations, this is done predominantly through giving greater price transparency across all pipelines. They will be required to publish prescribed transparency information unless they obtain an exemption. The sort of information that is entailed in this is service and access information, standing terms for each service offered by the pipeline, information on individual prices actually paid by shippers for pipeline services, and historical financial and demand information.

Additional to this transparency in terms of pricing, the bill also implements a single access negotiation framework for all pipelines. At the moment there are differences slightly between the scheme pipelines and the non-scheme pipelines. The negotiation frameworks they use for the scheme ones are the AER ultimately, whereas the non-scheme ones have commercial arbitration. So bringing those frameworks together is certainly going to simplify things.

Additionally, the bill also makes improvements to scheme pipeline dispute resolution mechanisms, which help strengthen the credibility of the threat of small shippers to trigger a dispute. Small shippers do not have large quantities of gas in comparison to some of the bigger ones, so they are at somewhat of a disadvantage when trying to negotiate with these well-resourced pipeline service providers. So credibility of the threat from them—being able to strengthen that allows them to trigger a dispute and for that to be taken quite seriously.

There are also ways to support this by changing the dispute-related cost provisions, allowing user bodies to be joined to proceedings that involve the small shippers and also allowing small shippers to elect to have a dispute mediated by a regulator-appointed mediator. Again, that gives the advantage that the well-resourced pipeline service providers have against them at present.

The fourth aspect of the bill is around streamlining the governance arrangements. This suite of reform confers more responsibility onto the AER. It includes the regulation decisions they make, determining if it is a scheme pipeline or not, and also the greenfields incentive determinations. To go with that there is also greenfields price protection determinations, so that over that 15-year period the pricing schemes that the pipelines have come up with are protected as well. There are also pipeline classification decisions, exemption decisions from prescribed transparency information, and the ring-fencing and associated contract arrangements as well.

The bill also requires the AER to publish the regulatory determination and a guide for pipeline service providers, should they elect to become a scheme pipeline. At the same time, the AER is also required to actively monitor the behaviour of these service providers, making sure that they are complying with their obligations under both the national gas laws and the National Gas Rules and, at the same time, will be able to initiate its own assessment of the form of regulation that should apply to a pipeline.

Ultimately, the aim of these changes—and what they are expected to result in—is to lower the transportation costs for gas throughout the country, improve access to pipelines, lower search and transaction costs and also a range of other significant cost savings, investments and efficiency benefits.

As I said earlier, the reform package has been estimated to save about \$1 billion over 20 years. Certainly the vast majority of the work done on the suite of reforms to this was undertaken through the previous term of the former Liberal government, which had a major focus when in government on lowering energy costs for all South Australians. This bill is certainly another example of that that we see before us.

**Ms CLANCY (Elder) (11:27):** I rise in support of this bill to provide for the implementation of a simpler regulatory framework that will continue to support the safe and efficient use of gas pipelines in South Australia. Australian Gas Networks' project Hydrogen Park SA, located at Tonsley in my electorate, produces renewable hydrogen using renewable electricity and water, which can be blended with natural gas and supplied to existing gas networks. While now the largest of its kind in Australia, the 1.25 megawatt electrolyser in Tonsley that provides this hydrogen will soon be joined by the massive electrolysers being built by the Malinauskas Labor government in Whyalla as part of our Hydrogen Jobs Plan.

But for now, more than 700 homes in the Mitchell Park area of my electorate are being supplied by gas blended with the green hydrogen produced at Tonsley. I am proud that this project was supported by the Weatherill Labor government through a \$4.9 million grant through the Renewable Technology Fund. Residents in Mitchell Park are proud that their gas is greener, and they are looking forward to the percentage of green hydrogen in the blend increasing when that becomes possible.

This project at Tonsley is a pioneer in the industry, using existing gas pipelines in Mitchell Park to deliver blended gas to people's homes. It is an example of one of the many changes that are on the way as the old structures of the energy sector are replaced by new structures in pursuit of reliable, affordable and cleaner energy. As the energy sector evolves, it is important these changes occur in the most efficient ways and with the best outcomes for consumers and our environment.

That is what this bill is about: it seeks to improve competition so that new players can get access to markets without the old guard putting up barriers that make it impossible. It gives the independent regulator the ability to make sure this is done fairly. Importantly, it will create much more transparency in how the market operates. That transparency will ultimately be good for consumers because it will rein in prices as third parties go to the negotiating table with all the information to get a reasonable deal.

Confidence is king in investment. When deciding upon the multimillion-dollar investments in projects that will create jobs and provide new and better services, investors need as much certainty as possible. In addition to the Malinauskas Labor government's \$593 million investment in our Hydrogen Jobs Plan, several major companies are investigating the development of hydrogen facilities. Making the hydrogen is the first step. Getting it to the customer is the next, and that will require looking at pipeline arrangements.

The customers will include industrial users who want to replace or supplement their existing use of fossil fuels to create products that are cleaner and greener; electricity generators such as the power plant to be built by the government in Whyalla; storage sites for hydrogen; transport refuelling points for passenger vehicles, public transport and particularly heavy vehicles such as those used for long-distance trucking; and the suburban gas network such as is now used for the Tonsley project.

This bill ensures that hydrogen developers will have more options to look at when calculating how to make their ideas stack up logistically and financially. They will have more visibility of costs and be better able to forecast supply and demand cycles. Similarly, pipelines will be needed to accommodate the carbon capture, use and storage industry, ensuring carbon capture can be completed efficiently and cost effectively.

Changes in the energy market are deep and diverse. As guardian of consumer interests and facilitator of business prosperity, we in government need to get the balance right. For consumers, we want systems to operate so that they are affordable and reliable, and systems which match the clearly expressed demand from the public that we do as much as we can to address climate change.

Simultaneously, we want to encourage innovation and allow businesses to move rapidly to seize opportunities as they arrive. This bill seeks to achieve those aims by simplifying existing systems and creating a framework that is understandable and functional for all involved. I commend this bill to the house.

**Mr BROWN (Florey) (11:31):** It is with great pleasure that I rise to speak on the Statutes Amendment (National Energy Laws) (Gas Pipelines) Bill. The global crisis in gas and its effect on the Australian market, energy more broadly and inflation is a sobering illustration of the fuel's importance. As Australian Competition and Consumer Commission Chair, Gina Cass-Gottlieb, described it to the federal economics committee, the Russian war on Ukraine has caused—her words—the 'weaponisation of energy'.

The problems with supply have caused prices to soar across the world, and South Australia has not been immune—for both the price of gas and the price of electricity because of the role of gas-fired generation in setting market prices. Russia's unconscionable acts should give cause to Australians to work harder to build sovereign resilience to such external shocks.

That resilience will clearly include maximising the potential of our domestic energy system. To do that, we must have efficient gas supply. To that end, the reforms in this bill will help create a structure that is simpler, fairer and more transparent that will ultimately be to the benefit of industry and consumers. The net value of the reforms is estimated at more than \$1 billion over a 20-year period.

Given the technical nature of this bill, I believe it is worth considering the aspects of the proposed scheme in detail. I am indebted here to detailed information provided by the minister's office. I would first like to talk about access arrangements. All transmission and distribution pipeline service providers will be required to provide third-party access. Exemptions will be available from the ring-fencing and associate contract arrangements and the prescribed transparency requirements for those pipelines with no third-party users.

In regard to the proposed forms of pipeline regulation, under the new regulatory framework pipelines will be classified as either a scheme pipeline, which will be subject to the stronger form of regulation based upon the existing full regulation (in other words, negotiate-arbitrate with reference tariffs approved by the regulator and the regulatory oriented dispute resolution mechanism), or non-scheme pipelines, which will be subject to the lighter commercially oriented form of regulation (in other words, a negotiate-arbitrate model with information disclosure and a commercially oriented dispute resolution mechanism). Both types of pipelines will be subject to the following:

- a common requirement to publish prescribed transparency information and to comply with a single negotiation framework;
- the vertical integration safeguards provided by the prohibition on service providers preventing or hindering access and the ring fencing and associate contract arrangements;
- the prohibition on bundling services, which will extend to both gratuitous and non-gratuitous services; and
- will comply with a prohibition on pipeline service providers increasing the charges payable by existing shippers to subsidise the development of new capacity and disclose additional information on extension or expansion costs.

I would like to talk about the application of the scheme on various pipelines. Regarding scheme pipelines, a pipeline will be treated as a scheme pipeline if it is a covered pipeline (other than a light regulation pipeline) immediately before the reforms are implemented. A non-scheme pipeline may also become a scheme pipeline if the regulator makes a scheme pipeline determination or the service provider submits a scheme pipeline election to the regulator.

Regarding non-scheme pipelines, all new pipelines will be non-scheme pipelines when they are commissioned. A scheme pipeline can also become a non-scheme pipeline if the regulator makes a scheme pipeline revocation determination. The test used for determining the form of regulation is that, under the revised framework, the relevant regulator will be responsible for determining whether a pipeline should be a scheme or non-scheme pipeline. The framework used to make this determination will be simplified by removing the coverage test and using a modified version of the existing form of regulation test.

To overcome the information asymmetries that the regulator is likely to face in applying the form of regulation test, he will be able to draw an adverse inference where the service provider does not provide the information requested within the period specified by the regulator. The regulator will be required to report on it when it has used this power. If the regulator makes a scheme pipeline determination, it must specify when it will take effect, which must be between six to 12 months of making the determination. The same time window applies to voluntary scheme pipeline elections.

One of the most important aspects of this scheme is to encourage new investment, and so it is worth talking about greenfields pipeline incentives. Regarding a greenfields incentive determination, prior to the commissioning of new pipelines service providers will be able to apply for a greenfields incentive determination. This determination will be available where the relevant regulator is satisfied that the form of regulation factors, or competition to develop the pipeline, whether formal or informal, will, or is likely to, pose an effective constraint on the exercise of market power over the incentive period. The regulator will be required to make this decision within six months.

This incentive will provide the pipeline with an exemption from being subject to the stronger form of regulation, with a default incentive period of 15 years. The period granted may be less than 15 years if considered appropriate by the regulator.

I would now like to talk about the greenfields price protection determination. Pipelines with a greenfields incentive determination will also be able to apply for a price protection determination, which an arbitrator would be required to give effect to if an access dispute arises during the operative period of the determination. The operative period cannot be longer than the greenfields incentive period. This determination will be available where the relevant regulator is satisfied that:

- firstly, the pipeline has been developed as a result of a competitive process, and the prices and non-price terms and conditions set as a result of that process will be made available to prospective users during the operative period of the price protection determination; or
- one or more of the form of regulation factors effectively constrain the exercise of market power by the service provider when the price and non-price terms and conditions that will be made available to prospective users are determined and the making of the determination will, or is likely to, contribute to the achievement of the National Gas Objective.

An application for a greenfields price protection determination can be combined with an application for a greenfields incentive determination, or can be made after the receipt of the greenfields incentive determination.

Other greenfields measures that are being considered are the following. The non-scheme pipeline arbitration principles will be amended to allow the arbitrator to consider the following if a pipeline has a greenfields incentive determination:

- firstly, the risks the service provider faced when it decided to make the investment, including as a result of building any excess capacity where it was efficient to do so; and
- the way in which the service provider is expected to recover the capital over the economic life of the asset.

When we are talking about schemes to provide third-party access and other things to create efficiencies and competition in the gas supply sector, some of the most important things are transparency and information disclosure. To that end, the proposed scheme does the following. Unless exempted, scheme and non-scheme pipeline service providers will be required to publish the following:

- firstly, a set of basic information on the pipeline, pipeline services, the standing terms for each service offered by the pipeline, service availability and service usage information;
- secondly, historical financial and demand information and the cost allocation methodology employed by the service provider, which must comply with principles in the NGR; and
- thirdly, a user access guide.

These reporting requirements are largely the same as the consultation rules, but in response to feedback the following has been done to reduce the reporting burden:

- firstly, scheme pipelines will no longer be required to report each contract that involves the supply of the reference service at the reference tariff; rather, they will be able just to report the number of shippers using each reference service;
- secondly, separate non-price reporting requirements will be introduced for distribution pipelines to remove some of the information that is not relevant for these pipelines; for example, the direction of the service, receipt and delivery point information, imbalance and overrun allowances;
- thirdly, service providers will only have to report prices where a user's total capacity right is greater than or equal to 10 terajoules per annum; and
- fourthly, the cost allocation principles will only apply at a pipeline level rather than at a service level.

Transparency requirements will also be amended to address the identified information deficiencies and improve the quality and reliability, accessibility and usability of the information. The regulator will be required to publish and maintain information disclosure guidelines and a pricing template that shippers can use to transform historical financial and demand information into one or more cost-based pricing benchmarks.



I would now like to talk about the standalone compression and storage facility reporting, which is relevant to this discussion. The service providers of these facilities will be required to publish standing terms for each of the services offered as well as information on the individual contract conditions, including price imposed on shippers. The same steps applied to reduce the reporting burden for pipelines will also apply for these facilities.

Having discussed the scheme, it is now important to discuss the exemptions that will be available. Exemptions from information disclosure obligations will be available to, firstly, pipelines, standalone compression and storage facilities with no third-party users. These facilities will be able to obtain an exemption from all these reporting obligations. Secondly, exemptions will be available to pipelines with third-party users that have a single user or a nameplate capacity less than 10 terajoules per day. These pipelines will be able to obtain an exemption from the obligation to publish historical financial and service usage information. It should be stressed, however, that if a facility no longer satisfies the exemption criteria, the exemption must be revoked.

One of the reasons there is a discussion of reform of transparency and contract information regarding pipelines is the disparate bargaining power between small shippers and pipeline operators. It is important to define terms. The term 'small shipper' will be defined as a user or prospective user for whom the total daily pipeline capacity right provided, or sought to be provided, under one or more contracts with the same service provider is not more than the lower of five terajoules per day or 20 per cent of the pipeline's nameplate rating but does not include a corporation with a market capitalisation greater than \$500 million or a related body corporate of that corporation.

The ability of small shippers to avail themselves of dispute resolution schemes by triggering a dispute will be strengthened under the scheme by, firstly, changing the dispute-related cost provisions; secondly, allowing user bodies to be joined to proceedings involving small shippers; and, thirdly, allowing small shippers to elect to have a dispute mediated by a regulator-appointed mediator.

Scheme pipelines will continue to be subject to a regulatory-oriented dispute resolution mechanism, which will be strengthened by, amongst other things, setting out the matters the dispute resolution body is to have regard to; introducing a fast-track option, specifying the maximum period of time for the dispute resolution body to make its decision; and specifying the material to be published on the decision. How is this to be policed? Let's talk about the enhanced regulator powers and functions. The relevant regulator will be responsible for making:

- form of regulation decisions, which will be referred to as scheme pipeline determinations and scheme pipeline revocation determinations;
- greenfields incentive determinations and greenfields price protection determinations;
- pipeline classification and reclassification decisions; and
- exemption decisions in relation to the prescribed transparency information and the ring-fencing and associate contract arrangements.

To provide market participants with more guidance on how the regulator intends to exercise these new powers, the regulator will be required to publish a regulatory determinations and elections guide.

The regulator will also be required to actively monitor the behaviour of service providers and compliance with their obligations under the NGL and NGR and will be able to initiate its own assessment of the form of regulation that should apply to a pipeline if, for example, it suspects market power is being exercised. To assist with this monitoring function, the regulator will be given the power to carry out compliance audits or require the service provider to do so. The regulator will be required to provide energy ministers an update on its monitoring and compliance activities every two years.

Energy ministers may also ask the regulator to conduct a review into whether chapter 4 of the NGL should apply to any person or class of persons. If requested to do so, the relevant regulator must consult with the public and must also have regard to the NGO and the effect that the application of chapter 4 would have, firstly, on the promotion of access to pipeline services and any other benefits that may be associated with the application and, secondly, the costs that are likely to be incurred by the person or class of persons if they were operating efficiently.

One effect of the proposed framework that must, I believe, be stressed is that of transparency. The ACCC says the reforms, and I quote, 'are expected to help constrain the market power of pipeline operators and provide greater price transparency'. During consultation on the reforms, several of the bigger companies expressed opposition to having to provide information about the prices and conditions. In the usual private sector markets that commercial-in-confidence position would be standard. But pipelines are not a usual type of operation. They often operate in monopoly or near monopoly situations. That is why there is a need for transparency to limit the potential for price gouging.

The bill before the house was initiated at a national level between states and the commonwealth during the period that the Liberal Party was in government in South Australia. It was disappointing to see that the then government wanted to derogate this state from the full transparency regimen. The Liberals wanted to side with some big businesses at the expense of consumers and small businesses getting the most cost-effective deals. Not that this bill is anti business; in fact, quite the opposite: it creates the framework that will give certainty to investors, particularly in greenfields projects. A lack of certainty can be a dead hand on investment.

At a time when Australia needs more pipelines and better access to pipelines, gas will play a bigger role in electricity generation, working in partnership with the growing fleet of renewables as coal-fired power stations inevitably close down in the years ahead. We will need a big network of pipelines for hydrogen, particularly as we build a new export sector. Analysis for the nation's energy ministers says the reforms will:

- pose a more effective constraint on exercises of market power by pipeline service providers;
- facilitate better access to pipelines that would not otherwise provide such access, while also minimising the cost and risks associated with regulation where there are no third-party users;
- provide greater support for commercial negotiations between shippers and service providers: i.e. through more transparency, including greater price transparency and improvements to the negotiation framework and dispute resolution mechanisms; and
- streamline the governance arrangements.

The consultation with industry over the reforms has led to changes from the original draft legislation that was circulated. These changes include improvements to the greenfields incentives that I outlined before and the powers the regulator will have when determining what form of regulation a pipeline should be subject to, which I believe are now not only more comprehensive but more directed to actually getting the information required by the regulator to make decisions rather than simply going on fishing expeditions. The changes also include information disclosure requirements and several other clarifications and refinements, which have sought to make this a much better bill from that which was initially sent out for consultation.

It is to South Australia's credit that we are the lead legislator in this particular area and it is also a testament not only to South Australia's long historical interest in the issue of gas in particular but also to the commitment of our government regulators, who do an excellent job and some of whom are in the gallery today, and to the commitment, I believe, to the respect that our Minister for Energy has across the country on this particular issue. I know his passion for gas pipelines, I know his passion for supporting the South Australian gas industry and I know his commitment to making sure that gas, as a transition fuel, is respected by South Australians and also that our hardworking men and women of the sector are recognised. With those comments, I commend the bill to the house.

**Ms HOOD (Adelaide) (11:49):** The bill seeks to simplify the regulatory system for gas pipelines. The efficient supply of gas is essential for households and industry in South Australia now and into the future. Nationally, more than five million households are connected to the gas network, and in South Australia that amounts to about 450,000 or 56 per cent of homes being connected. For industry, gas is needed for electricity generation, for heating during manufacturing processes, and for feedstock for certain chemical industries. For all these end users, the utility must be as cost-

effective as possible. The simplification and, particularly, the greater transparency on contracts that will be created through this bill will drive prices lower, benefiting households and businesses.

The bill follows several inquiries, which led to agreement by energy ministers around the nation on this set of reforms. Fortunately, it now comes to this house when the Labor Party is in government, rather than during the previous government of the Liberal Party. I say this because when these reforms were being formulated the Liberal Party wanted to derogate some aspects of the transparency requirements.

Despite the energy ministers in the national energy market wanting to create one simple system, the Liberal Party wanted to opt out of full disclosure. In a discussion paper published last September, the Liberal administration made note of the national investigations, which found the reforms were needed because the lack of information in current arrangements can, and I quote:

...hinder the ability of shippers to negotiate access to services, impose additional search and transaction costs on shippers and result in inefficient decision-making. In addition, they could also make shippers more susceptible to exercises of market power.

Unsurprisingly, some players in the market were not happy about having to be more transparent, and they got in the ear of the previous administration. The response by the Liberals was to propose a system of stopping short of detailed transparency and only requiring anonymised minimum and maximum prices and weighted averages. Peculiarly, they also suggested that the derogation from the national market position would only apply to pipelines wholly or partially in South Australia, so that individual price reporting in other jurisdictions would not be impacted.

However, the Liberal administration had obviously not properly thought through whether or not that was a workable arrangement. The view of the Australian Competition and Consumer Commission was that the geographic derogation would be a mess. This is what the ACCC said of the Liberals' plan, and I quote:

The South West Queensland Pipeline (SWQP) and the Moomba to Sydney pipeline (MSP) connect to the Moomba gas supply hub and are both partially contained in South Australia. These pipelines are used to move significant volumes of gas between Queensland and southern states other than South Australia. It's unclear how a pipeline operator is going to determine the end-use location for gas being shipped to Moomba. The ACCC is concerned that the derogation could affect individual price reporting in other jurisdictions and suggest that the South Australian government limit the geographic scope of the proposed derogation by excluding contracts for delivery of gas using the SWQP and the MSP. If the SA Government is not minded to limit the derogation in this way, the derogation should be limited to contracts with commercial and industrial users located in South Australia.

To summarise, the Liberals wanted to amend a set of rules intended to make the system simpler and more transparent so that the system in South Australia would have added complexity and less transparency. But, fortunately, the work on these reforms did not progress to the point of a bill being introduced by the Liberals to the house and, thankfully, we are here to sort out the mess early in the piece.

The Malinauskas government wants to drive down prices of essential services, such as gas for homes and businesses. This will require a raft of reforms and initiatives, like our \$593 million Hydrogen Jobs Plan, and changes like these, which will inject much more competition into the market. I commend the bill to the house.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (11:53):** I believe I am now closing the debate. I thank all members for their contributions, especially the members of the Labor government who have, I think, articulately and accurately reported the intent of this bill. I also thank the opposition for indicating their support.

As the member for Adelaide said, the derogations that were being planned by the previous government were an unfortunate legacy, I think, of the hectic and uncalculated way of thinking of the previous Marshall government. To argue that there is a need for more transparency and simplicity within gas pipeline regulations and then to actually withhold that simplicity and transparency in your own state is a little bit strange. But the minister and the cabinet that supported that policy are no longer in charge and the South Australian government believe in transparency and simplicity, and we are proceeding with these reforms on a national basis as a lead legislator.

I thank the house for its patience. I thank the opposition for its support. I thank members for their considered contributions to the parliament and I endorse the bill to the house.

Bill read a second time.

*Third Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (11:55):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**STATUTES AMENDMENT (NATIONAL ENERGY LAWS)(REGULATORY SANDBOXING) BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 1 June 2022.)

**Mr PATTERSON (Morphett) (11:56):** This is another good opportunity to talk about energy matters in this parliament. I indicate that I will be the lead speaker for the opposition on the Statutes Amendment (National Energy Laws)(Regulatory Sandboxing) Bill 2022. The amendments in this bill have been worked on, similar to the previous bill, by the national and state energy ministers over a number of years, going back to 2018. During this time, and even before that, both the gas and the electricity markets have undergone a significant period of transformation, and that shows no signs of slowing.

In terms of the options that customers have, there are many now. Certainly, rooftop solar is a big option for households and for industry as well. In South Australia, we now have installed capacity of rooftop solar systems that at certain times, not all the time, is able to generate more than 100 per cent of South Australia's electricity demand, especially in the middle of the day. This is growing significantly: it is over a gigawatt, probably going towards 1.5 gigawatts now and growing between 100 and 150 megawatts per year. It is obviously a very good mechanism for households and industries to reduce their electricity bills.

Closely aligned to that, more recently there is battery storage, that is, being able to capture solar energy created on rooftops and then use it at more convenient times. As I said, most of the generation from rooftop solar is in the middle of the day and batteries allow that to be stored, especially when people are out of the home, and then used either at the start of the day or at the end of the day.

Certainly, the former Liberal government recognised that as a big opportunity for households. We had the Home Battery Scheme, which was very successful and saw approximately 200 megawatts of battery storage introduced into South Australia and represents that about 20 per cent of household batteries in the nation were here in South Australia. It is probably one of the highest per capita rates of batteries in the world.

That really is an important way going forward. As I said, 200 megawatts is significant if you put that at grid scale. That is a significant way to be able to store energy and put it out during those morning and afternoon peaks when the sun is going down and people are either starting their day or coming home. Closely aligned with that is automated home energy management and also virtual power plants.

With virtual power plants, individual households can be joined up, using software, to be able to combine these batteries into, effectively, grid scale batteries and to be able to, at times, put energy into the market, or soak it up when there is a significant solar panel. There is the potential for community batteries as well, where households, rather than having their own battery, could go into a big community battery. These are the sorts of technologies that potentially are on the horizon.

If we look at where things are going with electric vehicles, how do we cope with the introduction of electric vehicles and plug-in hybrids? They can be charged either at home or at public charging stations. Again, this opportunity was recognised by the former Liberal government. We had

the Electric Vehicle Action Plan, a planned methodical way in which electric vehicles would continue to grow in South Australia and to make sure that was managed appropriately while also addressing some of the concerns and disincentives to purchasing EVs that motorists may have.

One of those, of course, is a charging network, not just to be able to charge a vehicle at home but to make sure that if you want to go on trips throughout the state, rather than just in the metropolitan area, cars can be charged, by having a methodically planned statewide charging network. The former Liberal government contributed significant funds, about \$12.4 million, towards this task.

I think everyone has high respect for the RAA, for where they sit in terms of the motoring industry. They are charged with rolling this out, and we look forward to it coming online. That will certainly help accelerate the take-up of electric vehicles and reduce that range anxiety, because people will have the confidence that if they want to go for a drive in the country, if they want to drive throughout this great state, they do not have to worry about how they are going to charge their cars as they go through.

There are other aspects to this as well. Yes, you can charge your EV at home, but we were also looking at where you can charge these in car parks and retail spaces. Another aspect of that was \$3.2 million EV charging trials for shops and car parks to be able to produce proof of concept. I noticed just very recently that the energy minister was at Wilson car park to unveil the first of these. That, again, is a successful trial coming to fruition. It is going to be able to inform what is going on and where we want to go in terms of EVs.

When I talked about charging these cars at home, one of the concerns, of course, is that humans, being creatures of habit, come home from work and all put their EVs on charge at the same time, and quite often that coincides with when the electricity generated from solar reduces. That can cause a big demand on the grid. It would be better to charge at other times, by having chargers that are smart chargers that are able to choose when is an appropriate time, taking into account the dynamics in the electricity market. That is going to not only help reduce overall demand on the network but significantly help reduce prices as well.

Quite often, the average price that people are paying is strongly dictated by these big peak demand times when prices surge. If we can reduce those times of demand, consequently it can also bring prices down.

The former Liberal government put in place a smart vehicle charging subsidy, and that has gone the same way as the Home Battery Scheme. This new government has cut that, and we will have to wait with interest to see what the effect of that will be and how the introduction of EVs will be taken into account. They are some of the challenges and opportunities from an electricity point of view.

In terms of the gas network, there are also opportunities for innovation. One of those that we have already seen is being able to blend green hydrogen into the existing gas distribution network. We have seen that in Mitchell Park. We have the Hydrogen Park in Tonsley: an electrolyser that creates hydrogen that is then blended into natural gas, up to about 5 per cent. That began operating in 2021 and supplies blended hydrogen and natural gas into about 700 homes in Mitchell Park.

It is interesting to see that those trials are also being carried out in other jurisdictions. The trial itself in Mitchell Park is also looking to be expanded. There are big opportunities there in terms of gas, in terms of trying to reduce its carbon footprint. The gas industry are looking at this very seriously as well, to make sure they are doing their part in terms of transitioning our energy systems in Australia to have less of a carbon emissions footprint.

These innovative technologies that I have outlined—and there are certainly others—are changing the energy landscape. Not only are they helping to reduce emissions across South Australia's electricity and gas networks but also, at the same time, they are providing quite significant benefits to consumers. They are offering network businesses an alternative and more efficient means to operate their networks.

These innovative business models, technologies and pricing arrangements will be the impetus to unlock further opportunities. Having said that, we are talking about changing the existing

energy laws here as a result of some of these innovative practices, the reason being that the current electricity, gas and retail energy laws were first designed prior to many of these innovative technologies coming onto the scene. It is certainly essential that Australia's energy market continues to have a regulatory framework that can respond to these technological advancements and, importantly, that operates in the long-term interests of consumers as well.

One way to test technologies or new approaches is through what is known as 'proof of concept' trials to see what sort of benefit they are going to have to consumers. Under the current rules and regulations that energy market participants operate, it is quite difficult to determine if a new innovation can occur or, in fact, if the rules that are in place are going to create a barrier to trialling an innovative service to see what it can actually do, but the rules get in the way.

Other countries have also had this similar challenge—countries in Europe, the UK, Canada and also Singapore—and their approach has been to offer a framework, which is known as regulatory sandboxing, to encourage innovation in their energy markets. Regulatory sandboxing is a policy tool. It is designed to help regulatory frameworks adapt to rapid technological change and innovation.

These sandboxes provide a structured framework within which innovative technologies, approaches, business models, products and services can be trialled in a real-world environment without having to meet all the regulatory requirements and, at the same time, still protect consumers. Trials are aimed at being time limited, but they are there to provide useful information to support future regulatory reforms that will benefit consumers by delivering greater choice and cheaper actions. The Australian energy market is going through significant change. There are opportunities for innovation, and this is certainly front of mind for not only South Australia but all other states as well.

In October 2018, the former COAG Energy Council made a request to the Australian Energy Market Commission to investigate and report on how to best facilitate proof of concept trials. In November 2019, this resulted in the energy council receiving a report from the Australian Energy Market Commission that did in fact recommend the introduction of a regulatory sandbox toolkit.

Upon receiving this report, the COAG Energy Council agreed to amend the national energy laws and rules to introduce a regulatory sandbox toolkit, of course subject to consultation, and that consultation kicked off in 2020. Ultimately, at the time of the consultation, there was a draft bill, which is similar to what we see here before us today in terms of the regulatory sandboxing bill 2022.

Following this consultation, energy ministers ultimately agreed to introduce a regulatory sandbox toolkit. In terms of what this toolkit entails, it has some key tools that will be enabled by this amendment bill, which amends the national energy laws. It was agreed by the energy ministers in 2021, and ultimately the bill they agreed on was introduced by the former Liberal government into the South Australian parliament in August 2021. As has been said previously, South Australia is the lead legislator for these energy laws and that is why it appeared in the South Australian parliament. At the time, former energy minister Dan van Holst Pellekaan outlined that:

The introduction of a regulatory sandbox toolkit aims to make it easier for businesses to develop and test these innovative energy technologies and business models. This type of innovation in the energy sector can lead to better services and lower costs for consumers.

With parliament being prorogued and an election in between times, the bill was not able to be passed through both houses and so now, as lead legislator, it is very important for the national energy laws for this legislation to be implemented to allow for these innovative technologies. We see the bill now being reintroduced here. With all the work that has been done by the former government, certainly the opposition will be supporting this bill. As has been said previously, the convention for changes to these national energy laws is that the legislative amendments are supported by the opposition. In addition, I again indicate that we will be offering bipartisan support for this bill.

In terms of what the three sandbox tools are that have been created as part of this regulatory sandbox toolkit, the first is an innovation inquiry service. This is aimed at providing guidance and feedback and helping businesses get trials up and running quickly where they are feasible under the current laws and regulations.

Another tool is the new regulatory waiver power for the Australian Energy Regulator so they can temporarily exempt trials from existing rules where this is creating a barrier. Another tool is the new AEMC trial rule change process that can temporarily change existing rules or temporarily introduce a new rule of limited application to allow a trial to go ahead.

The first tool mentioned is the innovation inquiry service and it can be implemented without changes to the regulatory framework; however, the second two tools require changes to the National Electricity Law, the National Energy Retail Law and the National Gas Law, as well as more detailed provisions to be made under the associated National Electricity Rules, National Energy Retail Rules and National Gas Rules.

The innovation inquiry service will provide innovators with informal feedback and guidance on new technologies and business models that may be feasible within the current laws and rules, helping innovators enter the market or implement new approaches more quickly as a result. The innovation inquiry service will allow learnings and knowledge that will allow innovators to leverage off what has previously gone before them and find out how things worked, what the pitfalls were, and then bring their innovations to market a lot more quickly.

Additionally, insights from the inquiry service can identify unnecessary complex areas of regulation that can then be considered for reform into the future. In terms of getting a bit of perspective, other countries have also introduced these regulatory sandboxes and, based on overseas experience, the majority of inquiries can be resolved under the existing rules without requiring a trial waiver or a trial rule change in the first place.

In terms of the body that will be responsible for the innovation inquiry service, it will be the Australian Energy Regulator, and the implement will include determining when the service will be launched and what the resourcing requirements were. In anticipation of the bill passing—and it was introduced back in August last year and is now again before us—there has already been established a support for businesses who are looking to create innovative energy solutions. A website is available, [energyinnovationtoolkit.gov.au](http://energyinnovationtoolkit.gov.au), where businesses looking to innovate can look at potential use cases and at what is required, what is involved, and certainly get advice as well.

Once they have gone through that process, should these trial projects find that they are not able to be undertaken because of existing laws and rules, then either a trial waiver or a trial rule would be required. It is these two sandbox tools that the bill before us sets out to create by making amendments to the three energy laws I mentioned previously.

In terms of trial waivers, to achieve these the bill amends the functions and powers of the Australian Energy Regulator to make trial waivers for trial projects for a limited time of a maximum initial period of five years. The AER is considered the appropriate body for considering and providing such exemptions, given its role as the regulator of the national frameworks. The bill also requires the AER to assess a trial project against the innovative trial principles as defined in the bill in a newly inserted section 7B.

These principles are intended to ensure that only genuinely innovative trial projects that are capable of being trialled, scaled up and reported on are provided waivers. Other principles considered will be if the trial provides materially improved services and outcomes for consumers and adequate consumer protections are also maintained during the trial. Additionally, the trial project is not going to negatively impact on AEMO's operation of the national electricity system and national electricity markets and, if it is, how the trial is going to mitigate these impacts.

There is a list of innovative trial principles that each trial would be set up against, making sure that that forms the basis of any decision made by the AER. Further to that, when assessing a trial waiver the AER's role will need to weigh up any potential risks associated with providing a waiver with the potential benefits of the trial and ensure that risks are appropriately allocated between the trial waiver applicant and also the trial participants.

The bill requires that the AER not make a trial waiver for a trial project that is materially similar to a trial project for which a trial rule has already been made or is, in fact, the subject of a request for the making of a trial rule. That makes sure there is no double-up, and there is no need to waive rules when a trial waiver has been put in place as well.

The trial waiver tool provides an opportunity for innovators to experiment in a real-world context without the usual rules applying but, at the same time, the eligibility requirements for receiving a trial waiver ensure that customers, the market and the system remain protected. In addition to this, there are knowledge sharing requirements that allow regulators and policymakers as well as the wider industry to benefit from the trials. They do this by gaining a better understanding of how the regulatory framework may need to change in order to facilitate greater innovation and how consumer outcomes may be improved through new approaches.

The bill also confers on the AER a new function of monitoring and investigating trial projects carried out under a trial waiver. Principally, if a trial waiver can be put in place, the AER is in charge of it. On occasions, though, these innovative projects will require trial rule changes, and so the third tool, which relates to trial rules, is also in this bill, which gives the Australian Energy Market Commission the functions and the power to make trial rules for trial projects, again, for a limited time of five years.

This tool can be used if an eligible trial required new rules or the alteration of existing rules so it can proceed. The current rule-making process is considered too lengthy and, as a result, presents too high a barrier if you are looking at doing a limited trial rule. Therefore, the proposed trial rule change process will be conducted by the AEMC which is designed to be under 10 weeks and which will encompass the National Electricity Rules, the National Energy Retail Rules and the National Gas Rules. The idea is that this will introduce a more streamlined process for the assessment and making of trial rules.

However, should the trial project not meet the same innovative trial principles that are defined in the bill under the relevant section, whether a waiver or trial rules, then the project will be unlikely to be carried out. If the project is unlikely to be carried out or offers no reasonable prospect of leading to better services and outcomes for consumers, then the AEMC should not progress a request for a trial rule. Again, it is not a fait accompli that a request for a trial rule is going to be given and allowed to proceed: it does have to comply with these innovative trial principles.

Further, the bill also includes a provision that the AEMC is required to consult with the Australian Energy Market Operator when considering the making of a trial rule. While any trial rule is in force, the AER must monitor the associated trial project in accordance with the rules and in accordance with any applicable guideline made under the rules. Additionally, there is a provision for the AER and the AEMC to be able to revoke either a trial waiver in the AER's case or a trial rule in the AEMC's case should the need arise in terms of how the project is being carried out and its impact on consumers.

The bill does make provision for the South Australian minister to make an initial set of National Electricity Rules, National Energy Retail Rules and National Gas Rules that are associated with these amendments. As a result, when passed, the regulatory sandbox framework that this bill seeks to establish will provide a better equipped regulatory framework to respond to the rapid change occurring in the energy sector with the ultimate aim that consumers receive improved services and outcomes.

These are changes where the work relating to this regulatory sandboxing bill was undertaken through the previous term of the former Liberal government. As a government, we had a major focus on lowering energy costs for South Australians, and this bill is another example of that focus.

**Mr FULBROOK (Playford) (12:23):** I am pleased to support this bill as it will establish a framework with potential to do enormous good for the most vulnerable members of our community. Energy supply is an essential service that affects all South Australians. When learning about this legislation my first thought concerned the impact to vulnerable South Australians.

To date, many aspects of energy transition have delivered greater benefit to the consumers with the financial capacity to make significant up-front investments in new technologies, such as solar PV, home batteries or electric vehicles. There is enough evidence suggesting households privileged enough to be able to make these initial investments have quickly recouped their investments to enjoy ongoing benefits.



Those without the ability to make such investments are currently at risk of being left behind to bear the brunt of shared network and transmission costs. Considering the expansiveness of the South Australian transmission network, these costs are significant. The regulatory sandboxing changes will allow financiers, social welfare providers and other non-government organisations to explore options to address shortcomings of the existing energy market.

I am very impressed with the prospect of distributed energy resources having the potential to put the power back into the hands of consumers. You could call this the democratisation of our energy system. For too long, vulnerable consumers have been at the mercy of big business, whose prime aim is to make money for shareholders. Regulatory sandboxing will facilitate changes in the energy market, whereby communities can exercise greater power, either through their own combined investments or through collective buying power.

Social infrastructure also has a role to play in this future system. Community batteries have the potential to give leverage back to consumers while protecting vulnerable customers experiencing barriers from accessing new technologies. Renters are another demographic left exposed as we transition to new technologies. The incentive for landlords to invest in the modernisation of their properties just is not there. The number of people owning their homes outright is decreasing, mainly because pay rises have not kept up with the significant rises in housing costs.

As I said in my maiden speech, it took a generation to create this problem and, if we put our minds to it now, it will probably take this long to fix it. Because there are no short-term solutions to this trend, the problem of many consumers being left behind in the energy transition will get worse if we do not innovate. Sandboxing will allow innovations to be tested in the real world and encourage knowledge sharing amongst business, government agencies and non-government organisations. This knowledge sharing should lead to quicker, more frequent innovations and position market regulators to swiftly make regulatory changes when an innovation succeeds.

I hope to see a trial soon that encourages landlords to invest in technologies that benefit the renter while avoiding their having to ultimately front the cost through higher rents. Making these trials accessible to vulnerable groups so they can enjoy the potential benefit straightaway should be a priority. I think we can all agree that the National Electricity Market is a very complicated model. While understanding it is not out of reach for most South Australians, beyond a desire for cheaper and more reliable electricity, it is something that is not typically thought about or discussed. But disinterest is not a barrier: it is a choice.

However, for some vulnerable cohorts, it is not a choice. For one reason or another, whether it is not having literacy or numeracy skills or something else, it can be impossible to engage with the market due to the complexity of its design. As members of this house would know, there are protections under the energy laws and rules for vulnerable consumers that help prevent them from having to go without power, including when they have difficulty paying bills.

So, instinctively, when I see legislation that allows market participants to apply for trial projects with exemptions from having to comply with specific laws and rules, I do get concerned that vulnerable people from my electorate may be taken advantage of. On closer inspection, though, I was happy when I saw the detail about the assessment process for trial projects by the Australian Energy Regulator and the Australian Energy Market Commission. This includes safeguards seeking to protect consumers—most importantly, the vulnerable ones.

When considering applications, I understand the regulator will check that trial projects will not jeopardise essential protections, such as life-support customers or payment and hardship schemes. Also, paying special attention to identifying vulnerability risks, which could be inadvertently caused by the trial project, the regulator will assess whether the benefits outweigh the risks for vulnerable consumers.

It is commendable that the implementation strategy does not simply exclude vulnerable people from trials as a form of protection. Excluding vulnerable people is an approach that locks in the status quo for this cohort and excludes them from sharing in any benefits that a trial may have. Not allowing their real-world participation in trials of new products and services also dampens their voice when it comes to regulatory design and change. The implementation strategy for this legislation

will instead cultivate trials as opportunities to benefit vulnerable consumers and to ensure that they have a voice.

It should be noted that the assessment of trial applications for projects benefiting consumers experiencing vulnerability is listed as a priority for the Australian Energy Regulator. I understand that during the drafting of this legislation and the implementation strategy back in 2020, the Australian Energy Regulator commissioned a report from the Consumer Policy Research Centre about exploring regulatory approaches to consumer vulnerability. It identified priorities for the regulator's approach for supporting vulnerable consumers, which included a revised approach to hardship payment difficulty. I noted:

Many regulators and legal frameworks have traditionally focused on debt and payment difficulty, however, some are looking more closely at the design of products and services to help create inclusive markets where people can secure what they need at a fair price, without being excluded or taken advantage of.

Sandboxing represents an opportunity for the electricity market to explore products and services that improve outcomes for vulnerable customers. This legislation provides a mechanism for innovators to improve outcomes for these consumers by promoting new products and services that are specifically targeted at addressing the unique needs of consumers experiencing vulnerability.

In addition to potential benefits during the trials, lived experiences from these will inform regulatory design and, most importantly, change. This will contribute to a future energy market that better meets the needs of vulnerable consumers. With this in mind, I commend the bill to the house.

**Mr ODENWALDER (Elizabeth) (12:31):** I am very pleased to rise and speak on the Statutes Amendment (National Energy Laws) (Regulatory Sandboxing) Bill. As other members have traversed in this place, the framework in which the National Electricity Market operates has been evolving ever since it started in 1998. This evolution has been fuelled by our very high expectations when it comes to the reliability of our energy network.

The old electricity grid consisted of a few large thermal generators burning fossil fuels, with transmission lines taking that energy to a distribution network through to businesses and households. That model, of course, is completely outdated now, it will never return, and now there are literally hundreds of thousands of small, medium and large generators scattered throughout the state, many of which now operate on solar and wind.

The National Electricity Market was always a complex system, and now it is even more so. The changes we have seen have created great opportunities for households and businesses to tap into the benefits, both directly by using their own power and by working in harmony with the needs of the other users of the grid. This has come at a time when there has been another major change in society with the Internet of Things becoming ubiquitous in our everyday life.

Some households will choose to be actively engaged in the energy market and use and sell their energy much like their trading stocks, or to withdraw demand at times when it can benefit them. Other households will not have the time or the inclination to be actively involved themselves, but they will see a benefit in a third-party provider offering this as a service. There will over time be many innovative designs that companies can explore that will deliver commercially advantageous outcomes for both the company and the household and also benefit the grid as a whole.

At the moment, though, existing rules lag behind this change. Comprehensive rule change takes a long time when we follow all the due processes of consultation and the consideration of submissions of such changes, but that process is very important to ensure the consumers are protected and to minimise unintended negative consequences. However, the regulatory framework cannot evolve fast enough, and we have seen this.

The overwhelming uptake of rooftop solar was a huge disruptor in this state. It was a fantastic effort by South Australians that helped us achieve our two-thirds renewable energy mix, which is something of which we should all be proud. However, incorporating this into the National Electricity Market was not without its challenges, and it continues to pose challenges. There is currently an issue of excess generation at times of peak solar production. The former Liberal government's response to that issue was to turn off people's rooftop solar, preventing people from benefiting from their own investments.

We on this side of the house, though, see this challenge as an opportunity. Our Hydrogen Jobs Plan will soak up this excess solar energy to produce cheap green hydrogen and create value for this energy, which is currently being wasted. Regulatory sandboxing will allow companies to explore a range of other options, limited only by their imagination and of course their ethics, which can deliver mutual benefits for households, companies and consumers alike.

The range of energy services is continuing to expand. We are now seeing highly advanced battery storage, home energy management systems, virtual power plants and electric vehicles growing in popularity.

With renewable gases becoming more prevalent—of course, I am particularly thinking of hydrogen, but there are others—the energy landscape is going to radically change again and again. The emergence of innovative technologies and business models is a fantastic opportunity for businesses, consumers and the environment, but they need to be intelligently incorporated into the National Electricity Market.

There are many moving parts in this market, and they need to mesh smoothly. Market operators need to work with generators, retailers, transmission companies, consumers and governments. There are a lot of fingers in this pie, and this has brought about a regulatory framework which at present lacks flexibility for conducting trials or proof of concepts. Our electricity, gas and energy retail law is now harder than ever to understand and navigate, particularly for people looking to do things that have never been done before.

Tightly managed systems, such as our energy system, can be restrictive and frustrating for our innovators to operate. There is a real benefit to be gained through this regulatory sandboxing bill for all states connected to the National Electricity Market. The current process for rule change is slow. It takes months and months to consider a change that a generator, transmission company or retailer applies for, not to mention the encumbering requirements on the applicant when requesting the rule change.

While these rule change requests may be made for a particular application, the rule change must apply to the whole system and not just the limited part that will experience its benefit. It is an all or nothing approach. It is an approach that discourages innovation, particularly where it is not 100 per cent sure it will play out. It is a lot of time and effort for someone or a company to invest into an idea when it is not a sure-fire thing to be successful.

Failure is not the enemy. Not every new idea will be successful. That is a matter of fact in all business. The enemy is discouraging people from trying in the first place. Of course, it needs to be a tightly managed market. Energy security is something that we simply cannot compromise. There are opportunities for consumers to be taken advantage of in our system if it is not designed to protect them, as the member for Playford has rightly pointed out.

That said, a tightly managed system can and must have room for innovation. That is what regulatory sandboxing allows. It allows innovators to carry out research and development with certainty that they will have pathways to test their innovative ideas in the real world. It allows innovators to try out their ideas without having to first follow through a time consuming, comprehensive rule change process. It allows the rest of the electricity market to be protected by ring-fencing these innovative trial projects. It allows the industry to be kept aware of innovations currently underway, and it also promotes transparent business-to-business knowledge sharing and learnings.

Sandboxing is a good idea, particularly in the environment we are in in South Australia. South Australia is full of people with good ideas. It is full of innovators, and we are known throughout the country as the innovation state. Our innovation districts, such as Tonsley and the Adelaide BioMed City, offer opportunities to support our innovators through helping them to develop capabilities, explore commercialisation pathways and establish partners with synergistic aspirations. These districts mean more of our innovators will be able to start up and we will have many more home-grown success stories.

We have smart people with the right attitude, an attitude that does not settle for complacency, and this sees us exploring new ideas all the time. We are moving towards a new world: a low-carbon

world and, hopefully, a net zero world. Rooftop solar cells, as other members have pointed out, have taken over roof space in South Australia. Under a Labor government, we have seen our energy mix go from 1 per cent renewables to almost 70 per cent, and we still have a \$20 billion pipeline of renewable energy projects in South Australia.

Electric vehicle technology, of course, is improving, and the number of these vehicles on our road is on the rise. Hydrogen stands to completely transform elements of our energy system, which is in addition to adding value through decarbonising heavy industry processes and boosting our economy through export opportunities.

These innovations will cause disruptions to the existing energy system, and we need to enable our innovators to come up with and test ways to address these disruptions. A framework for trial proponents to test their innovations will not only contribute to our energy security but also bring significant benefits to consumers. It was the Finkel review which noted that innovative technologies can help reduce the costs of providing electricity for consumers and also contribute to reducing emissions.

The passage of this legislation is timely. In June this year we saw a major market failure. The Australian Energy Market Operator had to step in and suspend the wholesale market because it had become impossible to continue operating it while ensuring a secure and reliable supply of electricity. Clearly, this is not good enough.

As other members have pointed out, having a regulatory sandbox is another tool in the toolkit for energy security, and more of such tools can only be a good thing—much like how 250 megawatts of sovereign generation would have been a useful tool for our energy security during this market failure, had the former Liberal government not privatised our generators during its one term in government.

It is also timely, because the Malinauskas Labor government is embarking on its ambitious Hydrogen Jobs Plan. Just like its Hornsdale battery, the Labor government is again setting out to encourage private investment by proving the application of new technologies at scale. With this will come the requirement for companies to develop business models that take advantage of the positive disruption caused by the formation of our hydrogen industry in the Upper Spencer Gulf.

Already, an example of potential trial project has been flagged in response to the Australian Energy Regulator's issue paper on this topic about the use of hydrogen to decarbonise gas networks. Innovative trial projects, of course, can relate to the supply or the demand for electricity, to customer retail services, or gas services. Such a trial would be made possible by legislation through either:

- a new regulatory waiver power held by the Australian Energy Regulator, which exempts trial projects from complying with specified rules and laws and assess to address regulatory barriers; or
- a new trial rule change power held by the Australian Energy Market Commission, which could be used to temporarily amend existing rules or to temporarily introduce a new rule of limited application.

These powers allow innovators to experiment in a real-world context while maintaining consumer, system and market protections.

On the face of it, exemptions from complying with specified rules and laws can be disconcerting, as the member for Playford again elaborated on, so I welcome the safeguards that prevent market participants from claiming their business as usual as a trial to circumvent National Energy Retail Law or National Gas Law. As part of the application process, the Australian Energy Regulator assesses whether the trial is genuinely innovative and considers whether the trial may negatively impact the National Electricity Market and ensures consumers are protected.

Sharing knowledge and insights gained from trials with the wider industry is also a key outcome of regulatory sandboxing. In return for a trial waiver, innovators may be required to share their learnings from the trials, particularly where it leads to benefits to consumers. This transparency—which, of course, does not extend to commercial sensitivities—is expected to reduce barriers to entry for new market participants. It will also encourage quicker innovation in the market

because innovators will be able to leverage off others' learnings. Trial waivers and trial rule changes will also enable a more adaptive regulatory framework. Policy writers will be evolving the regulatory framework as new technologies emerge, rather than in response.

While not all trials will lead to permanent changes to the energy rules, some will, of course. I look forward to us passing this legislation, as it will allow the Australian Energy Regulator and Australian Energy Market Commission to open their doors to trial waiver applications and rule change applications, which I believe—and the government believes—will encourage technological and regulatory innovations that will lead to a more reliable electricity market and ultimately benefit consumers. I commend the bill.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (12:43):** We are in the business of disruption, and disruption is coming at us at a million miles an hour. The innovations that are before us are breathtaking in their scale, they are imaginative in their conception and they will change the way we live forever.

We are in a race to decarbonise. I have recently returned from Japan and Korea with the Premier, where you can see the real-life consequences of this race to decarbonise: entire countries that are completely reliant on the import of all their energy. Just picture that for a moment: all their coal, all their gas, everything they need to manufacture. They have no natural resources; they must bring them all in from abroad to make their economy work.

Here in Australia we are blessed—well, we were blessed, previously—with abundant natural resources. Those natural resources now are an impediment to the world's future. But we are also blessed with wind and sun and some of the best wind and solar resources anywhere in the world. They are the envy of the Western world; they are the envy of the renewable sector.

I do not know what innovations will come out of this regulatory reform, but I bet you they will be breathtaking. Listening to everyone who has given their remarks, including my own, with all due respect, they can just sound bureaucratic. But the truth is what we are doing here is accelerating the transition to a decarbonised future. Sandboxing, this regulatory framework that we are building up to allow new technologies to be tested in real-life experiences, is the way we will move forward.

To give you an example, the destabilisation of the grid from intermittent renewable resources not giving synchronous energy to the grid can cause a lot of destabilisation. We were not really sure what the impacts would be of the widescale introduction of solar panels and wind farms. Now we know, and now we are establishing a framework to allow new technologies to be tested on the home, on large-scale communities, on regional communities.

I went to Toyota, where I was able to see firsthand an electrolyser unit of a reasonable size, about the size of a home battery, that could power 80 to 90 homes in Australia today. It is fuel cell technology that has been miniaturised to the level that it could be placed in a home and it will look no bigger than a home battery. We will get to the point potentially one day when these innovations can be applied in real-world situations. We are testing them now.

As the shadow minister talked about, when the former Labor government, the Weatherill government, had its Renewable Technology Fund, we funded a scheme to build a 1.2-megawatt electrolyser to blend green hydrogen into the home distribution network. It was cutting-edge stuff. I just want to point this out to the house: when that decision was made in 2017, that would have been the largest electrolyser anywhere in the world. Today, six years later, it is still the largest electrolyser in the Southern Hemisphere. We have not moved. There has been a handbrake on this type of development. We need to get going.

This is not the fault of the shadow minister, and I am not trying to make a political point here, but the country has had a decade where we have not been keeping up with what the rest of the world are doing, yet we are the ones who are best placed in the world to deliver them. What we do not want to see is what happened with photovoltaic cells. We invented that technology. That was Australian IP. That was developed here. Now the only place in the world that manufactures solar panels is China. We have lost that technology forever. We do not want to see that happen again.

Liberal democracies need to work together to make sure that we can test our innovations, keep our IP in our countries, manufacture them here, be the tip of the spear, as it were, of the transition to a decarbonised future, to make sure that our citizens not only get the benefit of the transition in terms of saving the planet but get the jobs—good jobs, well-paying jobs, manufacturing jobs. Sandboxing, as remote as it seemed, is the way we can go about and test these technologies in a real-life way.

This is an exciting piece of legislation. This is exactly the type of Australian innovation that will help us lead the world. This is not a South Australian invention; this is an Australian invention. This is Australia at its best—bipartisan support, national recognition, national adherence to a piece of legislation that has been passed in this parliament. That is how you deal with decarbonisation: by getting on with it, working together, not trying to claim credit as a Labor initiative or a Liberal initiative but an Australian initiative. It is an initiative that I believe can help push that transformation that little bit further, nudge it just that little bit more. Who knows what we will come up with potentially?

I will throw some out there, since we are spitballing. We already have water delivered to almost every single home in South Australia—one in three homes has solar energy—and the miniaturisation of fuel cells and electrolysers is on its way. Imagine: could we see a time when every household has its own electrolyser and fuel cell? Could we? Could we see entire suburbs have centralised distribution through a larger fuel cell and electrolyser, developing an entire suburb, like a community battery?

Can we see batteries and fuel cells working together in some way that we cannot imagine today? There are fuel cells being developed today that are reversible: that is, they can make hydrogen and soak up supply at times of oversupply of solar energy, and then at times of high demand they could be reversed and they would provide power. That is just one example of technologies we are going to need to test, and sandboxing is one tool in the kit we now have that can help push this technology that little bit further.

It is exciting, and I want to thank the opposition for their support. I also want to pay tribute to the former minister who, along with his national colleagues, developed this piece of regulatory framework. This is a good piece of legislation. This is a good reform. This is a reform we would have supported had we not been successful at the last election, and I am certain that, had we not been successful, there would have been another minister here, in a Liberal government, moving exactly the same bill. That is how important this piece of legislation is.

With those few remarks, I thank those who have contributed to this debate in the parliament. I look forward to its speedy passage through the remaining stages and the hardworking members of the upper house.

Bill read a second time.

*Third Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (12:52):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT  
BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 7 September 2022.)

**The DEPUTY SPEAKER:** Member for Hartley, you have the floor.

**Mr TARZIA (Hartley) (12:53):** Thank you, Mr Acting Speaker—

*The Hon. A. Koutsantonis interjecting:*

**Mr TARZIA:** Deputy Speaker, sorry, sir. It is about time the member for West Torrens had a win today.

I rise today to support this bill. South Australia, being the lead legislator for the Rail Safety National Law, has an important responsibility to ensure that the spirit of the national law is being upheld and that its functions work as intended. We know there are areas within the Rail Safety National Law that need to be addressed, and one such issue we are aware of concerns the incidence of rail safety workers potentially altering certificates of competence which are then provided to rail transport operators, which could effectively undermine the necessity for the certificate. I appreciate the briefing that was provided by the minister's office in this regard.

It is crucial that rail safety is never compromised in any way, and a bill that seeks to ensure this will certainly have support from our side of the chamber. This bill seeks to address that kind of behaviour—providing misleading material or omitting information to then create misleading material—by punishing those found guilty of such an offence with a maximum penalty of \$10,000.

Another potential issue within the Rail Safety National Law that appears to need addressing is one that has presented itself, like many issues, alongside and as a result of the COVID-19 pandemic. We understand that section 114 requires that rail safety workers undergo health and also fitness programs as implemented by rail transport operators. We know that, due to COVID-19, access to non-urgent medical services has sometimes been difficult, therefore making the ability of rail transport operators to meet the requirements of section 114 difficult as well.

It is appropriate that the Rail Safety National Law adapts to these new and challenging circumstances. This bill would insert a section into the national law that would provide the National Rail Safety Regulator with a new power to grant exemptions to all rail transport operators, or rail transport operators of a class, from section 114 in the event of an emergency. This is of course regulated by a limited period of time for which exemptions can be granted of three months.

We have been assured that any rail transport operator that breaches any condition placed on an exemption from section 114 without reasonable excuse is subject to a maximum penalty of \$20,000 if they are an individual and up to \$100,000 if they are a body corporate. We believe this new power is a reasonable response to the challenges brought forward by the COVID-19 pandemic, and I once again indicate the opposition's support for this bill.

**S.E. ANDREWS (Gibson) (12:56):** I rise to support the Rail Safety National Law (South Australia) (Miscellaneous) Amendment Bill. I am proud to support this bill, as I have spent many years of my working life with Professionals Australia representing engineers, including rail systems engineers in South Australia. Engineers play a crucial role in all aspects of our society. Often their work is carried out behind the scenes, but without it we would not have the quality infrastructure we have in Australia.

Engineers are involved in the design, maintenance and construction of rail services for both passengers and freight across the world. Civil engineering, computer engineering, electrical engineering, mechanical engineering, industrial engineering and production engineering, plus many other engineering disciplines, are engaged in our rail systems. Without engineers, our rail systems would not be able to function, and I thank them for their work. I also acknowledge all the other workers on our rail systems, from track maintenance teams and rolling stock maintenance teams to our construction teams, rail operations and management, drivers, guards, and cleaners. Thank you for your service.

This bill amends the Rail Safety National Law in two main ways. The first group of amendments makes it an offence for a rail safety worker to knowingly provide a document or information for the purposes of an assessment of the worker's competency that is false or misleading or that omits something without which the document or information is misleading. These changes are crucial to ensure that our rail system is safe and that everyone working on our rail systems has the appropriate skills, training and qualifications, including crucial safety knowledge, to protect the safety of themselves, their colleagues and rail users.

In the new offence provision, a rail safety worker is relevantly defined as an individual who has carried out, is carrying out or is about to carry out rail safety work. Rail safety work includes

driving or dispatching rolling stock, such as a train or tram, or any other activity that is capable of controlling or affecting the movement of rolling stock; coupling or uncoupling rolling stock; work involving the development, management or monitoring of safe work systems for railways; and work involving the management or monitoring of passenger safety at railways.

Section 117 of the national safety law requires a rail transport operator to ensure that rail safety workers have the competence to carry out rail safety work in respect of the railway operations for which the operator must be accredited. A rail safety worker's competence is assessed in accordance with any applicable qualifications and units of competence recognised under the Australian Qualifications Framework. A certificate of competence that has purportedly been issued under the framework and that certifies that a worker has certain qualifications or units of competence is evidence that the worker has those qualifications or units. I seek leave to complete my contribution.

Leave granted; debate adjourned.

*Sitting suspended from 12:59 to 14:00.*

#### **PLEBISCITE (SOUTH EAST COUNCIL AMALGAMATION) BILL**

*Assent*

His Excellency the Governor's Deputy assented to the bill.

#### **LOCAL GOVERNMENT (DEFAULTING COUNCIL) AMENDMENT BILL**

*Assent*

His Excellency the Governor's Deputy assented to the bill.

#### **CONTROLLED SUBSTANCES (PURE AMOUNTS) AMENDMENT BILL**

*Assent*

His Excellency the Governor's Deputy assented to the bill.

#### **CRIMINAL LAW CONSOLIDATION (HUMAN REMAINS) AMENDMENT BILL**

*Assent*

His Excellency the Governor's Deputy assented to the bill.

*Petitions*

#### **ELECTRIC PERSONAL MOBILITY DEVICES**

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services):** Presented a petition signed by 609 residents of South Australia requesting the house to urge the government to take immediate action to redefine electric personal mobility devices in law into their own class of vehicle so they can be policed fairly and introduce new legislation which allows them to operate on and around public thoroughfares safely and legally, so that they can coexist with existing traffic.

*Parliamentary Procedure*

#### **ANSWERS TABLED**

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

#### **PAPERS**

The following papers were laid on the table:

By the Speaker—

Auditor-General—

Report 8 of 2022—Annual Report 2021-22 [Ordered to be published]

Part A: Executive Summary



Part B: Controls Opinion  
Part C: Agency and Audit Reports  
Part D: Extended Audits  
Report 10 of 2022—State finances and related matters [Ordered to be published]  
Independent Commission Against Corruption—  
Annual Report 2021-22  
Buy Now, Lie Later: Corruption risks in the management of government issued  
purchase cards Report  
Annual Reports 2021-22—  
Judicial Conduct Commissioner  
Office for Public Integrity  
Parliament of South Australia—Joint Parliamentary Service, Administration of

By the Deputy Premier (Hon. S.E. Close)—

Annual Reports 2021-22—  
Evidence Act 1929—Suppression orders made pursuant to Section 69A  
Police Act 1998—Review under Section 74A  
Serious and Organised Crime (Unexplained Wealth) Act 2009—Review under  
Section 34(1)  
Regulations made under the following Acts—  
Police Complaints and Discipline—Code of Conduct  
Return to Work—Prescribed Limits on Costs

By the Minister for Climate, Environment and Water (Hon. S.E. Close)—

Co-Management Boards—Annual Reports 2021-22—  
Gawler Ranges Park  
Lake Gairdner National Park  
Mamungari Conservation Park  
Ngaut Ngaut Conservation Park

By the Minister for Infrastructure and Transport (Hon. A. Koutsantonis)—

Annual Reports 2021-22—  
National Heavy Vehicle Regulator  
National Rail Safety Regulator, Office of the  
Regulations made under the following Acts—  
Motor Vehicles—Electric Vehicle Registration  
Passenger Transport—Metropolitan Taxi Fares

By the Treasurer (Hon. S.C. Mullighan)—

Industry Funds—Annual Reports 2021-22—  
Adelaide Hills Wine  
Apiary  
Barossa Wine  
Cattle  
Citrus  
Clare Valley Wine  
Eyre Peninsula Grain Growers  
Grain  
Grain Industry Research and Development  
Langhorne Creek Wine  
McLaren Vale Wine  
Pig  
Riverland Wine  
SA Grape Growers

Sheep

Primary Industries and Regions, Department of—Annual Report 2021-22  
Regulation made under the following Act—  
Stamp Duties—Electric Vehicles

By the Minister for Health and Wellbeing (Hon. C.J. Picton)—

SA Health—Deputy Coroner's Finding of 9 February 2022 into the death of  
Michael Anthony Curran Report on Response to – May 2022  
Regulation made under the following Act—  
Voluntary Assisted Dying—General

By the Minister for Local Government (Hon. G.G. Brock)—

Regulation made under the following Act—  
Local Government (Elections)—Assisted Voting

By the Minister for Veterans Affairs (Hon. G.G. Brock)—

Veterans SA—Annual Report 2021-22

By the Minister for Police, Emergency Services and Correctional Services (Hon. J.K. Szakacs)—

Annual Reports 2021-22—  
Bushfire Coordination Committee, State  
Community Road Safety Fund  
Witness Protection Act 1996  
Regulation made under the following Act—  
Police—Police Security Officers

By the Minister for Planning (Hon. N.D. Champion)—

Regulation made under the following Act—  
Planning, Development and Infrastructure—General—Temporary Accommodation  
*Parliamentary Committees*

**NATURAL RESOURCES COMMITTEE**

**The Hon. L.W.K. BIGNELL (Mawson) (14:11):** I bring up the first report of the committee, entitled Adelaide Metropolitan Beaches, Fact-Finding Visit, 22 August 2022.

Report received and ordered to be published.

**PUBLIC WORKS COMMITTEE**

**Mr BROWN (Florey) (14:12):** I bring up the seventh report of the committee, entitled New Port Augusta Ambulance Station.

Report received and ordered to be published.

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE**

**Ms SAVVAS (Newland) (14:13):** I bring up the annual report of the committee, 2021-22.

Report received.

*Parliamentary Procedure*

**VISITORS**

**The SPEAKER:** Before I call questions without notice, I recognise the presence in the chamber of Mr Tony Langley, guest of the leader.

I also recognise the presence in the chamber of the former member for Reynell, Ms Gay Thompson.

I also see in the chamber students from Bordertown Primary School, as I understand it, from the year 6 class. They are very welcome guests to parliament. As I understand it, they are also guests of the member for MacKillop. Welcome to the parliament.

*Question Time*

**AMBULANCE RAMPING**

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:14):** My question is to the Premier. Does the Premier take responsibility for ramping surging to record levels under his watch? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. D.J. SPEIRS:** The last five months are the worst ramping figures on record: 3,412 hours were lost to ramping in May; 3,838 hours were lost to ramping in June, 3,647 hours were lost to ramping in July, 3,763 hours were lost to ramping in August, and 3,567 hours were lost to ramping in September. In comparison, 1,522 hours were lost to ramping in February.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:15):** I would like to thank the Leader of the Opposition for his question, because on this side of the house we understand that excessive ramping has very serious consequences for a whole range of people who rely on our health system and the people who work within it. The most severe consequence of—

**The Hon. J.A.W. Gardner:** You said you'd fix it.

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** —ramping is, of course, ambulance response times not being in line with the standards that South Australians had been accustomed to right up until the point of the 2018 election. The standard that South Australians were accustomed to up until 2018 was that when they called 000 the ambulance would roll up on time. What happened post 2018 was we saw a very gradual but somewhat dedicated effort on behalf of the government to install policies that would undermine ambulance response times, hence what we saw—

*Members interjecting:*

**The SPEAKER:** Order! The Premier has the call.

**The Hon. P.B. MALINAUSKAS:** —was ambulance response times go from rolling up on time at around about 80 to 85 per cent for priority 2 callouts, going down to approximately 33 per cent for priority 2 callouts by the time of the last election. Clearly, this was a big issue that my party and I campaigned on at the state election.

**Mrs Hurn:** Worst it's ever been.

**The SPEAKER:** Member for Schubert!

**The Hon. P.B. MALINAUSKAS:** That's why we went to the election with a very deliberate, well thought through, considered and prescriptive set of policies that would see a dramatic escalation in health expenditure in this state and a dramatic investment in resources.

**Ms Pratt:** Worst it's ever been.

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** Now the Leader of the Opposition cites a suite of statistics that he hasn't put—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** —into context—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —the harsh reality. What happened in 2021, when there was zero COVID in South Australia, was we saw a government that seemed to be hell-bent on undermining investments in our health system.

*Members interjecting:*

**The SPEAKER:** Order, member for Hammond! Member for Chaffey!

**The Hon. P.B. MALINAUSKAS:** In fact, to the extent that when we had no COVID and no flu, they seemed to think it was a good idea that we might see a closure of beds. So it's little wonder that when those opposite—

*Members interjecting:*

**The SPEAKER:** Member for Morialta!

**The Hon. P.B. MALINAUSKAS:** —decided to open the borders, having undermined the system for almost four years—

*Members interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. P.B. MALINAUSKAS:** —that COVID and flu came into the state and, heaven behold, we started to see—

*Members interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. P.B. MALINAUSKAS:** —the consequences of their actions.

*Members interjecting:*

**The SPEAKER:** Member for Badcoe!

**The Hon. P.B. MALINAUSKAS:** Now, of course, what we are doing to remedy those extraordinary decisions to underinvest in health during a period of no COVID is to actually start to implement our policies as quickly as possible. Can you imagine—

*Members interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. P.B. MALINAUSKAS:** —what the world would look like if they had won?

*Members interjecting:*

**The SPEAKER:** Member for Morialta! Order!

**The Hon. P.B. MALINAUSKAS:** Could you imagine how much worse ramping would be if this side of the house—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —hadn't been responsible for delivering all those extra staff and all those extra beds?

*Members interjecting:*

**The SPEAKER:** Member for Morialta! Member for Hammond!

**The Hon. P.B. MALINAUSKAS:** We have now got over 200 extra beds in the system that would not be in the system had those opposite won the election.

*Members interjecting:*

**The SPEAKER:** Member for Frome!

**The Hon. P.B. MALINAUSKAS:** Now, of course, we continue to roll out our policies.

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** We will see a lot more ambulances on our streets, a lot more ambos employed, a lot more nurses employed and a lot more doctors employed as a consequence of our policy rollout. We are recruiting those people as quickly as possible—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** —and we look forward to the results that will follow.

*Members interjecting:*

**The SPEAKER:** Order! The member for Schubert is warned, the member for Hammond is warned and the member for Hartley is warned.

#### **AMBULANCE RAMPING**

**Mrs HURN (Schubert) (14:19):** My question is to the Minister for Health and Wellbeing. What action did the minister take to clear the ramp at the Lyell McEwin Hospital yesterday? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** On ABC radio this morning, the ambulance union claimed that there were 14 ambulances ramped at the Lyell Mac, but within the hour of calling the minister it was down to four or five. So, if the minister has a magic wand, why is ramping the worst it has ever been?

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

**The SPEAKER:** Member for Mawson! The minister has the call.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (14:19):** There is absolutely no doubt that none of us on this side—

**Mrs Hurn:** Who did you call?

**The SPEAKER:** The member for Schubert is on one warning.

**The Hon. C.J. PICTON:** —find the current ramping situation acceptable. We have made no secret about the fact—

*Mr Whetstone interjecting:*

**The SPEAKER:** Member for Chaffey! The minister has the call.

**The Hon. C.J. PICTON:** We have made no secret about the fact that the fact we have seen ramping continue to increase over the past five years has caused significant issues for South Australians, particularly in terms of those who are waiting for an ambulance response when you have ambulances ramped outside of hospitals. Certainly, in my job as a minister—not only has the Premier—

**Mrs Hurn:** Who did you call?

**The SPEAKER:** The member for Schubert is warned for a second time.

**The Hon. C.J. PICTON:** We are working on the long-term responses in terms of making sure we've got additional beds in our system, the additional doctors and nurses that we need—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Member for Morialta!

**The Hon. C.J. PICTON:** —additional ambulances and ambulance officers in our system as well but also, if there are issues that arise, we are certainly raising those with the hospital. Of course, the shadow minister says, 'Who cleared the ramp?' Well, the doctors and nurses cleared the ramp.

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Member for Morialta!

**The Hon. C.J. PICTON:** There were a significant number of ambulances at one stage yesterday afternoon at Lyell McEwin Hospital, and the doctors and nurses worked very hard to get that down to a much more reasonable level to make sure that people could get responses in the community. Certainly, I raised that issue with the department and with the Northern Adelaide Local Health Network when it was brought to my attention that that was happening, as you would expect me to.

*Mrs Hurn interjecting:*

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

**The Hon. C.J. PICTON:** But clearly—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Member for Morialta!

**The Hon. C.J. PICTON:** —there are a set of particular issues that are happening at Lyell McEwin Hospital. This is an area where we haven't seen such issues happen previously. One of those issues is in relation to the new emergency department, which was originally promised, as people will recall, back under the Weatherill government back in 2017. That got delayed and delayed. It's still under construction at the moment. It is expected to be complete and open in February next year.

There are issues in terms of how the emergency department is working at the moment because of the design and construction, which has seen half the emergency department open and half of the old emergency department open, which is leading to issues between them. We, of course, as well know that Lyell McEwin Hospital is an increasingly busy hospital, and it doesn't have the back-of-house beds that are needed.

Clearly, the Northern Adelaide Local Health Network had been calling out for some years for additional beds to be built there. That wasn't heeded. We are now building additional beds to be built at that hospital. That project has been funded in the budget: 48 additional beds to provide that back-of-house capacity. The issue in ramping is not just a front-of-house emergency department issue—

*Mr Tarzia interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. C.J. PICTON:** —it is right through the hospital, and it is about making sure that people can get the care that they need through the hospital. We are also working to address issues in terms of length of stay of patients.

We have seen some areas of our hospitals see increases in terms of length of stay. That clearly means more pressure on the system, more pressure on access block in the system, and we are working to address those issues, whether it be making sure that people can get the appropriate allied health care they need or whether it's about helping people to get out of hospital—and we have seen significant blockages in terms of NDIS and aged care, for people to get out of hospital into the care they need. We are working with particularly general medicine, where a lot of these issues are, and across all of the hospital network to make that happen.

We are also working at the front end of our hospital network and at the ambulance end to make sure that we can work with aged care, to divert people to virtual care so that they don't need to call an ambulance to begin with. All these issues are being addressed, but obviously this is a very significant issue and it is absolutely the determination of this government to address this problem.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**Mrs HURN (Schubert) (14:24):** My question is to the Minister for Health and Wellbeing. What is the estimate on how many patients per day will be put on golf buggies across the pedestrian bridge in the elements, transferred between the new Women's and Children's Hospital and the RAH? With your leave, sir, and that of the house, I will explain.

*Members interjecting:*

**The SPEAKER:** Order! There is a point of order under 134, which I will hear from the Leader of Government Business.

*Mr Whetstone interjecting:*

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

**The Hon. A. KOUTSANTONIS:** Sir, there was substantial argument and debate within that question, and I ask the member to rephrase.

**The SPEAKER:** Very well. I invite the member to rephrase the question.

**Mrs HURN:** Thank you, Mr Speaker. My question is to the Minister for Health and Wellbeing. What advice has the government received on how many patients per day will be transferred between the new Women's and Children's Hospital and the RAH? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** On 12 October 2022, the minister explained on ABC radio that an outdoor pedestrian bridge would be built to enable patients and staff to transfer between the two sites. The opposition and other clinical experts understand that they will be put on golf buggies across a pedestrian bridge to battle the elements.

*Members interjecting:*

**The SPEAKER:** Order! Before I call the minister, I observe that there was a—

*Mrs Hurn interjecting:*

**The SPEAKER:** Order! There was a deal of argument in the question. I am going to permit it on this occasion, but I remind the member for Schubert, who is on two warnings, of the standing orders.

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:25):** I will certainly check the transcript, but I suggest that there has been some significant misquoting of me in that recollection. We have been very clear that we are going to build—

*Mr Whetstone interjecting:*

**The SPEAKER:** Member for Chaffey!

**The Hon. C.J. PICTON:** —a women's and children's hospital that has the capacity to look after the patients—

*The Hon. J.A.W. Gardner interjecting:*

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

**The Hon. C.J. PICTON:** —it needs to. A key part of our proposal is not only 70 more beds than were being proposed by those opposite but also to build a new women's ICU inside the Women's and Children's Hospital to make sure that we can care for people inside the hospital—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** —to make sure that women and their babies will be able to be cared for within the same hospital, and that is a proposal that has had overwhelming support from the clinical community at the Women's and Children's Hospital. We have had huge support in terms of this outcome—

**Mr Patterson:** Why did you have to spend a million dollars advertising then?

**The SPEAKER:** Member for Morphett!

**The Hon. C.J. PICTON:** —that is going to deliver an outcome for the future of this state, rather than a short-sighted proposal that was worked on for four years by those opposite without one sod being turned—

**Ms Pratt:** Tell us about the bridge.

**The SPEAKER:** Member for Frome!

**The Hon. C.J. PICTON:** —on that site. There was over \$50 million spent but not one sod turned on that site. We are going to build a hospital that has more beds. Their proposal was going to have how many additional beds? One extra—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** —paediatric overnight bed.

*Members interjecting:*

**The SPEAKER:** Order! Minister, there is a point of order—

*Members interjecting:*

**The SPEAKER:** Order! The member for Cheltenham and the member for Hartley are called to order. The member for Morialta on a point of order.

**The Hon. J.A.W. GARDNER:** Thank you, sir. The question was specific to the advice about the transfer of patients between the two sites over the bridge—walking or golf buggies—so substance, standing order 98.

**The SPEAKER:** There is some merit in what the member for Morialta says. I will bring the minister back to the substance of the question.

**The Hon. C.J. PICTON:** You are very generous, sir, in suggesting merit. The key point is that we want to care for people inside the hospital. Of course, a key part of this hospital proposal is to keep within the biomedical precinct, and that is really important because of the connections between the sites and the ability for people to work between different sites. That is also going to be important in terms of making sure that this ICU works between the Royal Adelaide Hospital and has a cross-utilisation of clinicians between the two hospitals.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** Of course, we also have the South Australian—

*Mr Brown interjecting:*

**The SPEAKER:** Member for Florey!

**The Hon. C.J. PICTON:** —Health and Medical Research Institute, the second SAHMRI building that is going to have the proton therapy built in it, the University of South Australia and the University of Adelaide in this precinct as well, so there is a significant biomedical precinct, a world-class precinct, that will now have the Women's and Children's Hospital in it.

Part of the project will be pedestrian access between the sites. There is going to be a pedestrian bridge between the sites. Our desire is to care for patients inside the hospital, not the



spurious suggestions that the member opposite was suggesting. We are going to make sure that we can care for people inside this hospital, but clearly there will be people who will work between the sites and commute between the sites, so part of the proposal plan that has been put forward—and we have been very clear about this—is to have a bridge across the railyards for pedestrian access that is five metres wide, so a significant width of bridge, and 65 metres long, but this is a—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.J. PICTON:** —pedestrian bridge—

*Members interjecting:*

**The SPEAKER:** Order! Minister, please be seated. Member for Schubert, you are on three warnings and we are 15 minutes into question time. The member for Wright knows better. The member for Badcoe knows much better.

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. C.J. PICTON:** Thank you, sir. I of course will not respond to interjections. People in my electorate know that when you are delivering infrastructure projects you need to build for the future, not like we've seen under Liberal governments of the past, who built the one-way expressway to my electorate which for an hour and a half was closed for one half of the day, an hour and a half at night-time to switch from one side to the other. It was the laughing stock of the world, and their proposal for the new women's and kids hospital was for a similar one-way expressway of a hospital that would not have had the additional capacity that this state needs for the future.

*Members interjecting:*

**The SPEAKER:** Order! The member for Schubert on a supplementary and then the member for Elder.

#### **WOMEN'S AND CHILDREN'S HOSPITAL**

**Mrs HURN (Schubert) (14:30):** Supplementary question: is this bridge exclusively for patients and staff, or is it open to the public?

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:30):** It will be open for the public. This is a—

**An honourable member:** Breaking news!

**The Hon. C.J. PICTON:** Breaking news!

*Members interjecting:*

**The SPEAKER:** Order, member for Wright, member for Newland, member for Florey, member for Chaffey! The minister has the call.

**The Hon. C.J. PICTON:** Thank you sir.

*Members interjecting:*

**The SPEAKER:** Member for Chaffey is warned.

**The Hon. C.J. PICTON:** I've got the hot tip for the opposition: when we build pedestrian paths, they are open to the public, so that will certainly be an element of all the pedestrian works that will happen around the new hospital, all the parks and playgrounds and gardens that will happen around the new hospital: they will be open for the public.

#### **GILLARD, HON. J.**

**Ms CLANCY (Elder) (14:31):** My question is to the Premier. Can the Premier please inform the house about the appointment the Hon. Julia Gillard AC as royal commissioner and what key

stakeholders have said about the establishment of the Royal Commission into Early Childhood Education and Care?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:31):** I thank the member for Elder for her question because I know that she shares the passion that so many others do across our state to make sure that we are making investments in our most important resource and that, of course, is our children. But, more than that, we are making an investment in a resource for so many who aren't yet born, and that is I think a great demonstration of the long-term thinking that our policy has on this side of the house.

I can't tell you how grateful I was when Julia Gillard informed me that she was willing to take up our request for her to be our royal commissioner into early childhood education here in South Australia. Ms Gillard, of course, brings with her an extraordinary experience in the two fields that are going to be required most in order to see through the delivery of this policy. The first thing, of course, is Ms Gillard has a record of the sort of thoughtful, principled but also pragmatic leadership that is required to deliver complex policy reform in education.

When we think of some of the most substantial reforms in the education sphere that have occurred over the course of the last 50 years in Australia, Ms Gillard has been at the helm of most of them, whether it be the introduction of the Gonski funding reforms in this country, testing arrangements that informed NAPLAN or the establishment of more universality and consistency of the national curriculum. These are the things that Ms Gillard was responsible for—serious policy reform delivered, in a complex area from the commonwealth, in areas that required cooperation from the states was difficult, but she did it.

Post politics, Ms Gillard of course has continued to commit herself to research efforts and advocacy in the education sphere. This is an area of policy that she knows all too well, particularly considering her engagement through the Brookings Institution committed to policy reform in the universality of access to education around the world. Ms Gillard brings with her the actual understanding of the policy and what is required to deliver a reform of this size, and of course this is a big reform.

When we deliver universal access for three year olds to a minimum of 15 hours a week of preschool in this state, it will be the biggest change that has been delivered in education for 50 years. It will mean that South Australian children of the ages of three and four will start to get themselves back on the trajectory of receiving the same level of education and services that we see as very much par for the course in most other countries in the OECD.

Our nation needs to play catch-up in this area. The OECD average for investment in early childhood preschool is 0.6 per cent of GDP; in Australia, that figure is 0.21 per cent of GDP. The number of Australians, South Australian children, who get access to early childhood education is well below the OECD average, yet we know that all the research, all the evidence, tells us that if you want to make the biggest difference in a young person's life, you invest in the early years. That's what the experts tell us—and that's exactly what we are going to do.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** Now we have one of Australia's—indeed, the world's—most pre-eminent experts in the area to provide advice to the government on how this will be done, and we look forward to delivering it.

*Members interjecting:*

**The SPEAKER:** Order!

#### **TORRENS TO DARLINGTON PROJECT**

**Mr TARZIA (Hartley) (14:35):** My question is to the Minister for Infrastructure and Transport. How did a copy of the Torrens to Darlington reference design end up being accessed by the public? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TARZIA:** On 17 October, *The Advertiser* published details obtained from an accessible department webpage posting a copy of the reference design.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:36):** It wasn't accessed by the public; it was accessed by an investigative journalist who had more sense than the opposition to find it. She was able to get access to a test webpage that wasn't password protected. This test webpage is anticipating the government going out to consultation, ultimately, for the north-south corridor—a unique concept for members opposite.

Once our reference design is completed—and that work has not yet been completed—we will go out to the public—

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** Well, calling it a leak diminishes the work of *The Advertiser* because *The Advertiser* were the ones who were able to go out and source this. I think it's rude and insulting to say to *The Advertiser* that it's a leak—

*Mr Telfer interjecting:*

**The SPEAKER:** Member for Flinders!

**The Hon. A. KOUTSANTONIS:** —because it's not a leak—

*Ms Stinson interjecting:*

**The SPEAKER:** Member for Badcoe!

**The Hon. A. KOUTSANTONIS:** It's investigative journalism.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr Tarzia:** It says right there: it says 'the leak'. It says there, 'leak'. You're on the front page, mate. You're on the front page!

**The SPEAKER:** Order! The member for Hartley will withdraw that document.

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. A. KOUTSANTONIS:** Sir, it's a—

*Mr Tarzia interjecting:*

**The SPEAKER:** Well read as it might be, the member for Hartley is warned. The minister has the call.

**The Hon. A. KOUTSANTONIS:** Thank you very much, Mr Speaker. Yes, that was an inadvertent slip-up by the department. I have spoken with the executive director in charge of this area, Mr Andrew Ockenden, and I think he is a fine public servant. Given this mishap occurred while he was in charge of this, I don't believe for a moment it was a leak because that would imply something apparently awful to Mr Ockenden, and I don't think the opposition should do that.

My view is that the department is run by good public servants who are doing their very best to anticipate the government's moves and intentions, but if members opposite are somehow implying that this was a leak from this department —

*Mr Whetstone interjecting:*

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

**The Hon. A. KOUTSANTONIS:** —that changes everything—

*Mr Pederick interjecting:*

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

**The Hon. A. KOUTSANTONIS:** —and if members opposite have any evidence of this, I look forward to seeing it.

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Member for Morialta! The minister has the call.

**The Hon. A. KOUTSANTONIS:** Of course, it is not a leak. It is a very, very good investigative journalist who has done exceptional work—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —and who has found a piece of information that was inadvertently put online. That doesn't mean our work is finished. We made no secret of the fact that—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Member for Morialta! The minister has the call.

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. A. KOUTSANTONIS:** We made no secret that the reference design left to us by the previous government was inadequate—not only inadequate but dangerous, and not only dangerous but it could have seen the government expend \$9.9 billion—

*Ms Stinson interjecting:*

**The SPEAKER:** Member for Badcoe!

**The Hon. A. KOUTSANTONIS:** —of taxpayers' money on a tunnel system that would not work. That would have been a catastrophic disaster. We are doing the diligent work of making sure that these tunnels work, that we get the best solution for the people of South Australia—not try to come up with a solution just to get past an election.

I pose this rhetorical question to the parliament: if the previous reference design was so good and ready to go, why didn't the previous government start? Why didn't they start work? Why didn't they order the tunnel-boring machines? Why didn't they begin the process? Well, they didn't.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** They didn't, and the reason they didn't—

*Members interjecting:*

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

**The Hon. A. KOUTSANTONIS:** So—

*Members interjecting:*

**The SPEAKER:** Member for Florey! The minister has the call.

**The Hon. A. KOUTSANTONIS:** —I have great faith in our department. This was an inadvertent error by them.

*Members interjecting:*

**The SPEAKER:** Member for Colton!

**The Hon. A. KOUTSANTONIS:** There is no malice in this. They are simply trying to anticipate the government's—

*Members interjecting:*

**The SPEAKER:** Member for Morialta!

**The Hon. A. KOUTSANTONIS:** —keen aspirations to consult with the people of South Australia. I want to make sure that when we do make this reference design public the people of South Australia actually get a real say in how it's developed.

#### **TORRENS TO DARLINGTON PROJECT**

**Mr TARZIA (Hartley) (14:40):** My question again is to the Minister for Infrastructure and Transport. How many extra properties are being acquired for the completion of the Torrens to Darlington arm of the north-south corridor?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:40):** That's a question I can't answer because we haven't finished the reference design, but I have said in this parliament previously—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —it may be the case that we might not be acquiring some properties that the previous government had identified and we might be acquiring some other properties that might be industrial or otherwise. I have said that previously in this parliament. But what I am not going to do is pre-empt that before the reference design work is finished. It is appropriate that we finish what the former government didn't do in four years that we are trying to do as quickly as possible. It is going to take time.

I do also point out that it is this side of the chamber that has delivered every other aspect of the north-south corridor. The part that I found most concerning when we entered government was the bureaucrats and public servants and the South Australian engineers who have delivered every other aspect of the north-south corridor were excluded from this final stage. The question is: why? Why were the people—

*Mr Tarzia interjecting:*

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

**The Hon. A. KOUTSANTONIS:** —who had built every other part of the north-south corridor, why were they removed from operating on the tunnels? That sounds like a very concerning—it's very, very concerning. South Australian expertise, South Australian engineers—they know our conditions, they know our traffic, they know our people, they know our suburbs—all excluded by the previous government. Why? Why were they excluded? Could it be because the former reference design was so flawed that they knew that the department would not put their name to it, that they knew that it was so flawed that it wouldn't fly amongst those departmental officers?

But the election defeat on 19 March does not dissuade the current opposition. They stand by that reference design. They stand by that design. In fact, after seven questions asked today on radio, the member for Hartley finally, boldly, at the eighth attempt, and proudly said—

*Members interjecting:*

**The SPEAKER:** Order! Minister, there is a point of order from the member for Morialta.

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe is called to order. I will hear the member for Morialta under 134.

**The Hon. J.A.W. GARDNER:** Standing order 98: the minister is debating the issue.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hartley is on two warnings. He is now on three. I bring the minister to the substance of the question.

**The Hon. A. KOUTSANTONIS:** So once we finish the detailed design work, we are anxious to get this out to the people of South Australia so that they can see it, so that they can have a say about connectivity, about canopy, about how it interfaces with their communities—all the things that

they were denied by the previous government. They deserve a say. It is their money that we are spending on this project. It is for their benefit that we are working on this project. While the opposition claims to have concerns about the community, just look at the seats along that corridor and how they reacted about how they were treated by the previous government.

*Members interjecting:*

**The SPEAKER:** Order! The member for Chaffey is called to order. The member for Morialta?

**The Hon. J.A.W. GARDNER:** The question was about houses being purchased. The minister's answer is providing electoral commentary. It's completely out of order.

**The SPEAKER:** There is some merit in the member's point of order. There has been a good deal of context. I will bring the minister to the substance of the question.

**The Hon. A. KOUTSANTONIS:** I have finished my answer, sir.

#### **TORRENS TO DARLINGTON PROJECT**

**Mr TARZIA (Hartley) (14:44):** A further question to the minister: what is the latest cost estimate for the completion of the Torrens to Darlington arm of the north-south corridor?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:44):** As published in the budget, \$9.9 billion.

#### **STATE ECONOMY**

**Ms STINSON (Badcoe) (14:44):** My question is to the Treasurer. Can the Treasurer provide the house with an update on the South Australian economy?

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:44):** Indeed, I can, because the South Australian economy is performing very strongly. In the labour market, we currently have the equal lowest unemployment rate on record at 3.9 per cent. There are now more South Australians in work than ever before: 893,500 people employed. Pleasingly, we no longer have the highest unemployment rate in the nation—a persistent problem under the previous government.

*Mr Brown interjecting:*

**The SPEAKER:** Member for Florey!

*Members interjecting:*

**The SPEAKER:** Order! The Treasurer has the call.

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** The member for Morialta is warned. The Treasurer has the call.

**The Hon. S.C. MULLIGHAN:** Underemployment is down to 6.5 per cent. The previous four-year average was 9.2 per cent while those opposite were in government. The participation rate is now at 63.1 per cent compared with the average across the last four years, while those opposite were in power or whispering in the ear of those in power—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —of 62.7 per cent. Exports are performing very well at \$15.1 billion through the year to August 2022. When it comes to economic growth, state final demand grew 4.7 per cent in the year to the June quarter and, pleasingly, the strongest quarter was the June quarter, that first quarter after the recent state election, at 1.5 per cent over—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** The member for Morialta is on two warnings. The Treasurer has the call.

**The Hon. S.C. MULLIGHAN:** The member for Morialta claims to have removed restrictions. History tends to disagree with him. Retail trade remains strong. Of course, along with these positive statistics, confidence rebounded after March as well. The NAB Monthly Business Survey taken to

the end of March rose 14 index points from the February survey. But we have to be honest that there are storm clouds on the horizon, with successive cash rate rises from the RBA in an effort to tackle record inflation, inflation the likes of which we haven't seen for decades. Confidence is dampening across the Australian economy, including here in South Australia.

We are now seeing the commonwealth government, the OECD, the RBA and the US Federal Reserve sounding alarm bells around the resilience of the nation's economy and also the global economy. We have already seen the federal government revise down their growth projections for calendar 2023. The RBA has done similarly. We also see the OECD downgrading their forecast for Australia's economic growth to 2 per cent from 2.5 per cent. This should be concerning to all South Australians because just as we experience impacts from global economic conditions, we, of course, experience those from national economic conditions.

The war in Ukraine and the possibility—some say likelihood—of recession in Europe are substantial risks to that global economic outlook. What banks had been claiming was a substantial savings buffer is quickly receding as many more South Australians are dealing with higher mortgage rates and the high cost of living as a result of inflation.

We must be aware that there are storm clouds on the horizon. We are looking forward to the latest projections in the release of the federal budget on Tuesday. Of course, we will take the opportunity to update our economic forecasts in the coming Mid-Year Budget Review to be delivered before the end of the year.

#### LOCAL GOVERNMENT ELECTIONS

**Mr TELFER (Flinders) (14:48):** My question is to the Minister for Local Government. Can the Minister for Local Government advise the house if it is appropriate for his ministerial staff to be involved as participants in local government elections?

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (14:48):** I am not too sure if any of my staff are involved with local government elections. However, I see no reason why they could not nominate. Again, I encourage people across South Australia to nominate for local government. The issue I've got is that it appears—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.G. BROCK:** —that the people on the other side of this room don't want to encourage people to run for local government and I want them to be able to get out there and promote local government elections.

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. G.G. BROCK:** I am a great supporter of local government. I want people out there to nominate for local government and to make certain they represent their communities and have a discussion in the way that their communities are going to be run for the next four years. I certainly have no problems with anybody about participating, providing of course that they've got that on their declaration of interests.

#### LOCAL GOVERNMENT ELECTIONS

**Mr TELFER (Flinders) (14:49):** My question is to the Minister for Local Government. Is the minister aware of any of his ministerial staff interfering in local government elections, including directly organising preference deals and election campaigns, and, if so, can he detail how many of his staff have been involved?

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (14:50):** I really am concerned that you asked a question like that. I have no indication—

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. G.G. BROCK:** If any of my people, ministerial staff, are out there promoting and doing things like that, I would encourage two things: first, that the shadow minister bring that to my attention and, secondly, report it to the Electoral Commission of South Australia, who are running the elections this year. If there are any issues out there—and I would encourage this all across regional and metropolitan South Australia—and if there are any anomalies there, please report those issues to the Electoral Commissioner himself, and then the complaint can be investigated thoroughly and independently.

*Members interjecting:*

**The SPEAKER:** Order!

#### HAHNDORF TRAFFIC IMPROVEMENT PROJECT

**Ms SAVVAS (Newland) (14:51):** My question is to the Minister for Infrastructure and Transport. Can the minister please inform the house why the government revised its approach to the Hahndorf township improvements and access project?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:51):** Last month, the government announced its decision to remove the proposed interchange on the South Eastern Freeway near Hahndorf from our broader Hahndorf township improvements and access project. The opposition objected to those changes. This decision came following concerns from the community—sir, your local community—about the impact—

**The SPEAKER:** The member for Heysen's, I might add.

**The Hon. A. KOUTSANTONIS:** —the interchange would have on the surrounding—

*Mr Teague interjecting:*

**The Hon. A. KOUTSANTONIS:** —they don't know who you are; that's the problem, though—

**The SPEAKER:** Minister.

**The Hon. A. KOUTSANTONIS:** —environment, heritage and local business.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** We listened to the community and are now progressing a revised approach to what the former government had planned to ensure that we safeguard the environment and heritage and local businesses at Hahndorf. I am sure, Mr Speaker, you will hear from the opposition that our plan misses the mark, as you can see from their interjections, and goes against the purpose of the project. Their only concern would be the commuters looking to bypass Hahndorf and that they would ignore the needs of the Hahndorf community. Mr Speaker, I would like to read you a statement from a local business owner, by a local family, which was made following our announcement of our revised approach:

The Paech family welcomes the announcement by the State Government not to pursue the Hahndorf [interchange] option, which would have [had] a devastating impact on the iconic Beerenberg Farm.

Six generations of our family have been farming this land since 1839 and growing pick your own strawberries since the late 1970s, which has become a highly popular and world-renowned tourism experience.

It is something that my children have enjoyed growing up as well. It continues:

We consider ourselves stewards of this land and are very relieved the decision has been made to protect the natural environment by maintaining the integrity of the farmland around Hahndorf, while still delivering vital improvements to the main street.



This decision gives us certainty for the future, as we continue to invest in building a strong local business, with global reach.

We are taking a balanced approach. Our approach will balance the needs of Adelaide Hills commuters while protecting and enhancing local heritage, business and the environment. Upgrades to the Verdun and Mount Barker interchanges will reduce future traffic impacts on Hahndorf, including heavy vehicles. Now that the scope and high-level concept design have been finalised, the next step is developing a detailed design, and feedback from the community will help shape this detailed design.

The opposition have been in the media criticising our decision to spare Beerenberg. I believe we have made the right decision. We made the decision that is appropriate. I have spoken to the local federal member of parliament, and I have spoken to you, Mr Speaker, and to the local community, and it is fair to say—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** He was painting?

**The Hon. S.C. Mullighan:** He's the member for Heysen, isn't he?

**The Hon. A. KOUTSANTONIS:** I try, but it gets difficult.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** The local community has been pretty clear to the government that they don't want to see the Beerenberg farms torn up, that they want to see them maintained. We were prepared to listen despite the objections of the opposition, and despite the objections of the opposition we will maintain our path to keep those Beerenberg farms in place so that future children can go and enjoy what has been farmed there since 1839.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. Mullighan:** Anti strawberry!

**The SPEAKER:** Order! The member for Heysen on a supplementary.

#### **HAHNDORF TRAFFIC IMPROVEMENT PROJECT**

**Mr TEAGUE (Heysen) (14:55):** How many heavy vehicles will be reduced in terms of traffic through the main street as a result of the proposed works?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:55):** That is a question for which I do not have an answer at hand, but I can get that for the member and get back to him soon.

*Members interjecting:*

**The SPEAKER:** Order!

#### **TAFE SA**

**Ms HUTCHESSON (Waite) (14:55):** My question is to the Minister for Education, Training and Skills. Can the minister update the house on the return of early childhood courses to TAFE SA?

**The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:55):** I thank the member for Waite for her question and for her interest in issues around early childhood, and, of course, TAFE as well.

As the Premier outlined earlier, it has been a very big week or few days in South Australia for early childhood education and care with the announcement of the Hon. Ms Julia Gillard as the royal commissioner for this government's royal commission into the delivery of universal preschool for three year olds.

Of course, as the Premier said, this is a big undertaking. It is a very big reform, the likes of which we haven't seen for decades and which is not without its challenges. Of course, members of this place will know that some of those challenges will include building the physical capacity in our system to make sure that we have the space to accommodate the three year olds who we know, or we hope, will take up the opportunity of universal preschool, but also around actually building the existing workforce to make sure that we have those skilled educators there to be able to educate and care for the three year olds who will, under this government's reform, have access to preschool.

Of course, we began work on making sure that we had that workforce capacity just weeks after coming to government. I was joined by the Premier then only a number of weeks after the state election at the TAFE CBD campus where we announced the return of the Certificate III in Early Childhood Education and Care course, which is the primary qualification which our preschool staff have and which had been previously—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Order!

**The Hon. B.I. BOYER:** —offered by TAFE both in metropolitan and—

*The Hon. J.A.W. Gardner interjecting:*

**The SPEAKER:** Order!

**The Hon. B.I. BOYER:** —regional—

*Members interjecting:*

**The Hon. B.I. BOYER:** Someone seems to be deeply upset.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** The Treasurer and the shadow treasurer are called to order. The minister has the call.

**The Hon. B.I. BOYER:** Thank you for your protection, Mr Speaker. We announced the return of Certificate III in Early Childhood Education and Care, which had previously been offered at both metropolitan and regional TAFE campuses, but of course under the former Liberal government it was cut from metropolitan TAFE campuses, which was a very, very difficult policy decision—made by those opposite—to understand.

Certainly, it was not supported by the sector, and of course it really diminished the ability of future governments to be able to build the workforce that we need to deliver things like universal preschool for three year olds.

I am pleased to say that now we have brought that course back, and the interest in enrolments is very strong. In fact, I am pleased to announce that 61 students have enrolled in this semester. That is 61 desperately needed early childhood educators who will be on the path not only to a very rewarding career but also, I hope, will be part of the delivery of the election commitment from this government.

I can also announce today that 224 students have listed this course as a preference for semester 1 next year, which I think just goes to show how much interest there is not only in studying this course and this certificate III but also in the demand there is for that TAFE course.

Certainly on the day that the Premier and I stood up at the CBD TAFE campus to announce the return of a number of courses, including not only this one but also including Individual Support (Ageing, Disability), we were joined there by representatives from Helping Hand and Rembrandt Living, who spoke very passionately about why it was important to have TAFE still operating in this space, not just in regional South Australia, which we have maintained, but also in the metropolitan areas.

It is an exciting time in our education system. Of course, we need more early childhood educators now. We will begin—once we have the recommendations from the royal commissioner—rolling it out as quickly as we can, but I'm very pleased that TAFE will play its own role in building the skilled workforce that we need to make sure that we can deliver on that commitment.

**The Hon. J.A.W. Gardner:** You're going to need a four-year degree. How are you going to get there by 2026—unless they're not teachers.

**The SPEAKER:** Order!

#### LOCAL GOVERNMENT ELECTIONS

**Mr TELFER (Flinders) (14:59):** My question is for the Minister for Local Government. Can the Minister for Local Government rule out any of his ministerial staff conducting political business for local government elections during working hours?

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (15:00):** As I said a bit earlier, two things: these are what I consider accusations and I haven't got any proof of this.

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call. The Treasurer is called to order.

**The Hon. G.G. BROCK:** As I indicated a bit earlier, if anyone has any issues here, or they see something that's going on with the local government elections, then I would encourage them first-up to bring it to the attention of the relevant people. In this case, I have indicated to the member that if there are any anomalies out there, something that's being done incorrectly, to bring that to the Electoral Commission of South Australia.

*Members interjecting:*

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

**The Hon. G.G. BROCK:** Secondly, I have my ministerial staff working basically more than eight hours a day, sometimes 10 hours.

*Members interjecting:*

**The SPEAKER:** Order! The member for Morphett is called to order. The Minister for Trade and Investment is called to order.

**The Hon. G.G. BROCK:** They do have to have a meal break and, secondly, they do have—

*Members interjecting:*

**The SPEAKER:** Order, member for Morialta! The minister has the call.

**The Hon. G.G. BROCK:** My ministerial staff would not have time.

*Members interjecting:*

**The SPEAKER:** The member for Morialta is called to order and warned. The minister has the call.

**The Hon. G.G. BROCK:** Ministerial staff in my department would not have time to do anything other than working for me directly—whether it's ministerial, for local government or veterans affairs.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.G. BROCK:** If, for argument's sake, the member has proof of any issues at all about my staff working outside their domain as the Minister for Local Government and working for me directly, please bring that to my attention and I will rule it out. If it is happening, I will stop it.

*Members interjecting:*

**The SPEAKER:** Order! The member for Adelaide and then the member for Flinders. Member for Flinders, I observe that government members have only had—this will be the fifth question, despite their numerical difference on the floor.

### ARTS ORGANISATIONS PROGRAM

**Ms HOOD (Adelaide) (15:02):** My question is to the Minister for Arts. Can the minister provide an update on the government's election commitments related to her important arts portfolio?

**The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:02):** I want to thank the member for Adelaide for this question and for her interest in our arts election commitments and in the arts more broadly. I know the member has a very deep and passionate interest in the arts, particularly in her local electorate—in fact, I think the beautiful Newmarch Gallery is just down the road and I'm sure the member regularly pops in to see the exhibitions there.

This government is committed to a thriving arts scene and pledged \$8 million over four years to boost art grants programs for South Australian artists at the last election. As part of that commitment, the state's creative sector has just received half of that additional funding: \$4 million has been injected into the sector to benefit small to medium arts organisations over the next four years.

These organisations represent the foundations of our cultural and creative sector, and I'm pleased that this investment, I can say, represents a 20 per cent increase in the funds available through the Arts Organisations Program (AOP). This additional funding means small to medium arts organisations will receive more than \$6.2 million in 2023 to help them contribute to our rich cultural sector.

I am really pleased to be able to announce today the recipients from this year's funding round who are going to benefit from over \$20 million in funding over four years. This funding will support the development and presentation of work through theatre, visual art, dance and literature, including cross-disciplinary, experimental and community-based arts practice. For the first time, I am very pleased to announce the multiyear organisations will be funded for a four-year period, up from the free previous three years.

It's an excellent result for these organisations, and 23 organisations will now be receiving multiyear funding from the period of 2023-26, which will provide greater funding certainty for the organisations and, in turn, increase their ability to plan and develop creative works and employ artists and arts workers.

There is a long list of grant recipients, and I will quickly mention them to the house today. They include Access2Arts, ActNow Theatre, Adelaide Contemporary Experimental, Adelaide Chamber Singers, Ku Arts, APY Art Centre Collective, Artlink, the Australian Network for Art and Technology, the Australian String Quartet, Brink Productions, Chamber Music Adelaide, Feast, Guildhouse, Nexus Arts, No Strings Attached, Open Space Contemporary Arts, Restless Dance Theatre, South Australia Living Artists (SALA), Slingsby Theatre Company, The Mill, Tutti Arts, Vitalstatistix and Writers SA. These organisations are also going to be able to leverage this state government funding as part of their expression of interest for the Australia Council's Four Year Investment for Organisations, and that closes early next year.

There is also another program that is being introduced as a result of an extra \$1 million of our election commitment into the arts. Five organisations are going to be funded through a new Arts Organisations Program category, which is Program Support. That provides an entry point for organisations that have previously not been funded through this program, and it is a great way to enable pathways for these emerging organisations to get through the front door.

Further to this, applications have just closed on the Arts and Culture Grants Program, which includes an extra \$750,000 in extra funding as part of our election commitment to provide direct funding into artists and the small to medium sector. These grant applications will be determined by the end of the year, and I very much look forward to being able to notify the successful recipients of these grants. The government does not just talk about its commitment to arts; we have evidence here today of our commitment to the cultural heart of South Australia.

**LOCAL GOVERNMENT ELECTIONS**

**Mr TELFER (Flinders) (15:06):** My question is to the Minister for Local Government. Will the Minister for Local Government protect local government election candidates from harassment and intimidation by ministerial staff members? With your leave, sir, and that of the house—

*Members interjecting:*

**The SPEAKER:** Order! Member for Flinders, please be seated. I will hear the Leader of Government Business under 134.

**The Hon. A. KOUTSANTONIS:** Standing order 97: that question involves debate and accusations that aren't substantiated.

**The SPEAKER:** I am listening carefully. I am going to give the member for Flinders the opportunity to rephrase, but I do emphasise two matters: first, the matters raised by the Leader of Government Business in relation to opinion and argument and, second, the restriction that exists in standing orders in relation to ministers being responsible for the house for matters of public affairs that relate to their portfolio areas.

**Mr TELFER:** Thank you, sir. Is the local government minister aware of any acts of harassment or intimidation by ministerial staff members of his office to local government candidates? With your leave, sir, and that of the house, I will give an explanation.

Leave granted.

**Mr TELFER:** On Wednesday 21 September, Minister Brock's adviser messaged the council election candidate expressing his disappointment at how a candidate was choosing to preference candidates. On the following day, Thursday 22 September, at 3.45 he sent another message saying, quote, 'Any chance you'll change your mind?'

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (15:08):** These accusations or these comments are, in my view, very damning. I have indicated before that if the member—anyone in this house—has evidence of anything at all, two things: specifically, if it's my staff bring it to my attention with the proof and I will act on it—

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. G.G. BROCK:** —and I will investigate the issue. Again, in this council election, I must admit there are a lot of, in my view, underhanded discussions by some members of this house themselves and local members, so I have—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. G.G. BROCK:** I have said to you before, Mr Speaker: if the member has any proof of the accusations bring it to my attention and then I will investigate it.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. Gardner:** What were you referring to?

**The SPEAKER:** The member for Morialta is called to order. Order! I see the member for Mawson.

### REPAYSA

**The Hon. L.W.K. BIGNELL (Mawson) (15:09):** My question is to the Minister for Correctional Services. Can the minister provide an update on the Department for Correctional Services RepaySA Scheme?

*Members interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:09):** I am very pleased to take this question from the member for Mawson and note his particular interest in this program. We made a strong commitment before the election to increase the cleaning schedule for major arterial roads and maintenance of town entrances in the southern areas of Adelaide, with the Department for Correctional Services resources to be fully utilised for this obligation along the Southern Expressway, Main South Road and Victor Harbor Road.

I am pleased to inform the house that this government has moved quickly to fulfil our commitments, as we have with other commitments, to the South Australian public as fence-to-fence litter collection commenced in June of this year. Major roads and major deliverables so far are Main South Road, along the stretch of Robinson Road, Seaford Heights, to Sellicks Beach; Victor Harbor Road, starting from Robinson Road, Seaford Heights, to Old Willunga Hill Road, Willunga; and the Southern Expressway, starting from Darlington to Hackham.

It has already been noted in the house today that on the two-way Southern Expressway both sides of the road, I am pleased to report, are being cleaned. Further to this, I can confirm that an initial sweep of the entire roadway was recently completed, with a program implemented to revisit this and to target rubbish and dumping hotspots.

In delivering this commitment, the Department for Correctional Services is heavily engaged with the Department for Infrastructure and Transport so they can utilise RepaySA community service programs to undertake the promised roadside rubbish collection in a safe and productive fashion. This initiative speaks to the complete and utter positivity of RepaySA. It languished under the former government, but the benefits do speak for themselves, and the community and offender rehabilitation both pay dividends.

As part of RepaySA, offenders are sentenced by the courts to undertake community service either as a standalone penalty or as a condition of a bond. They can be required to undertake community service as a condition of home detention or, even further, as a condition of their parole. The RepaySA community service program, run by DCS, allows offenders subject to community service orders to repay their debt to society through the supervised community works projects. This program enables them to learn new skills while at the same time making a positive contribution to their community.

For many adult offenders, a community service order is the very first time and also the very first experience they have had of making a positive contribution to their community. The DCS community services program has done this in many different scenarios, including graffiti removal, cleaning transport facilities, assisting local councils and work along local cemeteries.

Community service is a positive and highly valued part of DCS's service delivery model, and DCS is committed to operating a community service program that provides rehabilitative benefits as well as measurable assistance for local communities. In the time that I have been minister, I have had the privilege to meet with many dedicated members of DCS administering this program in many custodial and community correctional settings. Their commitment to rehabilitation and empowering prisoners not to reoffend is extraordinary. We are a government getting on with the business of government but, most importantly, we are a government getting on with the business of delivering our election commitments.

### REGIONAL ROADS

**Mr BASHAM (Finniss) (15:13):** My question is to the Minister for Regional Roads. Can the minister update the house on progress of the regional road projects in Finniss, and can he assure

the house that road safety in Finniss is a government priority? With your leave, and that of the house, I will explain.

Leave granted.

**Mr BASHAM:** Last month, on the outskirts of Victor Harbor on the Victor Harbor Road the project signs were removed from the overtaking lane project.

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (15:14):** Thank you, Mr Speaker, and to the member for the good question. I am aware that there are lots of roads being undertaken out there at the moment across all regional South Australia and specifically, to the member, down in your area. I will get more information on that, take that on notice and bring it back to the member as soon as I can.

Having signs on roadworks out there has to be of the utmost importance for the safety of our people and our communities. We have lots of roadworks happening across all of regional South Australia. Just recently I was on the Horrocks Highway and the contractors there are doing a fantastic job by digging it right down. I noticed also on South Road going down to Victor Harbor, on that road down that way, there is a lot of work going on there. I will get that information for the member and come back to him in due course.

**The SPEAKER:** Before we turn to grievances, I thank the students from Bordertown Primary who have sat through the entirety of question time.

#### *Grievance Debate*

#### **NORTH-SOUTH CORRIDOR**

**Mr TARZIA (Hartley) (15:15):** Another sitting week and another scandal engulfing this government. As we have heard today: leak 1, significant changes made to project reference design; leak 2, more property acquisition needed near the Anzac Highway and South Road intersection; and leak 3, elevated roadways removed in response to clear community feedback.

We know that they kept the Labor line away from the media during the election campaign, but they have not been able to keep them away today or also yesterday. It was not a good story: it was a horrendous story, a scandal. What we saw was complete and utter amateur hour when we saw the sensitive details of a revised plan into the north-south corridor on the front page of *The Advertiser*.

I would have loved to have been a fly on the wall yesterday in the member for West Torrens's ministerial office after a series of draft designs were leaked, because we know the member for West Torrens is well practised, he has form, in providing colourful feedback to public servants. As these leaks have been reported, they have come in just like a wrecking ball.

The minister should go down to Mile End Bunnings and get some Selleys All Clear, because these leaks are big and, let me tell you, I am sure that they are going to continue to come. It is not a watertight ship over there anymore. This is just the first of many. The question is: who is undermining the Father of the House? It is a most serious and grievous act. We must take these leaks quite seriously.

The details of this reveal a deluge of design changes. We saw not only the start of works pushed back until 2025 but the completion of this project now pushed back to 2032. Now even his own residents are staring down the tunnel of further acquisitions, which means even more uncertainty for motorists, residents and business owners as well. You really would have thought that there was going to be light at the end of the tunnel from this government but, as we have seen, there is no light at the end of the tunnel with Minister Koutsantonis, the member for West Torrens, in charge.

I need not remind the house that this was a project that, under the former Liberal government, stacked up under Infrastructure South Australia and stacked up under Infrastructure Australia as well. It was locked and loaded; it was ready to go. The only thing that changed was the government of the day, the government of the day who sacked the CE who, in turn, sacked the project lead.

We now find out that more property acquisitions are needed. Where? The minister cannot tell us. When? The minister cannot tell us. How many? The minister cannot tell us. For what price?

The minister cannot tell us. What is it going to cost? When are we going to find out? So many questions are unanswered.

Over the weekend, I attended a local business with the Leader of the Opposition along South Road. This business cares and houses some of South Australia's most vulnerable residents. I spoke to some of these people and heard their inspirational stories and how much they value this particular asset. This particular business owner's plans have been thrown into chaos. On 14 September, he was promised by this government that he would be offered another valuation, and do you know what? A month later—guess what—he still did not get that valuation.

Unfortunately, this is a microcosm of what is going on right along South Road. Let me tell you, the western suburbs of Adelaide are a beautiful place but, I tell you what, I am getting more and more contacts by the day.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr TARZIA:** They are coming into my electorate office, they are calling me, they are sending me emails. They are sick and tired of the arrogance of this government—

*Members interjecting:*

**The SPEAKER:** Member for Badcoe!

**Mr TARZIA:** —and the arrogance of this minister.

*Members interjecting:*

**The SPEAKER:** Order! Member for Wright, order!

**Mr TARZIA:** Instead of chasing photo opportunities on his SDA boys' trip to Asia with the Premier and his mate, the Minister for Planning, what the member for West Torrens should have been doing is talking to the residents, talking to the business owners and talking to motorists who are affected by this delay every single day. We on this side of the chamber know all about opportunity costs, as good economists. Every dollar you waste on something you cannot afford is another dollar you cannot spend fixing things—like ramping, or improving our schools or our child protection system.

The Achilles heel of this government is going to be its failure to deliver its election promises. This government has a focus on activity and not solutions. We have seen this in the former Rann government, we have seen this in the former Weatherill government and now we are seeing it from this government. We always thought we would see it: it has taken only seven months.

This government needs to end the uncertainty for residents, end the uncertainty for motorists, end the uncertainty for business owners. Release the design for the north-south corridor and get on with delivering the project.

*Ms Stinson interjecting:*

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

### REGIONAL TOURISM

**The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (15:20):** Today, I rise to inform the house about the work I have been undertaking with regional stakeholders in the tourism sector. South Australia has 11 tourism regions, each with their own identity, offerings and seasons. There is always somewhere beautiful to be in South Australia.

Prior to the pandemic, our visitor economy was worth \$8.1 billion at its height. That was in December 2019. Of that \$8.1 billion, 40 per cent came from our regions. Through the pandemic, our visitor economy dropped to as low as \$4.4 billion; however, as I have said before, I am pleased to report that we are now growing back and are at \$6.2 billion as at July this year.



One of the key things we are seeing is a fundamental change in where that visitor economy is coming from. Regional tourism is now contributing the lion's share, with our 11 tourism regions now responsible for 60 per cent of our visitor expenditure.

I would like to thank all those people I have had the opportunity to meet not just in my time as minister but also in my four years in opposition. I spent time going out to the regions and meeting the operators—importantly, communicating with the operators, particularly during some of the most stressful and uncertain times. I have been delighted to continue that connection as minister, and since taking office have visited nine of our 11 regions. In those same six months my office arranged round tables with tourism operators in six regional centres, with another two next week and the rest to follow in coming months.

We are pleased to see that the South Australian Tourism Commission has developed a regional visitor strategy, which started in 2021, with the ambition to grow the regions' visitor expenditure by \$4 billion by 2025. We know that this emphasis on the regions has been welcomed by those who invest their own money, their own commitment, into supporting tourism in the regions.

The round tables are an opportunity to hear about the different experience of every region, and I was pleased when, only a few months ago, I could talk to members about many of those regions extending their 2025 target. That has been the case for many of our regions, but there has been some patchiness; I have always acknowledged that it was not universal and that some regions were still struggling and feeling the sting of the pandemic.

Of exceptional note, however, is Eyre Peninsula, which exceeded its 2025 target by \$91 million. I was there just recently and was pleased to launch their visitor brochure, their travellers' guide. The member for Flinders was there as well, and there was a great momentum felt on Eyre Peninsula. I spent the night in Port Lincoln and had the opportunity to go to Coffin Bay as well, and there was a real positivity around the next stage of tourism, particularly as internationals start to come back.

We have some incredibly high-quality operators on Eyre Peninsula who have worked hard and brought what they have to offer very much to that high-end market—particularly the US market, which is quite strong—and we are looking forward to that coming back stronger and stronger.

It is, of course, important to remind ourselves that there are some challenges here because the uncertainty has brought about people using up any savings they did have to maintain their business. JobKeeper was very welcome when it came but there remained incredible uncertainty. There is also now the challenge of skill shortages which have been raised, and that is why in the recent budget we had additional money to support the Tourism Industry Council to encourage more people either back into the industry who left during COVID or to enter the industry.

At each of these round tables have been the regional tourism managers, obviously the Tourism Commission, and of course the Tourism Industry Council of South Australia. Often at these tables we have had representatives of the RDA offices and local governments as part of these conversations.

We do have some opportunities, though, because we have often seen Australians spending more money overseas than we have coming in. Before COVID, we had \$44 billion Australia-wide coming in. We are the fourth largest export for Australia, and I want to make sure we continue to be so, so I will focus on that, particularly in our regions that are doing the heavy lifting at the moment.

#### **HAHNDORF TRAFFIC IMPROVEMENT PROJECT**

**Mr TEAGUE (Heysen) (15:25):** Just recently the Malinauskas Labor government announced its response to the Hahndorf Township Improvements and Access Upgrade project. What we have seen from this Labor government and from the responsible minister, Minister Koutsantonis, is a dereliction of duty and an abandonment of the community of Hahndorf in respect of significant moneys that have been made available—both federal and state in \$200 million of federal money and \$50 million of the Marshall Liberal government's commitment—to solve the Hahndorf traffic congestion problems.

What we have just heard in question time is that Minister Koutsantonis made the time to consult with the federal member, he made the time to consult with the member for Mount Barker, but he did not have either the time or the capacity, or it appears the knowledge, to engage at all with the member for Hahndorf—the member for Heysen—and I am dismayed on behalf of the community of Hahndorf about that, and no-one should be surprised.

There is a sincere and committed community in Hahndorf who have engaged in what has been a process that has been running for many years, but intensively over the course of the last year, towards solving what is undoubtedly a complex problem to solve, and that is to remove the dangerous congestion, particularly of heavy vehicles travelling through the main road of Hahndorf.

The works that have been announced are well familiar to those residents of Hahndorf and to the residents of Mount Barker who are travelling daily through the local area, and they are welcome. But without more, as Minister Koutsantonis and the Malinauskas Labor government ought to know, they will make the problem worse. So I am calling on the government—and I am joining with my colleague the shadow minister for infrastructure and transport, the member for Hartley; and the shadow minister for regional roads, the member for Hammond; who have joined me in the main street of Hahndorf—to commit to applying all of the funds and committing them to solve the problem.

So improving the Verdun interchange is very welcome and long overdue, as is improving the Mount Barker interchange. Of course, there is a growing population and it will have some benefit in terms of the overall picture, and we know the Mount Barker council has been keen on improving the main street of Hahndorf for some time, and upgrades there are welcome also, as are the extension of the Pioneer Women's Trail and the upgraded multipurpose car park facility at Verdun.

All of it is welcome and all of it should be completed. The minister has conceded already that by doing only those works there will potentially be significantly less money spent on the project, and that should come as no surprise because the works are incomplete.

I can tell you, from the Hahndorf Community Association to traders, to visitors, to those who are unfortunate enough to have to travel through with their heavy vehicles each day, this is not good enough. I am calling on the government to solve the problem and not just to do the easy bits that smack of a government that has no familiarity whatsoever with the local area.

On a brighter note, last weekend, Sunday 16 October saw the return of the Meadows Country Fair after a couple of years of absence due to COVID—and what a joy that was. There is a singular famous element of the Meadows Country Fair that involves, on the one hand, a milking competition between people who know what they are doing followed by a milking competition between those who do not necessarily know a lot about what they are doing. I am proud to be in the second category.

I have the opportunity to milk a cow about as often as the Meadows Country Fair is held. I first did this in 2017, and I was proud to come out on top and claim the prize. Vanessa and I teamed up on Sunday, with the result that I was able to reclaim the crown and raise a couple of thousand dollars for the Cancer Council of South Australia in the process.

Can I just say that I applaud the Meadows Community Association and all involved in the heavy lifting, the hard work and the commitment to bring the show back in all its glory on Sunday. Well done to you all. What a joy!

## **PARKRUN**

**S.E. ANDREWS (Gibson) (15:31):** I rise to speak in support of parkrun. I am a convert to parkrun, and I particularly wish to acknowledge today the Oaklands Estate Reserve parkrun.

Parkrun began in London in 2004, and the parkrun we now hold at the Oaklands Estate Reserve every Saturday morning has been going since the beginning of the year. I am proud to say I have now run and volunteered at many of those. I have even walked my dog, Freya, at one of those as well.

I have played sport most of my life. I enjoy team competition, and I really enjoy the camaraderie and the community spirit that it brings and also just the sheer competition of it. But I have found that running is something entirely different. I only began running in my mid-30s, and that was because of Corporate Cup. Much like parkrun, it is a community event purely to give people a

go. Your skill level does not matter, as it is a chance to start running at least. As a convert to parkrun, I find it is the self-competition that plays with your mind most of all.

It is a lovely event at Oaklands Estate Reserve, where we have a five-kilometre run around a beautiful course around the Sturt River. I like it because it is two laps, so you are very clear at any point in time how far you have to go and the mind really gets going. You also get to enjoy the beautiful landscape. I acknowledge the Sturt River Landcare group, who have revegetated that area incredibly over the last number of years, and it is a beautiful place to be and a lovely place to run.

When you arrive at parkrun, you are welcomed and you are welcomed by volunteers. Parkrun only exists because of volunteers. It is free and you do not have to register. You can decide at quarter to eight when the alarm goes off that really it is not for you today and no-one minds, but you are always welcome there.

Every morning, at the beginning of parkrun they also give a shout-out to the people who have reached significant milestones. I can see I am quite a junior at this event, with the number of people who have run 25, 50 or 100 parkruns over their time, and I look forward to doing that in the future.

Parkrun gives community connection and is a welcoming event. There are so many young children running it, and it blows my mind how fast some very small people are. You can walk with your friends, use it as an opportunity to catch up, or you can be one of those absolute gun runners who soon start lapping you. It is a really impressive event. It is now run in 22 countries around the world.

I also think it is worth acknowledging that parkrun gives the opportunity to clear your mind. We know how much exercise helps not only our physical wellbeing but also our mental wellbeing. I encourage everyone to give it a go. Please come and join me. I would love to have a run or a walk with you. It is a perfect opportunity to get out and, I tell you what, there is nothing like it at 8.30 in the morning. You have done your parkrun on a Saturday and you are smug. You have exercised for the weekend and you can get on with the rest of your day. It is an absolute joy to participate.

I would like to thank the volunteers. In fact, my personal best has been improving over the last few weeks, and I think that has a lot to do with the sheer encouragement that I and everyone receive purely by participating in this event.

#### **NARUNGA ELECTORATE**

**Mr ELLIS (Narunga) (15:35):** I rise today to inform the house about the lengths to which my community and I are going in order to finally draw attention to the state of our local health system. We have some wonderful people who work in our local health network, people who live locally, contribute to our local economies and who, unfortunately, are placed under enormous stress at work because our local health system is under extreme duress.

Over the past five or so years that I have had the tremendous pleasure to be the representative for our region in this place, I have diligently passed on the concerns of our local community to the decision-makers for consideration. There have been some horrible experiences shared with me along the way, people who have just not had the sort of experience they ought to have had when they visited such a facility when in need of emergency health care. Despite passing on those stories and the forcible lobbying for greater improvements to our health system, those pleas appear to have fallen upon deaf ears.

Therefore, we are launching a petition. We aim to get 10,000 signatures, which will trigger an inquiry before the parliament, and then we can ask the important questions to those with the power to make decisions. The petition we have launched has five clauses. Firstly, we are calling for the equitable distribution of GPs across our entire state. We acknowledge that there is a shortage of people deciding to study to become GPs and that there are limited levers for the state government to pull in order to remedy the situation.

It is government's job to solve these sorts of problems, and this parliament should be loudly lobbying the federal government to modify the Medicare rebate scheme to incentivise regional practice as well as any other mechanism they can activate. Having timely access to a GP would

ultimately ease the pressure on hospitals, and it simply needs to change for the betterment of all our regional communities.

Secondly, we are calling for regional hospitals to be funded and staffed according to their population catchment area rather than according to historical activity statistics. Activity statistics can be misleading, especially when currently, unfortunately, so many locals choose to skip local hospitals altogether and drive straight to town for their health care. Potential patients are often turned away, redirected or not recorded for a variety of reasons, which means bureaucrats are not aware of the needs and demands of our local regional hospitals.

Thirdly, we want a minister for regional health who can bang on the cabinet table on our behalf. At the moment, the Minister for Health has the unenviable task of presiding over an enormous, complex department with distinct problems in metropolitan and regional areas. He could surely use the assistance, and we would certainly benefit from somebody acting on our behalf at cabinet meetings.

Next, we want the urgent reclassification of Wallaroo Hospital to a level befitting its status as the major hospital in our community. The estimated population catchment area for Port Pirie is some 20,000 people, and Wallaroo Hospital has a combined core and extended catchment area estimated at 35,000 people. Additionally, the Yorke Peninsula Copper Coast area attracts some 400,000 tourists annually, compared with Port Pirie's estimated 200,000 people, any of whom may require medical attention during their visitation.

If I reference the NYP/Port Pirie health service plans, we can see that Port Pirie is resourced at a level 3 emergency classification, whereas Wallaroo is only at level 2. Port Pirie is resourced at level 3 for medical inpatient services, whereas Wallaroo is at level 2. Port Pirie is resourced at level 4 for cancer care services, while Wallaroo is level 3. Port Pirie has 52 beds, where Wallaroo has 21.

The Wallaroo service catchment area is forecast to increase by 11 per cent in the next four years, yet somehow Port Pirie's hospital is due for an upgrade soon, and we have already referenced the difference in the catchment area statistics. It is our view that Wallaroo Hospital must be elevated to at least equal status with the Port Pirie hospital to properly serve our community.

Finally, we ask that Port Pirie be reclassified from the Yorke and Northern Local Health Network into the Flinders and Upper North Local Health Network. The Yorke and Northern has the second highest population, at over 75,000 people, and easily the highest number of hospitals within it (at 16) of all the health networks. The board has been gifted an extraordinarily difficult task; in comparison, the Flinders and Upper North LHN has nearly half as many people to serve and only six hospitals, as opposed to 16.

Shifting Pirie into that LHN would ensure that Wallaroo Hospital is recognised and appropriately resourced as the major hospital, as it should be, and that the board has a more manageable task inevitably resulting in better outcomes for all our hospitals—Yorketown, Maitland, Minlaton and Ardrossan—not just Wallaroo.

We are sick of it. We are sick of asking for improvements for our local health system and having it fall on deaf ears. That being the case, I launched a petition yesterday with Dr Rod Pearce; Dr Ashraf; the chairwoman of the YP HAC, Dot Marschall; and the chairman of the NYP HAC, Stewart MacIntosh. They all share my concerns.

The quote from Albert Einstein goes along the lines that 'insanity is doing the same thing over and over and expecting different results', which appears to ring true when it comes to rural health. Governments just cannot expect system improvements without instigating change, and I am sick of raising concerns with the government and having colleagues agree that something must be done and there being no apparent urgency to make something happen.

Judging by the response to the petition so far, the community of Narungga wholeheartedly agrees with the need for collective community action. I look forward to updating the house as the petition progresses and ultimately presenting in excess of 10,000 signatures in due course.

### BADCOE ELECTORATE

**Ms STINSON (Badcoe) (15:41):** I often hear adults lament that young people are disinterested in community affairs, whether that is watching the news, or volunteering, or engaging in politics, or getting active on issues in their own local community. Many grown-ups have a sense that youngsters just are not as interested as in years gone past. Some will even say that this generation is lazy, self-obsessed and more concerned with filtered selfies than self-motivation. Those comments are not dissimilar to the comments made about my own generation when I was a good few decades younger.

However, in Badcoe pleasingly it is simply not true. Many young people are actively seeking opportunities to contribute well beyond Instagram. Their action comes in the form of huge rallies, like the school strikes for climate change, but also young people in my area are acting very locally. In recent weeks, I have been chatting with teenagers who love riding their bikes, especially at hand-crafted jumps trails near the rail line at Edwardstown Railway Station. An Unley High student, 15-year-old Angus Hooper, is the chief architect of the jumps. Far from what you might imagine, they are not a rickety rabble of flotsam and jetsam but a solid rammed-earth construction.

The course has evolved over many years, with hundreds of hours of maintenance and a few tools from the sheds of mums and dads. However, their little paradise was under threat. Word got out that department officials were planning to raze the site, citing concerns about safety and noise. Naturally, Angus and his friends were distressed and pretty outraged, and they took action. Angus and his mates contacted their local MP, and they launched an online petition. I can inform the house that so far that petition has garnered 787 signatures. Angus should be applauded.

The feedback from the big kids has been pretty swift and fairly unanimous too. They said, 'Why can't we just let kids be kids?' How can we possibly complain about kids being glued to devices when we do not support them when they want to get out there and exercise and get dirty? Too right! There has to be a way that young people can be kept safe and also be able to exercise and get some mental stimulation.

There is an element of risk every time we step outside our homes, and we cannot wrap teens in cottonwool if we want them to enjoy life and learn a few lessons along the way as well. I thank the minister for instructing his department to stop the destruction of the jumps and for the department to think again. I hope there will be a final and binding decision to protect the jumps for as long as Angus and his friends want to maintain them.

I would also like to address the issue of the South Road upgrade, which particularly affects my electorate. This government places a high priority on getting this project right. Not only is it expensive infrastructure but the project has the potential to fundamentally change the way we in the inner south-west enjoy our lovely part of the world and how we get around. That impact can be for better or it can be for worse.

What my community has asked, for some years now, is that their concerns and their feedback on the way they will experience the project day to day is taken into account. People in my area are making great sacrifices for the greater good of our state. It is the least we can do to listen and to improve the plan, and that takes time.

I have been listening and relaying what my community has been saying. I have been listening to how people want to be able to turn right onto South Road from the city or Bay, which was not allowed under the Liberals' existing design. I have been listening to locals' safety and aesthetic concerns about the flyovers. I have been listening to their desire for connectivity to their schools and shops and the very streets that we live in, and I have been listening to their concerns about sound and noise and the destruction of trees. Now we have the chance to act on what we have heard.

Those opposite—and, in fact, some of those who do not even sit on that side anymore—took a different tack. They were not interested in listening; they were not interested in genuine engagement. But I, as a local MP, have been taking on that feedback. I have provided it to our minister, just as I did the previous minister, but the difference is this government is taking notice and is acting.

This is not a simple project, and any changes need to be carefully thought out. That takes time and expertise. I truly appreciate the patience and understanding from my community at this time. I understand that people want answers right now. I do understand that. But after four years of inaction and half-baked plans, what local people want much more than a fast answer is the right one.

*Bills*

**RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT  
BILL**

*Second Reading*

Adjourned debate on second reading (resumed on motion).

**S.E. ANDREWS (Gibson) (15:46):** There have been instances of rail safety workers fraudulently altering certificates of competence and providing them to rail transport operators. To discourage this behaviour, this bill introduces a new offence that ultimately allows for the prosecution of a rail safety worker who provides a document or information, in relation to an assessment of the worker's competency, that the worker knows is false or misleading in a material particular, or omits any matter or thing without which the document or information is misleading. If a rail safety worker is found guilty of this offence, they will face a maximum penalty of \$10,000.

Examples of documents that have been submitted incorrectly include a rail safety worker from a labour-hire company who had his brother's certificate of competence altered and uploaded as evidence of competence on his profile. In another case, multiple altered certificates of competence were uploaded into several workers' profiles.

The maximum penalty for a rail safety worker who is found guilty of the new offence, under section 117, of providing false or misleading documents or information for the purposes of an assessment of the worker's competency is \$10,000. This is the maximum penalty that applies to individuals for several other offences against the national law.

However, I do believe that, in most cases, the rail transport operator has observed irregularities prior to the worker commencing work on the rail system, and I thank our rail transport operators for their eternal vigilance to ensure that everyone working on our railways is appropriately qualified for the scope of work they are undertaking.

The bill also amends the national law to provide the National Rail Safety Regulator with a new power to exempt all rail transport operators from section 114 of the national law in the event of an emergency. Section 114 of the national law requires a rail transport operator to prepare and implement a health and fitness program for rail safety workers who carry out rail safety work for the operator.

The current exemption was used in April 2020, where the responsible minister in each state and territory granted rail operators in their jurisdiction an exemption that only applied to the requirement for operators to arrange for periodic health assessments for certain categories of rail safety workers.

As it currently stands, the National Rail Safety Regulator's power to grant an exemption is limited to the granting of an exemption to an individual rail transport operator who makes an application for its exemption. This meant that the regulator was unable to grant an exemption to all rail transport operators at the beginning of the COVID-19 pandemic.

The amendments will give the National Rail Safety Regulator the power to exempt all rail transport operators, or a class of rail transport operators, from section 114 of the national law in the event of an emergency.

I understand this bill was developed in consultation with the National Transport Commission, all states and territories, the Office of the National Rail Safety Regulator and members of the rail industry, including the Australasian Railway Association and the Rail, Tram and Bus Union. I thank all these stakeholders for their work in developing these sensible changes.

Before I close, I will take this opportunity to thank the Rail, Tram and Bus Union for their work to ensure that transport workers, including bus, tram and train drivers, guards and other staff in our public transport system in South Australia are safe. I commend the bill to the house.

Debate adjourned on motion of Mr Odenwalder.

### **SHOP TRADING HOURS (EXTENSION OF HOURS) AMENDMENT BILL**

#### *Second Reading*

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:51):** On behalf of the Minister for Climate, Environment and Water, I move:

That this bill be now read a second time.

I am pleased to introduce the Shop Trading Hours (Extension of Hours) Amendment Bill 2022, which implements the government's election commitment on shop trading reform.

Before I turn to the specific provisions in this bill, I want to outline two main principles which have informed the government's approach on these reforms. The first is that this government is strongly committed to working with both business and worker representatives to forge consensus and deliver positive practical change for the people of South Australia. The second is that this government recognises that shop trading legislation affects a wide variety of industry stakeholders across the entire SA economy. These stakeholders should be at the core of decision-making processes.

We are never going to agree on all aspects of all matters, but this government will always listen and take into account a range of opinions from all stakeholders. This legislation is the product of significant consultation with key industry groups, which has occurred both prior to the election and since the election. I particularly wish to thank Business SA, Foodland, IGA, Metcash, the Motor Trade Association, the SA Retail Association and the SDA for their considered and constructive feedback. As a direct consequence of this consultation, our government is in a position to implement not only our election commitments but a number of other reforms which are widely supported by stakeholders.

This bill delivers on our headline election promises by amending section 13 of the act, to extend Sunday trading so that shops can open from 9am instead of 11am and to permanently allow Boxing Day trading in the city and our suburbs. This bill amends section 13 of the act to codify longstanding ministerial exemptions, which allow extended midnight trading on Black Friday and on weekdays in the direct lead-up to Christmas.

This bill also amends section 13 of the act to permit shops to trade on additional public holidays, such as when an ordinary public holiday falls on a Sunday, and an additional holiday then takes place on the Monday. The bill inserts a new section 13B, which extends provisions that already apply to work on Sundays and confirms employees rostered on public holidays must have voluntarily agreed to work on those days.

These are sensible reforms that strike a fair balance between the interests of large and small businesses, workers and consumers. These changes also continue to support our thriving independent supermarket sector to compete against the bigger market players. Importantly, this bill also seeks to eliminate the outrageous practice of the former Treasurer, the Hon. Rob Lucas, in issuing blanket trading exemptions across the metropolitan area that were fundamentally inconsistent with the careful balance struck by this parliament.

The policy of this government is clear: the rules set by parliament in the Shop Trading Hours Act should apply to all stakeholders equally and should only be departed from when there is industry consensus. Ministerial exemptions do not exist to simply carve out sections of the legislation that the government of the day finds inconvenient. Ministerial exemptions exist for these exceptional circumstances where they are needed to support special events of particular significance to the people of South Australia and only where there is consensus among industry stakeholders.

This bill reforms the ministerial exemption power under section 5 of the act to require the minister to consult with both business and worker representatives before issuing an exemption and

to be satisfied that the exemption is supported by a majority of interested stakeholders, including representatives of both business and workers.

The bill also confirms the minister must not grant exemptions that are so extensive as to undermine the controls of shop trading hours in the act and confers standing on industry stakeholders in any judicial review proceedings challenging a ministerial exemption. This is consistent with the government's approach in this bill to regularise those frequently issued ministerial exemptions, such as extended trading in the lead-up to Christmas.

By permanently incorporating these arrangements into the act, we are minimising the need to rely on these ministerial exemptions in the future. With this bill, the Malinauskas government is getting on with the job of working together with both business and workers to deliver these fair and sensible reforms.

Finally, I note that the government has advised peak business organisations that it intends to proclaim this legislation to come into effect on 1 November 2022, assuming it passes the house this week. That means that Sunday 6 November will be the first day with extended 9am Sunday trading hours. The government's advice to the business community has allowed both businesses and workers to make rostering arrangements to ensure staff are available for those additional hours.

I would urge all members to ensure that the trading arrangements the business community has put in place are not disrupted by any delay in the passage of this important legislation. I commend this bill to the house and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

##### Part 2—Amendment of *Shop Trading Hours Act 1977*

###### 3—Amendment of section 4—Interpretation

This clause removes obsolete references to the Glenelg Tourist Precinct and makes consequential changes to definitions.

###### 4—Amendment of section 5—Exemptions

This clause changes the maximum period for which class or general exemptions can operate from 30 days to 14 days and alters the process for declaring or granting an exemption.

###### 5—Amendment of section 7—Inspectors

This clause allows the Minister to appoint inspectors rather than the Governor.

###### 6—Amendment of section 13—Hours during which shops may be open

This clause amends section 13 to allow general Sunday trading in the Greater Adelaide Shopping District from 9 am (instead of 11am), to allow new trading days, or extended trading hours, in that shopping district on certain days as set out in proposed new section 13(2).

###### 7—Amendment of section 13A—Restrictions relating to Sunday trading

This is consequential to clause 8.

###### 8—Insertion of section 13B

This clause inserts a new section 13B providing that the shopkeeper of a shop is only entitled to open the shop on a Sunday or a public holiday in accordance with section 13 if each employee who works in the shop during that Sunday or public holiday has voluntarily accepted an offer by the shopkeeper to work on that day.

###### 9—Repeal of Schedule 1A

This clause removes the obsolete Schedule relating to the Glenelg Tourist Precinct.



Schedule 1—Transitional provision

1—Inspectors appointment to continue

This is consequential to clause 5 and ensures that the inspectors appointed by the Governor under the current provisions will continue to be appointed.

**Mr COWDREY (Colton) (15:58):** I rise today on behalf of the opposition as lead speaker to speak to the Shop Trading Hours (Extension of Hours) Amendment Bill 2022. The opposition warmly and fully supports the proposal to extend shop trading hours for all shops in the Greater Adelaide region on Sunday mornings, opening shops at 9am rather than the current 11am. We also support the proposal to secure in legislation Black Friday trading and changes around additional public holidays; however, the opposition believes that the proposed changes can and should go further.

We need to have shop trading arrangements in this state that are based around the principles of providing certainty for business, simplification and removing confusion for consumers and that strike the right balance for all businesses to support sustainability. As a starting point, in this parliament we should all be committed to removing or limiting the idiosyncrasies of a bill drafted in 1977—a literal lifetime ago—that do not support the needs of today's economy or the consumer.

As we understand it, the Labor Party and the Labor government have made it clear that they will not be providing exemptions to allow trading on public holidays as was done under the previous government. This is an example of the Premier giving with the one hand and then taking with the other, a saying I do not use often for obvious reasons. We should be moving the state forward, not living in the past and making things harder for business and consumers. While we support the steps forward contained in this bill, we have significant concerns regarding the changes the government are proposing around the exemption process.

Under the previous government, as I said, exemptions were provided to allow shops to trade on some select public holidays should they wish. The Premier is not interested in allowing South Australians to continue to enjoy shopping on these days and has clearly said that he will not be providing exemptions. It appears that the Labor Party is also going to make it harder for any future minister of any persuasion to provide exemptions and allow trade.

Some SDA employees can work on public holidays, earning public holiday penalty rates, but other SDA employees cannot. The real question, given the changes proposed in this bill, is: should the SDA or the unions be making decisions on when shops open, in particular around public holidays? I am certain that they want the power, I am certain that the Labor Party with the SDA as its effective majority shareholder and donor—how many of the parliamentary party are SDA members over there? I know we have the Premier and there is at least one, two, three, four, five; I cannot count them on my one hand. I think there are 10—want the power outside of parliament to control trade on public holidays.

Compelling a minister to make a decision is a change proposed in this act. By our reading, and that of some in the media, the changes proposed effectively give the Premier's old union a right of veto against and over any future trading hours exemptions. A government who from opposition made such a virtue of the absolute desire for elected officials to make decisions—and some may argue that the management of a worldwide pandemic required more input from experts in the field than deciding when our shops should be allowed to be open—again saying one thing from opposition and doing another from government, has already become a hallmark of this arrogant 'look at me' government.

We will be asking some serious questions during the committee stage of debate to get to the bottom of how the changes will operate in practice. As it stands, we have serious concerns around these aspects of the bill. At this point of my contribution, it does need to be said that we are now closer than we have ever been to fixing this mess. In reality, we are talking about trade on roughly four public holidays and tidying up the ridiculous issue—and what we originally thought and assumed was a mistake—on Boxing Day.

On this side of the chamber, this is a new and refreshed Liberal team with a new, pragmatic approach. We understand that what the people of South Australia ultimately want is a set of shop trading arrangements that meet the principles I discussed earlier that provide certainty for business,

that are simple and remove confusion for customers and that strike the right balance for everyone, including businesses, to support sustainability.

We have openly and publicly walked away from the old party room's position. We are not proposing that shops are open 24/7, we are not proposing that they are open at 2am and we have regard for the position of some in the industry who saw the proposal as an unfair playing field. What we have done is consult with the community, a consultation process that will remain open, as we have not had any contact from the Labor Party indicating that there is any interest whatsoever in making sensible changes to the bill before the house.

We will continue to engage with the people of South Australia on this issue moving forward. Can I also make the point that the Labor Party and this government so far have talked a lot about consultation, but where was the consultation with the public and the consumer on this issue? Where was the YourSAy website? Nowhere to be seen. Evidence by the crowds of people showing up at the doors of shopping centres just a few weeks ago on Labor Day—they were not consulted. I must have missed the million-dollar advertising campaign of, 'We are keeping the shops closed', letting people know about a government decision that would have impacts almost straightaway rather than something planned to be complete in 10 years' time—maybe.

Those on the other side have said that they took it to the election. Does the Labor Party really believe that the people of South Australia voted for them based on this issue? By that logic, the Labor Party should not have stood in the way of the position the then Marshall opposition took to the 2018 election. However, as I said, these things are well and truly in the past. This government already has a credibility issue.

What we should be focused on is how we can improve the bill and how we can fix the illogical parts of the act moving forward. We have discussed the issue with interested parties and have developed three sensible amendments that will, in most circumstances, deliver shop trading hours more aligned with community expectations that provide certainty but still maintain or strike a balance.

The first is to extend trade to 6pm on weekends—Saturdays and Sundays. This is a proposal that will give workers in today's economy—families who have school sport on weekends, families and people who have caring responsibilities, or really for whatever reason—the ability to more easily access retail. We all know that nine to five no longer reflects today's society. Most importantly, this is heavily supported by the consultation process we have undertaken.

The proposal is supported by Business SA, by Harbour Town and by a range of other businesses we have engaged with. As advocates supportive of the government's changes of an additional two hours' trade on Sunday mornings have said that 'we employ more people and they're going to get more hours, so it's a win-win for everyone', and that it 'would create more employment opportunities within the sector'. Why should this logic apply only to the two hours between nine and 11am on Sunday? Surely that logic also applies to the proposal of an additional two hours, one on a Saturday afternoon and one on a Sunday afternoon.

The second amendment is to allow trade on select public holidays. The response to our consultation was overwhelming: people want to shop on select public holidays. It was also evidenced by the number of people who took up that opportunity over the past few years and the number of people who rocked up to closed doors last month.

The feedback we received was that people saw ANZAC Day, Good Friday, Easter Sunday and Christmas Day as days that should be sacred but that shops should be allowed to trade on other public holidays. We know that workers cannot be forced to work on public holidays—that principle is contained and legislated within this very bill—but for some retail workers working on public holidays with the penalty rates that come with that is very sought after.

These changes should be about limiting the confusion about what is open and when. On these days, traders should not have to worry about their floor size or what they sell to know whether they can open their doors or not. This is a simple, pragmatic and clear proposal that will remove much of the confusion and provide certainty for business. It would bring South Australia into the 21<sup>st</sup> century.

Finally, we will move an amendment that will allow all shops to open on Boxing Day. Should the bill pass in its current format, there will be more confusion around Boxing Day than there was previously. Surely this reform should be about making things simpler and easier for people to understand. It is simply illogical, to say the least.

Under this ridiculous Labor logic, they say I should be able to get up and go to the shops on Boxing Day. I can go and buy a flat screen TV, I can go and buy a new set of pyjamas, but in the very same shopping centre I cannot go and buy some Weet-Bix and milk. That is simply a step too far and just plain illogical.

No matter where you stand on this debate, you can at the very least appreciate the arguments against full deregulation and the independent sector's views. But let's be clear: what the Liberal Party is proposing through these amendments is not full deregulation; it is a sensible and pragmatic approach. We are seeking policy outcomes that provide certainty for business, that make things simpler and remove confusion for consumers, and that strike a balance between business and consumers, and that support sustainability. This is an approach that is supported by South Australians and that will bring us into the 21<sup>st</sup> century.

I am certain that those opposite, the Labor Party, will run the very same arguments that they ran against full deregulation five years ago and when it came to the parliament during the last parliament against these very amendments that we put forward today. But this is a substantial shift and those arguments just do not stack up in this context. We support parts of this bill, and ultimately we will be supporting it, because we know the people of South Australia want this issue addressed and they want progress on this issue. This bill in some ways is a step forward.

We are not unrealistic. We understand the realities of the numbers of this chamber. However, we are a pragmatic opposition who is happy when the opportunity arises to give this government opportunities and suggestions where we can improve legislation and improve things for the public of South Australia. We will be moving these amendments to give the Labor Party an opportunity to consider the amendments on their merit so that we can finally have in this state shop trading laws that those opposite so frequently said are for the future and not stuck in the stone age.

**The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (16:12):** I rise to support the Shop Trading Hours (Extension of Hours) Amendment Bill and put my views forward that these are in fact sensible reforms that strike a fair balance between the interests of large corporations, workers, consumers, and importantly small business owners as well. This bill delivers on our election commitment to extend Sunday trading so that shops can open from 9am instead of 11am and permanently allow Boxing Day trading through the city and suburbs.

I am confident that there will be strong consumer demand for these additional shopping hours on Sundays, as locals head to their local shopping centres for various reasons early on a Sunday morning. We also know that Boxing Day trading will be hugely popular, but it also provides midnight trading on Black Friday and three weekdays chosen by the minister in the lead-up to Christmas for those of us who leave our Christmas shopping way too late. It also allows shops to open on additional public holidays when a normal holiday falls on a Sunday and there is an additional holiday that occurs on the next Monday.

The bill also ensures that workers have voluntarily agreed to work on Sundays and public holidays. Importantly, the minister's power to grant exemptions from shop trading rules will be constrained to prevent situations such as under the former Liberal government of granting blanket shop trading exemptions on public holidays.

These reforms will deliver certainty for our community, as we heard, in the lead-up to the busy Christmas period. They continue to support our thriving independent supermarket sector and enable them to compete against the bigger market players. Independently owned supermarkets in South Australia have around 30 per cent of the market share compared to single digits in other states, and that is not an accident.

Not only are these important small businesses able to continue in their own right but they also support a greater proportion of other local small businesses such as food producers and

manufacturers. We see that with our local Foodlands and IGAs supporting local South Australian food producers much more significantly than the big players. There are thousands of small businesses that are too small to supply to these large national and international chains, but they can get their foot in the door of the smaller ones, and therefore we need to do everything we can to ensure that part of the sector is sustainable.

We know that when we reduce the number of independent retailers jobs are displaced, product choice vanishes, prices increase and profits are shifted interstate and offshore. The Malinauskas Labor government has a strong commitment to the South Australian small business community. That is, of course, why we established a dedicated small and family business portfolio and why I have now opened an office for small and family business within state government for businesses to deal with.

As you may be aware, Mr Acting Speaker, I was raised in a family business as a child in my dad's cabinet-making business in our backyard, sandpapering doors on weekends and school holidays with my brothers. I then went on to become a small business owner myself in the last eight years, so I am no stranger to the joys, challenges and the sheer hard work that go into running a small business.

We know that small and family businesses are the engine room of our economy. They make up 98 per cent of all businesses in South Australia and contribute \$40 billion to our economy. They play a critical role in South Australia's economy, improving productivity, creating jobs and unlocking economic growth, but it is not just about the economics. I also want to acknowledge the contribution that small and family business owners make to our communities. Whilst harder to measure, this impact can be felt in their generosity, community spirit and willingness to have a go, and that is very prominent and obvious with our small retailers and our small food producers, etc., who are very supportive of their local communities.

These reforms ensure our small and family businesses are provided with the best operating environment to succeed, in stark contrast to the impacts of total deregulation that those opposite sought to implement when they were in government and even the proposed changes enunciated just now by the shadow treasurer. Total deregulation of shop trading hours will have a devastating impact on small and family businesses across South Australia.

In many cases, as a condition of their lease small and family businesses are compelled by corporate shopping centre owners to open at times they know will be unprofitable. If it is not a condition of their lease, I know from people giving me this feedback personally that there is immense pressure for small businesses in shopping centres to open when they know they are actually going to be losing money.

Business owners cannot afford to employ staff to cover shifts on public holidays and Sundays, meaning they have to work even harder, many more hours, in their own businesses on the days they cannot afford to have staff. This obviously affects not only them as business owners but their families, all the while losing money in the process. This is simply not sustainable, and we would see independent retailers close at a record rate in this state. The argument for further deregulation put forward by those opposite is one that demonstrates how out of touch they are with the small business community in this state.

On the back of establishing the Office for Small and Family Business and announcing the development of a small business strategy for South Australia, I have launched an extensive statewide engagement process with small businesses. We plan on having 20 round tables across metropolitan Adelaide, and I think there have been 10 or 11 across the regions as well. A number of industry sectors have been consulted, including hospitality, retail and tourism. Around the regions, we have had round tables around Port Pirie, Port Augusta, Whyalla, Eyre Peninsula, Fleurieu Peninsula, Barossa, Kangaroo Island, Riverland, Murraylands and the Adelaide Hills.

In addition, we had 17 in-depth interviews with key stakeholders and industry representatives who shared their experiences of what it is like to be a small business operating in South Australia. We received a significant amount of feedback and we are continuing to do that through the round tables, interviews and the online survey. The key themes are around the workforce, specifically skills attraction and retention of talent. Some of that feeds into housing—in particular, a lack of housing

amongst the regions—a lack of infrastructure in regional towns and access to child care. Cash flow management is a key feature of some of the feedback.

We know that COVID had an impact on small businesses, particularly in certain sectors, but they are now being impacted by rising inflation, rising interest rates and rising costs of imports, etc. Supply chain issues have been raised also, including the availability of materials, causing delays in certain sectors, and access to the internet and NBN reliability in certain areas, again particularly in the regions.

I mention these round tables in particular because many businesses were participants in not only the round tables but also the small business survey; in fact, about 1,200 people responded to the online survey. We have consistently heard how small businesses felt abandoned by the previous government, how stakeholders were shut out and how, in comparison, they are appreciative that we are having these discussions and seeking this feedback.

Consultation with the business community through this engagement process and countless other discussions has reaffirmed the support of many of our policies, including reforms around our procurement system in South Australia, the re-establishment of Brand SA, our See it LIVE program to support live music and hospitality venues, and our Women in Business program, and of course significant consultation has occurred in relation to our shop trading hours.

We know that Business SA, South Australia's peak Chamber of Commerce and Industry, is supportive of these reforms. Business SA's CEO, Andrew Kay, noted the bill maintains the balance between allowing shops to open longer and supporting South Australian businesses. This government has a strong commitment to working with businesses, industry associations and worker representatives to develop a consensus and deliver positive, practical change for our community.

For example, the suggestion from those opposite, from the shadow treasurer just now, to open until 6pm on weekends flies in the face of providing support for small businesses. On a Sunday, when a lot of these small businesses are unable to afford workers to work and owners are there themselves, they are often there for an hour or so before opening—so from probably 8 o'clock on a Sunday—and if shops do not close until 6pm, they are likely to be there until probably 7pm to clean up and close down their shops. The practical reality of those suggestions would have a significant impact on small businesses over the weekends.

The balance that we strike with this amendment bill I think is the right one for small and family businesses. They do so much for South Australia, for our communities, and we want to be able to provide the best support we can to help them do what they do best. I commend this bill to the house.

**The Hon. D.G. PISONI (Unley) (16:22):** The bizarre thing about the government's very limited changes—and in fact they are winding back the clock with public holiday trading—is that their claims just simply do not stack up to fact. The Minister for Small and Family Business I think used the term, 'Businesses will close at a record rate if there's further deregulation of shop trading in South Australia.' Outside of metropolitan Adelaide there is no regulation of shop trading.

With the regulations that enabled public holiday trading during the previous government, we saw fewer businesses closing in South Australia than in the previous four years. More businesses moved into administration and receivership in that period than they did during the four years when we had public holiday trading throughout South Australia. This myth that the union movement, the shoppies union and this government are using to further constrict shop trading opportunities in South Australia does not stack up against the facts.

The facts are that there are many independent supermarkets in cities in the Eastern States that thrive. One that comes to mind is the Kingston Supabarn in Canberra, which competes against Coles and Woolworths in other shopping areas. It is a destination shop. It is where people go because of the stock that is available, the produce that is available, as well as the quality, the pricing and the service that is available. That is how they win and grow their business.

It is a family-owned business operating in a very large supermarket. Under South Australian laws, that small family business would not be allowed to be open on public holidays or beyond 5pm on a Saturday or a Sunday.

The changes the government is implementing mean that if you are locked into a five, eight or 10-year lease in a shopping centre whose only anchor tenants are supermarkets you are going to be disadvantaged against those shopping centres that have bulky goods, such as places like Harvey Norman, Fantastic Furniture or other destination-type shopping, because those big businesses will be allowed to trade on public holidays. They will bring people to the supermarket.

If you run a cafe somewhere that has a Coles, a Woolworths or a Foodland that is over 400 square metres you will not be able to open. People will not go to that shopping centre on a public holiday and go to their clothing store, their snack bar, cafe, shoe store or their mobile phone store because they want to do their home shopping at the same time.

They will go to shopping centres in the city. They will go to the city, which is the only place where supermarkets will be allowed to open to purchase their shopping. All those businesses will miss out on that opportunity, yet they will pay the same rate of land tax, they will pay the same amount of money per square metre for their rent, they will pay the same insurance and they will pay the same penalty rates, but they will be deliberately disadvantaged by this legislation.

It is a nonsense that there are leases at shopping centres for small businesses to sign that say they must be open when the shopping centre is open. Has anyone been to the Unley Shopping Centre on a Sunday? I go there often, and you are lucky to see a small store open. They have all chosen not to open. There is no penalty for them not to open, whether it be the newsagent, whether it be one of the many clothing stores there or whether it be the cafe.

Bakers Delight is open. They have chosen to open, and the butcher is open, but they are right opposite the supermarket. While people go to Woolworths or Coles at the front of the centre they are calling into those smaller businesses. There is just no logic. It is a policy developed through lack of life experience is how I describe this legislation.

The government has been pushed kicking and screaming for an extra two hours on a Sunday. We are told that this is great for the economy, but then we heard from the minister previously that an extra two hours on the weekend from five until six on a Saturday and from five until six on a Sunday will be devastating for the economy. This does not make sense.

It is a bit like the language these Labor MPs use to their audience, the union movement. They think that it applies out in the real world as well, but it does not because the real world is much more experienced than the Labor members of parliament who have cut their teeth in the union movement and learnt to manipulate people on their way up the greasy pole of the union movement.

It was also quite extraordinary to hear Josh Peak on the radio this morning complaining about the profits that Westfield makes in discussions about what is happening with boom gates going in and security guards, for example. What Mr Peak does not realise is that every single shoppies union member is in a superannuation scheme that relies on profits from companies like Westfield and the banks and others that the left tend to criticise for being profitable for their superannuation being able to support them in their retirement.

If those companies that their superannuation is invested in are not making profits, then they will not have a very comfortable retirement. That is the system we live in. It is a free enterprise system, and thank God it is a free enterprise system because we saw that the socialist experiment of the Soviet Union only lasted 70 years before it collapsed. We know that sustainable jobs come out of a private sector economy, one that is not constrained by government. This legislation is a constraint on business.

While we are talking about a company like Westfield, Frank Lowy arrived in Australia in the late 1940s with a suitcase and nothing else. He started with his own shop in a shopping centre. He then bought that small shopping centre and his business grew from there. He was a small business person. This is the Australian story: migrants and native-born Australians starting on the bottom rung of the ladder and developing the companies that go on to employ people, that go on to contribute to the wealth of superannuation funds for every working person in Australia—including people in this chamber.

Despite some of the comments we might get about the parliamentary pension, we are superannuant reliant, just like every other employee in the country. Thank God the companies that

the superannuation fund I am a member of make profits because, if they did not make profits, my superannuation would be diminishing every year, despite the contribution that was made not increasing. So I am not one of those people who will go out there taking cheap shots, pointing at a large company and saying, 'Look at all the money they are making,' because I know that the money they are making goes to shareholders and that superannuation funds are major shareholders in those companies.

Self-funded retirees, those who manage their own superannuation, rely on those funds. In 2019, we saw federal Labor lose the unlosable election because they attacked people who set up their retirement funds on franking dividends. One person I have known for a very long time, as the member for Unley, in Unley, was a member of the Labor Party and worked on every campaign. We have a very friendly and cordial relationship. He voted Liberal for the very first time in 2019 because his entire superannuation was based around franking profits or franking taxes—or the lack of franking taxes—based on his share portfolio. That is how the private sector works.

What we are seeing with this bill is a constraint on the private sector. Those future Frank Lowys are being constrained as to when they can trade—and future expansions of shopping centres are being constrained by when they can trade—or they are postponing or deciding not to expand their shopping centres. They employ architects, engineers and tradespeople and more shop workers when they expand, as they would do if they were unrestricted with their sales, or at least if they had more options to trade, particularly on public holidays.

We have seen people expecting to be able to shop on a public holiday. We saw that with the October Labor Day weekend, when people turned up to suburban shopping centres expecting to be able to shop and saw that they, of course, were unable to. You only have to go to places like Harbour Town, where those shops that can block off a change room to bring themselves into the appropriate size to enable them to open do so.

Places like Ralph Lauren, for example, instead of having four change rooms open, as they would normally, would have only two so they could trade on that day. This is how ridiculous these laws are, and they would only be designed by a government that does not understand the private sector, that does not understand small business and that does not understand how markets work or how people who choose to run their own businesses want to have the freedom to run them.

There is no doubt that, sure, this legislation will give South Australians an opportunity to shop for an extra two hours in metropolitan Adelaide, but people in the regions have been doing that and more for as long as I can remember. If it is so important to have these constraints on trading hours for shops over a certain size in metropolitan Adelaide, why is this legislation not an opportunity for the Labor government to extend it statewide? Why do they not do that? Either it is right or it is not. It is not right based on geographic considerations. It is either right or it is not right. This is what makes the constraints within this bill so nonsensical and very political.

We know what the driver is. We know that the shoppies union like the regulated area in which they work. It means that union officials can get their weekends off, not work too late or get up too early to service their members. This is all about the shoppies union. It is not about big business or small business. It is not about those who want to have the ability to have a full day out with their families, for sport or at the beach, and then call in to the supermarket on the way home maybe at five past five to grab something for dinner. It is not about those people: it is about those who have a vested interest in the retail area.

Something else you will see if you turn up at about 10 to five at Unley Shopping Centre, particularly at Woolworths, are rows and rows of people with their groceries who have rushed to get down to the shopping centre to buy something for the evening meal or for the kids' lunches in the morning and who have not had the opportunity to get there earlier. It will take them up until 5.30 or so to get through the check-outs—but them's the rules. That is why the amendment to extend these shop trading hours to 6pm on Saturday and Sunday makes good sense because it works well with the lifestyle that South Australians have and enjoy and a lifestyle of more flexible working.

One thing that COVID has taught us is that there are so many more things you can do outside business hours that are related to your business. There are things you can do at home that you do not need to necessarily do at work anymore. We are seeing a lot more flexibility. The workplace is a

lot more fluid. It may be work, it may be a branch office, it may be a head office, it may be a regional office where you might spend some of your time, so it is important that our community and our society reflect that flexibility and those changes in lifestyle we have experienced in South Australia.

**Ms HOOD (Adelaide) (16:38):** I rise in support of the Shop Trading Hours (Extension of Hours) Amendment Bill 2022. With the successful passage of this bill through the parliament, South Australians can soon wake up on Sunday mornings to a brave new world, one where you can shop from 9am on a Sunday.

If you have run out of milk and flour for Sunday morning pancakes—no problem. Want to get the school shop out of the way a couple of hours earlier? Done. Visiting our amazing capital city and want to squeeze in some shopping in Rundle Mall and Rundle Street before the drive or the plane flight home? You can go for it. This bill represents the most significant reform to shop trading hours in a decade, and it is an example of how the Malinauskas Labor government is a government that is delivering on its election commitments and getting things done.

The main changes in this bill are to extend shop trading hours so that shops can open at 9am instead of 11am; allow Boxing Day trading across the CBD and suburbs, other than for large supermarkets, with small supermarkets still able to trade; allow midnight trading on Black Friday and on three weekdays chosen by the minister in the lead-up to Christmas; and ensure that shops can only open on Sundays and public holidays if workers have voluntarily agreed to work on those days.

We are also maintaining current rules that allow only small supermarkets to open on public holidays and during the new Boxing Day trading. This is important, as it shows our support for South Australia's thriving independently owned supermarkets, like the Hutt Street IGA and the FoodWorks on O'Connell Street in my electorate of Adelaide. Independently owned supermarkets have around a 30 per cent market share in SA, compared with just single digits in other states. The Malinauskas Labor government recognises this, we celebrate this and we support those hardworking small and family business owners.

It is important to note that the Malinauskas Labor government has consulted widely on this bill, including with Business SA, the National Retail Association, SA Independent Retailers, Food SA, Bunnings, Kmart, Rundle Mall, Drakes Supermarkets, the Australian Retailers Association, SA Unions, the United Workers Union and my union that I am incredibly proud to be a part of, the SDA.

The Malinauskas Labor government is a government that delivers on its election promises. This bill delivers on our election commitment to reform shop trading hours by providing more shopping hours for customers while also protecting workers' weekends and backing local small businesses. It strikes a fair balance between the interests of large and small businesses, workers and consumers. With those comments, I commend this bill to the house.

**Ms THOMPSON (Davenport) (16:41):** I rise, too, to offer my support for the shop trading hours amendment bill presently before the house. The bill strikes a fair balance between the interests of large and small businesses, workers and consumers. To make sure we got it absolutely right, and to ensure that we deliver positive and practical reform, the Malinauskas Labor government consulted with a wide range of industry stakeholders.

We asked Business SA; SA Independent Retailers; Drakes Supermarkets; Rundle Mall; Shopping Centre Council of Australia; Australian Retailers Association; National Retail Association; Motor Trade Association SA; Food SA; Bunnings; Kmart; SA Unions; Shop, Distributive and Allied Employees Association; and the United Workers Union, not to mention all the local retailers my Labor colleagues and I spoke to and consulted with one on one. We listen before we deliver.

The main changes in this bill are to extend Sunday trading so shops can open from nine instead of 11am. We will allow Boxing Day trading across the CBD and suburbs, excluding the large supermarkets but of course allowing small independents to trade. We will allow midnight trading on Black Friday and on three weekdays chosen by the minister in the lead-up to Christmas.

We will allow shops to open on additional public holidays, such as when a normal holiday falls on a Sunday, and an additional holiday then occurs on the following Monday. We will ensure that shops can only open on Sundays and public holidays if workers have voluntarily agreed to work



on those days. We will tighten up the minister's power to grant exemptions from shop trading rules to prevent situations such as the former Marshall Liberal government granting blanket shop trading exemptions on public holidays.

Small independents operating in my electorate of Davenport see the benefit in, from time to time, being the only ones open. My neighbours and I know that, even on a public holiday, we will be able to pop into the O'Halloran Hill IGA for our essentials and while there we will probably spend some money at the other small locals, like Its n Bits next door that tells me that they rely on these special holidays to boost their takings.

By maintaining current rules that allow only small supermarkets to open on public holidays and during the new Boxing Day trading, this bill supports South Australia's thriving independently owned supermarkets in competing against the bigger players, like Coles and Woolworths. Those opposite have said that will be too confusing for the people of South Australia.

Independently owned supermarkets have around a 30 per cent market share in SA and that is huge compared to the single digits in other states. Unlike those opposite, we think that this is worth protecting. Our government's policy is that public holidays are an important time for workers to have a day of rest, to spend with their friends and with their families. The government does not intend to grant blanket shop trading exemptions on public holidays.

In comparison, the Liberals think that public holidays should be just another day for retail workers to spend on the job. Under the new exemptions process, the minister must consult with peak bodies representing both business and workers and can only grant an exemption if there is majority support amongst industry stakeholders, including the support from both worker and business representatives.

This ensures exemptions are only used where there is clear industry consensus. The government will continue to consider shop trading exemptions to support special one-off events that are of value to the South Australian community. This just makes sense and responds to what industry stakeholders have been calling for. In contrast, the Marshall Liberal government spent four years pursuing a failed ideological crusade for the total deregulation of shop trading in South Australia, but 24/7 shop trading was repeatedly rejected by unions, the business community, the parliament and the voting public.

The former Treasurer tried to fully deregulate shop trading hours twice in the last term of parliament and both attempts were rejected by every non-Liberal member of the upper house. Then opposition leader Peter Malinauskas offered a compromise but this was rejected by the Liberal Party at the time. They refused to pass widely supported deregulation of Sunday trading hours to 9am, instead taking an all-or-nothing approach.

Unlike those opposite, the Labor government is committed to progressing widely supported reforms which provide more shopping hours for customers while also protecting workers' weekends and supporting local small businesses. Importantly, this bill fulfils the government's election commitments to reform shop trading hours. This position was widely supported prior to the election by the unions and business groups alike and, importantly, by the people of South Australia at the ballot box. I commend this bill to the house.

**Ms SAVVAS (Newland) (16:47):** It is a great pleasure today to speak in support of the Shop Trading Hours (Extension of Hours) Amendment Bill. The reason that I am proud to be speaking to it today is that I am always proud to be speaking in support of regular people, working people, particularly those in the north-eastern suburbs who were continually left behind by the previous government.

I remember all too well the response of the community to the continued failed efforts of the previous government to fully deregulate shop trading hours in South Australia. They of course unsurprisingly refused to listen to retail workers. Although that is disappointing, it is not surprising because that is what Liberals do. More surprising, however, was their continued pursuit of the campaign against business, against farmers, against their core supporters, particularly those independent grocers who here in South Australia under Labor governments have had the opportunity

to thrive on public holidays, particularly out in the burbs where they actually have an opportunity to compete against major supermarkets.

In the same way, our small businesses, family-owned cafes and butchers have the opportunities under our government and under this bill to compete on public holidays against large chains if, of course, they want to. The Marshall Liberal government spent four years pursuing their crusade for total deregulation of shop trading hours. They did so twice in the last term of parliament and failed to succeed. We came with an alternative. Our government has had a consistent shop trading policy since 2018 and we are introducing this bill to get the balance right, a fair balance between large businesses, small businesses, workers and consumers.

We have consulted with a large range of industry stakeholders on this bill for positive reform, speaking not just with workers but with Business SA, SA independent retailers, Bunnings, Kmart, the retail association, unions and of course working people themselves. As opposed to full deregulation, this bill will:

- extend Sunday trading;
- allow Boxing Day trading across the CBD and suburbs—other than for large supermarkets—continually allowing our small IGAs, Romeos and the like, to benefit;
- allow midnight trading on Black Friday and on three weekdays in the lead-up to Christmas; and
- most importantly for me, and for so many others, allow that shops opening on those days are voluntary workdays.

There are lots of benefits to this bill. Maintaining current rules means that only small supermarkets can open on public holidays and Boxing Day, which will continue to support those independently owned supermarkets that thrive in South Australia.

Here in SA our unique trading hours model is one of the reasons we have one of the most competitive supermarket sectors in Australia. It gives small family businesses, like our independent grocers, the opportunity to compete against big supermarket chains. Here in SA our independently owned supermarkets have around 30 per cent of market share, compared to single digits in other states.

The reason for this bill and for our compromise is simple. First, we can accept that it is time to see some shopping on days like Boxing Day and that there has been demand for sales and things on those days in other states. Secondly, we can also accept that everyone does deserve a day off work.

I personally spent many years working at TTP in hospitality and have also worked in fast food—and at one stage, believe it or not, as a union representative. That is not something I am ashamed of. The opposition has spent a significant portion of their day today throwing stones at government members who have spent their time representing real people. They have spent a significant portion of their day throwing stones at government members for maintaining a relationship with an organisation that represents real people, one of the largest unions in the country and the largest youth-based membership organisation in the country as well.

I am not ashamed, and will never be ashamed, to have represented working people, and I will continue to do so for the rest of my life. I am also not ashamed to have been a working person myself. It is actually because of my time as a union representative that I know why it is important to get the balance right. It was there, working for the Shop, Distributive and Allied Employees' Association, that I was truly able to understand the toll that weekend work takes on essential workers, the people putting food on our tables.

It was when visiting night fill workers at Woolies down at Woodcroft and staff at McDonald's at midnight on Hindley Street that I saw with my own eyes how hard regular people are working to serve our communities at all hours of the night and weekend. I did hear the member for Hartley's very cheap shot saying that the SDA only supported regulated trading hours so that union officials could have nights and weekends off. On our side of the house we actually know that all people have

the right to a fair roster and time with their families, but we also know that working people often do not get that.

That is why, just like I did, our union officials work night after night, weekend after weekend, meeting members at the time they are actually at work. Meanwhile, the previous Liberal government—earning triple, quadruple, five times the salary of retail workers at times—took a five-month break from parliament right before the election. Retail workers do not have that luxury, and neither do their union officials. I think that says it all.

I went to visit Tea Tree Plaza on a weekend right before a long weekend, after we had won the election. I will not name the coffee shop I went into, but I will share the conversation I had. The owner and manager of the shop asked me what I did for work, and said he had recognised my face. We had quite a lengthy chat, and he asked me to do one thing: pass my thanks on to the boss. He said he had worked every public holiday, as had his wife and kids, of the past four years across his several shops, as they could not afford to pay penalties as a small business, but equally they could not afford to close up shop when the rest of the centre was open. He wanted to thank the Premier and our team for his first day off in years.

The story was very much the same when I went up to buy an item of clothing at a retail shop upstairs. That staff member, who does know me particularly well (I spend a lot of time stimulating the local jacket economy), said exactly the same thing: she thanked us for the first day in years with her kids. Today, I am very proud to be supporting this bill, to be speaking on behalf of regular people in the north-eastern suburbs, those who do deserve a day off.

I would like to say a special thank you to the retail workers who have stood up for their rights in this debate, to the supermarkets, particularly independent grocers, who have stood up for theirs, and—surprise, surprise—to the retail union for continually standing up for their members, over 250,000 members across this country. I commend the bill to the house.

*Personal Explanation*

**LOCAL GOVERNMENT ELECTIONS**

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (16:54):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. G.G. BROCK:** During question time today, the member for Flinders asked several questions of me about a member of my ministerial staff actively participating in the council election process. I have since made inquiries in my office to understand the context of the member's questions. I have been advised that my adviser for veterans affairs had sent the text that was read out by the member for Flinders during question time today.

While he has not contravened any rules regarding council elections, he has advised me that he will cease all activities regarding the upcoming council elections. My adviser is a hardworking and long-serving current elected member of a council. He is not contesting the current council elections and will therefore cease to be a local councillor once the elections have been declared in a few weeks' time.

However, I wish to make it clear that, because of his status as a serving councillor at the time that he commenced working in my office, at my direction he has not participated or contributed to any matters pertaining to the local government portfolio.

*Bills*

**SHOP TRADING HOURS (EXTENSION OF HOURS) AMENDMENT BILL**

*Second Reading*

Debate resumed.

**The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (16:55):** I rise to support the Shop Trading Hours (Extension of Hours) Amendment Bill 2022. As my colleagues have noted, these reforms seek to find a reasonable balance between the

interests of large and small business, corporate and independent businesses, and workers and consumers. Extending Sunday trading was an election commitment of the incoming Malinauskas Labor government. As a government and in opposition, we listened and consulted with stakeholders to find the right balance.

Under this legislation, shops can open from 9am instead of 11am on Sundays, and it will permanently allow Boxing Day trading in the city and the suburbs. As we saw in data released this weekend, the Adelaide CBD is seeing the strongest return of activity of any city in Australia. No doubt, these reforms will see this data improve even more as people get out and support small businesses at the extended hours of trade introduced here.

We have seen significant disruption and unpredictability in recent years and these reforms will finally provide certainty ahead of the upcoming Christmas season. We know because the business community have made it very clear that the most frustrating things for them and their employees are uncertainty and the inability to plan ahead. The Malinauskas Labor government is working hard to support the South Australian small business community, whether they be local producers, small family manufacturers or independent retailers.

The total deregulation of shop trading hours proposed by those opposite just prove the Liberals' total lack of understanding or support for our small and family businesses in South Australia. The Liberals' proposed deregulation would have supported corporate interests at the sacrifice of small and family business. In other states, the independent supermarket sector barely rates a mention. In South Australia, we are fortunate to have a strong independent supermarket sector representing 30 per cent of our total market share.

In my own electorate there are two significant independent retailers that in recent years have not only built new premises but one completely rebuilt what was a very tired shop and has done extremely well. They need this kind of certainty to know that they will not be squeezed out to have that kind of investment. It is always a delight for me to see people getting jobs there, particularly the one in Salisbury North which employed another 40 people when they rebuilt their supermarket. They renamed it a Drakes supermarket, and it has been a great asset to the community.

The Chapleys have invested heavily in Saints shopping centre; the member for King and I frequent a very good cafe there. That was a significant investment where there was a great gap in the market, and it has an extensive range of South Australian products. When you go in, there is a fantastic array of about 100 cheeses you can choose from. I went to CheeseFest on the weekend, but really I could have just gone to Saints Shopping and enjoyed the same diversity. This 30 per cent of our market share is something we should be proud of in South Australia. It gives that competition.

When many small family-owned brands would find it impossible to get on the shelves of a national corporate chain, smaller independent supermarkets are far more likely to support and stock these local alternatives. As a government we supported Brand SA. It was cut by the previous government, but we are bringing it back again. We know how much South Australians like to understand where their product is coming from. They really do want to support South Australian businesses. We remember the Spring Gully story: they were on their knees, we turned it around and made sure that we reached out for their product more and more.

When you are in a supermarket, that Brand SA label stands out. I was picking out some olives the other day and I had a look around and found some from Penfield, and that was in our local shopping centre. It was something I chose, and I could pick it out easily because it had the Brand SA label.

Another important difference between us and those opposite is the introduction of a limitation on the minister's power to grant exemptions for shop trading rules. This will prevent a repeat of blanket shop trading exemptions on public holidays by the previous Marshall Liberal government. That created enormous unpredictability over the past years. I think about when the former Treasurer would make these declarations about exemptions. He thought it was a sign of control, but what it lacked was leadership.

On coming into government, we made it very clear that we were going to solve this problem once and for all. We were very clear and very open, but the reality is this could have been done

under the previous government. We put it to them time after time after time: 'Here's a reasonable way forward. This is the best of both worlds for everyone.' But the stubbornness, the control, the ridiculousness of wanting to have that power to talk about the exemptions took away from what we should have been focusing on: the people who have invested in shops.

As Minister for Multicultural Affairs, I often hear stories about people who have made the decision to open up a shop with food from their own culture. It is a wonderful place for people, whether they are here as an international student, a skilled migrant or a humanitarian migrant, to go to shop and buy those foods and products they miss so much from home. These are small shops and they trade as often as they can. We want to give them that opportunity, particularly on public holidays, to continue to trade with that certainty around the framework.

Of course, we are also proudly and strongly focused on supporting employees. The bill ensures that workers' rights to public holidays are protected and that only those who have voluntarily agreed to work on Sundays and public holidays will be required to. Like a few people in this house, I also worked for the shoppies union. I worked for them for seven years, both here in South Australia and in Northern Territory.

I spent a lot of time talking to people about their rights, advocating for occ health and safety conditions, talking to them about workers compensation and the negotiations through enterprise bargaining agreements. More than 10 years ago, I ran in a by-election and they said, 'We remember you. You used to work for the SDA and you came and organised at Coles at Hollywood Plaza.' They were still working there and they remembered the connection I had and knew what we had done to increase the income for shop workers.

When I think about this bill, I think about the people I see. I think about the delegate who is at Big W who calls me out every time I go into Parabanks and says, 'Zoe, how's it going?' She came along to one of my street-corner meetings just last week and said, 'I have been working there for more than 20 years.' I know that she relies on having choices when she works. She is incredibly committed to the job that she does as a delegate in the workplace and is committed to her colleagues she works with.

This bill will ensure the right that her public holidays be protected and that it will be a voluntary agreement for her to work on Sundays and public holidays. This bill gets it right and it shows our leadership and why we were so successful at the election. That is why I am proud to stand here to support the bill.

You have to ask yourself why it took so long. What was the ambition for constant exemptions? If we look at the last two years, we had incredible challenges. Let's be honest, our shop assistants took one hell of a beating—people demanding the bread on the shelves, the missing eggs, the flour, the pasta—with the abuse they took. Then we gave them a lack of certainty about whether they were trading on a public holiday or not. They had to wait until the former Treasurer decided whether he wanted to be political about the situation or not.

We have been in this house to pass other legislation to support workers in shopping centres and in pharmacies to make sure that those assault laws are strengthened because there is an incredible amount of abuse that people face in these situations. Whether it is that they did not like the bag they had, whether they were asked to wear a mask, whether they were asked to use hand sanitisers out the front, I saw with my own eyes people who said, 'I don't believe in the virus,' when the shop assistants were simply trying to protect themselves.

Over this very challenging period, our shop assistants have been dealing with some of the most challenging times. While the rest of us were at home, we were asking them to work, and that is why realising that they are essential workers is so important. Whether you work in a supermarket, whether you are working as a pharmacy assistant (they were also named as essential workers), we know that during that very challenging time they dealt some horrific language and physical abuse.

Often, we see people starting their careers—you can start work at 14 years and nine months. It might be someone's first job, working on the register or packing the shelves, yet they were experiencing this extraordinary abuse. We know that the majority of shop assistants are still female. That has been the tradition. My experience with people is that they often have had their kids, they

have worked there casually and they come back part time. But that part-time work is incredibly important to pay the mortgage.

The commitment that people have working those jobs—we need them to be there, to be efficient to be supportive of people finding things. These are jobs that are necessary for our whole life to keep going. Actually, we saw that more and more when there were restrictions. We can all remember the toilet roll debacle of 2020-21 and how people were being blamed for something that was simply out of their control.

When I think about shop assistants, when I think about the lack of certainty, when the opportunity arises it is imperative for us to show leadership, to recognise the role they play and to recognise what it is that we need to give them certainty and predictability. When we think about this conversation about shopping centres, people often say, 'You've got one way and we've got the other.' What we are trying to do here is work out that compromise.

We went out very clearly to the people of South Australia in our election campaign in 2022 and said, 'If we are elected, this is what we are going to do.' It was one of many things that we said we were going to do. In fact, this week it was such an absolute honour to see that our former Prime Minister Julia Gillard is going to lead the royal commission looking into access to preschool for three year olds—something that is so important for our future and also one of our election commitments. So, bit by bit, those commitments we made to our electorate we are rolling out.

But this is probably one of the areas where people scratch their head time and time again and say, 'Can't you guys just work it out? What are you going to do here?' Every time we come up to a public holiday the former Treasurer said, 'Let me have a think about it. What can I gain from this? What can I do from this?' Then he would make an announcement, put out a media release and then somehow blame the shoppies union. Why are you blaming the workers? Why are you blaming the union that represents the workers? Why are you blaming a union, where the majority of members are female, part-time casual workers, for wanting stability?

You have to question yourself and ask: why did it take a change of government to take this leadership? We know it takes a change of government to do a lot of things—the commitments we put forward and what we think is right for this industry. Even the very exciting opportunity with hydrogen we put that forward to be bold, to be brave, to see that we already lead in renewables. We took a big decision back then when we looked at wind farms. We have the highest rate of solar on our homes. I think it is second highest rate, and overall I think we are second only to Denmark in renewable energy.

We were prepared to take bold moves, and we put that out as an election platform, whether it be hydrogen, whether it be the royal commission for three year olds, looking at how we can improve our rates in education—because we must lift our rates for our kids and our grandkids to get those jobs for the future. Along with that, we put in there about the stability to put this issue finally to bed, to say that this is what we are going to do. We take on board that what we have here is something that other states do not have, that is, 30 per cent of independent retailers.

As I have said already before, we know that those independent retailers are more likely to have South Australian product on their shelf, and that feeds in jobs and that feeds in opportunities. Not only do those retailers continue to develop here but the opportunity is when they build strength for them to export as well. They might start by sending their products to the Eastern States once they have gained a foothold here, and then confidence comes to potentially go overseas as well.

I am very proud to be a minister and to be a member of this government who said what we were going to do leading up to the election and we continue to do so as we roll it out. This might seem a small thing to some people, but to those workers, to those shop owners, this provides stability, predictability and a clear way forward. I support the bill.

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (17:13):** I always look forward to debates on these matters of shop trading hours and shop trading hours reform because we have seen a remarkable change in what side of politics stands up for who when it comes to pursuing changes here.

After the 2018 election, the then new Liberal government said that they wanted to completely deregulate shop trading hours. They thought that we should move to a system that we see in existence in particularly the Eastern States, where shopping hours are deregulated. Those businesses that have all the advantages of perhaps being part of or exclusively listed companies—with all the financial resources that come with it and the benefits of scale—can gradually take over greater and greater market share and squeeze out South Australian small businesses.

We went and spoke to South Australian small businesses and asked them what they wanted, and they sounded the alarm bells. They know that here in South Australia nearly 30 per cent of grocery spending is done in independent retailers—not Coles and Woolies, but those grocers who are predominantly South Australian-owned and operated: the Drakes, the Foodlands and the IGAs.

As a result, we have amongst the lowest grocery prices in the country—something that is front of mind for all Australians at the moment, including here in South Australia. We also have the greatest product diversity on grocery store shelves, which means that if you are a food producer or food manufacturer in South Australia and you want to get your product on the shelf in a supermarket, you have a much better chance of doing that with an independent retailer, getting your foothold in the market because a fellow South Australian small business will support you.

For those reasons, we rejected the idea of shop trading hours deregulation and instead proposed some minor reform in keeping with some of the feedback that we had received, both from those South Australian small businesses and also from consumers, from customers. We offered to work with the then Marshall Liberal government to increase trading hours, principally on Sunday mornings to 9 o'clock, but that was rejected outright by the previous government.

Their arguments, of course, are spurious and based on mistruths. They claim that if you want to go and get a carton of milk or a loaf of bread or a box of Weet-Bix you cannot do that in South Australia at times when you can do that in other places around the country. That is entirely false. If anybody in this chamber does not know where to go to get a loaf of bread or a litre of milk or some orange juice or some other everyday grocery item, I would be happy to help them. If it is not an independent retailer—a grocery store owned and operated by a South Australian—a small retailer that enjoys extended operating hours compared to Coles and Woolies, then it is likely to be a local service station. So these needs can always be met for consumers.

The position that is put out by my portfolio officer, the member for Colton, that you can buy a flat screen TV at times when you cannot even buy Weet-Bix, is blatantly untrue. It is blatantly and deliberately misleading and untrue. We had that debate on radio. So really this is a debate between those opposite who want to do the bidding of the large national and multinational retailers—Coles, Woolies, Aldi and, in the moments that they were here, Kaufland, and others—and the interests of South Australian small businesses. We do not support that.

I think it is a shame that we see the traditional party of small business, as they like to posit themselves, the Liberal Party, turning their back on South Australian small businesses in this way. We of course took into account the interests of South Australian small businesses not just on shop trading hours but on other important reforms, such as during the debate on land tax. Whether it is shop trading hours or whether it is land tax, we will always stand up for those small businesses that drive our economy.

I advised the house today that, according to the latest ABS statistics, there are more than 890,000 people in work in South Australia. The vast majority of them—approximately 790,000—are employed in the private sector, not by government. The vast majority of those people employed in the private sector are engaged by small business. That makes it clear who does the heavy lifting when it comes to employing South Australians. That makes it clear who is driving the economic output of our state: it is the small business community. That is why they deserve our support.

These reforms are balanced. They take into consideration the need to maintain a balanced set of shop trading hours to provide for some extra opportunities, particularly on Sunday mornings but also on Boxing Day, so that South Australians can shop. They also constrain the outrageous practice of what in some quarters was argued as an abuse of ministerial power by repeatedly issuing exemptions against the spirit of the shop trading laws and enabling large retailers to operate.

I of course support this bill. This is an important reform and we hope that those opposite turn their minds to the interests of small business in South Australia. I always think there is a good way of looking at this and that is if you step outside your front gate at home and look down the street, you might see nine or 10 houses, which are neighbours, of course. All but one of them will be employed by South Australian small business. The other is statistically likely to be employed by government. For those of us in here, it might be us, of course. It just goes to show that the vast majority of people across South Australia are engaged in small business, and it is important that we support them. I support the bill and I would urge others to do the same.

**Mr PEDERICK (Hammond) (17:21):** I rise to discuss the Shop Trading Hours (Extension of Hours) Amendment Bill. Certainly, as country members, essentially we have been in the 21<sup>st</sup> century for all of it and have extended shop trading hours, but I will talk about that more shortly. We absolutely welcome the proposal to extend shop trading hours on Sunday mornings, opening them at 9am rather than the current 11am, and we also support the proposal to secure Black Friday trading and changes around additional public holidays.

However, we certainly believe that the proposed changes can go even further. As I indicated earlier, we do need to head into the 21<sup>st</sup> century, and we need shop trading laws that better represent the current expectations of the public to allow bricks-and-mortar shops to compete with the online marketplace while maintaining a balance that supports the sustainability of all businesses in South Australia.

As we understand it on this side, the Labor government have made it clear that they will not be providing exemptions to allow trading on public holidays, as was done by the previous Marshall Liberal government. We should be moving the state forward, not living in the past, which makes things harder for people.

We have also had a period of consultation from this side of the house to better understand what South Australians want and when they want to be able to shop. We are certainly not proposing that shops and supermarkets should be open 24/7 or at 2am, but we do believe that sensible and pragmatic changes can be made to better reflect what the community in South Australia wants.

There is support from the South Australian public in regard to what I will call the urban shop trading hours for shops to close at 6pm rather than 5pm on Saturday and Sunday afternoons. We are also proposing to allow shops to trade on select public holidays should they wish, but our public consultation process also made it perfectly clear that people do want to see shops closed on Good Friday, Easter Sunday, ANZAC Day and Christmas Day, and that is absolutely sensible.

I hear the commentary here today about small business competing with the bigger national supermarket chains. I can certainly speak for the electorate of Hammond and for Murray Bridge and Tailem Bend because we have one supermarket in Tailem Bend, a Foodland, and they have quite extensive opening hours. In fact, Roger Drake brought one of the Woolworths stores to Murray Bridge—Woolworths were running two for a while in Murray Bridge—and they are open from 7.30am to 8pm, seven days a week.

I remember the former member for Florey asking former Premier Marshall a question in this house one day about Drakes and what he thought of extended hours. I was the Government Whip, and I whispered to the Premier, 'They've just bought one in Murray Bridge two weeks ago and opened it up, and that means that you're operating extended hours.'

Foodland at Tailem Bend is a lovely little shop. You can get pretty well everything you need from 7am to 7pm, seven days a week. Woolworths in Murray Bridge: 7am to 9pm, seven days a week. Coles in Murray Bridge: 6am to 10pm. Aldi in Murray Bridge: 8.30am to 7pm. IGA Fresh Westside: 6.30am until 8.30pm on weekdays, 7am on weekends closing at 8.30pm. IGA at Swanport Road: 7am to 9pm on weekdays and on weekends, 7am to 8.30pm. As I indicated, there are seven supermarkets there, with two IGAs and a Foodland competing alongside a Drakes, a Woolworths, a Coles and an Aldi. So for all the doomsday soothsayers who say it cannot be done—it can be done, and it has been done in country areas for over 20 years.

When we as country members come to Adelaide on a weekend for events, or when we need to be here for something else, we have to work out, 'Hang on, I can't just shoot down to the shop. I



don't have that freedom to shoot down to a grocery store.' You have to check whether things are open, and sometimes you have to go in search of whether they are open or not.

In this day and age, a lot of workplaces have been deregulated. Shiftwork has been going on for many years in this state—decades. A lot more people are working irregular hours. We have seen a lot of changes with people working from home. People have worked out that they can operate with a level of flexibility. Some of those jobs are more known for people working shiftwork, whether they are firemen, nurses, people in the health sector or a lot of factory sites. They might work two shifts or they might work three shifts. You can get a loaf of bread any time.

You can go to what might be an X Convenience, an AMPM or an On the Run. You could probably live out of one of these service stations, although some people might question the value of the lifestyle. If you needed to you could certainly buy what you needed to get by, because they have quite a range. It is not like the old service station anymore. At Tailem Bend Motorsport Park—I call it Las Vegas because the BP On the Run is out there on its own a bit—I pick up occasional items on the way home to Coomandook if I have been really late and have not been able to get to one of my local stores in Murray Bridge or Tailem Bend.

So it is certainly proven, and these shop trading hours are right across the state in the country. I notice that it is not the same in Millicent, but that is the only place I can recall in the country with a different set-up. I do struggle with why we do not see more reform for better shop trading hours in the urban areas, in the city, so that people have more access. You do have to think about it when you are in the city, when can you pick up these goods and when you cannot. It is such a convenience at home when you are in either Murray Bridge or Tailem Bend.

Other country members mentioned the convenience of being able to shop, and we are not talking about shopping at midnight or 2am or anything like that. You can already do that at tens and tens of service stations, probably hundreds across the state, where you can buy goods 24 hours a day, seven days a week. We are certainly not saying that is the reform we are looking for in the broader spectrum, but I think we need to bring some reality and bring the whole state forward.

We have the smaller supermarkets, IGAs. Bruce Maczkowiack has been in Murray Bridge for decades running his shop on Swanport Road, with his son Josh running the one on Westside, and obviously we have Coles and Woolworths. Both Coles and Woolworths had two stores there together for a while, and then Drakes came into one of the Woolworths stores and Coles tightened up their infrastructure and went to one location. It does show that all these people can cohabit with at least five or six 24-hour service stations within the same area of Tailem Bend and Murray Bridge.

We certainly support this reform, we think it should go further and I think we need to bring people into the 21<sup>st</sup> century.

**The Hon. A. PICCOLO (Light) (17:32):** I would like to make a contribution to this debate, and I think what I would like to explore a bit further is some valuable insights that were provided on this topic by the member for Lee and the minister. The member for Lee was getting back to some really fundamental principles, which I think this debate about shop trading hours tends to cover.

Certainly, there are two key issues that this debate clearly highlights. One is the issue of small business versus large businesses or those businesses that are publicly listed and have large corporate structures and funding, and the second issue is about whether you see your philosophy as the economy serving society or society actually serving the economy. They are two fundamentally different things.

Firstly, on the issue of small business versus large corporations, the first matter in relation to that is to look at competition. If we look at those states that literally have deregulated hours on the eastern coast, the proportion of the retail sector that the big retailers hold is enormous. It is no accident that in a state like South Australia, where we cover the middle ground—and also I think to some extent Western Australia does—we have more independent retailers. The scope of the market maintained by independent retailers is larger.

I think that is really important because we need that diversity in the marketplace that actually generates competition, and whether you are on the left of politics or the right of politics the reality is

that the more competition you have the better the outcomes for the economy and society. The reality is that the fewer players you have in the marketplace, the less competition you have.

Deregulated shop trading hours or a deregulated market—and this is what I learnt in economics when I was at university—basically tend to monopoly. It tends to, if you like, give business power in the economy, and that is certainly true. It is not only true in Australia but it is true worldwide. Anything we can do as a government to influence diversity in the economy and diversity in the retail sector is good not only for small business but also for consumers in terms of price and choice.

The freedom the member for Hammond talked about is a false freedom because you have that for a short time. The reality is that you pay for that freedom, and that freedom comes at the expense of other people. Other people pay that cost. If you have a small family business run by a couple and their family members and a small number of employees, they are the ones who front up to the store day in, day out, all hours. So, when they are forced in an economic sense to stay open to meet the competition from the big players, they have no freedom: they stay open and they work the hours. Their lives are changed dramatically by the lack of competition in the marketplace.

In my own town, I hear from small traders who say, 'At some point, we just have to close if we are going to have a break from the business.' But when they close, they worry about which customers they will lose to the big traders who are open more hours, and it is not the owners of those companies who do the work: it is the employees. It is the retail workers who fit in, and they are the ones who have less choice and less freedom, and they are the ones who pick up the cost of these shop trading hours.

It does come at a cost because the reality is that, as the influence of the larger retailers grows, the number of small retailers declines, and we see that happening every day in our society. It is interesting that a whole group of us now have to work longer because shop trading hours are longer, and those people who work longer hours then require other shops to stay open longer because they cannot shop during normal hours, so it is a race to the bottom in terms of the impact on society that long shop trading hours have.

I hate to sound like an old person, but I can recall that when I was a child shop trading hours were nine to five Monday to Friday, nine to 12 on a Saturday and that was it and we had one late-night trading, which was Thursday night at one stage and then became Friday night. As a family, we seemed to cope with being able to shop within those hours. The reality is that most people can do that. Then we went on this laissez faire, free enterprise juggernaut that we have had for the last 20 or 30 years, where we let the market fix everything, and what has the market delivered to us?

If you look at the Eastern States as an example, there is a reduction in competition and higher prices. What we have done in South Australia is to try to prevent that from happening by supporting our small businesses, not through subsidies but by ensuring that the competitive playing field is fair. In other words, the big players can use longer shop trading hours to their advantage because it is not the owners or the executives who work those hours: it is the employees who work those hours, whereas small businesses do not have that. They are the ones who have to work those hours and there is the impact that has.

I think it is quite reasonable for us to say: what sort of economy do we want and what sort of impact on society do we want that economy to have. It is not a case of saying, 'I want to be able to purchase some milk or bread at midnight.' The question we need to ask ourselves is: why is that person purchasing bread and milk at midnight? Is it because they already work long hours as well? We need to be careful that we do not get on this treadmill to a point where we become a 24/7 society.

This comes to my second point, which is that it impacts on the very fundamental basis of our society, that is, the family unit, and I will come to that point in a moment. I think it is appropriate for us as a government, as a parliament, to say that we want to make sure we have policies in place that support diversity in our economy because of the benefits it brings us in prices, etc. Secondly, there is the impact on family life. Ultimately, the people who work in the retail sector are either young people, who would ordinarily play sport on a weekend, or their parents who work, etc.

One of the greatest laments I hear from people who work in retail is that they find it very difficult now to find a time when the family unit is at home at one time to do things or to go out to

sport on a weekend, or to church, or to whatever they used to do as a family. We look at all these things and talk about the reduction in volunteering in our society. We talk about low attendances in people participating in sport. We do a whole range of things, yet we do not ask ourselves: why is that? The reason is that we are working longer hours, and we are working longer hours because there is a push to make sure we have longer trading hours.

I think it is important to explain what view you hold. I am certainly a person who belongs to the school that the economy is there to serve society's needs. People on my political right obviously believe that society is there to support the economy, and we heard a bit of that today. We heard it today in this chamber in response to some comments made by Josh Peak, the secretary of the SDA in South Australia, drawing attention to the parking issue at Tea Tree Plaza. My understanding of the point he was making was that Westfield have the financial capacity to do certain things that they want to.

The response from people on the right here was that companies should be entitled to make huge profits because the more profits they make the more money they give to shareholders and the more money there is for self-funded retirees. Not only is that a very simplistic view of the world but I think it is one that says that basically there are two types of people in our society now: those who have wealth, and deserve to be rewarded additionally on the wealth they own, and those people who do not own any wealth and should pay the price to make sure the wealthy get the return they deserve.

I completely reject that philosophy because, if you are saying that the more money and profits companies make the better off we all are, it generally comes at a price. It is either the price of low wages—people have low wages, which makes profits—or consumers pay more than they should. That is where these super profits come from. They do not come from fair trading. They do not come as a result of competition.

Certainly, I am concerned that it now appears to be the norm to say that everybody should make a sacrifice except those who own the capital wealth in our society. That really does mean that we are going to entrench inequality in society and that we are going to entrench poverty in our society. I would have thought that inequality and poverty were the two greatest threats to our democracy and the way we live, yet people on the right seem to be supporting policies that do that even further.

To get into some of the specifics of what has been proposed before us now that I think I have covered the more fundamental issues, first of all, Labor governments have had a consistent approach to this issue of shop trading hours. Our position has been quite clear, in the sense that we want to maintain some sort of balance—firstly, in the economy in terms of maintaining a viable small business sector and, secondly, in that those people who have to work those hours should only be required to work reasonable hours.

On the other hand, the Liberal Party have had for many years a very strong view that shop trading hours should be completely deregulated. Let the market determine them. We are told that the Liberal Party has had a rebirth in this, born again, perhaps, in the sense that they now believe that we do not need to have deregulated shop trading hours.

However, when you actually listen to some of the speeches and commentary in the media made by their spokespeople, there is a lot of code language in that. Deep down, they still believe in deregulated shopping hours but they are trying to dress it up in a way that does not look so extreme because they went to the election on that policy and they fundamentally lost that election.

What does this bill do? This bill does make some reasonable reforms in trying to maintain that balance, which I have talked about, by:

- extending Sunday trading to 9am instead of 11am;
- allowing Boxing Day trading across the CBD and suburbs (other than for large supermarkets—small supermarkets can still trade). I think it is an important distinction that we do actually support those small supermarkets because small supermarkets are often owned by families and they are family-run businesses;

- allowing midnight trading on Black Friday and on three weekdays chosen by the minister in the lead-up to Christmas. Those additional hours will be subject to some consultation with the sector;
- ensuring that shops can only open on Sundays and public holidays if workers have voluntarily agreed to work on those days; and
- importantly, tightening up the minister's powers to grant exemptions.

This is a really important point because the previous minister responsible for this area basically granted exemptions willy-nilly. If there is one thing that the whole sector needs, whether you are a big business or a small one, it is some certainty in the marketplace. In particular, if you are a small retail trade business, it is harder for you to attract labour and to plan your own days when you need to work. So it is reasonable that the minister now has reduced powers in that area.

One of the benefits of the bill, as I see it, is that by maintaining the current rules it supports South Australia's thriving independently owned supermarkets in competing against the bigger players like Coles and Woolworths and probably in time Aldi and the like. In South Australia, independently owned supermarkets have about 30 per cent of the market share, whereas in other states it is now in single digits and therefore we have the diversity that they do not have. We also have better prices as a result, which they do not have despite their bigger populations and bigger markets.

The government's policy is that public holidays are an important time for workers to spend with their family and friends. I think people sometimes only pay glib attention to that important factor. We are social beings and we operate well in communities when we have time for that social interaction, and we need to have that. Again, the new exemption process means that the minister must consult before making any exemptions.

The government will also consider shop trading hours exemptions to support special one-off events. Again, those are to be done after consultation. The government has also consulted quite heavily in reaching this position that forms the basis of this bill, which is contrary to what the last government did. When it granted exemptions, the biggest critics—apart from the workers, and rightly so—were the people who owned small shop trading businesses, the small supermarkets, etc. They were the biggest critics. In fact, they formed an alliance to take on the then Liberal government to oppose those changes because they could see what they would do to them.

Importantly, the bill also fulfills the government's election commitment to reform shop trading hours. We have done it in a way consistent with our pre-election position. We said one thing and we are doing the same thing; we did not say something before the election and do something different after the election. Therefore, this position has been supported by people at the ballot box.

When you contrast what we are doing with what the Liberal Party did when in government, the differences are quite huge. First, as I mentioned earlier, they granted exemptions on a regular basis, undermining the purpose of that provision in the act that we are now tidying up. Small business did not have the chance to respond to that, in other words, prepare their businesses for those ongoing changes. Interestingly enough, a big section of the business sector did not support those changes.

The then opposition leader, Peter Malinauskas, now the Premier, offered a compromise early in his time as leader of the Labor Party when the Liberals were proposing changes in the upper house and they failed. Every non-Liberal member of the upper house, representing a diverse range of opinions in our state, voted down those proposed reforms, which essentially were to deregulate the shop trading hours.

With those comments, I ask this chamber and those in the other place to support this proposal because this is a reasonable position to take, as it balances the competing needs in this space, and makes sure we retain a diverse range of businesses in our economy. It also helps provide some protection to small business and enables workers to have some rights as human beings and individuals, rather than the people who are, according to the people on our right, just there to make profits for the big companies. I certainly support the bill.

Debate adjourned on motion of Mr Odenwalder.

**APPROPRIATION BILL 2022**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

**STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO AND OTHER JUSTICE MEASURES) BILL**

*Introduction and First Reading*

Received from the Legislative Council and read a first time.

**SUPERANNUATION FUNDS MANAGEMENT CORPORATION OF SOUTH AUSTRALIA (INVESTMENT IN RUSSIAN ASSETS) AMENDMENT BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

At 17:54 the house adjourned until Wednesday 19 October 2022 at 10:30.

*Estimates Replies***GRANT PROGRAMS OR FUNDS**

In reply to **Mr TARZIA (Hartley)** (17 June 2022). (Estimates Committee A)

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining):**

I have been advised that the appendix attached provides a listing of transport infrastructure initiatives expected to be delivered by the Department for Infrastructure and Transport in 2022-23 as part of the Community Infrastructure Grants Program election commitment.

## APPENDIX

Initiative	Budget (\$'000) (a)
Bus Shelter Program (20 bus shelters) Hillbank/Greenwith	100
Cape Jervis traffic management study	100
Main North Road/Regency Road Traffic Management Plan	250
Northern suburbs East-West transport study—Curtis Road	250
Reynella Interchange Toilets	150
Upper Sturt Road CFS Lights	25

(a) Figures reflect budget allocated toward each project as part of the 2022-23 State Budget.

**GRANT PROGRAMS OR FUNDS**

In reply to **Mr PEDERICK (Hammond)** (17 June 2022). (Estimates Committee A)

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining):** I am advised:

The following table provides the requested information on grant program/funds under my responsibility for the 2022-23 financial year—Controlled:

Note: The Department for Infrastructure and Transport and the Department for Energy and Mining advises grant programs beyond 2022-2023 are subject to approval in the future state budget processes.

Grant program/fund name	Purpose of grant program/fund	2022-23 Estimate \$000
Infrastructure and Transport		
Country and Provincial Concessions	For passengers eligible to travel at concessional rates	10,053
South Australian Transport Subsidy Scheme (SATSS)	Taxi subsidies payable to individuals with limited mobility	9,947
Asset Improvement Program	Funds transport infrastructure improvements, including bridge renewal and road safety black spot projects	2,609
Kangaroo Island Maintenance Project	The conduct of construction works to upgrade specified unsealed roads	2,000
South Australian Boating Facility Advisory Committee	To establish and improve recreational boating facilities in South Australia's coastal and inland waters	1,217
National Transport Commission – national road, rail and intermodal transport	To contribute to the national road, rail and intermodal transport reform agenda	631
Freight SA: strategy and grant	To advise on freight enhancement opportunities and develop a freight and supply chain strategy based on the principles developed in the national action plan by the Transport and Infrastructure Council	500

Grant program/fund name	Purpose of grant program/fund	2022-23 Estimate \$000
Overland train subsidy	To provide a subsidy to support the continued running of the Overland train service between Adelaide and Melbourne	350
Australasia Rail Corporation	Yearly grant to provide services to the community	195
KESAB Road Watch Program	Delivery of the Road Watch Program	89
Rail Industry Safety and Standards Board	Funding for RISSB 2022-23	46
Local Government Association Grant	Contribution to Local Government Association Mutual Liability Scheme (LGAMLS) Aerodrome Risk Management Programme for the provision of services to councils and outback areas	43
Energy and Mining		
Accelerated Discovery Initiative	Co-fund innovative exploration and research projects aimed at accelerating the discovery and development of new mineral resources	6,018
Grid Scale Storage Fund	To support development of grid scale energy storage projects, to help reduce energy costs and enhance reliability of SA's electricity system	5,000
Electric Vehicle Charging Network	To establish a statewide electric vehicle charging network to increase the uptake of electric vehicles, accelerate smart charging and vehicle-to-grid charging trials.	10,403
Test Mine and Innovation Centre	To support the development of the Arkani Ngura National Test Mine and Innovation Centre based at Oz Minerals' Prominent Hill mine to test and observe emerging technologies in resources	3,300
EV Charging Trials	Various recipients—The trials will support market-led proposals that bring forward public demonstrations of consumer-focused smart charging solutions.	2,700
Renewable Technology Fund	To support further integration of the next generation renewable technologies.	455
Demand Management Trials	To advance the use of energy demand response, demand aggregation and integrating distributed generation assets into the grid	3,631
MinEx CRC Exploration	To provide new technologies for improving the productivity of mineral exploration drilling and for the acquisition and incorporation of data into 3D models	300
Mining and Petroleum Scholarship Program	Mining and Petroleum Engineering Scholarship Programme to arrest a forecast skill shortage in the resources sector.	220
Core Innovation Hub	Establish a space at Lot 14 where resources-focused start-ups, operators and suppliers can contribute skills to unlock insights and commercial collaboration	180
Australian School of Petroleum Chair	Financial assistance for the position of South Australian State Chair of Petroleum Geology	209
Discovery of Sedimentary Mineral Systems	To help exploration and mining companies in the discovery of sedimentary Cu-mineral systems on the Stuart Shelf.	122
Carbon Capture	Research focused on Carbon Capture and storage and hydrogen production.	100

Grant program/fund name	Purpose of grant program/fund	2022-23 Estimate \$000
Future Fuels	To address future fuel technologies, systems and markets, social acceptance, public safety and security of supply	15
Race for 2030	To support research to help boost energy productivity, and integrate clean distributed energy into the grid, to reduce costs and carbon emissions of businesses and households	100
Global Maintenance Upper Spencer Gulf (GMUSG)	Providing a platform for local business to work collaboratively on mining and resource projects	80
Future Battery Industries CRC	Support research that will help tackle industry identified gaps in the battery industries' value chain, support battery deployment, and optimise the circular economy for battery waste recycling.	50
Landowner Information Service	The operation of a free, independent information service for landowners seeking information on mineral resource regulatory requirements, including exploration and mining production activities	415

The following table provides the requested information on grant program/funds under my responsibility for the 2022-23 financial year – Administered:

Grant program/fund name	Purpose of grant program/fund	2022-23 Budget \$000
Infrastructure and Transport		
Catchment Management Subsidy Scheme	Flood mitigation	103

Contractual commitments relating to budgeted as at 30 June 2022 are as below:

Contractual commitments made at 30 June 2022:	2022-23 \$000
Infrastructure and Transport	
Asset Improvement program (Heavy Vehicle Safety and Productivity Program):	
Adelaide Plains Council	440
District Council of Loxton Waikerie	864
Yorke Peninsula Council	454
Total	1,758