

HOUSE OF ASSEMBLY

Thursday, 20 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.

Parliamentary Committees

ECONOMIC AND FINANCE COMMITTEE: EMBEDDED NETWORKS IN SOUTH AUSTRALIA

The **Hon. A. PICCOLO (Light) (11:02)**: I move:

That the second report of the committee, on embedded networks in South Australia, be noted.

In June 2019, the Australian Energy Market Commission (AEMC) submitted a new framework to the then Council of Australian Governments containing improved protections for consumers in embedded electricity networks across most of Australia. Despite wide national support for the proposed framework and a package of legislative reforms, COAG and its successor, the Energy National Cabinet Reform Committee, has not progressed the framework.

On 31 March 2021, the Economic and Finance Committee resolved to investigate embedded networks in light of the delayed action on the framework and to identify issues that the South Australian government could address within its jurisdictional powers. The inquiry received 14 written submissions. A total of seven public hearings were held between 26 May 2021 and 27 October 2021, with 16 witnesses appearing before the committee, from regulatory bodies, electricity companies, committee organisations, retirement villages and peak bodies.

For the benefit of the house, I will briefly provide AEMC's definition of an embedded network: 'a private electricity network that connects multiple premises to the interconnected grid via a parent connection point on a distribution or transmission network'. Put simply, these are the electricity networks commonly found in multiple occupancy spaces such as apartment buildings, shopping centres, retirement villages, caravan parks and some residential parks, like some in my own electorate.

People in an embedded network purchase electricity outside the National Electricity Market through off-market sales, mostly from a third-party retailer. A range of witnesses and submissions demonstrated that collective negotiations on behalf of multiple tenants or property owners in an embedded network brought significant financial benefits. The committee heard that some consumer protections were enshrined in regulation that carried the weight of law. However, many of these were proven to be more theoretical than practical.

The committee heard evidence of a two-tier system that significantly disadvantaged embedded network consumers. The inquiry encompassed testimony from tenants, retirees, property owners and commercial lessees. A disproportionate number of participants in the embedded networks were vulnerable consumers experiencing, or at risk of experiencing, financial hardship, particularly in the wake of the COVID-19 pandemic, which occurred after the AEMC lodged the framework with COAG. These consumers were more likely to face disconnection, debt or lack of access to supports than the National Electricity Market consumers.

The committee also heard evidence that embedded network consumers were ineligible for some state government electricity concession programs. For example, some could not produce a required national metering identifier (NMI) because many embedded network meters did not incorporate them, while some third-party services that referred consumers to hardship concession schemes could not understand that a client might not have a direct account with an electricity retailer.

The longer the proposed reform framework remains off the national agenda while cost of living increases, the greater the financial gap may widen for these vulnerable consumers.

The inquiry encountered an existing framework that sacrificed consumer rights in favour of liberating network owners from heavy regulation. Many consumers and small businesses found the complicated rules and regulations difficult to understand, leaving them vulnerable to landlords or others in positions of power legally able to negotiate contracts on their behalf. The committee heard widespread agreement from all regulatory bodies that the current framework was no longer fit for purpose.

The inquiry found that the technical structure of embedded networks circumvented practical implementation of some consumer rights. For example, although freedom to choose a retailer was a basic principle across South Australia, it was not a reality for embedded network consumers. That is certainly my experience in some cases in my electorate. They could face significant practical barriers, such as inability to access their meter, still having to pay a network access charge to the original retailer even after leaving, or paying for expensive upgrades to infrastructure that would outweigh any savings.

The committee heard that consumers in residential embedded networks could not approach the Energy and Water Ombudsman of South Australia unless their network was registered for the scheme. Although this was a requirement of their licence, the inquiry found that only half of all known embedded networks in South Australia were registered with the Ombudsman. This left half the state's residential embedded network consumers without an independent dispute resolution mechanism.

The lack of recourse was demonstrated by residents from two retirement villages who shared their experiences in a committee hearing. They described the village management locking them into multiyear contracts without their knowledge. Some residents who installed solar panels had to pay higher bills under the new retailer. The residents approached multiple avenues for redress, including the Ombudsman and the South Australian Civil and Administrative Tribunal, sadly without any success.

Most evidence supported the AEMC changes to the framework, although the committee heard concerns about the transition process and older legacy networks that could be forced to upgrade their infrastructure beyond manageable costs. The caravan park industry provided evidence that the burden of meeting current electricity regulations was dissuading parks from providing residential accommodation, pushing them towards providing only tourist accommodation that had fewer requirements and less cost.

During the inquiry, the AEMC highlighted to the committee that the new framework did not intend to impact smaller operators in this way and that a draft of the new framework could rectify the issues highlighted by the caravan park industry. Given the current affordable housing concerns across the state, the committee considered improved communication between operators and regulators, and ultimately implementation of the AEMC's new framework, to be crucial.

The inquiry investigated potential South Australian solutions independent of national regulatory frameworks. The committee examined South Australian legislation pertaining to caravan park residents and owners, tenants and landlords, shop lessees and lessors, retirement village residents and owners, and property owners and strata corporations. It found no mention of embedded networks, exposing significant gaps that enabled consumers to sign contracts or leases without any knowledge of an embedded network on their premises. This prevented prospective renters and purchasers from making a fully informed decision at the time of their financial commitment, leaving them exposed to the consequences of participating in an embedded network.

The committee compared South Australian legislation with legislation from other Australian jurisdictions, finding that Victoria and New South Wales had incorporated embedded networks into their residential tenancy legislation and associated documentation. Their examples provided models for South Australia to replicate with minimal effort, to potentially great benefit.

The committee has made nine recommendations in its report to enable consumers to enjoy the economic advantages of embedded networks while mitigating against the disadvantages. The committee supports the AEMC dismantling the two-tier system of consumer protections. The

committee recommends that the South Australian government write to the Energy National Cabinet Reform Committee and the Energy Ministers' Meeting to endorse the AEMC's proposed framework and re-establish it as an agenda item.

Other recommendations include reviewing all state government electricity concession programs, strengthening eligibility provisions for embedded network consumers to lodge disputes through the Ombudsman and encouraging the Australian Energy Regulator to take on reports from any ineligible customers.

The committee recommends minor changes to the framework's transition process and better communication from the AEMC to small network operators outside the electricity sector. In addition, the creation of an easy-to-read information sheet about embedded networks will give South Australian consumers the knowledge they need to make informed decisions before committing to a lease or a property contract of some type.

The South Australian government has sufficient remit to make legislative changes outside the regulatory framework. The committee considers that embedding consumer protections in property-based relationships would be the most direct way to drive change. To that end, the committee recommends amending state legislation to ensure potential consumers are fully informed about an embedded network before making a binding commitment to renting, leasing or buying a property.

The final recommendation is to make actual changes to the residential tenancy agreements, retail and commercial lease agreements and property contracts suggested in the report. The committee believes the recommendations represent a pragmatic, but at the same time achievable, course of action.

On behalf of the Economic and Finance Committee, I would like to extend my gratitude to the representatives of regulatory bodies and other organisations, businesses and groups that submitted evidence to the inquiry. I want to highlight the contributions of the residents from the two Lifestyle SA villages and thank them for their generosity of time and evidence provided. Finally, I would like to thank my colleagues on the current Economic and Finance Committee and the members of the previous committee in the Fifty-Fourth Parliament for their hard work on this inquiry.

Mr COWDREY (Colton) (11:12): I rise today to speak on the Economic and Finance Committee's report into embedded networks in South Australia, as I think almost the sole remaining member of the Economic and Finance Committee from the previous term of parliament. As the previous Chair, this is something that I was reasonably close to and think is a space where we can clearly do better for the people of South Australia and clearly the consumers, most of whom are unwillingly laboured with a set of arrangements in regard to their electricity contracts and embedded networks that they were most likely not aware of prior to signing agreements or contracts.

Can I begin by thanking those organisations, businesses and representative bodies that gave evidence to the committee process and inquiry over the period of the last parliament. It was an important piece of work and we thank them very much for their contribution to this report. Where I think we have landed, on what is a very complex and difficult issue, is a set of recommendations that are pragmatic and that focus on ensuring that the customer is as well informed as possible when they enter arrangements in a range of areas.

Essentially, for those who are unaware, an embedded network is where a particular property has a head meter with direct connection to the NEM and a range of child meters under those that do not have direct connection to the NEM. Essentially, those customers—whether they be in apartments, on caravan sites, as part of a small business strip shop, or within a shopping centre—while being provided with electricity, are not necessarily afforded the same rights as those who have direct access to the NEM.

These arrangements have become more commonplace, particularly on the east coast through Melbourne and Sydney, as there has been a considerable increase in apartment buildings and student accommodation that has developed over the last decade or so across the east coast. This is something that those who were members of the committee were aware was going to be an increasing issue in South Australia.

We obviously understand, both as a committee and as a community, that this is evolving technology. It is something that was not even directly considered in most likely circumstances by previous energy meetings of COAG groups three or four parliaments ago. It is something that has come forward that does, in some circumstances, provide considerable savings for members of embedded networks. There is the ability to provide scale. There is the ability to leverage new technologies in environmental and new ways of producing electricity through solar panels and other means.

By no means was the committee saying that embedded networks are bad in all circumstances—in some, they most certainly do deliver significant cost savings and benefits to those who are members of an embedded network—but simply that there needs to be more transparency and up-front information provided to those who are entering these arrangements so that they are fully aware of the commitment and the situations they are putting themselves in.

Those who came forward to the committee to provide evidence that they had, in some circumstances, unwillingly become part of an embedded network without knowing it came from a wide range and representation of our community, whether they had rental contracts for apartment buildings or sale contracts as a purchaser of an apartment, or whether they were somebody who moved into a retirement village without knowing the arrangements for their village and how their electricity was managed. There was also a range of small business owners who were keen to have greater control of their energy requirements, situation and arrangements.

We know that we can do better. The majority of the recommendations provided by the committee are largely in the space of ensuring that consumers are presented with this information at a point in time when they are entering agreements. They should be fully informed of the arrangements that they are entering into, whether that be at the point of signing a rental contract, whether that be at the point in time of inspecting a property they wish potentially to purchase, whether that be at the point in time when they sit down at a retirement village to sign a contract, or whether they are a small business looking to rent a space in a set of strip shops or a shopping centre. They should, at that stage, be fully informed of the arrangement they are about to enter into.

We know that this is going to be more and more relevant as time moves by and as there is more development across Adelaide, as we see more and more small businesses setting themselves up. The committee does see the recommendations that were put forward as sensible. Again, we did wish as a committee to have this put back on the COAG energy ministers' council's plate so that they are aware of these issues and still actively considering them.

In particular, there was an oddity around retirement villages, some within driving distance of the Adelaide CBD. As part of the reform that had been proposed and that has moved forward, they were almost captured unintentionally in the way that the arrangements had been moved forward. There is a sensible solution to that the committee has raised with the COAG ministers' council as well. I do not wish to labour the parliament's time on this today, but I wholeheartedly support the recommendations that were made. They are sensible and pragmatic.

I urge the current ministers with carriage of those particular areas to consider the recommendations the committee has put forward so that we can have some sensible changes that put consumers in a place where they are fully informed of the arrangements they are about to enter into. That is the least that we can do for these people. We are not saying that embedded networks are bad. In some circumstances, they do provide significant benefit to those who are members of them. However, transparency is key and something that I think all members of this parliament are keen to achieve when people enter into contracts.

I will finish by sincerely thanking our secretariat at the time who had prepared this report and inquiry. It was not something that those particular members had been *au fait* with. It is a very complex set of legislative arrangements across multiple jurisdictions and with bodies that sit independent of government as well. To Jo Hocking in particular, thank you for your diligent and hard work over that period of time in preparing this report.

Again, we have reached a place where there is consensus and bipartisan support for these recommendations. I urge those ministers to get on with what are some pretty simple changes that

will provide the people of South Australia some practical solutions to problems that exist today. I wholeheartedly support the committee's report and urge others to do so too.

The Hon. A. PICCOLO (Light) (11:21): I concur with the comments made by the member for Colton and again reaffirm my support for the work done by the previous committee. All the work was done by the previous committee, and I think the recommendations would present some important reforms to help the most vulnerable in our community.

Motion carried.

PUBLIC WORKS COMMITTEE: RSPCA ANIMAL CARE CENTRE

Mr BROWN (Florey) (11:21): I move:

That the sixth report of the committee, on the RSPCA animal care centre at Glenthorne National Park, be noted.

Established in 1875, the RSPCA is the state's oldest and largest animal welfare organisation. Last year, it cared for over 9,000 neglected animals, rehoused more than 6,000 and reunited close to a thousand families with their animals. Currently, the RSPCA has facilities at Lonsdale, Whyalla Norrie, Port Lincoln and Stepney.

The facility at Lonsdale has been running since the 1970s. Due to its aging infrastructure, it can no longer accommodate best-practice care for animals, nor meet the ongoing need for veterinary treatment of injured native animals. This need becomes especially urgent during bushfires and other emergencies. To address this problem, the RSPCA plans to divest its Stepney and Lonsdale facilities and construct a new animal care centre in Glenthorne National Park. Crucially, the proposed facility would provide our state with its first large-scale hospital dedicated to native wildlife. An education and training centre would be another important feature, allowing expanded wildlife and companion animal care training.

Whilst the proposed animal care centre does not involve the expenditure of public funds, a guarantee for a \$6.75 million bank loan would be provided by government. This project is considered a public work because construction will occur on Crown land. The site has been largely dormant since the previous tenant vacated the premises a number of years ago. The RSPCA has been granted a long-term lease, with the following considerations:

- two registered heritage places exist in the area, but neither will be impacted by the proposed development; and
- the proposed works lie within the bounds of the Kaurna people's native title claim. Kaurna people have played a key role in the direction of this project. RSPCA contractors will be required to have a site discovery procedure in place for the duration of construction to ensure that any currently unrecorded sites are also protected.

Development of this project has involved a five-year process of stakeholder engagement. The RSPCA assures the committee that the organisation has discussed this proposal with the community and has secured broad support. The proposed time frame involves an early civil works package in late 2022, followed by broader civil construction in 2023, working towards completion in mid-2024. The total estimated capital cost is \$26.9 million, with all civil and lead contractors anticipated to be South Australian companies.

The committee has examined written and oral evidence in relation to the animal care centre at Glenthorne National Park. Witnesses who appeared before the committee were the member for Davenport, who expressed the community's support for the project; Mr Paul Stevenson, Chief Executive Officer of the RSPCA South Australia; Mr Grant Pelton, Director of Strategic Projects at the Department for Environment and Water; and Mr Jarrod Eaton, Senior Project Coordinator, Department for Environment and Water. On behalf of the committee, I thank the witnesses for their time in presenting the project to the committee.

Based upon the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Ms THOMPSON (Davenport) (11:25): I rise to support the work of the Public Works Committee and their recommendation for this site. The RSPCA animal campus is located in the electorate of Davenport and, as you have just heard, I went along as a witness to that committee to let them know that the community of Davenport are very excited about this project and really keen to see it going up in their own community.

The location is on the corner of Main South Road and Majors Road, which makes absolute sense. It is in the Glenthorne Park precinct, but on the northern side of Majors Road, which means it is not bounded by any residential properties. I would like to also take this opportunity to thank Paul Stevenson, the CEO of the RSPCA, and his team here in South Australia. I have known Paul for some time and have been following this project from the early days when I was Mayor at the City of Onkaparinga. I know that the City of Onkaparinga council and also the Marion council, who often rely on the work of the RSPCA, particularly at the Lonsdale campus, are also really looking forward to this project.

We know that it is going to be much more than just a pound for dogs and cats. This is, as the name suggests, an animal campus. There will be an animal hospital there and also a whole bunch of education facilities and opportunities for our community to come along and get involved, also for our local wildlife groups to tap into those services, not just the services of the hospital but also the services of educating their staff and their volunteers.

It is something that our community has been crying out for for a long time and that our state has been crying out for for a long time. There is nothing like this yet in South Australia, so it is very exciting, and particularly exciting when it is happening in the electorate of Davenport. I am just very grateful for the committee to have recommended this project, and it will be fantastic to see it proceed. They have spent a lot of time developing plans for this site, and it is worthwhile people going and having a look.

It is an extremely exciting facility with fantastic designs, but I also acknowledge that it has taken them a long time to get to this point. They have had to pull together new designs for every different location that they had to propose. They spent some time with the former government trying to negotiate a spot in Glenthorne Park. They had to move that location on multiple occasions, and unfortunately that cost the RSPCA quite a lot of money in architectural work, so it is fantastic that they have finally locked something in, and they will be able to proceed from here. We are really looking forward to seeing that new site being launched very soon.

Mr BROWN (Florey) (11:27): I just want to thank the member for Davenport for her contribution today and also pass on the committee's thanks to her for appearing as a witness to the committee. It is always very instructive to the committee to hear from local members about their support or otherwise for projects in their electorates.

Motion carried.

LEGISLATIVE REVIEW COMMITTEE: LOCAL GOVERNMENT LAND BY-LAWS, PUBLIC CONVENIENCES

Mr FULBROOK (Playford) (11:28): I move:

That the report of the committee, entitled Inquiry into Local Government Land By-laws—Public Conveniences, be noted.

To place this into context, the City of Tea Tree Gully Local Government Land By-law 2021—No. 3 was published in the *Government Gazette* on 7 October 2021 and tabled in both houses of parliament on 12 October 2021. Routinely, the by-law was referred to the previous committee under section 12B of the Parliamentary Committees Act 1991. Clause 5.6.5 of the by-law prohibits a person from entering any public convenience set aside for use by the opposite sex. The clause provides exceptions, including for a child under the age of five years who is accompanied by an adult of the opposite sex.

The previous committee identified two concerns with clause 5.6.5 of the by-law. Firstly, setting an age limit for a child who may enter toilets 'set aside for the opposite sex' does not account for the variations in maturity and needs of children. Secondly, use of the language that includes 'the

opposite sex' and 'that other sex' may be discriminatory to a person who does not identify as either male or female.

The majority of councils in South Australia have local government land by-laws with a similar clause, regulating who may enter a public convenience. The by-laws vary across councils on the age of the child permitted to enter a public convenience with an adult of the opposite sex. Given that the issues raised were not unique to the Tea Tree Gully by-law, the committee recognised these concerns would need to be addressed more broadly and decided to undertake an inquiry.

As part of this, the previous committee received evidence from Ms Fiona Ward, Deputy Chief Executive of the Department for Child Protection; Ms Helen Connolly, Commissioner for Children and Young People; Ms Jodeen Carney, Commissioner for Equal Opportunity; and representatives from the Public Protection Branch of SA Police. The evidence received supported the committee's concerns.

Given the concerns raised in the evidence apply to the majority of local government land by-laws in South Australia, the committee engaged with the Local Government Association and the Office of Local Government. Those agencies, in consultation with the committee, developed alternative wording from a model clause to regulate entry into public conveniences that would address the concerns raised. The recommended model clause is set out in the committee's report.

The current committee wishes to emphasise that it is for councils to determine their by-laws. A council may choose to adopt the recommended model clause, adopt another provision that raises the concerns that are raised in this report, or not include a provision regulating the entry into public conveniences. The committee acknowledges the utility of this process for addressing concerns that may arise in relation to by-laws that are in place across multiple council areas. The report will alert all councils to the issues identified in the evidence before the committee.

The committee would like to express its appreciation to those organisations that provided evidence on this matter. Members are grateful for the work of the Office of Local Government and the Local Government Association in developing the model clause. In addition, I would like to thank past and present committee members, the committee secretary, Mr Matt Balfour and the committee's research officer, Ms Maureen Affleck, for their assistance with the inquiry and the report.

Motion carried.

NATURAL RESOURCES COMMITTEE: ADELAIDE METROPOLITAN BEACHES

S.E. ANDREWS (Gibson) (11:32): I move:

That the first report of the committee for the Fifty-Fifth Parliament, entitled 'Adelaide metropolitan beaches fact-finding visit 22 August 2022', be noted.

On a Monday afternoon in August, the Natural Resources Committee conducted a fact-finding mission to Glenelg to discuss Adelaide's metropolitan coastline, particularly at Somerton Park in the electorate of Gibson. This is the committee's report of that visit. This was the first field trip for the newly constituted committee of the Fifty-Fifth Parliament.

The purpose of this trip was to investigate coastal erosion and sand distribution on our suburban beaches and to hear how these issues are being addressed. My colleagues on the Natural Resources Committee—the member for Finnis, the member for Waite, the Hon. Nicola Centofanti MLC, the Hon. Frank Pangallo MLC, the Hon. Russell Wortley MLC and Leon Bignell MP—and I were joined by representatives from the Department for Environment and Water, the chair of the Coast Protection Board and the mayor and staff of the City of Holdfast Bay.

The weather was not kind to the committee that day and so, rather than make our way onto the beach, we stayed under cover out of the rain and wind. Thank you to the Broadway Kiosk for hosting us. Staff from the Department for Environment and Water stoically braved the inclement weather to open an illuminating discussion. They took the group through the history of Adelaide's metropolitan coastline, with Dr Murray Townsend, the department's coastal manager, explaining how colonisation and subsequent development, together with rising sea levels, have destabilised Adelaide's shoreline.

Our city's beaches are also affected by littoral drift. This means that wind and waves cause sand from the beaches on the southern end of the coastline to move north. As a result, sand builds up on our northern beaches like Semaphore Beach, while beaches further south go wanting. Storms complicate this further.

Dr Townsend explained that there was little understanding of the implications of coastline development until the first major study of Adelaide's beaches was published in 1970. The Culver report led to the introduction of the Coast Protection Act in 1972 and the establishment of the Coast Protection Board. Remediation projects could then commence.

For the last 50 years Adelaide beaches have been managed using sand replenishment strategies. Currently, this is through a combination of fixed sand pumping infrastructure and sand carting. Since 2013, two pipelines have serviced Adelaide's beaches—a seven-kilometre pipeline running between Glenelg and Kingston Park and a two-kilometre pipeline from the Torrens River outlet to West Beach dunes. Dr Townsend explained to the group how these pipelines work and how seawalls and seagrass wrack are also managed by the department and the board. The group then heard from delegates from the council regarding their work maintaining the beaches.

Coastal erosion is likely to be exacerbated as time goes on and weather gets more unpredictable due to climate change and subsequent rising sea levels. Dr Townsend advised that in due course new strategies will need to be adopted and implemented, but for the coming decades the current strategies in place offer a strong defence against further damage and help ensure that Adelaide's residents and visitors can keep enjoying our stunning coastline.

The committee found the trip informative and comprehensive, and we are satisfied that Adelaide's coastline is in safe hands. The committee thanks those who attended from the department, the Coast Protection Board and the City of Holdfast Bay for their generosity in sharing their knowledge and experience. I commend the members of the committee for their work on this matter and thank the committee staff for their assistance. I commend the report to the house.

Motion carried.

PUBLIC WORKS COMMITTEE: PORT AUGUSTA AMBULANCE STATION

Mr BROWN (Florey) (11:37): I move:

That the seventh report of the committee, entitled New Port Augusta Ambulance Station, be noted.

The submission from the Department for Health and Wellbeing proposes a new ambulance station for the South Australian Ambulance Service at Port Augusta. Existing operations for the area are conducted from a small ambulance station built in the 1960s, adjacent to Port Augusta Hospital.

The rationale to justify a new station rests upon a number of important considerations: firstly, the current facility no longer aligns with modern requirements regarding vehicle garaging, staff facilities, security and parking; secondly, the current facility demands significant spending on repairs and maintenance, with facility expansion unviable on the existing site; thirdly, the current location does not align with emergency response mapping and is negatively impacted by railway crossings; and, lastly, the current facility is leased from St John Ambulance SA, making the long-term availability of the site uncertain.

In order to address these issues, the department proposes the construction of a modern, centralised ambulance station. The energy efficient facility would include garaging for six ambulances and two other response vehicles, six crew rest areas, staff lockers and bathrooms, an office and study space, equipment storage rooms, one multipurpose room, a large training facility and a crew room with kitchen and courtyard.

Dispatch and response times are key performance indicators used by the Ambulance Service. By situating crew rooms next to the ambulance bay, along with rest areas and restocking facilities, dispatch and response times are expected to improve with these works. The new station would support major incident response and post-disaster preparedness and improve staff morale by providing a well-suited, secure and convenient location in which to work.

Going forward, the proposed public works will help ensure the SA Ambulance Service has the capacity to manage additional resources. The project will support appropriate service delivery for the community and enhance collaboration with regional health facilities. The department has assured the committee that it has consulted extensively with the executive and operational staff of the Ambulance Service and that appropriate interdepartmental consultation has occurred. Construction is scheduled to commence in late October or early November 2022, with completion in August 2023.

The committee has examined written and oral evidence in relation to the new ambulance station. Witnesses who appeared before the committee were Mr Tim Packer, Director, Capital Projects, Department for Health and Wellbeing; Mr Simon Morony, Executive Director, Across Government Services, Department for Infrastructure and Transport; Mr Rob Tolson, Interim Executive Director, Operations (Country), SA Ambulance Service; and Mr Peter Tynan, Director, Greenway Architects. The committee acknowledges the letter received from Mr Geoff Brock, the member for Stuart, expressing his strong support for this project.

Based upon the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (11:40): I will briefly add my comments in relation to this new ambulance station and thank the Public Works Committee for their deliberations and investigations into this important piece of infrastructure. The Premier and I, as well as the Minister for Regional Roads and the member for Giles, had the opportunity to visit the existing Port Augusta ambulance station recently while we were at country cabinet and to meet the hardworking staff there who provide services to the community in what is a very out-of-date ambulance station that is not fit for the future of South Australia.

There have been previous plans put in place to build an ambulance station in Port Augusta that is, frankly, going to be far too small for the needs of the future of services, so there has been work to revise those plans to make sure they can fit the number of staff and the number of vehicles that we are going to need in the future for the Upper Spencer Gulf.

One of our commitments in relation to health for the Upper Spencer Gulf was additional ambulance officers in the Port Augusta region—an additional regional transfer crew that will be based at Port Augusta, in addition to extra paramedics and ambulance officers who will be based in Whyalla and also in Peterborough—so clearly we are going to need additional room. We do not want to build a station that is going to be too small by the time we open it.

This new site, which will be located within the close township of Port Augusta, is going to enable future growth in services to be provided there, including the growth that we have already budgeted and are planning for in relation to those services. We know that there are particular issues in terms of ambulance services in the Upper Spencer Gulf, particularly between Whyalla and Port Augusta, where there is often too much desire and need for the Ambulance Service, where people will have to go between Whyalla and Port Augusta, obviously delaying those ambulance arrivals for people who need critical care, so this will have a significant boost in terms of those services.

This new ambulance station is a critical part of making sure we can deliver on that. The current station, which has been there for a very long time, is clearly not fit for purpose at all. It is looking very dated, and I think that all the ambulance officers who work in the community are looking forward to this new station opening.

Mr BROWN (Florey) (11:42): I want to thank the minister for his kind comments about the work of the committee and also thank the member for Stuart for passing on the views of his community regarding this particular project. As I said previously, the committee does find it quite instructive to get views from local members.

Motion carried.

*Auditor-General's Report***AUDITOR-GENERAL'S REPORT**

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (11:44): On behalf of the Minister for Infrastructure and Transport, I move:

That the Report of the Auditor-General for the year ended 30 June 2022, as tabled in this house on 18 October, and Agency Statements for the year ending 2021-22, as published on the Auditor-General's website, be referred to a Committee of the Whole House and for ministers to be examined on matters contained in the report and statements in accordance with the timetable as distributed.

Motion carried.

*Bills***STATUTES AMENDMENT (USE OF DEVICES IN VEHICLES) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 27 September 2022.)

Mr TEAGUE (Heysen) (11:45): I will take this opportunity to indicate that the opposition will be supporting the passage of the bill, following on as it does the work done in relation to the application of this technology to what is already a longstanding range of fixed and mobile cameras in place, with a view to promoting road safety.

The SPEAKER: Member for Heysen, are you the lead speaker for the opposition?

Mr TEAGUE: No, I am not. There may be some questions in committee about just exactly how far the technology has come—I understand that the shadow minister, my colleague the member for Chaffey, has commenced inquiries, and I look forward to the response from the government, perhaps in committee—including, as the community of South Australia becomes familiar with this new process in due course, whether it has the capacity to monitor moving vehicles or whether it might be limited to vehicles that are stationary at lights that have existing cameras attached, and so on.

What we know very clearly—and this has been at the centre of road safety campaigns for a considerable period of time, as long as I can remember—is that while one always drives to the conditions, the conditions of light or darkness, rain or otherwise, which have particular impact on road safety, as does the condition of the road, of course, what also impacts very significantly on incidents on the road are matters that are within a driver's control.

These include, perhaps chiefly amongst them, speed, and, secondly, the controlling of a vehicle (this goes for vehicles whether or not they are on the road) while under the influence of substances such as drugs or alcohol. We have no tolerance for contravening rules in that regard. Of course, also included is driving while applying anything less than one's complete attention to the road and the task at hand, because we know that driving while distracted contributes significantly to serious incidents on the road. It is one of those avoidable factors that is within the control of the driver of a motor vehicle.

It is not talked about quite so much, but I know certainly when the RAA is delivering its tremendously well put together and really quite confronting sessions to school students, those in senior years who are driving in their first couple of years, the emphasis that the RAA, together with SAPOL, will add to that distraction point is the impact of the distraction of the driver by those passengers in the car who might be using a device or otherwise distracted.

There are numerous sources of distraction or impairment to a driver within the car. Those are matters that are almost wholly within the control of the driver. We know that preventing those distractions from occurring and educating and, to the extent that is necessary, including in that suite of measures enforcement measurements, will have a positive effect on the outcomes on our roads and will have a positive effect on improving road safety on our roads in South Australia.

The rules against the use of mobile devices contrary to regulation have been there, and for good reason, for quite some time. Until now, it has been possible to police that by direct observation of a police officer. I do not know, perhaps again this might be the subject of a compare and contrast in committee or in the course of debate, but it may be anecdotally observed that until now those direct observations have perhaps happened most conveniently and most often by a police officer observing the user of a mobile device at a point when the vehicles are stationary and enforcement has been able to occur.

We know that there are very significant fines already associated with that form of distraction. What we will now see is the capacity for those electronic devices to observe with sufficient clarity that distraction such that they can then be enforced by those means. Again, I am interested in not only how well that technology functions but perhaps also the safety impacts for police officers who might otherwise be having to do something that is more physically interventionist in order to apply the enforcement measure or to engage with the driver of a vehicle who has been observed distracted in that way.

One thing we know is that we are surrounded by constant and sometimes it seems ever more quickly accelerating developments in technology, and that applies in our daily lives in all sorts of respects. The use of technology in the enforcement of our rules and in the interests of improving road safety is no exception. Where the technology exists in such a way that can be applied with certainty and therefore be able to be legislated, in my view it ought to be and South Australians ought to have the opportunity to observe the way in which it impacts improvement to road safety. I look forward to hearing more about how that may be measured and how we may continually promote confidence in the use of these devices in the community.

The last thing we want, and it is ever present, is for there to be a sense in which measures are applied with a view to improving the government's budgetary position, improving the bottom line, without a demonstrated improvement to road safety that is attendant upon it. So it is important that there is an ongoing engagement with the community about both the capacity of the technology to do this in a way hopefully improving on the way in which it has been able to be done in the past—that is, less interventionist, more certain and reliably understood—and that in turn we are seeing a change of culture departing from any form of tolerance in society of that kind of distraction and improvements in road safety outcomes that follow.

When South Australians can see that they are experiencing improvement, that will promote confidence, that will promote change of behaviour, and I hope that will in turn mean that this form of enforcement technology quickly will become, if not redundant, unnecessary and we will not see it detecting drivers distracted because it will have contributed to changing that culture. We know that it is not only the RAA, SAPOL and those of us here endeavouring to augur towards improved road safety.

We know that car manufacturers and those in the automotive industry have long been aware of this themselves. We see it in the road safety features that are incorporated into new motor vehicles these days, conscious of that prevalence of drivers finding themselves drawn into the use of mobile devices in particular and being distracted as a result, aided by the technology that is applied in the motor vehicle to avoid what otherwise might be an incident involving damage and injury.

We ought to all work together to use technology, and that is something that is applied with a view directly to reducing risks to drivers, pedestrians, and so on, in vehicles, but it also extends to its application in this enforcement space. Having foreshadowed those particular subjects of inquiry that might be further elucidated later in the debate and in committee, I lend my voice to commending this bill and look forward to the continuation of the debate.

Mrs PEARCE (King) (11:58): Loss of life and serious injury on our roads are absolutely devastating for family, friends and communities alike, and what makes it harder is that often they could have been preventable. To do better in this space we must work together, both governments and the community, to do what we can to deter behaviours that lead to both death and serious injury on our roads, particularly when it comes to the fatal five, those being seatbelts, speeding, drinking and/or drug driving, dangerous road users and, of course, distraction.

That is why I rise today to speak about this important bill, the Statutes Amendment (Use of Devices in Vehicles) Bill—because it seeks to improve road safety by addressing one of the fatal five, driver distraction.

Too many accidents happen on our roads. This year alone, up to 12 October, we had 56 fatal crashes resulting in 57 fatalities on our roads, and we have seen 484 serious injury crashes that have resulted in 552 serious injuries. Driver distraction, including mobile phones, is one of the main causes of road crashes in our state; in fact, I understand that it may be the leading cause of fatal and serious injury crashes on our roads.

Between 2017 and 2021, inattention was a contributing factor in 51 per cent of fatal crashes and 34 per cent of serious injury crashes. These percentages represent 247 deaths on our roads—247 individual lives lost, leaving a profound impact and hurt on the lives of the families and the communities that have been left behind, not to mention the impact that this would have on first responders and support services personnel who attend the scenes. It has also meant 1,330 serious injuries that, no doubt, would similarly impact families, friends and the broader community, in addition to the impact on the individual.

The passing of this bill will see the introduction of mobile phone detection cameras here in South Australia, following the success of their introduction in other states around Australia. In fact, I understand that independent modelling by Monash University Accident Research Centre estimated that the New South Wales program would contribute to a reduction in road trauma of approximately 100 fatal and serious injury crashes over a five-year period. That is a figure to take quite seriously, which is why I am pleased to see that this initiative is being considered here as another step in our efforts to improve safety on our roads around this state.

Mr Speaker, did you know that the use of a mobile phone in a vehicle is estimated to increase the risk of crashing by at least four times and that the most common crashes associated with the use of a mobile phone while driving are caused by being run off the road and rear-ended? As someone who drives to Pirie quite regularly to visit family and friends, and having a husband who travels all across our great state for work, there is nothing that concerns me more than the fear of either one of us being run off the road due to another vehicle driving recklessly.

A driver not paying attention, distracted by their phone, is not fully present to drive, is not alert to the surroundings or even physically distracted holding a phone and is not ready for the conditions of the road, which can change quickly, requiring one's full attention. Without their full attention, they will be slower to react, brake later, have less control of the vehicle and may even swerve out of their lane. The impact of those actions cannot be unwound once they occur.

Mobile phone detection will work in conjunction with already existing enforcement measures, in addition to the other road safety measures which have been introduced by the Malinauskas Labor government, laws such as the new antihoon laws seeing motorists guilty of extreme speeding offences facing three years of imprisonment, which I am glad to share has been received well in my community.

The use of mobile phone detection cameras will target distraction in an effort to make sure that drivers on our roads are paying attention. It is important to note that this introduction will see a three months' grace and education period and is expected to be in operation from late 2023.

I anticipate there may be people who have an interest in where the funds will go. I am pleased to share that funds generated as a result of detecting drivers using mobile devices will be directed back to the Community Road Safety Fund, which is used to invest back into road safety for our community, funding initiatives such as the State Black Spot program, road safety research, the Way2Go school safety program, and road safety infrastructure. These are programs that are already in effect in my local community and doing great work to help improve road safety in our area.

I would like to thank the Minister for Police and road safety for his hard work and efforts to help improve safety on our roads, which ultimately will help to reduce deaths and serious injuries. With that, I commend this bill to the house.

Mr WHETSTONE (Chaffey) (12:03): I indicate that I am the lead speaker on the Statutes Amendment (Use of Devices in Vehicles) Bill 2022, a bill to amend the Motor Vehicles Act 1959 and

the Road Traffic Act 1961. As the contributors to this debate have already stated, a lot of the preparatory work on this bill was done by the former Liberal government. It is a bill that I think is taking another step to acknowledge that we need to do better on our roads. We need to understand the vagaries around some of the distractions drivers face and the positions they put themselves in, particularly with the use of devices whilst in control of or while operating a motor vehicle.

I think the stats have been pretty well laid out, that one of the biggest killers on our roads is distraction while driving. It has been noted that distracted drivers have taken about 247 people's lives over the past five years. That is a crime in itself. That statistic is a reality, and it is a reality that I think every person who is operating a motor vehicle while trying to use a device should understand—the vagaries and vulnerabilities that they put themselves in.

As legislators, we will enact laws to help keep the road toll down. Obviously, keeping our road toll to zero is the ultimate aim but, in reality, we have to do everything we can in small steps to keep reducing that road toll. In 2022 alone, 1,332 serious injuries and 17 deaths were attributed to drivers who were distracted while operating a motor vehicle.

The alarming number for me is that this is just a senseless revenue stream coming to government, where we have seen 30,000 expiation notices issued in South Australia over the past four years for mobile phone-related offences. I think that is an alarming statistic, and that is why the opposition is supporting the government introducing this bill to further safeguard, not only the drivers for misbehaving behind the wheel but also other road users who may be impacted.

What it really truly represents is that 20 people every day on South Australian roads are putting themselves and others in harm's way. I feel deeply for the families and loved ones of those 17 people who have lost their lives through distractions while driving on our roads. The message should be clear: if you cannot wait to use your mobile phone, pull over, get off the road and then do what you need to do on your device.

The discussion around the installation of the new mobile phone detection cameras is an important step towards working towards zero deaths on our roads. As I understand it, these high-definition detection cameras will be able to detect drivers illegally operating mobile devices. I think we will flesh that out in the committee stage. As a deterrent it really is important that we, as legislators, do everything we can, not only to keep drivers safe themselves but to keep other road users safe at the same time.

Cameras will be installed by the end of the year in high-risk locations, and there will be an education program, and I am very keen to understand the technology being used. As I understand it, New South Wales and Queensland are currently using this legislation to protect lives while motorists are operating vehicles. This technology is being trialled in Victoria and now the ACT. What we need to understand is that we have watched it work successfully elsewhere, and I think it is something that we should look at carefully in South Australia and understand that it is there for a very good reason.

As a significant user of our roads, clocking up a lot of kms while the roads are busy, it is a reminder, not only to me, that you should not use a device while you are driving. As legislators, we need to be vigilant to keep our roads safer and keep other drivers from being distracted while operating a vehicle.

What we must understand is that while distracted it is not about your life; it is about the other road users' lives as well. It is all too common. On the road, you can usually tell someone who is on the phone because they are using two lanes; they are crossing the white line. There are mechanisms within our devices so that you do not have to be distracted. I do not claim to be the philosopher of just how it works.

The technology in our vehicles is there to be used, but where the distraction appears to be most prevalent is when text messaging, using the device to send SMS messages. We have to understand that if it is just one little text, or if it is just one little phone call with the device in your hand, you have to pull over. That is my messaging to those who use their mobile devices while driving.

We understand that the incidents and the accidents, near-crash incidents, are up by up to 15 times every time you text—15 times. That is quite an alarming statistic. Drivers who look away

from the road for just two seconds, it has been proven, cover more than 33 metres in a vehicle travelling at 60 km/h. You would not drive that far with your eyes closed. Essentially, that is what is happening.

There are advertisements on TV about being distracted. Looking into the back seat, looking down, looking for something on the floor or being on a mobile device is a distraction. It does take your eyes off the road, and that is why this bill should be supported. I think there are some questions to be asked in committee so that we can better understand just how it will impact on taxpayers, how it will impact on the way that it is implemented and how this new technology will better prepare drivers in South Australia to drive on safer roads.

Ms THOMPSON (Davenport) (12:12): I rise to offer my support for the mobile phone detection camera legislation presently before the house. Two seconds on your phone at 60 km/h is 33 metres driving blind. Distracted drivers are a serious risk on our roads. Between 2017 and 2021, inattention was a contributing factor in 51 per cent of fatal crashes and 34 per cent of serious injury crashes. These crashes resulted in 247 people killed and 1,330 people seriously injured.

If you glance away from the road when driving for just a couple of seconds at 60 km/h, you are effectively driving blind for 33 metres. Even worse, at 100 km/h you miss 55 metres of road. It might only be a second or two, but if you are changing a song on your playlist or finding your sunnies or even doing your make-up (guilty), you are not looking at the road ahead. Most of us would be guilty of doing this at some point. It is easy to think that you are being safe when you are sending a quick text when stopped at a traffic light, but there is no safe level of mobile use while driving.

Research has shown that using a mobile phone while driving increases crash risk by at least four times. The law is that a driver or rider of a vehicle can only touch a mobile phone to make, receive and terminate a phone call if the phone is secured in a mounting affixed to the vehicle. If the phone is not secured in a mounting, it can only be used to receive or terminate a call without touching it—for example, using voice activation, a Bluetooth hands-free car kit, an earpiece or a headset. That means you cannot put your phone on speaker and hold it in your hand or sit it on your lap.

It is illegal for the driver of a vehicle to create, send or look at a text message, video message or email while driving, even if it is in a cradle. Research shows that using a mobile phone while driving can now be just as risky as drink-driving. That is why we need to deter people from making this mistake. The Malinauskas government is committed to reducing dangerous and high-risk driving behaviours, such as distraction.

The Statutes Amendment (Use of Devices in Vehicles) Bill 2022 amends the Road Traffic Act 1961 to allow for the use of mobile phone detection cameras. Over the past four years well over 30,000 expiation notices were issued to drivers in South Australia for mobile phone offences. Mobile phone detection cameras will work in conjunction with existing enforcement measures and in addition to other road safety measures introduced by the Malinauskas Labor government, such as the new antihoon laws, which could see motorists found guilty of extreme speeding offences face three years imprisonment.

Mobile phone detection cameras will target distraction, one of the fatal five contributing factors known to cause road trauma. The other five fatal factors are drink-driving, speeding, not wearing a seatbelt and dangerous driving. This is not a first. Mobile phone detection cameras are being used interstate and have proven effective in identifying and deterring drivers from illegally using their phones. The revenue that is generated by mobile phone detection camera fines will be directed to the Community Road Safety Fund to invest in road safety for our community.

Important initiatives are funded through the Community Road Safety Fund, such as the State Black Spot Program, road safety research, the Way2Go school safety program and road safety infrastructure. Road safety is one of the key priorities in my electorate of Davenport, and that is why we are investing in our road infrastructure. We want to ensure that everybody gets home safely from school or from work.

We are investing more than \$10 million in safety upgrades at Main Road, Cherry Gardens. It was not that long ago that our community lost a young man on that road, and local residents have been calling for this upgrade for years. We will widen the road, we will install new guardrails and we

will reseal the surface. We are also investing in upgrading our school crossings in the electorate of Davenport at Braeview Primary School, Aberfoyle Park Primary, Aberfoyle Park High, Pilgrim Primary School and Craighburn Primary School.

The mobile detection cameras are expected to be operational from late 2023 with a three-month grace and education period. Road trauma is a blight on South Australian communities, and it tears families apart. This measure is aimed at saving lives. I commend this bill to the house.

The Hon. A. PICCOLO (Light) (12:16): I rise in support of this bill. Also, I concur with the comments made by speakers so far, including the member for Chaffey.

Mr Whetstone interjecting:

The Hon. A. PICCOLO: I am supporting what you said. As a former road safety minister, this is an issue that is obviously dear to my heart. When you see the data about road crashes and the deaths on our roads, as well as the pain caused to the families and friends of those people who die on our roads, and when you see some of the causes of those deaths—which were avoidable—it really does make you think about what we need to do to get the message across.

We know what the five high-risk factors are. We know that speed is one of those. We know that drink-driving or taking drugs is a high-risk factor. We know that, for example, not wearing a seatbelt is a high-risk factor. Dangerous driving and distractions are the others. They are the five things that increase the risk of death on our roads.

The reality is that mistakes will be made on the road all the time. That is unfortunate. We all make mistakes as drivers. Anybody who suggests they do not make mistakes is either not driving or not even aware they have made a mistake, because we all make mistakes on the road. The important thing is that we minimise the potential for errors and also minimise the repercussions of those errors, and by that I mean that if you are driving at a speed way beyond what is recommended for that area you are increasing the risk. What could have been a minor car incident could be a major fatality. That is the importance of speed.

If, for example, you have been drinking or taking drugs, your capacity to respond quickly is diminished, and therefore if you or somebody else makes a mistake what should have been, perhaps, a minor incident can again be a fatal mistake because you have increased the risk by your behaviour. These behavioural areas are where we can influence some things.

Clearly, we need to make sure our roads are designed so that if we do make a mistake it does not lead to a fatality. That is why successive governments have made a whole range of improvements to our roads in terms of making sure there are wider roads, for example, so if you go off the road a little bit you do not end up rolling the car over and having a major injury. There are a lot of things we can do to minimise the extent of a fatality, should somebody make a mistake.

But, in terms of what is before us, it is interesting to note that some people still think it is quite appropriate to try to text or to pick up the handset of a phone and be distracted while on the road. In any workplace, you would not be allowed to do that. If you are operating some machinery in a workplace, you just would not be allowed to do that because the risk of being distracted when you are operating some machinery or equipment could be quite fatal. There is no difference when you are sitting behind the wheel of a car.

As has been said a number of times already this morning, you may cause a crash but somebody else may die from your behaviour. I think that is even worse than somebody who has actually killed themselves through a distraction. In my view, no phone call or text message is so important that it warrants causing a death on our road—whether it is your own or somebody else's.

I cannot think of any text message or any phone call that is so important it would warrant doing that. When you do play with your phone or take text messages or send a text or use your phone, that is what you are actually saying—that phone call, that text message, is more important than your own life or somebody else's life, and it is not. It is not.

Driver distraction is a major road safety risk, leading to fatal and serious injuries and crashes in South Australia. This government is committed—I think all governments are committed—to reducing dangerous and high-risk driving behaviours, and one of those is distraction. Using a mobile

phone while driving is dangerous, and I am not sure why people think otherwise. Road trauma is a blight on South Australian communities and tears families apart.

This measure is an important deterrent to a significant behavioural contributor to the road toll. Mobile phone detection cameras that have been installed interstate have proven effective in identifying drivers who illegally use their phones. As I said, if a phone call is that important or a text is so important, you pull aside, stop your car and do what you have to do. You keep yourself and other people safe.

The introduction of mobile phone detection cameras aligns with South Australia's Road Safety Strategy target of reducing serious casualties to fewer than 43 lives lost and 474 serious injuries by 2031. That is a huge target. It is an admirable target. It is a huge target, given by then there will be more people on our roads. We actually are trying to reduce the rate considerably.

The statutes amendment bill amends the Road Traffic Act to allow for the use of mobile phone detection cameras. Between 2017 and 2021, inattention was a contributing factor in 51 per cent of fatal crashes and 34 per cent of serious injury crashes. This equates to 247 deaths and 1,330 serious injuries. Over the past four years, over 30,000 expiation notices were issued to drivers in South Australia for mobile phone offences. That is an incredibly high number of people continuing to do the wrong thing.

Mobile phone detection cameras will work in conjunction with existing enforcement measures in addition to other road safety measures introduced by this government, such as the new antihoon laws that can see motorists found guilty of extreme speeding offences facing three years of imprisonment. Mobile phone detection cameras will target distraction, one of the fatal five that I mentioned earlier, and hopefully will help reduce our road toll.

Importantly, all revenue generated by mobile phone detection cameras will be directed to the Community Road Safety Fund to invest in road safety measures in our community. Examples include the State Black Spot program, road safety research and the Way2Go school safety program, amongst others. In my own electorate, we have introduced a number of road safety measures, particularly road safety measures for pedestrians.

The cameras are expected to be operational from late 2023, with a three-month grace and education period. I am hoping that this measure will encourage those 30,000 people who have been caught over the last four years to learn from their behaviour and also encourage others so we can get that figure down. I think this measure will be successful when we are issuing fewer expiation notices because people are doing the right thing. I commend the bill to the house.

The ACTING SPEAKER (Mr Odenwalder): The always attentive member for Badcoe.

Ms STINSON (Badcoe) (12:25): I will take that in the good spirit in which I am sure it is intended, Mr Acting Speaker. I rise to speak on this bill and support the passage of this bill. When I was a teenager—quite some time ago, only 17—we came up to the school holidays. One of my very good friends, Chaplin, one day was driving his beaten-out old kombi. It was lime green; some relic from the seventies. Back in those days we had CDs, and he was changing the CD in his kombi.

No-one really knows what happened. In those few moments while he took his eyes off the road, he pranged the car, and the result was that he spent several months—all of the summer break at the end of school—banged up in hospital. For a bloke who loved his surfing and was so looking forward to the summer, that last summer that we spent together before we all went off to jobs, university and other things, it was quite a price to pay.

He had a metal support right down his back, and he spent the whole time flat in hospital, looking out the window and hearing what a great summer everyone else had as we came in and tried to keep him company over that summer. He must have been there for about four or five months. He went on to be a builder. I think that it has probably had a few consequences for him, and I am not sure that the surfing has been of quite the same grade since he banged up his back all those many years ago.

In those many hours that we had sitting in the hospital with him, trying to keep him company and keep his spirits up, we had lots of time to think about this tiny moment of inattention that led to

such big consequences for this young man. Obviously, he was really lucky. He did not suffer further injuries, he had no-one else in the car and he did not run into anyone, but he injured himself quite extensively. That had some consequences for him that summer but also for his health in the years going ahead.

We all reflected on the fact that it could have been worse. In just a moment, so much can change. That really had an impact on us as young people with our driving—we were all new drivers at the time as well—not to be mucking around with the CD player, not to be putting your make-up on in the car, brushing your hair, talking to your friends, drinking your milkshake or whatever you might have been doing while you were driving because, in just a mere moment, something like that could happen. Of course, we did realise how lucky he was in so many ways.

Looking at this bill, I was reminded of that story, that experience as a teenager and the consequences it had. You reflect on your own driving as well and how you might be a better driver. In this particular piece of legislation, obviously, there are consequences—photographs are taken and you can be fined—but one of its great powers is really the deterrent factor: that you might get caught, that you might have to face a consequence and that you are not really going to know when you are going to have that image taken and when you are going to suffer those consequences.

I hope that, as people see publicity about this law and what it means, it does make them reflect on their driving and how we could all be better drivers. That is probably where the power of this legislation lies: not just in those who get caught but in those who do not get caught and maybe spend an extra moment thinking about their own driving, thinking about not touching the mobile phone, not picking up that text and not pressing the little button.

Even though it might seem like a tiny little thing that you are doing, that moment of inattention can lead to pretty dire consequences, obviously dire consequences for yourself (as my friend Chaplin had) and also, God forbid, some pretty bad consequences for other road users including pedestrians, cyclists and others who might be in the way of you at that moment that you take your eyes off the road.

I am pretty sure many other aspects of this have been covered by my colleagues and those opposite quite comprehensively, so with those brief remarks I might leave it there and express that I support this bill.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (12:30): In closing the debate, I thank members for their contributions. What is clear, from the will expressed by members on both sides of this chamber, is their strong unwavering commitment to improving road safety outcomes for all South Australians. I note the member for Chaffey, the shadow minister, has a particular focus and commitment to regional road safety, and I commend him for that. I also note the opening remarks by the member for Heysen.

If it is the will of the chamber to move to committee, which I understand it is, I would expect there to be a degree of elimination on some of the matters raised by members. I do note of particular significance, though, to this iteration of the bill is the removal of the prohibition on the ability of SAPOL to utilise images captured by this technology in the investigation of serious crime.

In the last version of this bill, the house considered a prohibition. The decision made by this government has been to remove that prohibition. We think that not only is it a sound tool to give SAPOL but it also gives consistency across the evidentiary ability of SAPOL to access images captured by technology in line with speed cameras and red-light cameras.

In closing, I also note the important decision made by our government to ensure that the revenue attached to this road safety initiative is quarantined and to be channelled into the Community Road Safety Fund. This is about improving outcomes for road users. I would be the happiest minister in this place to see a huge overestimation of revenue. I would like to see these cameras return zero revenue because we know that would be a demonstration of the public's and the community's absolute black and white, line in the sand approach to the use of mobile phones whilst driving.

Every member in this place has noted just how dangerous it is to use your mobile phone while you are driving. There are very strict but also very reasonable manners and ways in which a phone call can be made in a vehicle. It has been noted that car manufacturers have dramatically

improved their rollout of technology that improves the safe use of mobile phone technology whilst driving.

However, I do remind people that the very strict caveat around the use of a mobile phone whilst driving is that it must be in a cradle. That cradle must be fit for purpose and manufactured for the purpose of this action, or your phone can be hardwired in your car. It can only be for the receipt or the making of a phone call. It cannot be for sending emails, it cannot be for text messaging and it cannot be for taking a video of yourself—it cannot be for these nefarious reasons. It has to be for very defined purposes and, from a policymaking perspective, we are unapologetic about that. The national Road Rules are very consistent on this, so we want to see a quick and unbridled reduction in road deaths and road trauma.

We trust that hopefully the quick passage of this bill, subject to the will of this house, will mean that we can continue the procurement, continue the rollout and continue the education of our community before the ultimate implementation of this new technology to stamp out what is a dangerous and improper use of phones whilst driving.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr WHETSTONE: First and foremost, on the cameras that will be brought into operation, how many will there be?

The Hon. J.K. SZAKACS: The number of cameras will be determined by the procurement. The procurement is running live with this. The government made a decision to proceed with procurement, notwithstanding the passage of this bill, so the final number of cameras will be a matter determined through the procurement process.

Mr WHETSTONE: You are saying procurement process, so the cost of each camera will determine on how many?

The Hon. J.K. SZAKACS: Sorry, member, would you mind repeating that question?

Mr WHETSTONE: You are saying that the number of cameras will depend on the procurement process. Is that determined by the cost of each camera?

The Hon. J.K. SZAKACS: Yes, that is correct. There is a parcel of budget allocation, of course, which has been made to this. The last thing I would seek to do is to intercede in the procurement process which is occurring, but it is safe to say that, depending upon the market response to that procurement being run by the Department for Infrastructure and Transport, that will determine the final number of cameras that are installed.

The CHAIR: Member for Chaffey, I just thought I would remind you that you need to stand. Unfortunately, you are not exempt from this. I have just had a message from the broadcasters. They do not know where to go unless you are standing.

Mr WHETSTONE: Minister, we talk about not knowing the number of cameras depending on the procurement. In regard to the cameras' capacity, will the cameras be able to detect mobile phone use in both directions?

The Hon. J.K. SZAKACS: I am advised that the capacity is there, that the answer is yes. It is determined on obviously the nature of the location. The nature of the location of these is being advised through advice that we are taking from the Centre for Automotive Safety Research. There is also a matter of the angle at which the camera is installed, so the angle and the location will determine ultimately whether that camera does detect traffic from both directions. To give a simple answer to the member's question, the procurement intent is to have cameras that are capable of capturing images of vehicles from both directions.

Mr WHETSTONE: What about cameras on multilane roads?

The CHAIR: Quickly just answer this question and then we can go to the next bit. Can you just repeat that question?

Mr WHETSTONE: Minister, you have given me an understanding that the cameras have a capacity to detect both ways. If cameras were to be installed on a multilane road—freeways, highways, where we have more than one lane—do they have that capacity?

The Hon. J.K. SZAKACS: Yes, they do.

Progress reported; committee to sit again.

SHOP TRADING HOURS (EXTENSION OF HOURS) AMENDMENT BILL

Third Reading

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:42): I move:

That this bill be now read a third time.

This is an important moment when it comes to what has been a perennial issue for South Australians for a sustained period of time. I think it is fair to say that there has been much public debate for the last decade on the issue of shop trading hours. I am so glad that my government is able to deliver real reform in this regard, real reform that gets the balance right between the interests of consumers, the interests of small businesses and also the interest of the market in place.

Here in South Australia, we have some of the cheapest grocery prices in the land. The cost of living is a topical subject for all our constituents, very topical indeed, but here in South Australia we enjoy a hypercompetitive supermarket industry, and it is hypercompetitive because the players are so diverse.

To give some statistics around this, we know that on the eastern seaboard approximately 8 per cent of the supermarket sector comes from the independents, whereas in South Australia that number approaches almost a third. Interstate, we have the duopoly running supermarkets. In South Australia, we have the duopoly, but we also have a hypercompetitive, large independent sector that accounts for almost a third of the market.

Mr Whetstone interjecting:

The Hon. P.B. MALINAUSKAS: Every state has independents. The member for Chaffey interjects from a position—

The DEPUTY SPEAKER: The member for Chaffey will not interject.

The Hon. P.B. MALINAUSKAS: Well, he is welcome to, because it is always from a position of ignorance. In the Eastern States—

Mr Whetstone interjecting:

The Hon. P.B. MALINAUSKAS: I do not doubt the member for Chaffey's interest in the area, but he would familiarise himself with the fact that it is well known that in the Eastern States the duopoly has a far greater presence within the marketplace in comparison to South Australia. That is worthy of preservation, which is why small business in this state have regularly voiced their opposition, from an ideological position, to total deregulation.

On the politics of the matter, why is it that at election after election after election after election, the Liberal Party of this state has gone to the people of the state saying, 'Endorse us with our total deregulation policy,' and they have been rejected? Then in 2018, the one election they can point to with a victory—where they actually had a swing against them, mind you—after their moment of joyful success in 2018 when they had a swing against them and then won government, they put a piece of legislation into the parliament that was rejected by everybody. It was rejected by everybody except themselves. SA-Best rejected it, the Greens rejected it, Independents rejected it, small business rejected it, everybody rejected it.

Of course, it is not unreasonable to note that, despite all of the protestations, the absolute belligerent consistency of being determined to fail in reform in this area, this is a moment now where the state can celebrate actually getting something through—actually achieving some change. Now

we are legislating. Now we are achieving something that those could not do in four years. We are achieving within seven months getting a piece of legislation through the parliament which reforms shop trading hours in this state.

What do those reforms look like? It means a simpler system. Admittedly, those opposite might argue that it remains complex, but it is nonetheless true that it is simpler than the model we had before. It is supported by small business, it is supported by big business, it is supported by consumers and it is supported by workers. If that is not a win-win-win-win-win, then I am not too sure what is.

Mr Whetstone interjecting:

The Hon. P.B. MALINAUSKAS: The member for Chaffey points out that I have an interest in what working people have to think about this. You are absolutely right I do. In fact, I take a great interest in what retail workers have to experience within their workplace, because there are approximately 60,000 to 80,000 of them across the state. The member for Chaffey might not be interested in their view, and he is welcome to that position, but I am interested in their view as much as I am interested in the view of small business. I would encourage members opposite to actually go and talk to small businesses that operate in this sector, because we know what their position is.

Mr Pederick: IGA, Drakes.

The Hon. P.B. MALINAUSKAS: IGA support this position. Drakes support our position. All the independents—and I do not need to name them all—have been opposed to your total deregulation policy, consistently, all of the time.

I see the ever-diligent member for MacKillop dutifully paying attention—respectfully paying attention, as he always does. The member for MacKillop has a familiarity with this issue. I hope he does not mind me raising the good people of Millicent, who have an interest in this issue. In Millicent, they have a competitive marketplace with a strong independent—but also the presence of I think a Woolworths that operates there. Repeatedly, the people of Millicent have been given a direct say on this issue and do you know what their position is? Get the balance right.

In the Liberal heartland of MacKillop, the people of Millicent have said, 'We like having South Australian independently owned businesses in a position where they can compete against the duopoly.' That is not just good for that small business and that is not just good for the town, it is good for the marketplace itself, which brings me back to where I started and that is that keeping prices down should matter to all of us.

We are on the precipice of doing something good. I am going to be very interested to see which way those opposite vote on this issue because they will ultimately be left with a choice: do they want more trading hours, which they say they have been arguing for for what feels like generations, or not? Do they want more trading hours or not?

Mr Whetstone: They want jobs.

The Hon. P.B. MALINAUSKAS: The member for Chaffey's argument has always been that more trading hours means more jobs. Well, let's see you vote for more jobs then.

Mr Whetstone interjecting:

The Hon. P.B. MALINAUSKAS: The member for Chaffey interjects with yet another point and I welcome it. He points to the country. Well, let's talk about regional South Australia, where of course they have total deregulation. Let's talk about that.

I am a South Australian shop assistant who resides in metropolitan Adelaide. Let's assume for a moment that the member for Hammond works for Woolworths in metropolitan Adelaide or one of the big DCs. The long weekend public holiday comes around—let's call it the June long weekend for the sake of the argument. You get a bit of time off for the first time in a long time. Where do you go? You go to regional South Australia. You might go to the Riverland and check the river out or you might go up to Moonta on the YP, but you have the ability to go to regional South Australia because you have the time off. You have the long weekend. You might even go down to Encounter Bay. This vote is a really important test of this—

Members interjecting:

The DEPUTY SPEAKER: Members on my left, could you please listen quietly. If you do not, I will be asking you to leave the chamber.

The Hon. P.B. MALINAUSKAS: This vote is a really important test of those opposite—

Members interjecting:

The DEPUTY SPEAKER: No, you are not encouraging it.

The Hon. P.B. MALINAUSKAS: —because if they vote in favour of the bill that will be consistent with their position in the past. If they vote against the bill, of course, that will mean they are opposed to opening up stores on Sunday mornings, for instance, and that would be a truly extraordinary position, but nonetheless nothing would surprise me.

I would like to put on the record my substantial thanks to those in the other place for expressing their considered judgement and passing a bill in the upper house that has not happened throughout the entirety of the last term of government, which means they must have taken the time to speak to workers' representatives and small businesses, regional and local, to realise that this represents a strong compromise.

I would like to put on the record my thanks to Business SA, our state's Chamber of Commerce and Industry, which has backed in this proposition. I want to thank Business SA for their support. They know that this is a pro-business government actually delivering reform and getting things done. They had the courage in the lead-up to the state election to say that Business SA is opposed to the Liberal Party's total deregulation because they know it is bad for jobs. Business SA know jobs, like we do, and that is why they have backed in this proposition.

I hope that this legislation passes and we get something through the parliament that has not been able to be achieved, that we get something done in seven months that they could not do in four years and that we have a reform that is good for South Australians across the board.

Mr COWDREY (Colton) (12:54): On behalf of the opposition, I want to reflect on this bill. As has been made clear, both through this debate and in the media, we obviously welcome aspects of it. The nine to 11 extension of trade on Sunday mornings is a good baby step forward, but we should not pretend. The introduction of legislating Boxing Day and Black Friday is something that has been happening for the last four years anyway, so that is nothing new, but it is good that it is in legislation now.

However, let's be clear about what has been happening anyway in regard to the missed opportunity that sat before us here, to provide shopping hours that are actually for the future. The opposition put forward a range of sensible and pragmatic amendments to this bill that would provide certainty for business, that would make things simpler and remove confusion for customers and that would strike a balance to support all business in South Australia.

They were amendments to extend trade to 6pm on Saturdays and Sundays and to allow trade on select public holidays. To give the parliament some context, of the thousands of responses to our survey that we got back just a handful of people did not support trade on Labour Day, just a handful of people. This is a clear example of the government not listening to the people of South Australia.

The final amendment was to allow all shops to trade on Boxing Day. That was intended to remove what will be a ridiculous situation this coming Boxing Day and Boxing Days moving forward, where we will have shopping centres open but supermarkets closed within them. It is just absurd. It is an example of this Premier giving with one hand and taking with the other. As I said, we have nine to 11 on Sundays, but we are taking away any ability for trade on public holidays in the whole.

What is more, and what this bill is actually about, is what was not consulted on with the broader population in the list the Premier just read out. It is the act of deception captured within this very bill: a rolled-gold right of veto for the SDA and the Labor Party, outside this parliament, to stop trading on public holidays and bind any future minister from any ability to provide an exemption. That is exactly what clause 4 of this bill does.

Earlier in the week, I was at an event with the Premier, funnily enough. I was listening to him speak about how he should be celebrated for returning decision-making to elected officials. Is that the case here? No, that is not the case here, and this is where the Labor government gets exposed for what it really is. They have no consistent principles.

It is like the *Wizard of Oz*, which is exactly what this government reminds me of. At some point the curtain is going to be pulled back, just like in the movie, to reveal what this government is really all about—and that is populist, short-term politics and dealing with the unions. Make no mistake, every single person on the government benches: we will be very clear that it is up to us on this side to make sure that we work every day to expose these facts to the people of South Australia.

The opposition supports this baby step forward in this bill. Obviously we reject parts of it, and we made that clear through the committee process. However, what is really troubling here is the fact that we have to lament another missed opportunity to fix this mess for the people of South Australia. Why? Because we know that the people of South Australia support our position. It is clear from any poll that has gone out to the public, from any survey that has been conducted, that people want greater flexibility to shop. There is only one party standing in the way—and that is the Labor Party.

The DEPUTY SPEAKER: Member for Elizabeth, just wait a minute.

Mr ODENWALDER: I was simply going to move that we extend beyond 1 o'clock, but if that is not necessary that is fine.

The DEPUTY SPEAKER: Do we need to extend? No, okay. I was going to give the member the opportunity to extend it; I was not shutting him down.

Bill read a third time and passed.

Sitting suspended from 12:59 to 14:00.

Petitions

YELLOWTAIL KINGFISH

Mr WHETSTONE (Chaffey): Presented a petition signed by 199 residents of South Australia requesting the house to urge the government to take immediate action to abolish commercial net fishing of yellowtail kingfish and impose a three fish per day commercial trip limit.

Ministerial Statement

HIGH MURRAY RIVER FLOWS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: Due to significant rainfall in the Eastern States and increased water flows in the Murray River, the Department for Environment and Water anticipates water flows to peak at 120 gigalitres in early December 2022. However, projections are changing regularly, based on new information and additional rain events. Currently, there are no plans to close ferry crossings. However, the Waikerie ferry crossing and the Morgan ferry crossing may be required to close if flood conditions and rising river levels worsen.

The current water flow into South Australia is about 80 gigalitres per day. In normal conditions, the flow ranges between 40 and 60 gigalitres per day. The Waikerie crossing is unable to operate if the river depth exceeds 9.2 metres Australian Height Datum, which is expected to occur if water flows increase to 90 gigalitres per day. The Morgan ferry is expected to be inoperable if river flows increase to 110 gigalitres per day.

The Department for Infrastructure and Transport is closely monitoring the impacts of the high water flows across all 11 ferry crossings in case other crossings may also need to be closed. Although Waikerie has a stand-by high river flow ramp, this cannot be activated below river depths of 10.5 metres, which is expected to occur if water flows increase to 110 gigalitres per day. Consequently, no services can be provided between 9.2 metres and 10.5 metres. My department

has cleared vegetation at the high-flow ramp to allow for the high river flow ramp's activation, if required.

The Waikerie ferry is the only ferry crossing that has high water flow stand-by ramps. The Waikerie crossing is the only crossing with heavy vehicle permits for 26-metre B-double combinations. Five heavy vehicle permits have been issued and are conditional on the operators utilising an alternative route if the crossing is closed due to high river flows. I am advised my department has been in discussions with the potentially affected freight operators and the District Council of Loxton Waikerie.

The nearest crossing that commuters and freight companies can utilise if the Waikerie crossing closes is the Cadell ferry crossing, which is approximately 38 kilometres from Waikerie. In the instance of B-double vehicles, the nearest crossing is the Sturt Highway, the Kingston-on-Murray Bridge, approximately 51 kilometres from Waikerie.

I also inform the house that repair works are currently in progress on the causeway on Sturt Highway between Renmark and Paringa, with detours in place. The crossing of the Murray River at the Paringa Bridge is currently only available for light vehicles, with heavy vehicles being detoured via Kingston-on-Murray and Loxton. The works are scheduled to be completed by 31 October 2022 (weather permitting) with the Paringa Bridge then expected to be fully operational, noting the condition of the causeway is unknown until works have further progressed and may impact on the scheduled completion date of the works.

The high river flows are not expected to delay the completion of these repair works or have any impact on the detour routes, given the water flow is not expected to peak until early December 2022. Ferry locations and their operational status can be found at the sa.gov website. I will return to the house if there are any further updates and inform the local member if there are any further updates.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Infrastructure and Transport (Hon. A. Koutsantonis) on behalf of the Deputy Premier (Hon. S.E. Close)—

Public Sector Employment, Office of Commissioner—
Annual Report 2021-22
State of the Sector Report 22

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

Abortion Reporting Committee, South Australian—
Annual Report 2019
Annual Report 2020
Chief Psychiatrist, Office of the South Australian—
Progress review on implementation of the Oakden Report Response Plan and
future priorities for the Specialist Aged Care Reform Program—
Final Report—June 2022
Women and Children's Hospital—Parents for Change Complaint Response—
Investigation Report—September 2022
Wellbeing SA—
Maternal and Perinatal Mortality in South Australia—Report 2019
Pregnancy Outcomes in South Australia—Report 2019

By the Minister for Education, Training and Skills (Hon. B.I. Boyer)—

Annual Reports 2021-22—
Child Development Council

Education Standards Board (Education and Early Childhood Services Registration and Standards Board of South Australia)

VISITORS

The SPEAKER: I acknowledge participants in the 2022 Governor's Leadership Foundation Program present in the gallery, guests of the member for Reynell. I also acknowledge in the gallery John Harvey, a guest of the member for Gibson and the member for Elder, and I also see and acknowledge parents from The Lady George Kindergarten, Highgate, guests of the member for Unley.

Question Time

HYDROGEN PRODUCTION

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:06): My question is to the Premier. When will the Premier confirm the specific location of his hydrogen power plant? With your leave, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: On 2 March this year, Labor promised to 'form an expert panel to report back within 90 days to identify the most appropriate parcel of land for a hydrogen power plant'. It has now been 215 days since the election and we are still in the dark about exactly where this experimental plant will be located.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:06): I thank the Leader of the Opposition for his question because it shows an interest in one of the most ambitious projects that the state of South Australia has ever embarked upon. Our commitment to the people of this state that we took to the election, of course, was for a \$590 million plus hydrogen production facility and power plant.

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. P.B. MALINAUSKAS: Let me be specific for the member for Schubert—a \$593 million commitment to the people of South Australia to build the world's largest hydrogen production facility and power plant, an ambitious policy that we are seeking to deliver before the next election. An important part of that process goes to site selection.

I am happy to inform the house that just today we had a meeting of our cabinet task force in regard to the hydrogen opportunity that South Australia has before it, which includes reporting on that project. In that meeting, we were discussing the very specific site identification—the process that the Leader of the Opposition referred to has identified. That is obviously subject to commercial engagement and consideration on behalf of the government, but I am in a position to confirm for the benefit of the house and the people of South Australia that the location is in the area that we said it would be, and that is in the area of Whyalla. We are now moving on to the next stage, which is moving along to the next—

Mr Patterson: We're not further along. Where exactly?

The SPEAKER: The member for Morphett is called to order. The Premier has the call.

The Hon. P.B. MALINAUSKAS: We are moving to the next stage of the project's delivery schedule, which is going to the market for procurement. The reason why I am so grateful for the interest of the opposition in this project—and no doubt it will enjoy scrutiny, as it has in the past—is because we see this as one of the central opportunities that we have before us as a state.

Only moments ago, I was saying to some guests here in parliament that hydrogen represents the most significant wealth-creating opportunity that I think South Australia has before us because it gives us the opportunity to produce a fuel—a fuel of the future that we know the world wants and needs. There is a global effort now underway both from governments and the movement of private capital to attain fuel sources that aren't dependent upon carbon.

Members interjecting:

The SPEAKER: Order, member for Hartley! The member for Morialta on a point of order under 134.

The Hon. J.A.W. GARDNER: Standing order 98: the question was about the hydrogen power plant not the production of hydrogen as a fuel. It's actually quite a different proposition. More specifically, the question was about site selection, and the Premier did answer that—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —and he has now moved on.

Members interjecting:

The SPEAKER: Order! I will allow the Premier some latitude because he is the Premier. I will listen carefully.

The Hon. P.B. MALINAUSKAS: I appreciate the member for Morialta's question. Of course, our policy, to which the Leader of the Opposition referred, is to build both a hydrogen production facility and a power plant, and one is very much dependent upon the other, so I submit that it is absolutely relevant. Nonetheless—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —our ambition is to deliver this policy that is truly world leading. The rest of the world is actually standing up and taking notice of what this policy seeks to achieve, which is to put South Australia right at the centre of the industrial map around the world.

Members interjecting:

The SPEAKER: Order, member for Hartley!

The Hon. P.B. MALINAUSKAS: I would have thought—

Members interjecting:

The SPEAKER: Member for Chaffey!

The Hon. P.B. MALINAUSKAS: —that those opposite would support such an opportunity being pursued. I know those opposite were happy to see—

Members interjecting:

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: —Queensland capture the hydrogen opportunity at our expense. Well, that doesn't sit well with us.

Members interjecting:

The SPEAKER: Member for Flinders!

The Hon. P.B. MALINAUSKAS: We want to reassume our position of leadership in the hydrogen industry in this country, and we will deliver exactly that.

Members interjecting:

The SPEAKER: Order! The member for Hartley is warned.

HYDROGEN PRODUCTION

Mr PATTERSON (Morphett) (14:11): My question is to the Treasurer. Does the Treasurer stand by the cost of the hydrogen power plant identified in the state budget, and has he received any advice or modelling from any government agency regarding the cost of the plant? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The state budget and Labor's election commitment promised that the cost of the experimental hydrogen plant would be \$593 million. The Auditor-General's Report states that the new hydrogen facility is the most significant new investment initiative and its detailed costings are not yet finalised.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:11): I thank the member for his question. Of course, we have budgeted, as we committed to do at the election, \$593 million for the infrastructure that the Premier has just outlined. I would beg to differ in one small way, perhaps, with the Auditor-General. I am not quite sure these are the most significant investments the state will be undertaking. We have the north-south corridor, for example, which is, I understand, slightly more than \$593 million—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —but we are hoping to be close to it. We've also got a new—

Members interjecting:

The SPEAKER: Member for Colton!

The Hon. S.C. MULLIGHAN: —Women's and Children's Hospital, which will be slightly more. Nonetheless, it doesn't detract from the point central to the member's question that it is a significant investment. That is the best advice we've got but, of course, what will ultimately determine this is what comes back when we go out to market, when we call for responses to tender processes. We are obviously not quite at that stage yet. That will inform it, but that's why we budgeted that amount of money—because that's the advice that is current.

HYDROGEN PRODUCTION

Mr PATTERSON (Morphett) (14:13): My question is to the Minister for Energy and Mining. Is the minister committed to the hydrogen power plant being built and operational in 2025? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: Labor's election commitment states that Labor will ensure all projects will be subject to a full competitive procurement process and be operational by the end of 2025. Just on Wednesday last week, the Premier told both FIVEaa and ABC radio that the power plant will be built and operational by 2026.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:13): I will just say that once it's completed in 2025 it will also be operational in 2027, 2028, 2029, 2030, 2031—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Yes, you see where I am going here?

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Time is a constant unless you are at the event horizon, which slightly changes. Yes, we are committed to delivering our election commitments. I can assure the house this is not GlobeLink and this is not the right-hand turn of the tram.

The Hon. P.B. Malinauskas: This will be done.

The Hon. A. KOUTSANTONIS: This will be done, and we are committed to doing it.

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis: We don't boast about this, but the truth is that this is a difficult undertaking, as was the Hornsdale battery. The Hornsdale battery was a very difficult undertaking. We were mocked nationally by members opposite and their colleagues in Canberra. It was called the 'big banana', a 'tourist attraction'. It is now the template for every jurisdiction in terms of grid-scale storage.

The current opposition, now picking up the mantle of those fallen comrades of theirs in Canberra, are now trying to attempt to undermine our work in green hydrogen. The truth is this: we are attempting to push the envelope on a new technology that could revolutionise the way we produce power and decarbonise our planet, and South Australia needs to be at the forefront of that.

What we are doing is groundbreaking. In fact, for the last four years under the Marshall government we sat and watched other states overtake us.

Members interjecting:

The SPEAKER: Order!

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

Members interjecting:

The SPEAKER: Order! The member for Morialta on a point of order.

The Hon. J.A.W. GARDNER: The question was fairly straightforward and not terribly provocative. It was asking when Labor will build their plant by 2025 or another date, and the minister is now clearly debating.

The SPEAKER: I will listen carefully. We are early in the response.

The Hon. A. KOUTSANTONIS: The importance for us of having these plants operational is very important for a couple of reasons. Our large trading partners to our north in the Asia Pacific are decarbonising at the rate of knots. They have a thirst for green ammonia. They have a thirst for hydrogen because they are energy poor. They run large manufacturing plants that are energy intensive, and they are looking for partners.

We are blessed in this state with coincident wind and solar resources, and we plan to take full advantage of those resources for the benefit of the people of South Australia. Renewables took a holiday under the previous government, but we are pushing ahead at speed. We are pushing ahead at speed.

Members interjecting:

The SPEAKER: Order!

Mr Brown interjecting:

The SPEAKER: Member for Florey!

The Hon. A. KOUTSANTONIS: We won't see the demonisation of renewable energy under this government. We support it. We back it. We believe in it. The thing about green hydrogen is that it pushes that envelope again, and we will continue to push the envelope because South Australia is a nation leader. Despite what members opposite say—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —we believe that renewables and storage—

Mr Tarzia interjecting:

The SPEAKER: Member for Hartley!

The Hon. A. KOUTSANTONIS: —are the answer to decarbonisation. Even now, in 2022 the old culture war and the old climate wars are being brought out again by members opposite talking about the—

Members interjecting:

The SPEAKER: Order! Minister, there is a point of order under 134 the member for Morialta wishes to raise with me.

The Hon. J.A.W. GARDNER: Sir, standing order 98: the minister is characterising the opposition's questions as entirely contested statements in a way that we do not think is reasonable, and it is utterly outside standing orders.

Mr Patterson interjecting:

The SPEAKER: Member for Morphett! There is some merit and some force in the member's submission to me. I ask the minister to chart a line closer to the question.

The Hon. A. KOUTSANTONIS: Thank you, sir. We are keen because we want to make sure that our plant is operational by 2025 for a number of reasons: first and foremost is to be a world leader in signing up those international markets for arrangements to have the use of green hydrogen; and, more importantly, the work we did in the previous Weatherill government to ensure the long-term viability of the steelworks in Whyalla.

The opportunity for us to decarbonise steelmaking is an international opportunity for South Australia, not only in terms of steel production in this country but in our ability to export a decarbonised steel or iron product to the rest of the world. So, yes, it is a race, and finally South Australia is in it.

HUMAN SERVICES DEPARTMENT

Ms PRATT (Frome) (14:18): My question is to the Minister for Human Services. Have any staff resigned or had their employment contracts terminated in her ministerial office since she became Minister for Human Services?

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:18): Yes.

HUMAN SERVICES DEPARTMENT

Ms PRATT (Frome) (14:18): Supplementary: can the minister then explain how many and the nature of these departures?

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:18): No.

Members interjecting:

The SPEAKER: Order!

HUMAN SERVICES DEPARTMENT

Ms PRATT (Frome) (14:19): My question is to the Minister for Human Services. Is the minister aware of any complaints, mediations or requests for transfers raised by staff in her offices since she became minister?

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:19): No.

Ms PRATT: Supplementary, Mr Speaker.

Members interjecting:

The SPEAKER: Order! The member for Frome has the call.

Ms PRATT: Sorry. My error, Mr Speaker.

The SPEAKER: I will move to the member for Light.

Members interjecting:

The SPEAKER: Order!

Mr Odenwalder: Case closed.

The SPEAKER: Member for Elizabeth!

REGIONAL PALLIATIVE CARE WORKFORCE

The Hon. A. PICCOLO (Light) (14:19): My question is to the Minister for Health and Wellbeing. Can the minister update the house on the status of the regional palliative care workforce?

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:19): I thank the member for Light for his question. I acknowledge his very deep interest in palliative care in South Australia. This is something where we do know that more work needs to be done because there is clearly a disparity in terms of access for good quality palliative care, particularly when it comes to regional South Australia.

The work that our palliative care nurses do right across South Australia is absolutely amazing. They help families in very difficult circumstances and make sure people have dignity in their final hours and days, but they are, in many places, run off their feet. It was raised time and time again with us before the election that palliative care needed additional investment and additional help.

As part of our election commitments in relation to the 300 additional nurses that we committed to, we had an allocation of that for 10 additional nurses specifically for palliative care, to help those palliative care teams right across South Australia. Since coming to office, we have undertaken further consultation, we have been working with the Palliative Care Clinical Network and we have been working with teams across SA Health to identify the best area of need for those palliative care nurses.

What was very apparent was making sure that we can allocate those extra positions in regional areas. This is clearly where we need to have the biggest impact in terms of where there is discrepancy in people's ability to get palliative care at the moment. Currently, there are 22 nurses who work across palliative care in regional South Australia. We will now increase that by 10 additional nurses, so that's a 45 per cent increase in the palliative care nursing workforce across South Australia.

I can announce today where those are going to be allocated. There will be an additional 3½ FTE going into the Barossa Hills Fleurieu district, which the member, obviously, in his electorate representing Gawler will be very interested in. There are going to be two additional FTE of palliative care nurses going both into Eyre and Far North and into the Riverland Mallee Coorong local health networks. It's particularly worth noting that in the Eyre and Far North at the moment there is only 1.3 FTE for palliative care nurses, so that is going to be more than doubling their allocation of nurses there. There is also going to be one extra palliative care nurse going into Flinders and Upper North, one extra into Yorke and Northern, and half an FTE going into Limestone Coast.

That tries to get equality in terms of the allocation of palliative care nurses across regional South Australia. This is going to be important for so many families. It's also going to help reduce pressure on hospitals, because we know a lot of the research points to the fact that many South Australians would prefer to receive their palliative care and die at home, but that's not available for many people, particularly with these workforce issues.

Particularly, I would like to highlight that one of those palliative care nurses is going to be allocated to the south coast, out of the Barossa Hills Fleurieu. This is an area that was raised with me in opposition. I went to a very well-attended forum in Victor Harbor—I think I was the only member of parliament who was at this forum—and heard from people about the issues they are facing. Having that growing population, an additional palliative care nurse is going to be particularly important.

I think it will also be of interest to the member for Stuart and the member for Giles that one of those palliative care nurses will be working between Whyalla and Port Augusta as well. This is an excellent announcement. It's going to improve care for many, many South Australians.

RIVERLAND TOURISM

Mr WHETSTONE (Chaffey) (14:24): My question is to the Minister for Tourism. Can the minister update the house on how she is supporting and encouraging tourism businesses in the Riverland? With your leave, and that of the house, I will explain.

Leave granted.

Mr WHETSTONE: Minister, tourism businesses across the Riverland have suffered from negative media reporting related to the much anticipated high flow event in the River Murray.

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (14:24): Thank you very much, and I recognise as the local member that you are advocating for the electorate that you live in. Obviously, this high-flow event is something about which to be alert but not alarmed. The Premier spoke yesterday on TV that we can still visit the area, but of course to listen to the emergency safety concerns. We know things can change very quickly.

Most recently, we have seen some advice that hopefully it won't be as impactful as predictions have said, but we have many weeks to go before we know what the full extent will be. As I understand, over the next six weeks that flow will come down. Right now, we have had calls into our Murray Lakes and Coorong for the regional managers there. Bill Nehmy I talk to regularly—the commissioner has been talking to him—and Pamela Canavan in the Riverland.

We are very aware of people's behaviour. We have certainly seen post COVID or now within COVID that people book very late and they are also incredibly risk averse. While South Australians have been enjoying their own backyard exceptionally, and certainly the Riverland has done very well—particularly the upper end, the Murraylands, achieving already its 2025 Regional Visitor Strategy goal—we know that people are risk averse, so we will continue to talk to those providers.

I talked to the person who runs the Mannum Hotel and River Shack Rentals, Dave, just yesterday. He is concerned that people are not booking. My main message would be: if it's safe to do so you can visit, but you must be aware that things can change rapidly. We will continue to do that. When we know what the impact will be, we will have a look at what we can do to encourage visitors to go more and more.

The previous government had a very successful BookThemOut campaign, which was after the bushfires. We know that we have to go out there and let people know when it's safe to do so. I will commit to you as a whole that I am very aware of this. I'm talking regularly to operators. Tony Sharley and I had a quick back and forth message conversation. Actually, it's a beautiful time to see the Murray River. It's exceptional to see the way it is at high flow and, in fact, you will see the beautiful wildlife and the beautiful wildflowers. When we know that it's safe, and it is right now, then we would encourage people to go there, but they must be aware that things can change rapidly.

We just heard the people are going down from Environment and SA Water to check the levees, and I think it's important that we listen to hear what other additional support might be needed to make sure it continues to be safe. We are very focused on this. Those phone calls have been happening. I've actually got Miranda Lang, who is on the ground in Loxton today, talking to people, understanding what parts are going to be impacted, if at all, and they will continue to provide that information.

Jenny Turner, who is a director of communications, is part of ZEST (Zone Emergency Support Team). Jenny is hearing firsthand what the needs are there, so we are very close to the ground. I recognise that we need to make sure our messaging is clear, but we also need to be aware that things can move quite quickly.

LADY GEORGE KINDERGARTEN

The Hon. D.G. PISONI (Unley) (14:28): My question is to the Minister for Education, Training and Skills. Can the minister explain why the director of The Lady George kindy in Highgate, in my electorate of Unley, was not reappointed? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.G. PISONI: Upon coming to the end of his current term, the director of the kindergarten reapplied for his position but was unsuccessful. The parent representative on the selection panel has presented very real concerns about the process, but these have been dismissed by the department. The local community is very upset.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:29): I thank the member for Unley for his question, and I acknowledge the presence in the chamber today of community members and parents from The Lady George Kindergarten. This is certainly an issue I am aware of, and I am very much aware of how The Lady George Kindergarten community felt about the appointment or, in this case, the lack of appointment to which the member for Unley just referred in his question.

When it was brought to my attention, I did what I am sure people in this place would expect the Minister for Education to do. I spoke to the education department. Of course, as minister, I am not responsible for individual appointments of directors or principals to kindergartens or primary schools and high schools. This is something I have never said in this place before, but I think even the member for Unley would agree with me that we would not want a situation where politicians were responsible for those kinds of appointments, but of course I took the complaint very seriously.

I asked for an explanation from the education department about what the process was in terms of appointing a director at Lady George Kindergarten. I was told at first blush that the process that was undertaken was the appropriate one. It followed a merit selection process, which is the process that is undertaken in all these appointments. I said that obviously we have a very upset community here who have a very, very high regard for the person the member for Unley referenced and they believe that there was something awry in that appointment process that should be looked at.

That resulted in a review of that process, which the department undertook. I can inform the house now that the review—which was conducted, of course, independently of me as the minister—found that in this case all appropriate processes had been followed and that the appointment of the new director was consistent with the principles of a merit selection process. I understand that has been communicated to a member of the original appointment panel, who I believe was the person who made the formal complaint to me. The findings of that review have now been communicated by Professor Martin Westwell, the chief executive of the department, to that member of the panel.

I understand that that is not the outcome that community members were looking for but, as I said before, it is very important that I think politicians remain independent and at arm's length from appointment processes like this. I don't propose as minister to start involving myself individually in these cases. The best that I can do, and the most reassurance that I can offer communities like the Lady George, is to ask for the process to be thoroughly reviewed and then communicate that, and that is what has been done in this case.

LADY GEORGE KINDERGARTEN

The Hon. D.G. PISONI (Unley) (14:32): Supplementary question: why is the minister satisfied with the review?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:32): Because, as I said, I believe, in the answer I gave before the member for Unley's supplementary question, I asked the department if they would review the matter, the department reviewed the matter and they found that the process was conducted appropriately and in accordance with a merit selection process. The findings of that review were then communicated, I think, on 6 October to the person from the panel who made the original complaint about that appointment process.

I am not sure over and above that what the member for Unley would suggest that I should do—if I should simply not be taking the advice of an independent review process conducted by the department. I am open to your suggestions on that, member for Unley, but I am confident that the process has been reviewed appropriately and, as I said, I completely understand it is not the outcome that the community were looking for, but I think the review was appropriate and a decision has now been made and communicated.

FLAMMABLE BUILDING CLADDING

Mr BATTY (Bragg) (14:33): My question is to the Minister for Planning. Can the minister advise whether he will meet with my constituents to discuss their concerns about dangerous and flammable cladding? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: The presiding officer of the Air Apartments wrote on 20 May 2022 and again on 17 August 2022 to request a meeting. He received no response from the minister for five months. The response provided just this week ignored the meeting request.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:34): I have had representations made about cladding from several apartment owners or people who own apartments in blocks that have cladding issues. Indeed, this is a very longstanding issue. It arose, of course, post 2017 and has gone on until this day. Up until this date, we have had a high degree of bipartisanship in this area, and that is for very important reasons. This is a highly contentious issue. We wanted to have a coherent response to it and, as I said before, up until last week high degrees of bipartisanship have been exhibited—

An honourable member interjecting:

The Hon. N.D. CHAMPION: Well, just bear with me because I want to explain a few things. I am happy to meet with—

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: —representatives of any apartment owners who have issues in this area. It's obviously distressing for those owners of those apartments. It's been there for a long time. A number of buildings have been remediated in the private sector and in the public sector, and we have had a movement of buildings from the extreme or high-risk category down into the moderate category.

As I understand it, last week the opposition came out with a policy of conditional loans for this area, which is interesting because they never actually undertook any of those loans when they were in government; in fact, we had four years of not doing that.

Members interjecting:

The SPEAKER: Order! Minister, please be seated. There is a point of order under 134, which I will hear. The member for Morialta.

The Hon. J.A.W. GARDNER: Sir, the question was really specific—related to a meeting request from five months ago that remains unanswered. The minister, in seeking to characterise other parties' policy—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —is debating. It's the very definition of contravening standing order 98.

The SPEAKER: Very well. I have the point of order. Minister, I ask you to take a line close to the question.

The Hon. N.D. CHAMPION: I will obey your instructions, Mr Speaker, and we won't talk about the previous four years of inaction in this area. Of course, I am happy to meet with anybody who wants to make representations to me—

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: —but I think actually—

Members interjecting:

The SPEAKER: Member for Florey! The member for Florey is warned.

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is warned. The minister has the call.

Mr Brown interjecting:

The SPEAKER: The member for Florey is warned for a second time. Order!

The Hon. N.D. CHAMPION: If I might make one proviso about this, because it is a very serious issue and it involves people's safety, one of the bipartisan conventions that was observed was that you wouldn't publicly identify the buildings involved, and there is a very important reason for this.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. N.D. CHAMPION: It's because—

Members interjecting:

The SPEAKER: Member for Schubert! Member for Chaffey!

The Hon. N.D. CHAMPION: —SAPOL, the South Australian police, advise us not to identify the buildings. It's because the Metropolitan Fire Service—

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: —tells us not to identify these buildings.

Mr Batty interjecting:

The SPEAKER: Member for Bragg!

The Hon. N.D. CHAMPION: It's because national security agencies tell us not to—

Mr Batty interjecting:

The SPEAKER: The member for Bragg is warned.

The Hon. N.D. CHAMPION: —identify the buildings. What we have had from the member for Bragg, who could have found out—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Point of order.

The Hon. N.D. CHAMPION: —about these matters at any time—

The SPEAKER: Minister!

The Hon. N.D. CHAMPION: —by answering his predecessor—

The SPEAKER: Minister!

The Hon. N.D. CHAMPION: —or the person who sits next door to him—

Members interjecting:

The SPEAKER: Minister, order!

The Hon. N.D. CHAMPION: What he could have found out at any time—

Members interjecting:

The SPEAKER: Order! Minister, please be seated.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

Mr Brown interjecting:

The SPEAKER: The member for Florey is on three warnings.

The Hon. J.A.W. GARDNER: Sir, the minister is seeking to cover his shame with the debate again and by attacking another—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —member in response to a fairly straightforward question.

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. Malinauskas: Don't name the building.

The SPEAKER: The Premier is called to order.

The Hon. A. Koutsantonis: The rookie took a safe seat and made it marginal.

The SPEAKER: Member for West Torrens! It is not necessary in raising points of order to reflect on members; nevertheless, there is some force in the point of order. Has the minister concluded his answer?

The Hon. N.D. CHAMPION: I would only say that I think this is an important point for the parliament to consider: we should not identify the buildings involved because there is a risk to those residents. If the honourable member—

Mr Batty interjecting:

The SPEAKER: Member for Bragg!

The Hon. N.D. CHAMPION: —had any issues about this, he could have asked the shadow minister for planning to raise it with me at our meeting, which happened at the—

Mr Batty interjecting:

The SPEAKER: The member for Bragg is warned for a second time.

The Hon. N.D. CHAMPION: —preceding sitting of parliament, so there have been many opportunities—

Mrs Hurn interjecting:

The SPEAKER: Member for Schubert!

The Hon. N.D. CHAMPION: —for the opposition to raise this informally and they haven't. They shouldn't have identified this building publicly.

Members interjecting:

The SPEAKER: Order! The member for Schubert is warned.

The Hon. N.D. Champion interjecting:

The SPEAKER: The member for Taylor is warned.

Members interjecting:

The SPEAKER: Order! The member for Flinders has the call.

EPLANNING SYSTEM

Mr TELFER (Flinders) (14:39): My question is to the Minister for Planning. Will the minister provide support to local government to assist them with the costs of administering the ePlanning system? With your leave, and that of the house, I will explain.

Leave granted.

Mr TELFER: The President of the Local Government Association of South Australia wrote to Minister Champion on 30 June, advising that a number of councils are finding ePlanning levies excessive and require support.

An honourable member interjecting:

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:39): Yes.

The SPEAKER: Order!

The Hon. N.D. CHAMPION: What we have done is ask the expert panel that's being presided over by Mr John Stimson to have a look at the ePlanning system, and that includes costs and fees in part of it. The Local Government Association understands that that expert panel is currently meeting and will report in the new year, and I fully expect that costs will be raised as part of that. At the most recent reports I have had from the department, and my most recent engagements with the Local Government Association, there has not been a high level of complaint about the ePlanning system as it's currently configured.

EPLANNING SYSTEM

Mr TELFER (Flinders) (14:40): My question is to the Minister for Planning. Will the minister provide funding to regional councils to assist them in development of regional plans? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: A letter sent to the minister by the Local Government Association of South Australia on 25 August advises that several regional local councils are struggling to develop regional plans under the new planning system as they lack relevant staff and resources.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:40): Under the current process with the 30-Year Plan, which has begun in the regions, we have provided funding to the State Planning Commission to do that and to engage with councils. I know for a fact that the State Planning Commission chairperson, Mr Craig Holden, has been out there talking to councils. I am happy to discuss with him about whether he has encountered any problems from regional councils, and I take the member's issue. I am happy to report back to the house on it, but I don't anticipate there to be resourcing issues because the government has resourced this process.

RENEWAL SA

Mr TELFER (Flinders) (14:41): My question is to the Minister for Planning. Will the minister direct Renewal SA to work with regional councils? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: On 25 August, the Local Government Association of South Australia advised the minister that they had concerns about the lack of action to resolve regional housing shortages, stating that Renewal SA is:

...not currently engaging in any regional residential projects at a time when severe housing shortages are being experienced throughout regional South Australia.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:42): I thank the member for his question. This is a very serious issue for regions, which is why when we had the country cabinets in

both the South-East and the Upper Spencer Gulf we asked Renewal SA to come with us and to meet with local councils. They have done that.

I have made it very clear to Renewal SA that they do need to engage with rural communities, and we had some very successful meetings and very successful engagements. There is no secret that worker housing in particular in regions is a very significant issue that's being a barrier to growth, and we all know that. That problem has developed over time, so the honourable member might want to reflect on the last four years and about whether every opportunity was taken—

Members interjecting:

The SPEAKER: Order! Member for Chaffey!

The Hon. N.D. CHAMPION: —but I am not—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. N.D. CHAMPION: But I have taken Renewal SA down to—

Members interjecting:

The SPEAKER: Member for Schubert! The member for Chaffey is warned.

The Hon. N.D. CHAMPION: —regional communities to talk to local councils. We have had those discussions and we will most certainly be taking action.

The SPEAKER: The member for Flinders on a supplementary.

RENEWAL SA

Mr TELFER (Flinders) (14:43): My question is to the Minister for Planning, obviously. What steps is the minister recommending that Renewal SA take to properly engage, and what outcomes is the minister hoping that Renewal SA will achieve throughout this process?

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:43): The first point is you do need to engage, you do need to visit, because each regional community has a different set of circumstances. I have certainly had discussions with members of the opposition about some of the challenges they have had in their electorates. I have had meetings with the member for Mount Gambier about some of the issues that are in that electorate and with Minister Brock and with the local councillors up in the Upper Spencer Gulf. The first step is to listen, to carefully analyse what each regional community's challenges are and then—

Mr Telfer interjecting:

The Hon. N.D. CHAMPION: Do you want the answer or not? If you want the answer, you might want to listen to me without interjecting constantly, not that I am asking the Speaker for protection.

Members interjecting:

The SPEAKER: Order! Member for Hartley!

The Hon. N.D. CHAMPION: Let me point out that the honourable member says, 'Why haven't you done anything?' That's because when we got to government, on regional housing, let me tell you, the cupboard was bare.

Mr Telfer interjecting:

The SPEAKER: Member for Flinders!

The Hon. N.D. CHAMPION: You had done nothing for four years—nothing!

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is on three warnings.

The Hon. N.D. CHAMPION: When did you take Renewal SA out to any of the regional cities?

Members interjecting:

The SPEAKER: Order! The member for Flinders is warned.

The Hon. N.D. CHAMPION: Tell me. I am waiting to see the motion congratulating the Marshall Liberal government on taking Renewal SA out to the regions. It didn't happen. We came to government. You had done nothing for four years. We are addressing a very tight rental market. We are doing it, in the first instance, via consultation. As to what might happen in the future, well, the government will make its announcements in the future.

Members interjecting:

The SPEAKER: Order! The exchange between the minister and the member for Flinders is unnecessary in view of the fact that the member for Hartley is seeking the call.

RESIDENTIAL LAND RELEASE

Mr TARZIA (Hartley) (14:45): My question is also to the Minister for Planning. How many new allotments of land have been released and/or approved since the election?

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:45): I will take that on advisement to get the exact figure, but one of the things we have done, for instance, is we have initiated the Hackham Code Amendment, which is one of those arrangements. As to land supply issues, one of the things that has become apparent is that there's land that's zoned for development and then there's land that's actually on the market. So you have to be a bit careful there. It is a moving feast and I will report back to the house about the exact number at the earliest opportunity.

RESIDENTIAL LAND RELEASE

Mr TARZIA (Hartley) (14:46): I have a further question to the Minister for Planning. How many residential lot approvals are currently awaiting approval and when will these be approved?

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:46): Again, I will take that on notice and report back to the house.

TARRKARRI, ABORIGINAL ART AND CULTURES CENTRE

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:46): My question is to the Minister for Arts. Has there been any change to the time line for the delivery of Tarrkarri? With your leave, and that of the house, sir, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: When asked in estimates about the project time line for the delivery of Tarrkarri, the Aboriginal Art and Cultures Centre, the minister replied:

Tarrkarri is June 2025—the estimated completion is in that quarter. Tarrkarri is estimated I think for some time in March or April.

The question is whether there is any delay?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:46): I thank the Deputy Leader of the Opposition for his question. I am happy to take the question in light of the fact that Tarrkarri sits within the responsibilities of the purview of Lot Fourteen for which I am responsible. The Tarrkarri project—

Members interjecting:

The SPEAKER: Order, member for Schubert! The Treasurer is called to order. The Premier has the call.

The Hon. P.B. MALINAUSKAS: The parcel of land that Tarrkarri is slated to go on represents one of the most significant opportunities for the state. It is one that has been actively discussed for some time. This government remains committed to the delivery of a cultural institution on that project and there has, at this point, been no change to the policy.

TARRKARRI, ABORIGINAL ART AND CULTURES CENTRE

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:47): Supplementary to the Premier: I appreciate what he has just said, that there is no change to the policy, but can he confirm that there has been no advice provided to government that the project will be delayed past the current estimated completion date?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:48): What I can inform the house is that this is a project that we are committed to. We want to make sure that it is got right. As things currently stand, we are in regular receipt of updates regarding the progression of the project and it is one that the government continues to receive advice about.

TARRKARRI, ABORIGINAL ART AND CULTURES CENTRE

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:48): Supplementary to the Premier: has the government been provided with any advice or warnings or does the government have any concerns that since John Setka's takeover of the CFMEU, there are indeed—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —plans for the John Setka-led takeover of the CFMEU to lead to blowouts of costs or delays—

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: The member for West Torrens on a point of order.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The Treasurer is called to order.

The Hon. A. KOUTSANTONIS: Standing order 97: that question involved a fair bit of argument and opinion and I ask the member to rephrase given his hefty salary as deputy leader.

Members interjecting:

The SPEAKER: Order! I will give the member for Morialta the opportunity to recast the question.

The Hon. J.A.W. GARDNER: Has the Premier or the government received any advice or concerns in relation to blowouts in costs or delivery timetables in the Tarrkarri project over the last two months?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:49): I am happy to take that question on notice. However, what I can inform the house—given the characterisation that the deputy leader put in his original version of the question—is that the government is in receipt of no advice that suggests in any way, shape or form that industrial relations implications have had any impact on this project. In fact, I am not aware of us being in receipt of any advice regarding industrial relations implications of the nature referred to by the deputy leader having an impact in any project.

SNOWTOWN TO BUTE ROAD

Mr ELLIS (Narungga) (14:50): I have a question for the Minister for Transport and Infrastructure. Will the government commit to upgrading the Snowtown to Bute road? With your leave, and that of the house, I will explain a bit further.

Leave granted.

Mr ELLIS: The Snowtown to Bute road is a major thoroughfare to the Wallaroo grain terminal, and with the opening of the T-Ports facility we expect more grain to make its way down that road, which has now recently been gazetted for 30-metre road trains to use. It is in desperate need of a road upgrade to ensure that it can be done so safely.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:50): Again, there is the tireless advocacy of the member for Narungga for his local electorate. He is one of the most prolific letter-writers to me about his local community, and I undertake, along with the Minister for Regional Roads, to get back to him as quickly as possible.

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is on three warnings.

The Hon. A. KOUTSANTONIS: Sorry, are you feeling left out?

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey will come to order; he is on three warnings. The minister has the call.

The Hon. A. KOUTSANTONIS: I will undertake to take the member for Narungga's question back to the department and over the next week or so get an answer for him either in the parliament or between sessions because I know it is important to his local community. As he was saying to me yesterday, he saw a farmer inspecting his crop and he might have actually been walking on it, it was so thick and full. We want to make sure that we make it as easy as possible to get this bumper crop out of the ground for our farming communities. They do so much for our economy. I thank the member for his advocacy—I just wish more members opposite might do the same.

PRESCHOOL SERVICES

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:51): My question is to the Treasurer. What contingencies has the Treasurer provided from the 2026 calendar year onwards for the delivery of universal access for three year olds and preschool. With your leave, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: In the budget past, there was \$2 million in the budget for the royal commission into early childhood and related matters. There was no extra money for preschool. Julia Gillard, in the media last week or earlier this week, confirmed that one of the outcomes of the royal commission will be cost identifications for the delivery of three-year-old preschool from the year 2026.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:52): I thank the member for Morialta for his question. They say a good opposition makes a good government. It seems in this case a good government makes a good opposition—finally we are getting some questions from the deputy leader at the death knell of the parliamentary sitting week, after some goading about not asking questions in his portfolio area for many parliamentary sitting weeks.

The answer, had the member for Morialta listened to any proceedings of the estimates processes in all of the years that he has been in parliament, would be consistent, and that is that the government of the day of course doesn't reveal its contingencies. It outlines for the current financial year in the budget papers allocations in general terms for employee expenses, for infrastructure expenses and supplies and services, but we certainly don't project that particularly for operating expenses across a four-year period.

PRESCHOOL SERVICES

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:53): My question is to the Minister for Education, Training and Skills. What advice has the Minister for Education, Training and Skills received in relation to the required workforce demand for introducing universal access for three year olds into preschools in 2026?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:53): I thank the member for Morialta for his question and his interest in this matter. As we stated, I think from the outset in fact, when we first announced this government's intention to have a royal commission into the delivery of universal preschool for three year olds back on 21 October last year, we knew what some of the challenges in the delivery would be around physical capacity to make sure we could accommodate those three year olds who we know will take up this fantastic opportunity and then of course build on the existing workforce to make sure we have that workforce there in place for the rollout.

As the Treasurer said in the answer to the deputy leader's last question, these are some of the key questions and things that the Hon. Ms Gillard, the royal commissioner, will be looking at. The other day when this was mentioned I heard many opposite yelling out, 'Why don't you just do it? Why do you need a royal commission? Why don't you just do it?' The question that the deputy leader just asked is a fantastic example of why we need a royal commission: to make sure we get it right, to make sure we look at these challenges. We get one chance to do this properly, and we are going to do it properly. This is a government that will deliver its election commitments, including this one.

PRESCHOOL SERVICES

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:54): My question is to the Minister for Education, Training and Skills. Does the minister consider the delivery of universal access for all South Australian three year olds in 2026 to be the fulfilment of the election commitment, or does the minister consider the royal commission to be the fulfilment of the election commitment?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:55): I thank the deputy leader for his question again. Let me make this abundantly clear—and it is something that the Premier reminds all his ministers of almost on a daily basis—this is a government that will deliver the election commitments it made before the election. We have not moved one millimetre from what we committed before the election on the delivery of universal preschool for three year olds, and that is what we will deliver.

NATIONAL LITERACY AND NUMERACY TESTS

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:55): My question is to the Minister for Education, Training and Skills. Can the minister advise when the public will be advised of state and territory performance in the 2022 NAPLAN tests?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:56): I thank the member for Morialta, the deputy leader, for his question on NAPLAN. As I think he is probably aware, we have had a delay in the public release of the NAPLAN testing from this year. I think it was due to a particularly low turnout, I am advised.

However, I am reassured—and I think it is a decision, from memory, that sits with ACARA, which is a national body—that they will be released by the end of the year. I don't have a precise date for the member at this stage. It was in fact a question that I asked of my own staff and department just yesterday. I was reassured that we would be told by ACARA very soon about what that date is. There is a national reason not specific to any issues that were identified during testing in South Australia as to why we aren't having those results made public at the usual time.

NATIONAL LITERACY AND NUMERACY TESTS

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:56): Supplementary: did ACARA seek permission from state and territory ministers, including the Minister for Education, prior to the delay of the release, given the expectations that ACARA has from the ministers?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:57): I thank the deputy leader for his question again. I would have to take that on notice and check. I am happy to bring back an answer to the house.

NATIONAL LITERACY AND NUMERACY TESTS

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:57): My question is again to the Minister for Education, Training and Skills. Has the South Australian Department for Education been provided with any information related to the performance of South Australia's sectors in relation to the 2022 NAPLAN tests?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:57): I again thank the Deputy Leader of the Opposition for his question. I have some information to hand, which is that the ACARA board on 24 August decided not to publish the 2022 NAPLAN summary report due to historically low participation rates as a result of the pandemic, flu and floods, which were of course national issues. Instead, ACARA will only publish NAPLAN 2022 results in the final NAPLAN national report later this year.

FRONTLINE WORKERS

Mrs HURN (Schubert) (14:58): My question is to the Minister for Health and Wellbeing. What action is the government taking to keep frontline workers here in South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: David Pope, the past president of the South Australian Salaried Medical Officers Association, stated on ABC Radio on 17 October:

Right now the offers being made to doctors are really quite concerning and it's driving people away from our public system just when we need them most.

The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (14:58): I think the offers and percentages being talked about were the percentages negotiated under the salaried agreement in February this year under the previous government. I won't speak in relation to the minister for the public sector, but there is a precedent where those salaried negotiations flow through to the other smaller doctors' arrangements in relation to visiting medical specialists and clinical academics. Obviously, those negotiations are still open. We will continue as a government to have those negotiations. Our focus is on putting additional resources, additional beds, additional staff in—

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey!

The Hon. C.J. PICTON: —to reduce the stress on our frontline healthcare staff to make sure they get the resources they need to care for their patients.

HEALTH WORKERS

Mrs HURN (Schubert) (14:59): My question is again to the Minister for Health and Wellbeing. What action is the government taking to ensure that all health workers right across the health system are supported? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: On 17 October, it was reported in *The Advertiser* that the latest offer to medical specialists had sent a clear message that unions which run ads telling people how to vote are well paid and that unions that merely advocate for their members and the public are not.

The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (15:00): Once again, I reiterate my answer from the previous question that this flows from the negotiations that happened in February under the previous government. So, if the member is reflecting that that was not well paid, well, that's a matter she can raise with the Hon. Stephen Wade and Rob Lucas.

Mrs Hurn interjecting:

The SPEAKER: Order!

JETTIES

Mr TELFER (Flinders) (15:00): My question is to the Minister for Infrastructure and Transport. Does the minister support his department's process for building a comprehensive business plan for jetties in South Australia, and when is he expecting this process to be completed? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: In the *Sunday Mail* on 16 October 2022, a quote from a spokesperson from the Department for Infrastructure and Transport said that it was building a 'comprehensive business plan for jetties at Tumby Bay, Port Germain, Edithburgh, Kingston South-East and Rapid Bay'.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:01): We are continuing the pilot program for SA jetties established by the previous government. The draft SA jetties schedule was completed in August 2021, but unfortunately I understand that's not available to the current government because it was taken to cabinet.

The Hon. S.C. Mullighan: They might release their cabinet documents.

The Hon. A. KOUTSANTONIS: Maybe, potentially.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. A. KOUTSANTONIS: The pilot program, which is testing the draft strategy across Tumby Bay, Port Germain, Edithburgh, Kingston and Rapid Bay, is to propose a comprehensive business plan for the management of the state's jetties over the long term. I will be making a response as soon as we can, when the program is concluded. In South Australia, there are 76 timber jetties or wharves, some of which are over 100 years old and which are at end of life, with the risk of closure within the next two to five years.

I know the importance of jetties to regional communities. They are the lifeblood of their tourism sector, and they are also the lifeblood of those local communities. They are important. We did a very, very big program in the previous government of restoring and upgrading jetties not only in metropolitan Adelaide but also in regional South Australia.

We are very, very keen to make sure that regional management and maintenance of jetties is maintained. Regional management and maintenance for 36 jetties was divested to councils throughout the late 1990s through leases between terms of 25 and 99 years, with the first lease expiring December 2024, which is Tumby Bay, and North Shields and Louth Bay expiring in 2025. The return of these divested jetties and wharves back to the government over time will present a significant budget challenge, and it is going to be difficult.

We are aware of their deterioration, their condition, their age and the inability of councils—or lack of rate base—to maintain these jetties. No-one is expecting jetties like Tumby Bay to have the financial capability and capacity to maintain jetties. I am sure it has nothing to do with the financial abilities of the former mayor, but it is a small council; I accept that.

Mr Telfer: Release more land.

The Hon. A. KOUTSANTONIS: Do you have a solution?

Mr Telfer: Yes, release more land.

The Hon. A. KOUTSANTONIS: Release more land? That will fix the jetties?

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: From the mouths of babes!

Members interjecting:

The SPEAKER: Member for Wright! Member for Elizabeth!

The Hon. A. KOUTSANTONIS: From the mouths of babes!

The SPEAKER: Order!

Mr Tarzia interjecting:

The SPEAKER: Member for Hartley!

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: I can see the deterioration on those jarrah jetties already receding by the thought of us releasing more land. It's a jetty-led recovery!

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: The program is progressing the business case containing the condition assessment and detailed costs, and it is scheduled for completion in late 2022/early 2023. This is something that I am very keen to collaborate on with my cabinet colleagues, especially my very, very close friend here, the Treasurer. I accept that jetties are the lifeblood of regional communities, and we're going to make sure we can look after them.

WOMEN'S AND CHILDREN'S HOSPITAL

Mrs HURN (Schubert) (15:04): My question is to the Minister for Health and Wellbeing. Has the business case for the new Women's and Children's Hospital been to Infrastructure SA? If so, what was the outcome?

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (15:05): We have been very clear about the process that we undertook in relation to appointing a panel that was led by Jim Hallion. The panel had experts on it, including Jim Birch, who led the previous task force that was undertaken under the previous government. That determined that the best outcome for building the new hospital was to build on the new site, both from a clinical perspective and overall perspective. This has been widely supported by clinicians, but we just don't know where the opposition stands on it.

Mrs Hurn: So this hasn't been to Infrastructure SA?

The SPEAKER: The member for Schubert is called to order.

ADELAIDE BOTANIC HIGH SCHOOL

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:05): My question is to the Minister for Education, Training and Skills. Is the Department for Education preparing contingency plans should the Adelaide Botanic High School build not be completed in time for the beginning of 2024?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (15:05): I thank the member for Morialta for this question. I appreciate greatly the opportunity to talk about Adelaide Botanic High School. I know my neighbour is always very happy for me to speak about this, as is the member for West Torrens, of course, because before the last state election both parties made a commitment to increase the capacity of Adelaide Botanic High School by 700 places. The only difference between the policies of the two parties was that on this side we committed to using those 700 places to reinstate those suburbs that had been cut in 2019 from the shared CBD zone by those opposite.

The question that the member for Morialta asks, I think, is in reference to some of the media that we did last week, when we were doing our best to encourage Adelaide City Council to do the right thing and get on with the approvals that we need to get the piece of land that is adjacent to Adelaide Botanic High School and start the build. The chief executive, Professor Martin Westwell,

when he was asked made a comment around, as the member for Morialta asked, what contingencies are in place just in case that work is not done.

I am pleased to advise the house that I think it is tonight that Adelaide City Council, we expect, will provide final sign-off for this project. This means that I am confident that construction on the site will actually begin this year, which will enable the school to be open for the 2024 school year. If for some reason that is not the case—which I do not anticipate it to be—of course, you would expect a prudent government to have something in place.

The chief executive commented that he was looking around what space or classes might be available at the university nearby just in case the Adelaide Botanic High School expansion wasn't ready. However, I am pleased that, given the significant progress we have made in the last seven days and Adelaide City Council now coming on board—tonight, hopefully, ratifying that decision—construction can start this year.

We are not going to have to be in a position where we have to do that. In fact, we will have that expansion ready, as we promised before the state election, to be operational by the 2024 school year. I am happy to read those suburbs or part suburbs into *Hansard*. Torrensville, Mile End, Hilton, Richmond, Marleston, Kurralta Park, Glandore, Black Forest and Clarence Park are the suburbs which I think were excised from that zone which will then be able to be back into the shared CBD zone—fantastic news not just for families in those suburbs that were cut, but also for families in the Adelaide City Council area who are looking to have their children at either Adelaide High School or Adelaide Botanic High School in the future.

Members interjecting:

The SPEAKER: Order! Before we turn to grievances, I observe that there was only a single government question today following the conclusion of a line of questioning from the member for Frome.

Grievance Debate

HYDROGEN PRODUCTION

Mr PATTERSON (Morphett) (15:08): It is that time of year again. The end of footy season trips are in full swing and there is no exception here in the South Australian parliament, with a massive boys' trip to Japan featuring the Premier and his mates the member for West Torrens and the member for Taylor. But, on closer inspection, all this trip seemed to be about was just a reannouncement of previous relationships that had been built up by the former Liberal government.

Companies such as Mitsubishi, Santos, H2U and ENEOS were part of a consortia that the former Liberal government put together as part of the successful \$140 million Port Bonython hydrogen hub announced in just April this year—companies that were committing tens of millions of dollars in partnership with the former government. That also includes other Japanese companies, such as MHI, KHI and Marubeni, in other forms of hydrogen work being done right here in South Australia.

These announcements really are a distraction from what progress is actually being made on the ground here in South Australia right at a time when ESCOSA released its latest electricity household bill prices that show that electricity bills have gone up by \$218 for households in South Australia, with more rises expected. So, here we are, six months after the election, and there are still many questions surrounding the government's \$600 million experimental hydrogen power station. South Australians deserve to know where it is actually going to be situated, when exactly it will be built and how much it is going to cost South Australian taxpayers.

Just before the election in March, the Premier put out a press release with the claim that 'if elected, Labor will form an expert panel to report back within 90 days to identify the most appropriate parcel of land' in the Whyalla region. Well, it has been over 210 days since the state election and we are still waiting to hear from the government about the precise location of their \$600 million experimental hydrogen power station. It certainly does not give South Australians confidence that this is on track, and it is just another example of an election commitment that has been broken by this Malinauskas Labor government.

Another election commitment they made was that it was going to be operational by the end of 2025. South Australians are a little bit confused by this because just last week on radio the Premier was heard to say on FIVEaa, 'We plan to have a plant up and running by 2026.' The same morning, on ABC radio, he then said that 'our hydrogen power plant, which we will have built by 2026'. But, hold on a second, that is not what was claimed in the glossy election brochures. Finally, we have the elephant in the room—or, should I say, the white elephant in the room—that is, the price tag for this experimental hydrogen power station.

South Australians are rightly concerned about the ultimate cost they are going to be up for. In fact, so is the Auditor-General. In his 10th report of 2022, he outlined that the experimental hydrogen power station is the most significant new investing initiative, that its detailed costings are not yet finalised but that it was only based on independent advice from Frontier Economics.

As we all know, under the current state and federal Labor governments, inflation is rising and the cost of goods and services has gone up even over the last six months. Do not take my word for it; this is what the Treasurer had to say speaking in question time most recently: the increasing cost of components required for commercial construction have soared. Well, we have already seen massive delays and blowouts for the new Women's and Children's Hospital and, under the member for West Torrens, big delays and major cost blowouts for the north-south corridor.

South Australians are now looking down the barrel of yet another major project facing delays and cost blowouts under the watch of the Minister for Energy. He was known previously in his former life as the Minister for Blackouts, and this time round he has gained a reputation as the Minister for Blowouts. The Minister for Energy and Mining cannot be trusted to deliver this \$600 million experimental hydrogen power station on time and on budget.

PREGNANCY AND INFANT LOSS AWARENESS MONTH

Ms SAVVAS (Newland) (15:13): Today, I rise to acknowledge Pregnancy and Infant Loss Awareness Month, the month of October, when for a whole month we pay tribute to the lives of little ones gone too soon, whether that be from early pregnancy loss, miscarriage, ectopic pregnancy, chemical pregnancy, stillbirth, neonatal birth, SIDS or all other causes of pregnancy and infant loss.

Each year, 110,000 Australians have a miscarriage, 2,200 babies are born still and another 600 lose their babies in the first 28 days of life, and 15 October is the day to specifically mourn those babies held only in the hearts of their families. At 7pm on that date, in what we call the Wave of Light, people all over the world lit a candle for babies lost.

Pregnancy and infant loss is something that touches everyone in some way, yet for many there is still stigma and shame in talking about it. This year, SANDS and Red Nose are encouraging people to break the silence and speak up about their loss. They are using #standingsilent on social media and encouraging families, particularly those parents who have been bereaved, to talk about their babies.

I cannot begin to name the number of my own family and friends who have been impacted by pregnancy and infant loss, nor those who continue along an unspeakably painful and emotionally draining journey to have families of their own. I am sure that each and every person in this place has a story of their own and, for me, it is important to play my role in reducing that stigma by talking about my experiences with loss.

I have already told the story in this place of how my own family was rocked by infant loss when my brother Benjamin was born at 24 weeks' gestation in the year 2000. He was born awake, but passed soon after. He is but one example of a loss that rocked a family and I have seen firsthand the way that the pain of pregnancy and infant loss reverberates throughout a family for generations. As teenagers, two of my closest friends had a baby born still and that, too, had a long-lasting impact on the lives of their friends and family, myself included as a self-proclaimed surrogate aunty.

On 15 October 2012, the very same day that we remember babies lost around the world, my dear friends lost their own angel, Ivy Sarah. This week would have marked Ivy's 10th birthday and, as we do most years, myself and Ivy's mum, Sophie, spoke and imagined Ivy at 10. Sophie sees her as loud and confident, being raised with her cousins like sisters. On Ivy's seventh birthday, we did the same thing. Sophie said she saw Ivy as thoughtful and grounded for her age and likely braver

than her mum. She says she is certain that she would not be scared of spiders. Today, I acknowledge, on behalf of her mum, Sophie, Ivy Sarah Jordan-Glapa in the house.

In a different story, some 20 years after the birth of my little brother, another dear friend had a baby at 24 weeks' gestation. He not only survived but today is thriving. I acknowledge today as well as babies lost, the SCBU, PICU and NICU staff, particularly at our Women's and Children's Hospital, who play such a fundamental role in caring for preemie and sick babies—some who just a few years ago, like my brother, would not have had the same opportunities to grow and thrive. They are our miracle babies.

On 24 October, the Walk for Prems, hosted by Life's Little Treasures Foundation and Baby Bunting, was supposed to be held at Peace Park here in Adelaide with the remembrance ceremony for preemie babies lost. The event has been postponed but so far has raised over \$493,000 around the country to help families whose sick or premature babies are born unexpectedly. The journey to have safe and healthy babies for some is incredibly difficult and time-consuming. I do hope for those still on their journey, that they are blessed with rainbow babies of their own very soon.

Each year my mum acknowledges our loss on Facebook with the same poem for my brother and I share a line from it with the house today. It begins, 'I carry your heart with me (I carry it in my heart)', so today I pay tribute to the babies carried only in our hearts.

LADY GEORGE KINDERGARTEN

The Hon. D.G. PISONI (Unley) (15:17): The Lady George Kindergarten's highly respected director of six years, Mr Brett Gent, recently applied to continue his role; however, he was unsuccessful. According to the chair of the governing council, the recruitment process was unjust and imbalanced and failed to consider the perspective and wishes of the kindy community.

The Department for Education selection panel chair was highly critical of Mr Gent's application without justification. Her scores were significantly different from those of the rest of the panel, and Mr Gent was judged unfairly against standards that were not applied to other candidates. The chair of the governing council was deeply disturbed by the process and refused to sign the selection report. He has since written a detailed account of the process to both the Minister for Education and the chief executive of the department, neither of whom have addressed his concerns.

Mr Gent consistently received outstanding feedback on annual parent surveys and has the full support of the governing council. He is recognised and praised by education experts such as Senior South Australian of the Year Mr Mark LeMessurier, who publicly expressed outrage and deep disappointment in the way Mr Gent had been treated.

Mr Gent is greatly respected and appreciated by his staff too, who have reported he empowers them as individuals and as a team. He achieves outstanding academic and wellbeing outcomes and is a pillar of the community. Despite this, the Department for Education panel did not even put Mr Gent forward as a recommended candidate. The kindy community was shocked when they became aware that Mr Gent's application for reappointment as the kindy director had been unsuccessful.

Lady George Kindergarten parents say that Mr Gent is the best educator they have come across. He has nurtured their children and helped them to thrive. He has shown parents what they are capable of. He has shared his wisdom and his expertise to improve their parenting. He has created a caring and engaging community. He has created an exceptional learning environment and a program that develops children's education and wellbeing.

Two hundred and sixty-seven community members signed the online petition to retain Mr Gent as the kindy director within weeks of it being posted on social media—a strong community response demonstrating the impact Mr Gent has made on the past and present Lady George community. Community members wrote directly to the minister and the chief executive of the department and there were also dozens of messages of support from readers for Mr Gent after his story was published in *The Advertiser*, many questioning how such an inspiring educator could lose their job without any compelling rationale.

The minister instructed the department to review the process, which simply led to a brush-off letter from the CE on the minister's behalf claiming there was nothing wrong with the process. This is simply not good enough for the Lady George community. They have real and specific concerns about the recruitment process and how it was conducted and how any recruitment process that could see such an outstanding leader and educator pushed aside for no good reason should not be challenged.

Members of the Lady George community have told me that they support Mr Gent as an individual and his philosophy, his methods and his approach to early learning. They say he is a 21st century educator. He understands what children need to succeed. By focusing on the whole child, he builds their confidence and sense of identity, and he inspires a love of learning. He achieves phenomenal results, socially and academically, and he is a positive agent for change, someone who is truly committed to helping children and our community to thrive. The department is incredibly fortunate to have someone of his passion, expertise and commitment.

Today, we heard in an answer from the minister that he was satisfied with the internal review that was done by the department into the process, so I am calling for an external review of that process so we can, in fact, be satisfied with the outcome. Finally, I have some messages from the parents of Lady George Kindergarten:

Kindergarten is a pivotal year in children's lives and education. We want children to be nurtured and inspired. Brett Gent does this.

We want our community to continue to benefit from his kindness and dedication.

Brett's leadership has changed 100's of lives. He should have the opportunity to change 100's more and the Department should be paying attention to and learning from his outstanding results.

Brett and his approach represent what we want for our education system as parents, as a community and as constituents.

UKRAINIAN FUNDRAISING

Ms HUTCHESSON (Waite) (15:22): Today, I would like to talk about an excellent example of how local community groups in my electorate of Waite and my colleagues here in government all came together to ensure that some vulnerable children got to get away from all they are experiencing to just have fun and be kids.

On 24 February this year, we all looked on in horror as Vladimir Putin launched a war of aggression against Ukraine. Vision of decimated buildings, Ukrainians running for their lives and Russian military troops and planes invading Ukrainian territory was shocking. It was and still is heartbreaking to witness the death and destruction that continues to rage on. With over seven million people internally displaced and five million fleeing to neighbouring countries, it is a humanitarian crisis of epic proportion.

We as a state government have been supporting the humanitarian crisis by providing medical equipment and safe passage to displaced Ukrainians. It is these new arrivals that this story is about. A few months ago, I joined my local community, mostly ladies, at a fashion parade that was raising funds to help the Association of Ukrainians in South Australia to help support these displaced mostly women and children. This fundraiser was organised by the Blackwood Action Group, which managed to raise over \$6,700 and allowed our local businesses to show off their fashion.

At the parade, I had the pleasure of meeting Diane Howarth, who volunteers at the Ukraine language school and does everything she can to support the Ukrainian community, being a Ukrainian herself. I asked Diane what else I could do to help, and she said she would come back to me. A few weeks ago, Diane got in touch with me to let me know that the language school was trying to send the newly arrived Ukrainian children on a school camp with the existing language students. She let me know that they could not afford to go, so they were trying to raise money to send them.

Local community group, the Blackwood Circle of Friends, along with their national group, had come together to donate \$5,000 towards the camp. Diane let me know that the children did not have any sleeping bags that they needed for the camp, so I suggested this was something I could help with. She also let me know they may need assistance with the cost of the buses to send the children away to camp.

Thanks to the generosity of all my Labor colleagues, each committing their own money, we came together with the help of Anaconda stores and bought the children 40 sleeping bags. The children and their families were all very grateful to receive this gift and appreciated that the state government was there to support them.

The buses were a different story. My community of Waite has some very active and generous community groups, so I knew if I asked they would come through with the help these children needed. The Rotary clubs of Blackwood and Coromandel Valley, the Adelaide Hills Zonta Club, and the Blackwood Lions all came together to provide the necessary funds for the buses to transport the children to the camp, away from the news from home so that they could just relax.

Local artist Deanna Kernick, who runs mosaic classes in Blackwood, created an incredible mosaic depicting a beautiful sunflower. The piece was put up for auction and the bid was up to \$500 when Deanna decided she would actually like to keep the artwork herself, so she made a bid of \$550 and then donated that money to the association as well. What a beautiful gesture!

We managed to raise funds necessary to buy all the sleeping bags and pay for the buses to send the children to the Glenhaven camp near Stockport. Last week, I was joined by the member for Hurtle Vale, the member for Gibson, the member for Torrens, and the Hon. Russell Wortley from the other place, to send off the children on the buses to the camp.

Iryna Kvasniuk, one of the teachers from the school who organised the camp and gave so tirelessly in her help and support, was busy trying to shepherd the children onto buses that morning all whilst her own town of Ternopil, where she has family and friends still, had just been attacked in the last few days. Her resilience to keep going is a reflection of all Ukrainians in their battle for democracy and peace. It was an emotional morning, with some children never having experienced the excitement of going on camp before and with parents also excited but cautious at the same time.

The children were looking forward to the adventure ahead and were happy to let me know that they were well equipped with lots of lollies to take with them as well. We waved them away knowing that so many people had come together to make it all happen. I am so proud of my local community and my colleagues for their generosity and compassion for these children who have been through so much already in their short lives. I hope that they had a wonderful time and I look forward to being able to support them in the future.

HAHNDORF TRAFFIC IMPROVEMENT PROJECT

Mr PEDERICK (Hammond) (15:27): On 13 July 2018, the federal government announced it would commit \$1 million for a Hahndorf township strategic traffic planning study, aimed at identifying and assessing options to address congestion, connectivity, freight efficiency and safety in and around Hahndorf. Note that this was the former Liberal federal government.

Hahndorf is one of South Australia's premier tourist destinations and hosts around one million visitors each year. The main street, for example, carries approximately 11,000 vehicles per day, including 600 commercial vehicles and 480 heavy vehicles. The volume of traffic in Hahndorf grows by around 2 per cent each year; 300 peak hour road users have no purpose in the main street of Hahndorf.

The Australian government contributed \$200 million to the Hahndorf Township Improvements and Access Upgrade Project in its 2020-21 budget, with \$50 million from the Marshall state Liberal government. Under the Marshall Liberal government, there were three additional short-listed options in April 2021:

- a full interchange at River Road and a new link road connecting Echunga Road and River Road. This would have provided direct access for motorists travelling in all directions, significantly improved emergency service access and created alternate routes for heavy vehicles;
- a half interchange at River Road and a link road connecting Echunga Road and River Road. This would have provided direct access for motorists travelling south, north and east and would have created alternate routes for heavy vehicles; and

- a full interchange at Verdun with a link road connecting Echunga Road and River Road. This would have provided direct access for motorists travelling east and created alternate routes for some vehicles that currently pass through the main street of Hahndorf. This option would not have removed all necessary trips through Hahndorf.

In November 2021, a fourth community-led option was developed following a review of the feedback and input from the local community. I want to pay absolute homage to the work of Malcolm Kentish and the people of Hahndorf in having these options reviewed and getting this fourth option up.

The proposal was a new interchange in the Paechtown area, including a new freeway underpass, new connector road between Mount Barker Road and Echunga Road and on/off ramps providing full access towards the east and west. There was never a final or preferred option out of these four before the 2022 state election; however, all of them included the creation of a bypass in some form.

Labor's updated plans for the project include no heavy vehicle bypass whatsoever. It will simply upgrade the existing interchanges at Verdun and Mount Barker, and in no way is this going to alleviate the congestion in Hahndorf, which was the point of the whole project. This problem will likely only be exacerbated when works on the upgrade of Hahndorf's main street commence. It seems like the minister has only engaged with a very small percentage of the Hahndorf community because, from what I have read and heard, it is certainly not the outcome residents of Hahndorf hoped for after many years of consultation.

My colleague and the member for Heysen, Josh Teague, has met with local groups of residents of Hahndorf and Paechtown, and they have made it very clear to him that the updated project will not solve the traffic issues originally identified. I understand the Hahndorf Community Association is extremely disappointed with this decision, considering all the work they put in to finding a workable solution to congestion and parking issues in the town. These issues are very readily identifiable to anyone going through Hahndorf on a busy day.

The transport minister did not even consult with the local member. He consulted with the member for Kavel and got the local member wrong and did not have any consultation with the member for Heysen. As the shadow minister for regional roads, I would certainly like to know what the federal member for Mayo, Rebekha Sharkie, thinks about this and see whether she is willing to stand up to make sure that Hahndorf residents get the solution that they deserve and fully believe in.

ANTI-POVERTY WEEK

The Hon. A. PICCOLO (Light) (15:32): This week is Anti-Poverty Week. The week is about highlighting the plight and experience of people living in poverty in our community. It is very important during this week to tackle the problem of poverty and its impact on both adults and children. Part of the week is to make sure that we understand what we can do, as a government, community or society to tackle poverty in this country.

The impact of poverty on children is well known, but I think it is important to restate it, particularly the impact of poverty on the development of children—their physical, emotional, intellectual and cognitive development—and on their ongoing education, health and wellbeing. We know that early education and early intervention for children is very important for their long-term wellbeing. We know that children have to have access to education and a whole range of things to develop and function in our community and society and to achieve great things.

While we know that, we still accept—and by 'accept' I mean we still tolerate—that in our community thousands of children continue to live in poverty. The health of children living in poverty has been well researched. They obviously have very poor physical health, and they also experience very poor mental health, and the constant stress on those families in poverty is well known and documented. Poverty also prevents children from achieving their emotional development.

Young children living in poverty are often the ones who do not exceed in their schooling. They do not participate in sport, they do not participate in music and they do not participate in a whole range of different community events and activities because their poverty prevents them from doing so. That gets me to the point of the impact of poverty on children, which is twofold.

First of all, the child does not reach their full potential, and I think every human being has the right to reach their full potential. We are all different, we all have different skills and experiences, but we all have a right to reach our full potential; in other words, we all need a fair go to become the human being we can be. Young children living in poverty do not experience that. They face a number of barriers and cannot achieve all they can.

That leads me to my second point, that as a society we are robbed of the contribution that child could make to our community. If we have children living in poverty, they are not only not achieving for themselves but what they could achieve for their community and society is also lower, and therefore we are all robbed of that child's contribution. If for no other reason, we should make a huge effort to make sure that children do not live in poverty from both the child's perspective and a society-wide perspective.

For adults, poverty impacts on their health. People living in poverty often have very poor health in a very visible way. You often see that people living in poverty have very poor dental health, and that is a very visible sign of people living in poverty. At the extreme end of this poverty are rough sleepers, poor housing and poor employment. Mr Speaker, you try to get a job if you have poor dental hygiene, poor clothing and presentation and poor mental health. So, rather than blaming people living in poverty for their lack of employment, let's create opportunities where they can actually compete in the employment market. People living in poverty cannot fully participate in community and cannot achieve what they could.

Why do we have poverty? Sadly, the dominant narrative in our society is that people choose to live in poverty and therefore deserve what they are. I completely reject that philosophy. People are living in poverty because we have enormous wealth inequality and income inequality in this nation and right across the world. If we can afford \$244 billion in tax cuts for people living on incomes of \$200,000, as proposed by the previous Prime Minister, we can put more money to ensure that children do not live in poverty.

Healthy societies are those that are compassionate and support those who are most vulnerable. In this national poverty week, we should tackle this problem seriously.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:37): I move:

That the house at its rising adjourn until Tuesday 1 November 2022 at 11am.

Motion carried.

Bills

STATUTES AMENDMENT (USE OF DEVICES IN VEHICLES) BILL

Committee Stage

In committee (resumed on motion).

Clause 1.

Mr WHETSTONE: Minister, I am hoping you can refresh my memory and whether we can come back to determining the locations of these cameras. Can you tell me the way that the process is reached? Obviously, they will be the high-risk or high-return areas. Can you give the committee a better understanding of just how those locations are determined?

The Hon. J.K. SZAKACS: I am not sure whether I would be refreshing your memory in saying that we advised that the cameras will be in places of high return. That was not my advice previously. The intended camera locations are advised through multiple agencies. The advice will be received from SAPOL, from the Department for Infrastructure and Transport and also, importantly, from research undertaken by the Centre for Automotive Safety Research. The criteria being developed by those agencies are well developed and not inconsistent with the way that red-light cameras are currently positioned and mobilised across the state.

Mr WHETSTONE: I think that is code for highest return. Nevertheless, we move on.

Clause passed.

Clause 2.

Mr WHETSTONE: In terms of the technology around the cameras being able to detect the use of mobile phones, does it have the capacity to detect other distractions within the car?

The Hon. J.K. SZAKACS: No.

Mr WHETSTONE: So you can rule out that, if there is a distraction through other means in the car, there is no way that detection will be prosecuted?

The Hon. J.K. SZAKACS: I not only refer to my previous answer but also confirm that the existing policing enforcement of otherwise distracted driving will continue.

Mr WHETSTONE: I understand that, but if the technology can pick up a driver looking in the back seat tending to a child—

The Hon. J.K. Szakacs: It's very clear.

Mr WHETSTONE: I understand you said it is very clear, but what I am asking you is whether you can rule out the use of the camera to detect a driver tending to a child in the back seat of the car.

The Hon. J.K. SZAKACS: I could not be any clearer for the member, but I will try to be for his benefit. When I answered his question—does the camera technology have capacity?—I said no. I think the logical next step from that would be that, if a camera does not possess the capacity, then it would be logical, in response to the member's question, that I could rule it out because it simply is not capable.

Mr TEAGUE: In light of that, how does it work?

The Hon. J.K. SZAKACS: The camera technology will work and will penalise based upon a combination of artificial intelligence as well as human interface. The final mix and balance of that will be determined at the end of the procurement and at the time of implementation of these cameras. In a simple way, they are not dissimilar in the way that red-light cameras and the offence relating to red-light offences are currently administered; that is, you have camera technology that picks up the offence, that image.

In this case and this clause—if I can bring members back to this clause—it allows for not only a photograph but a series of photographs, an important amendment albeit administrative, to be analysed by a human. Should that human determine that the offence has been requisitely proven, then a fine will be issued. That fine will be issued against the registered owner of the vehicle, in the same way that a speeding offence or a red-light offence at the moment is issued against the registered owner of a vehicle.

Of course, it is up to the owner of that vehicle to undertake processes if they were not driving, but I am advised that there is not a significant deviation from existing administrative practices, including the existing utilisation of technology.

Mr TEAGUE: We are not at clause 3 yet, nor are we at clause 5, so we might come back to it in a minute. The minister has adverted to the importance of the new definition. Is the minister then able to give an indication of, if you like, the novelty of the technology versus the novelty of the new approach to be taken? Is there an essential novel technology that is enabling the application for this purpose, or is it now a combination of the application of long-established technology to new methods that is now enabling this to be done reliably?

The Hon. J.K. SZAKACS: The technology is novel insofar as this is a far-advanced product that is being procured than is currently on our roads detecting other offences. It is similar technology, if not maybe identical technology, depending upon the procurement, that is being rolled out in other jurisdictions that members referred to in their second reading speeches. Yes, the technology is novel, but only insofar as this is the new application here in South Australia.

The Hon. D.G. PISONI: On the technology, minister, does it identify somebody who might be sitting in the right of the chair, actually being in the passenger seat, because the vehicle is a left-hand drive?

The Hon. J.K. SZAKACS: No.

The Hon. D.G. PISONI: Does that mean that if someone is on the phone in the right-hand front seat that a fine will be issued in a left-hand drive vehicle?

The Hon. J.K. SZAKACS: I am happy to clarify that somewhat obtuse reference the member has made. It does demonstrate the human interface with this. The technology will, as I am advised, pick up the use of a mobile phone of the individual in the seat referred to by the member, and then the human interface will then be required to determine whether an offence has been committed.

Of course, if an individual is sitting in a passenger seat, I think the member would note that that is not an offence under either the Australian Road Rules or under the proposed offence here. That is the nature of the human interface. The technology will, as I am advised, pick up the use of that phone in the orthodox driver's seat here in South Australia, but the human interface will determine that that is not an offence.

The Hon. D.G. PISONI: How many left-hand drive vehicles registered in South Australia might be affected by this new device?

The Hon. J.K. SZAKACS: I could not inform the member of that.

The Hon. D.G. PISONI: Can you bring that information back to the house?

The Hon. J.K. SZAKACS: I will consider that, and I will take the advice between the houses.

Mr MCBRIDE: Minister, could you tell me whether there is any technology on the roads today taking photos of people using phones already, and have there been any infringement notices from the use of phones?

The Hon. J.K. SZAKACS: No, member for MacKillop.

Mr TEAGUE: Having had the very informative line of questioning just now from the member for Unley about left-hand drive cars, is it the case that the technology and its application are inherently focused on the right-hand front seat of any given vehicle? For example, you can overcome the left-hand drive point readily enough but, as a matter of curiosity, will the application of the technology extend to the use of a mobile phone by someone sitting in a passenger seat in circumstances, for example, of a learner driver where that might constitute an infringement? Or is it usefully, for the purposes of this question, to be understood as technology that is applied by zeroing in on the front right-hand seat?

The Hon. J.K. SZAKACS: I am advised that until the final procurement has occurred I cannot give you a strict technological answer to that. At the nearest possible juncture, I would be happy to advise the member of the rollout. As I advised previously for the member for Unley's question, it would be a redundancy and this is the human interface. That is, it is a human who is determining the offence, or if an offence has occurred, and the issuing of the fine thereafter.

The Hon. D.G. PISONI: Just to clarify that, does that mean, minister, that somebody driving a left-hand drive who is on the phone will not be detected?

The Hon. J.K. SZAKACS: No, that was not my answer.

The Hon. D.G. PISONI: What is your advice? Will they be detected? If somebody is driving a left-hand drive and they are on the phone, will they be detected under this system?

The Hon. J.K. SZAKACS: I am advised that the positioning of the cameras and the installation as foreshadowed will be able to pick up the offence of an individual who is driving a left-hand vehicle who is illegally using a mobile device. That person will be detected and will be able to be issued a fine.

The Hon. D.G. PISONI: Will that require the human interface or will that be done by the AI?

The Hon. J.K. SZAKACS: As I advised before, the issuing of the offence is done by the human. The AI will assist in the photograph, or the series of images, that will lead to the human determining that an offence has been committed.

The Hon. D.G. PISONI: Just so I can be clear, are you saying that every single photograph is sighted by a human, or are only those that are detected under the AI system as being an offence sighted by a human? If so, does the AI system detect a left-hand drive vehicle driver using a mobile device?

The Hon. J.K. SZAKACS: Again, I advise that every adjudication is by a human.

The Hon. D.G. PISONI: My question was: what triggers the adjudication? What triggers it? You have not answered the question. The question is: what triggers the human adjudication?

The Hon. J.K. SZAKACS: A photo.

The Hon. D.G. PISONI: So every single photo; is that what you are saying? It has a human—

The Hon. J.K. SZAKACS: It's not a real-time camera. We do not have a human sitting there monitoring 24/7 imaging.

The Hon. D.G. PISONI: I am not suggesting that for one minute. There is no need to be smart about it; this is a very genuine question. The question I am asking is: will the AI detect an offence of somebody driving a left-hand drive vehicle while on a mobile phone, and then that will go on for human adjudication, if it does?

The Hon. J.K. SZAKACS: Yes.

The Hon. D.G. PISONI: And I am asking: will it? Will the AI detect it?

The Hon. J.K. SZAKACS: Yes.

The Hon. D.G. PISONI: Or does every single photograph require human intervention?

The Hon. J.K. SZAKACS: Not every single photograph will lead to an offence. The adjudication to issue a fine is done by a human. As for the member's particular interest in left-hand drive vehicles, I can advise, as I did previously—and I am not sure, Chair, that I can do this much more—the use of a mobile phone illegally whilst driving a left-hand drive vehicle will trigger the taking of a photograph or a series of photographs.

Mr WHETSTONE: Minister, would you please walk me through what the landscape will look like. Will the cameras be mounted on poles or will they be mounted on bridges? How will the environment look once these cameras are rolled out and what can the motorist expect to see on our roads?

The Hon. J.K. SZAKACS: I can confirm that the final placement and mounting of these have not been finalised. As I advised, the procurement will take place, then the advice will be received and they will be positioned. In direct response to the member's question regarding a bridge or fixed locations, both of those are possibilities.

Mr WHETSTONE: Will there be the concept of giving people notification that they are entering a mobile phone detection camera zone, just like we see with point-to-point cameras and some red-light cameras? Will there be a notification or a forewarning?

The Hon. J.K. SZAKACS: There is nothing in the legislation specifically referring to that. I am advised that that question has not been determined. It is likely that—as the member referred to as is the case now—it will be determined on a case-by-case basis as per the location. Not all fixed red-light cameras, as I am advised, are notified, and these are not point-to-point cameras either. There is only one location that will detect the offence as the vehicle passes by.

It has not been finally determined, and it is well and truly going to be determined before the public education period is launched. That may be a question for later but, now that I have referred to it, the public education period of this will be well and truly before the final drop-dead date for the issuing of offences. There will be a time for the public to be well and truly educated that the cameras

are up and running and that, should they make the conscious decision to use their mobile phone illegally while driving, they can expect to be caught and fined.

Mr WHETSTONE: Correct me if I am wrong, but every point-to-point camera has a notification sign that they are entering a zone of detection. I think the majority of red-light cameras also have a notification sign that they are entering into a zone, if you like, of detection. So will it be consistent messaging that the government will install those notifications or some form of notification when coming into a detection zone?

The Hon. J.K. SZAKACS: I cannot confirm the member's assertions because these are not point-to-point cameras. We would not expect consistency between that technology, the use of point to point, and the use of single-point mobile phone detection cameras. It is apples and oranges. As I have been quite open about, the final determination of whether there will be signage around the installation or warning of the installation of these cameras has yet to be determined, but I do warn the member against seeking consistency with point-to-point cameras because it is a very different technology and it is a very different rollout and use.

Mr WHETSTONE: It is not about the technology, it is not about the detection of mobile phones, it is about the goodwill of government to notify drivers that they are going into a detection zone, whether it is point to point, whether it is red light, or whatever the detection device may be. Just like we see with radar cameras on the side of the road, there is an advice that the area often has speed detection devices.

The Hon. J.K. SZAKACS: There has not been notification for years for the rollout of roadside detection cameras—for years.

Mr WHETSTONE: You are joking?

The Hon. J.K. SZAKACS: No.

Mr WHETSTONE: You are the road minister and you are saying that has not been for years?

The Hon. J.K. SZAKACS: They have not had roadside detection cameras. Roadside detection cameras?

Mr WHETSTONE: Yes, they are mounted in bands, so there is a generalised sign that says—

The Hon. J.K. Szakacs interjecting:

Mr WHETSTONE: I didn't say everywhere. I said there is a generalised messaging. Come on, just relax a little bit will you?

The Hon. J.K. Szakacs: I am just trying to help you.

Mr WHETSTONE: No, you are not trying to help me. You are being obstructionist. There are warnings and advice and assistance to drivers with detection devices. I have asked you a very simple question. Just give me the answer.

The Hon. J.K. SZAKACS: The member for Chaffey refers to locations where there are warnings that there may be roadside detection use in this area. Again, that is not consistent with the permanent rollout of cameras. The 'safety camera ahead' signs that the member for Chaffey seems to be advocating for here are only for fixed, and that will be considered in due course when these cameras are finally procured and before they are installed.

Mr WHETSTONE: Will there be any advice on news bulletins and news services of a generalised determination that there will be active mobile phone detection cameras on our news bulletins of an evening, just like there are now for speed detection?

The Hon. J.K. SZAKACS: Somewhat different from the member for Chaffey's understanding, these will be fixed cameras and there will be no secrets about where these are. These are not going to be somewhat clandestinely installed, so the member for Chaffey's interest around the public news bulletins is around mobile cameras. These are fixed cameras. Fixed cameras do not move and therefore do not require a news bulletin every night to tell us where they are because they have not moved from the day before.

Mr TEAGUE: Again, for the benefit of the committee, these are entirely about fixed location rollouts, are they? They are fixed and, as I have perhaps foreshadowed in the second reading, therefore capacity is limited to detection when the vehicle being photographed or filmed is stationary?

The Hon. J.K. SZAKACS: Back to the member's question, I am advised that there is capacity in the technology to take a photograph should, for example, a vehicle be at the lights and the phone is being used illegally, as the member rightfully foreshadowed in his second reading speech. Yes, the rollout of these cameras will be entirely of a fixed nature. They will be in fixed locations.

Mrs Hurn: So only at stop lights?

The Hon. J.K. SZAKACS: No, that's not what I have said. The question you asked, if I can clarify and I understand correctly, was can the technology detect stationary vehicles only. No, they can detect moving vehicles and stationary vehicles.

The CHAIR: I think I have allowed quite a few questions on this clause.

Clause passed.

Clause 3.

Mr TEAGUE: This is the first of the two series of photograph definitions, clause 5 being the other one. Can the minister indicate the link, if any, between the necessity for this new definition and the way in which the new technology is applied, and is there any other reason for introducing this new definition that might be a broader application?

The Hon. J.K. SZAKACS: I am advised that, because the procurement has not been completed yet, this definition provides for a wide variety of technological applications for the capturing of an image. It can be a single photograph, it may be that the procurement in the technology that is finally utilised is a series of photographs or it may in fact be that it is a short video or a short moving image, as opposed to a photograph. So this definition, as advised by me and as advised further by parliamentary counsel, is to capture the appropriate use of technology as awarded through the procurement process.

Mr TEAGUE: Is it correct to say that the introduction of this definition here for the purpose of the Motor Vehicles Act and at clause 5 for the purpose of the Road Traffic Act is a matter of taking the opportunity to introduce a new definition that might have broader application? Is it in response to any aspect of the procurement process, either in advance or in the course of what has happened so far?

The Hon. J.K. SZAKACS: To be very clear and clinical about the response, by virtue of this clause we are not seeking to broaden the application of potential offences that might be brought in in the future, nor is it in response to anything that I have been advised has been foreshadowed or signalled during the procurement process. It is simply a modern evolution of the use of this technology.

There are applications and uses of this technology in other jurisdictions that may take one photograph, may take a series of photographs or may take a short moving image. That is why we consider it not to be appropriate to limit the definition but to broaden it to the three types of images that may be capable of being recorded or captured by the technology that would ultimately be rolled out.

Mr WHETSTONE: Is the technology that will be rolled out in South Australia the same type of technology that is currently being used in New South Wales and Queensland and being trialled in Victoria and the ACT?

The Hon. J.K. SZAKACS: Member for Chaffey, I could not tell you that yet. The procurement has not been finalised and, as you would be aware, I am not involved in the procurement process. DIT are running that for us. There are no cloak and daggers here. It may be similar to New South Wales, or it may be similar to other Australian jurisdictions, but until such time as the procurement has been finalised and the contracts awarded, I could not give you a definitive answer.

Clause passed.

Clause 4.

Mr WHETSTONE: As far as appeals go, will there still be the appeal process, as there currently is with any speed or infringement detection? I guess it gives the benefit of the doubt to the driver if they do want to appeal a decision or use that photograph, video or series of photographs as evidence.

The Hon. J.K. SZAKACS: Yes, there will be.

Mr WHETSTONE: With the photos or detection evidence that will be used, will all that evidence be retained over a lifetime? Will it be retained over a certain period? How long will that evidence be kept and stored for?

The Hon. J.K. SZAKACS: My advice is it will be retained in a similar manner that is currently the case with existing offences captured by photographic evidence—red-light cameras and speeding cameras—so they are retained for a period of time sufficient to allow an individual to challenge or seek to be prosecuted, which is the effect of challenging that, after which time they are disposed of. The evidence of the offence, being the photograph, as I am advised, is retained sufficiently to allow all processes to be run in their fullest.

Mr WHETSTONE: Are you able to let the committee know just what is the process? Today, the evidence is gathered and the photograph is taken. What is the time frame before that evidence is dismissed or destroyed?

The Hon. J.K. SZAKACS: I will take the specific date or times on notice and I will come back to the member between houses.

Mr MCBRIDE: Minister, can you inform the house about the confidence motorists will have between determining a phone that is being held in the hands of a driver and a phone that has been mounted in the car and being used, I would have thought, legally? Can you clearly define how that would be interpreted?

The Hon. J.K. SZAKACS: The detection cameras, the technology being utilised, will detect the offence of, as the member correctly said, using it in the hands or touching or otherwise. It is not an offence to be using the mobile phone within cradles for the purposes that I have referred to in my second reading speech and also as contained within the permit.

But the focus of this technology is the improper use or the illegal use of mobile phones whilst a series of requisite matters are reached, that is the driver of course, and even the case of a left-hand drive as has been well ventilated will be picked up as well. The use in the hands or touching, holding or otherwise, and the allowance of the improper use in a cradle, I will take some advice for the member on, but the focus as I am advised is the physical improper use of the device.

Mr MCBRIDE: Thank you for that answer, and I am just trying to use a mischievous mind here to protect those who are using the mobile phone legally. We know that a mobile phone can be mounted in a cradle, and I can imagine it could be on the centre console or it could be mounted close to a radio. They are the two ideas I have about where mobile phones are generally mounted in a motor vehicle today and maybe other vehicles.

But if I am then going to break the law and I do not have these mountings, and I think that maybe I could break or get past the law, I am going to use that phone in those areas and then you are going to have to have experts who are going to be determining that that phone was not being held in a cradle or a legal device. I am just going to ask you: do they have the technology and the eyes to determine this?

The Hon. J.K. SZAKACS: To put the member's mischievous mind at ease, that is the human redundancy in this which is not only to ensure that individuals who are not committing an offence are not improperly fined but to ensure that those of whom photographs are taken, who are potentially in the mischievous mind of the member trying to do a workaround, are properly fined and held to account for their improper use.

Mr WHETSTONE: How will the technology work with mobile phones being used where there is another device on the seat—a tablet, if you like, a watch, those types of devices? How will the technology deal with the vagaries of using other devices than a phone?

The Hon. J.K. SZAKACS: I think as to the member's reflections on tablets, watches, etc. I would not necessarily, with the greatest respect, categorise them as a vagueness around the improper use of those. I think it would be quite a commonly held view and certainly I would be shocked if any member of the public thinks it is okay to be using a tablet device whilst driving. The technology is sufficiently capable of detecting offences as prescribed under the act. I would just hesitate to characterise that type of distracted driving as not being fully understood and well articulated in the public.

If I can, with indulgence, and with respect to the member who drives a lot on the roads, reflect that the public are just sick and tired of the improper use of devices by drivers. I have been really pleased with the public response to the announcement of the government's intention to proceed with these changes.

There are always strong opinions either way when it comes to penalising behaviour, but this has been a pleasant surprise for me as minister that we simply have not had the appetite of oppositional pushback because I think, as very well characterised by all members in this house, the public discourse, when it comes to the use of mobile phones, has shifted quite dramatically in the last period of time. Where once it may have been either tolerated or people may have been agnostic about it, I think it is fair to say now, unequivocally, people are just sick and tired of it.

Clause passed.

Clause 5.

Mr WHETSTONE: As to the interpretation, as it currently stands, any offence detected in a vehicle, say, for instance, numberplate recognition, a little bit like mobile phone recognition but with different technology, if there is an obstruction to the view of the driver using a mobile device, i.e., dirty windows or heavily tinted windows, are you able to walk us through how that would be overcome with that type of technology?

The Hon. J.K. SZAKACS: I am advised that the request for tender is sufficiently broad to enable technology to counter, to the best of technology's avail, dirty windows and legal tinting. I would put that to some degree it would not be dissimilar to the current method of policing and enforcing this law and that is human observation: police in their cars on the roadside or otherwise. It will not be every single situation, every single day, every single moment that the police officer in question will be able to see what is going on inside that vehicle, but to the best of technology's avail I am advised that those matters will be able to be dealt with.

Mr WHETSTONE: Are you suggesting I get my windows tinted?

The Hon. J.K. SZAKACS: Just wash the dirt off the front or keep it there—one or the other. Do not tint your front windscreen. That is an offence in itself.

Clause passed.

Clause 6.

Mr WHETSTONE: Would you please give the committee an understanding of how the rollout of the technology will be implemented? When will the startup date be? Obviously pending tenders, once the flag drops and this program is rolled out, are you able to walk us through the grace period, the education period, if you like, so that we have a clear understanding of how the program will be implemented?

The Hon. J.K. SZAKACS: Obviously subject to the will of this house and the other place, I am advised the rollout will occur and be installed sometime in quarter 3 of 2023.

Mr WHETSTONE: Yes, it will be implemented in 2023, but what I was asking for was the initial period, the education period—I guess you would call it the grace period—where you will give people that education-type program. In doing so, what sort of proactive measures will you be taking,

if any, without sending a warning through the mail or through an email? Is there some form of public education program that you will roll out?

The Hon. J.K. SZAKACS: It is really important for me to state both for the house and also unequivocally for the public that, notwithstanding—as correctly put—a 'grace period' before the go date of this technology, the current enforcement strategies and enforcement of the illegal use of mobile devices will continue. I do not make any apologies for that. I do not see that the member is, either, but that strict enforcement will continue and it will continue throughout the rollout of this technology. The grace period is anticipated to be a period of three months. During that three-month period it is anticipated, as I am advised at this stage, that a warning letter will be issued to the individual detected using a phone illegally.

Clause passed.

Clause 7.

Mr WHETSTONE: In relation to the revenue raised, obviously if people's behaviour is true to form—and we know that we are trying to change people's behaviour—the revenue stream will come into the coffers. We understand the victims of crime will go to the Attorney's department but the revenue generated, the enforcement side of it or the fine, I guess you would call it, I am led to believe that will go to a road safety program. Is that the general gist, or are you able to just walk the committee through what that revenue will achieve?

The Hon. J.K. SZAKACS: You are correct regarding the levy. That has a statutory requirement to be disbursed into the Victims of Crime fund. As for the inevitable, the sad inevitability of the proceeds of the issuing of fines against this offence, that will be disbursed into the Community Road Safety Fund. No doubt the member is aware that that fund not only provides for safer treatments on our roads but also funds the delivery of very important, critical road education programs, safety programs, all the way from school to adult and older drivers.

It would be counterproductive for me to say this, albeit I will: I would be very pleased as minister to see a very low revenue input into the Community Road Safety Fund. It is my hope, and I am sure the hope of all in this chamber, that the rollout of these cameras and detection cameras will actually lead to a change of behaviour. We cannot sit on the sidelines and not do all we can to try to change behaviour. Choices on our roads do matter, and the choice to drive distracted using mobile phones in any way we look at it costs lives and has a profound impact on people who either are victims or cause road trauma.

Mr WHETSTONE: Regarding the enforcement branch, I am presuming there will be a budget line there for the administration side of this detection service to be rolled out. Are you able to give the committee any information on how SAPOL and/or the enforcement branch will need to be given a budget line to administer this new technology?

The Hon. J.K. SZAKACS: I am advised that support for the rollout of this program across the forward estimates is six FTE. That is funded by the revenue projections across the forward estimates, so that disbursement into the Community Road Safety Fund does include the provision of those six FTEs to support the rollout, the mechanics and administration of this program.

Mr WHETSTONE: Will those six FTEs come out of existing funds or out of the new budget of \$19.7 million?

The Hon. J.K. SZAKACS: That is a new cost initiative across the forward estimates.

Mr TEAGUE: This is a question about why and whether or not the insertion of section 175B is necessary and why the words of the proposed section are not tautologous. The minister might be happy to jump in at any time on this. As I unpack the operation of the clause, we have an evidentiary provision that in subsection (1) applies to what is a new concept, a device use offence, which is defined to be 'a prescribed offence within the meaning of section 79B'.

As we know, the prescribed offences that are the subject of 79B—with the exception of offences against sections 45A and 45C(1), which relate to speed and the use of gearing respectively—are all relating to offences that are specified or determined by regulation and pursuant

to various acts so that the mechanism for determining what the offence is is itself to be determined by regulation. I am working through the definition at present, so there is that aspect.

As I read it, it is relating to 'the use of a device'—and if we pause there, one might possibly be led on to think that that device might be defined by regulation, but I do not think the definition is contemplating that—'in or on a vehicle that is prescribed by the regulations as a device use offence'. As I read it, the device use offence is a prescribed offence that relates to the use of a device that is prescribed by regulations as a device use offence for the purposes of this section.

The regulations are not defining the device. The regulations are specifying what the device use offence is, and it is one of two or three examples in the proposed new section. Why can that not simply be incorporated in the prescribed offences in line with the structure in section 79B?

The Hon. J.K. SZAKACS: I thank the member for his question and considered analysis of this. It is identical to my inquiry as well in respect of the drafting. As I am advised, this was deliberate advice by our counsel, being the department's advice, as well as parliamentary counsel. As it is a new technology and a new offence, advice received by government was to proceed with the seeking of the regulation-making capacity in the way the bill is drafted and brought to the house, as opposed to the alternative proposition mooted by the member.

Counsel advised that we should be proceeding on this basis, and it was, in my view, sound and not problematic compared with the alternate as proposed by the member.

Mr TEAGUE: Let me put that on the record. Section 79B(2) deals with the same test, or essentially the same test. I wonder why it could not have been used as the operative provision. We will get to the nature of the photographic detection device definition in a second, but for the record, perhaps, and while the minister is looking it up, section 79B(2) provides:

If a vehicle appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence—

so far so familiar—

the owner of the vehicle is guilty of an offence against this section unless it is proved—

etc., etc. So wrapped up in subsection (2) already is the use of what is already defined as a photographic detection device, and also wrapped up in that is the prescribed offence. It therefore seems to me to be sufficient on the face of it without more to wrap into the definition of that prescribed offence—what we are talking about here and perhaps getting to in a minute—but wrap into the definition of a photographic detection device the new technology that we are incorporating here. I am wondering why we are doing it again.

The Hon. J.K. SZAKACS: Largely, the advice I referred to having received in my previous answer is current and has currency with respect to your further inquiry. It is a preference in the drafting of this to not, through regulation, seek the new evidentiary provision. There are interim provisions which can include the presumption but which have to be rebutted by the defendant. However, the power to make evidentiary provisions under this section does not derogate from any other power under the act.

I can only give some comfort, if it is taken by the member, that the advice being received is that this is the prudent way to proceed, as opposed to an alternative, which would be seeking to utilise existing regulation-making capacity.

Mr TEAGUE: That is on the record. It seems to me that it is possibly repetitive and tautologous, but there we are. The next particular point, just to advert to on the record here, is this proposed definition of prescribed photographic detection device. That is novel, and it is one of those definitions that is included for the purposes of this section only. I note that there is a definition of photographic detection device already in use that is set out in section 5 of the act. That is also a matter of determination by regulation and is. It might be the same answer, but how come that is necessary to do?

Let's put it into some practical context. We have seen the rapid development of technology, and we have a whole lot of photographic detection devices as defined in operation, the use of which is assisting in the evidentiary process of proving of offences—speed, red light, and so on. What this

is proposing to do is set up a specific category of prescribed photographic detection devices that are only relevant to this provision for this purpose, that is, for the use of proving up the device use offence, which I have already indicated appears to be somewhat repetitive and circular.

What about the likelihood of convergence as we roll on with technology? We are going to have to keep revisiting this section for certain devices and the rest of the act for the rest of the rollout of cameras. Is there any substantive purpose for doing so?

The Hon. J.K. SZAKACS: As advised, the definition as contained within the principal act is limited to red-light cameras or cameras relating to the detection of red-light offences and speed offences. This definition of prescribed photographic detection device is specific to the novel application of this technology insofar as the use of mobile phone detection cameras is concerned.

If there is a matter in the future that causes the government of the day to revisit it for the new rollout of any further offences or applications, that is a matter for the government of the day. As far as we currently stand, the way we have proceeded is that we will have the two definitions: one being for the red-light and speed camera cohort and the other being for this novel technology.

Mr TEAGUE: This picks up something, perhaps, the member for Chaffey raised earlier. In unpacking the device use offence as it is described, there is reference there to the use of a device. The way that it is written, one might see that it is either the device or the vehicle that might be prescribed by regulations, but read as a whole it appears clear enough that it is the device use offence that is going to be prescribed by regulations.

Picking up on the member for Chaffey's concern about the use of iPads, do we see any guidance there as to the more particular range of devices that are caught, given that there has been this approach to carve this out from the more general definitions elsewhere in respect of the particular photographic detection devices used and the introduction of the new device use offence? Are we going to see that set out more particularly?

The Hon. J.K. SZAKACS: I am advised, and this will be foreshadowing the regulations, that it is Australian Road Rule 300, which is the nature of the offence here. That will be contained within the regulations, and that will be to the extent of which offences will be prescribed. That will be Australian Road Rule 300, which is the offence relating to mobile phones.

Mr TEAGUE: Given the more particular approach that then has been taken to the carving out of this particular offence and these particular devices—I hesitate to use the word 'camera' because we are prescribing photographic detection devices that might be film or whatever it might be, but we are carving them out nonetheless—is there not some utility perhaps in including a note that refers to the relevant road rule or otherwise refers the definition somehow in circumstances where the rest has been carved out?

I perhaps flag that my initial preference would be to leave it out altogether and let it work its way into the body of the act but, given that this course has been adopted, would there not be some utility in setting out for the reader the means of determining what those devices are?

The Hon. J.K. SZAKACS: I am advised that the preferred option or preferred approach as has been determined by the government is preferred because it allows for flexibility for future changes to the Australian Road Rules. Insofar as ARR 300 is concerned, it does not lock us in. Australian Road Rules, of course, have their own momentum, and this will allow for that future flexibility.

Mr TEAGUE: Let's not be in any doubt that it is not looking to freeze that in time. The reference might be simply to the definition as it applies from time to time, so that might evolve over time. I suppose the difficulty is that the definition, as it is currently set out, goes to great lengths to provide for its own internal means of defining the special offence for which this evidence is going to be accepted.

We have this small 'd' reference to device, and I appreciate that it is used elsewhere, and there is arguably an inconsistency for that purpose while taking the trouble to carve out the rest. I wonder whether it might be useful to either include a note or include a further definition indicating

that a device for the purposes of this section is a device as defined from time to time in the relevant road rule.

The Hon. J.K. SZAKACS: There is not much further to add to my previous answers in respect of your questions, observations and comments regarding the application and drafting of this section, other than to say that, on advice, this is the preferred approach of the government.

Mr WHETSTONE: I have one more question on technology. I know I am taking a step back, but will it be facial recognition technology?

The Hon. J.K. SZAKACS: No, it will not.

Mr WHETSTONE: Currently, an infringement for using a mobile phone while driving or operating a motor vehicle is \$544 and \$90 for victims of crime. Will the structure around infringements reflect what currently is on a speed detection camera, that there will be an infringement notice given? If people declare a corporate responsibility for a business vehicle, if you like, will that fine be reflected, similar to speeding?

The Hon. J.K. SZAKACS: Can I just clarify the member for Chaffey's question. Are you asking whether there is a corporate multiplier attached to this offence, or will there be a corporate multiplier attached to this offence?

Mr WHETSTONE: Yes, currently as it stands, using a mobile phone while operating a vehicle is a fine given by an officer to someone in a vehicle and is a face-to-face infringement. If it is a camera, does that mean it will be then used as a detection, like a speeding fine, and then will it be rolled into the opportunity for a business vehicle, if you like, to be able to claim or call on a corporate fee to pay that off without demerit points? The way it currently stands, there are three demerit points, and if there is a corporate fee there is a large fine with no demerit points.

The Hon. J.K. SZAKACS: I will clarify this further with the member between houses, but I am advised at this stage that there is not a corporate multiplier. Further to the member's question around facial recognition, of course the camera does not or will not seek to identify a person by identity that is committing the offence.

The issuing of that expiation will be against the registered owner of the vehicle, and that is consistent with all other offences detected by a camera. The ability of an individual to lead evidence that that individual was not the person committing the offence will be consistent with the current capacity available to individuals to do that. We are not seeking to deviate from that at all.

Mr WHETSTONE: For clarification, an offence is committed, detected by the new technology and the fine will be issued to the vehicle or the registered owner of that vehicle, and then it will be the responsibility of that owner to determine who pays the fine and who wears the three demerit points.

The Hon. J.K. SZAKACS: That is correct. It will be issued against the registered owner of the vehicle and, as I said, that is entirely consistent with a lot of other methodology currently applied, and it will be—

Mr Whetstone: You said Whetstone vehicle three times. I'm a bit worried.

The Hon. J.K. SZAKACS: The Whetstone vehicle?

Mr Whetstone: Didn't you say the Whetstone vehicle?

The Hon. J.K. SZAKACS: No, you're hearing things. The Whetstone vehicle, wouldn't that be a sight for sore eyes!

The methodology applied will be consistent with existing offences and it will be up to the registered owner of the vehicle to nominate the driver if it is not in fact that registered owner who was committing the offence through the tinted windscreen.

Clause passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (16:48): I move:

That this bill be now read a third time.

I thank members for their consideration of this bill at the committee stage. Can I take the opportunity to thank advisers Nada Petrovic and Superintendent Bob Gray for their advice through committee.

I do note that the evidence before us is quite stark about why we as a government and on behalf of the community need to act to stamp out the use of mobile phones whilst driving. In the last four years, there have been 26,000 expiations issued for the illegal use of a mobile device whilst driving. It is too high by any measure. In that same time, there have been 247 deaths on our roads, 51 per cent of all fatalities, that can be attributed to distracted driving.

It is a stark reminder that choices matter on our roads and the choice to use devices whilst driving, to be distracted, has the very real potential to cost your life and also has the potential to cost the life of someone you may know or love. A further 1,330, or 34 per cent of all serious injuries on our roads in that time are also attributable to distracted driving, and in this year alone 15 deaths on our roads have been attributed to distracted driving.

I hope that this is a step in the right direction. I hope that this is a step in the direction of dissuading the community from doing the wrong thing on our roads. I do note that a number of members have contributed with passion to this debate. I think that we stand in a bipartisan way with a strong statement that mobile phone use and distracted driving have no place on our roads. I commend the bill to the house.

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 18 October 2022.)

Mr FULBROOK (Playford) (16:51): I rise to speak in support of the Rail Safety National Law (South Australia) (Miscellaneous) Amendment Bill. The eastern boundary of my electorate abuts the Adelaide to Tarcoola railway line, which makes it clear that railways are a big part of our lives in Adelaide's north. Operated by the Australian Rail Track Corporation, this is a significant part of national infrastructure, ultimately delivering freight and passengers to faraway places, like Perth and Darwin, and significant communities, such as Port Augusta, Alice Springs and Whyalla in between.

Directly adjacent to the standard-gauge line is the newly electrified broad-gauge line to Gawler, serving communities such as Mawson Lakes, Parafield Gardens and Salisbury Downs. Despite recent hold-ups from the electrification, rail plays a big part in the lives of my community. With bike tracks running parallel, a level crossing on Kings Road and commuter paths crossing both passenger and freight lines, rail safety is front and centre within my community.

While just outside my electorate, the sad memory of the crash that killed four people and left 26 injured at the level crossing on Park Terrace in Salisbury is one that haunts many constituents of mine to this day. I think all forms of rail are massive community assets, but this event is a reminder of the danger associated with this. Sadly, the memory of this avoidable tragedy is still fresh, as if the circumstances surrounding events on 24 October 2002 happened only recently.

With the 20th anniversary approaching next week, I take this opportunity to remember the event and acknowledge the ongoing trauma that it has caused. Given the significance of past events, it is appropriate that anything linked to rail safety is given good consideration. I am very hesitant to go into the details of what happened that day, but for ease I know the train driver did the best they possibly could under the circumstances. Knowing that we have exemplary drivers who continue to maintain high standards is something my community cares deeply about.

Given our concerns, it is a relief that the first set of amendments created in this bill makes it an offence for a rail safety worker to knowingly provide a false document for the purposes of an assessment of a worker's competency. The risk to public safety is obviously high when dealing with extremely heavy vehicles travelling at great speed. The public expect the best and therefore we have every right to feel outrage when instances arise where workers have been fraudulently altering certificates of competence and providing them to rail transport operators. There is an expectation that this must not be happening, which is why I support the \$10,000 penalty outlined in this bill for being found guilty of such an offence.

In reading up on why this bill is needed, I was shocked by reports of fraudulent documents being used to circumvent appropriate safety accreditations. To place it into context, section 117 of the Rail Safety National Law ensures all rail operators must be accredited in carrying out rail safety work. A certificate of competence can only be issued under the Australian Qualifications Framework and this certifies that a worker has certain qualifications or units of competence which under this bill reiterates they possess those qualifications or units of competence.

We have national accreditation for a very good reason, but in general it exists to enshrine a nationally recognised standard of training to meet established industry, educational, legislative and community needs. When this gets compromised, things have the potential to go horribly wrong. Therefore, we need to clamp down in this area as a rail safety worker may have responsibility for driving or dispatching rolling stock; coupling or uncoupling rolling stock; work involving the development, management or monitoring of safe working systems for railways; and work involving the management or monitoring of passenger safety on, in or at any railway.

When it comes to rail safety, anything less than the gold standard will not suffice. Clearly, the bar has been set too low in the past to allow instances where documents have been deliberately misused. This includes a rail safety worker from a labour hire company who had his brother's certification altered as evidence of competence. We are also aware of fraudulent certificates of competency or certificates being issued without competency being achieved.

Given the serious nature of these breaches, the Malinauskas government and other governments across the country should be commended for taking this decisive approach. Given what we have heard has been happening and the hefty fine to be imposed, this is the right thing to do. This will ultimately become a national law and is therefore important a strong message is sent that safety is not the domain of cowboy operators, not in the northern suburbs or across the state or anywhere else in the country. This bill also brings the penalties in step with the same maximum penalty applying to individuals for similar offences across the country.

The second part of this bill amends the existing national law to provide the National Rail Safety Regulator with a new power to exempt all railway transport operators from section 114 of the national law in the event of an emergency. Under these laws they must prepare and implement a health and safety program for rail safety workers who carry out rail safety work for their respective operators. Currently, an exemption can only be granted by the National Rail Safety Regulator on a case-by-case basis.

When in an emergency, the need to move quickly is paramount. We saw this with COVID and, dare I say it, we will probably see this need again. Learning from the past to improve responses in the future makes perfect sense and I am pleased to see movement on this front.

While I feel the need to cooperate across jurisdictions was exemplary during the pandemic, as someone working in the Northern Territory at the time, it became very apparent that we often had our own separate ways of doing things. By transferring sign-off to an exemption to the National Rail Safety Regulator, a rapid and uniform approach to this matter will be in place for future emergencies. In doing so, we should not dismiss the need for health and safety programs for rail safety workers, but on rare occasions these have to be weighed up against the need for decisive and quick action.

Without this change, it would mean history would repeat itself, with the regulator still being unable to grant a collective exception. Let's hope it does not happen any time soon, but when it does it will be reassuring there will be an optimal process in place to ensure a plethora of laws will not slow down a national response.

There is an enormous amount of work that goes into developing bills such as these. I think it is right to make a point and acknowledge the hard work of everyone involved behind the scenes. Getting respective jurisdictions to agree to a national set of guiding principles is a fine balancing act and this should never be understated.

I also want to acknowledge 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. There are a lot of varying needs and opinions that need to be taken into consideration. I think it is commendable these can all be pulled together in the interest of public safety. I thank all those involved and commend the bill to the house.

Ms CLANCY (Elder) (16:59): I rise today in support of the bill to amend the Rail Safety National Law. Earlier this year, I hosted the Minister for Infrastructure and Transport for a community meeting to provide members of my electorate the opportunity to discuss their concerns with public transport, our roads and other infrastructure and transport issues.

The most common concerns raised, other than the privatisation of our trains and trams, which we are going to reverse, were congestion and increased traffic on suburban roads. We know that the best way to reduce congestion—if you cared you would not have done it—and get cars off the road is to get more South Australians using public transport.

That is why we removed the free travel peak time travel exemptions for Seniors Card holders so that, instead of only being able to access free travel during off peak, seniors can now access public transport for free at any time. By getting more people on public transport, we get more cars off the road and less pollution in the air.

While that is much easier said than done, good government should be doing everything it can to increase the uptake of public transport. Bills like this do exactly that. South Australians deserve to know that whether they are going to school, sport, shopping, visiting friends and family or anything in between, they can do it safely and accessibly on public transport. South Australians also want to know that the workers operating our public transport systems are doing so safely and are provided with adequate conditions and protections while they are at work.

This bill seeks to amend the Rail Safety National Law by making it an offence for a rail safety worker to knowingly provide false or misleading documentation to be used for an assessment of their own competency. Railway workers must be provided every opportunity to gain the skills and knowledge they need to perform their job. With this bill, patrons can trust workers to get them where they need to go and are able to do so safely, for everyone involved.

At present, section 117 of the National Rail Safety Law requires a 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. This bill provides a new offence provision with a maximum penalty of \$10,000 if a worker is found guilty of providing false or misleading documentation in assessment of their competency.

Building trust in our public transport system goes a long way to increasing community participation. South Australians want to know that the train they hop on is clean, is being operated safely and is part of a safe and secure network and a network that is operated and run by the state government. They also want to know that their local station is accessible and has the facilities they need. I am really proud that our government is working towards making all our public transport systems as accessible as possible.

I was so excited to recently stand alongside my good friend and colleague the member for Badcoe to share that work has begun at the Woodlands Park railway station. This important upgrade will provide a new shelter at the station, while still keeping the roof; so we get to keep some of the nice building that is there. We are keeping the good bits but getting rid of the bad bits and making it a bit trickier for people to do some of the less desirable things that sometimes happen at a train station when people really need to go. We are going to reduce some of that privacy to make it a little bit harder for those types of activities to occur on that platform.

We will get that new shelter and we are also going to improve the surfacing of that station. There will be new bitumen across the station, as well as the little yellow grids near the edge to provide safety and a different texture so that people are aware they are approaching the edge. They have also done some work there to get all the conduit in for future electrical works that will need to be undertaken once that shelter has had the work done on it and parts of it are removed. We will also have some better lighting there and I believe also some additional seating.

Upgrades such as these are so important to ensure that we encourage more people, in particular women and children and young students, people who do not always necessarily feel safe using public transport. It is important to ensure that they, whether they are coming home from work or school or school sport or anything else, can feel safe as they arrive at their local station.

It is why the Malinauskas Labor government has also committed \$1.6 million to upgrade the Clarence Park railway station. The community has asked for this upgrade for a long time. It is something that, again, the member for Badcoe and I have been working hard on, and it is really important. We would like to acknowledge that a member of our community recently passed away close to that station in an awful accident. We pay our respects to her family and people who were close to her.

This bill also amends the Rail Safety National Law to provide the National Rail Safety Regulator with a new power that exempts all rail transport operations from section 114 of the national law in the event of an emergency. Section 114 requires the preparation and implementation of health and fitness programs for rail safety workers. Obviously, it was quite difficult for a number of workers, over the last couple of years, to be able to access those programs and that sort of training that is normally required, during COVID with various restrictions in place.

These amendments in the bill will allow for exemptions from such programs to be more easily provided in the case of an emergency, such as COVID-19, which makes the standard requirements which apply under normal circumstances difficult to comply with. This will allow the National Rail Safety Regulator to grant the exemption which removes the need for the relevant minister in each jurisdiction to provide a separate exemption in each state and territory when these emergency situations arise. Combined, these amendments are sensible measures which have been agreed between all jurisdictions to support the safety of our rail workers and users.

I would like to thank everyone who works at our Department for Infrastructure and Transport, the people who ensure that we get to work, school and all the fun things on public transport, safely. I would like to thank the Rail, Tram and Bus Union, the National Transport Commission, the Office of the National Rail Safety Regulator, the Australasian Railway Association, members of the rail industry, and my colleagues in other jurisdictions across the country for their contributions to this important legislation. I commend the bill to the house.

The Hon. A. PICCOLO (Light) (17:07): I would like to speak on this bill and in support of the bill and reaffirm this government's strong commitment to public transport, and particularly rail transport. Members may recall that we electrified the southern line when we were last in government. We initiated the electrification of the northern line to Gawler when we were in government. I was going to say that it was completed by the Liberal government but it actually was not. It was completed during the period of a Labor government again, because the Liberal government took so long to get their act together. I think it was delayed about 18 months and was over budget by hundreds of millions of dollars—but they did a pretty good job.

I am glad that we have electrified trains to Gawler. They are well received. Sadly, not enough people are using the trains again yet. I use it regularly. It is important that we get more people on rail and on public transport because it improves road safety by having more people on public transport and particularly more people on rail because that is the main form of public transport in Gawler. We have a local bus service, but we do not have a publicly funded bus service which connects Gawler to the other parts of Adelaide.

I talk about the importance of rail because we need to understand why people use public transport, and particularly rail, and what might dissuade them from using it, to make sure that we get enough people using rail. Rail safety and road safety are related and we need to get more people on to the rail system.

It is interesting when talking to people about what issues come up about rail. Some older people talk about their concerns about their personal safety on rail. I have been using the rail system since 1978, which probably dates me a bit. I have been very fortunate that I have never had any incidents. I have observed some poor behaviour. I have observed a whole range of things, but I never thought I was unsafe, with perhaps one exception.

It might have been 1978, when I was a student at university and took the 11.35 train home. I probably would not do that again. I was 18 years old and on the train at night. There was interesting clientele on the train at that time of night. People perhaps sleep different hours from the hours I sleep. Apart from that, I have been very happy with the train service. The new trains and the new electrified trains are really good and well received.

Another issue which is an important factor, which determines whether we use rail—particularly rail more so than buses—is timetables. I am aware that this government will review timetables once we have the full electrified stock for the service to Gawler. I certainly will be working with my community to make sure that we get a train timetable that reflects the needs of people in Gawler and my electorate, particularly those that cover the train stations of Gawler Central, Gawler Oval, Gawler, the racecourse on race day, Evanston, Tambelin, Kudla (the train station I used to go to as a student, which is where I live) and Munno Para.

Smithfield is not in my electorate, but it is serviced quite a bit in my electorate because it is a priority train station and Munno Para is not, even though Munno Para has a \$13½ million train station. It is not used quite as much as it should be, and that is an important factor when I have talked about train timetables because those priority stations obviously get more patronage, and that makes sense.

Unfortunately, those stations are not necessarily the ones with the best infrastructure. We need to match up the infrastructure available and reduce the need for additional infrastructure. An example is Smithfield and Gawler stations, which are two priority stations. When we get back to normal levels, the car parks are full; by 9 o'clock they are chock-a-block. People then start parking in side streets, etc., causing a nuisance. Those two stations at some point will need additional infrastructure.

My view is that if we make a couple of other priority stations, where infrastructure exists, rather than empty car parks, we can use them. Tambelin railway station, when talking about safety of people getting to the train station and getting on the train, is an election commitment we made in 2018. Unfortunately, we did not win that election. The Liberal government did nothing at Tambelin railway station to improve it. I made that same election commitment this time.

We won the election this time, so our government is now delivering on that election commitment. That commitment has been fully assessed by the community. The commitment was made publicly and is supported by the community at large. I get regular letters and correspondence from people in the area asking when the car park and kiss and drop zone are going to be built. We will do that. Public transport has to be accessible, which leads to my third point about making sure that we have a safe rail system that is accessible for all people.

We are improving the infrastructure. Tambelin station is one about which we have had a number of complaints from people with gophers and other mobility aids who have found it very difficult to access. Also, the quality of the infrastructure at the station was pretty poor, and it took quite a while to convince the government of the day, the Liberal government, to improve the infrastructure at that station. It has been done, and certainly people appreciate the additional services there.

Another thing about rail safety is obviously making sure that people can see the crossings quite well. We do have an issue with some rail crossings where, unfortunately, during peak hour traffic and the way the roads are aligned you do have the afternoon sun right in front of you, or the morning sun right in front of you, which does cause some issues. However, we have improved the signalling at those stations and those roads to improve rail safety.

One of the other things about trains is the demand for trains. We have a whole range of people in our community who are train enthusiasts. I get regular correspondence from train enthusiasts, and they are really keen to know about the government's commitment—which I have no

doubt will be honoured—to undertake a full feasibility study to see whether a tourism-type train can operate from Gawler into the Barossa.

My discussions with the department indicate that money has been allocated for that project and that they are likely to get an independent external consultant to work on that project with a range of people from the Barossa acting as a steering committee. It is interesting that people in the Barossa think that this is a good idea. Unfortunately, elected members to this place do not think it is a good idea, but everybody else seems to think it is a good idea. I think that the former Minister for Transport, the former member for Schubert, did his best to put enough barriers on that line to ensure that a tourism train would never eventuate.

Part of that, I think, was the dispute he had with a particular owner of a winery in that area which was carried forward and which is very sad. At one stage they were going to do some repairs to one bridge just outside Lyndoch for road safety reasons. The repairs to the bridge, or the reconstruction of this bridge, would have meant that the line would be cut off there, and if that happened it would kill off the project.

I am happy to say that I am advised by the department now that the revised plans will keep that line intact, and so from Gawler to Tanunda initially and perhaps one day from Gawler to Nuriootpa we will have tourism-type trains. The biggest beneficiaries of this investigation into the viability of this proposed train service for tourists would be the people of the southern Barossa area. They are very supportive of this. The southern Barossa is the original Barossa. It is where the Barossa was started with the original Barossa council.

As a result of the construction of Gomersal Road, as well as the upgrading of the Sturt Highway, the southern Barossa does sometimes get missed by tourists who tend to bypass the southern part of the Barossa. They are therefore very keen to see this possible piece of tourism infrastructure completed.

We have made it very clear, though, that, as a government, while we support the feasibility study, it is not going to be a proposal funded by the government. The private sector has to make it work. Our role is to help the private sector work out what needs to be done, and also what needs to be done in terms of the people who have the lease over the line at the moment. I think it is called One Rail these days. They have changed their name a number of times in the time I have been in this place. Lease arrangements also need to be negotiated.

That tourism train could bring enormous benefits to the Barossa. A number of rail enthusiasts have drawn to my attention the success of such trains, not only overseas but also in the Eastern States. There are a number of trains which do run quite profitably for tourism purposes. Some suggestions have been made about the possibility of extending that line for the transport of goods out of the Barossa to the Port.

I am not sure of the feasibility of doing that, but certainly there are a number of people in the Barossa thinking ahead in terms of decarbonising the component part of their product. Europe is a major market. With the European market imposing a whole range of new conditions about carbon and the carbon footprint, we need to make sure that our industry is able to be at the forefront of reforms and can deliver products in a more carbon-reduced manner, or else we will not have entry into some of the markets.

As you can tell from the comments I have made, I am a great supporter of not only rail in this state but also the benefits of rail, particularly tourism, as expected, and also as a passenger service. It was interesting that when the Gawler line was closed down for the reconstruction and electrification, the amount of traffic did increase at the northern end on our roads. Sadly, though, not everybody has returned to the train station.

They were down for so long that people found alternative ways of getting to Adelaide. I am sad to say that the Northern Connector works so well that people now see it as a viable alternative to using rail, except if you have to pay petrol prices. Petrol prices are helping to put people back on the trains as well. If you own a car and you have to pay the petrol bill every week, rail is a very convenient substitute and a very useful substitute.

In terms of the bill before us, the Rail Safety National Law (South Australia) (Miscellaneous) Amendment Bill is about rail safety and it is part of our national laws. We are moving more to national laws, which makes good sense because we are one nation and we should have as many consistent laws across state boundaries as possible. That was certainly envisaged in the constitution, too: you were not supposed to put up barriers to trade between states, so that acknowledged that there should be the least barriers possible between the states.

The first group of amendments in this bill makes it an offence for a rail safety worker to knowingly provide a document or information for the purpose of an assessment of the worker's competency which is false or misleading or that omits something without which the document or information is misleading. I think it makes a lot of sense to make sure we have people working in the sector who are appropriately qualified to do the work. The repercussions of having somebody who is not properly qualified can be quite serious.

As an aside—I had this case recently, but I will not particularly mention the industry or identify the person—with a lot of the training being privatised and put into RTOs, etc., it would be fair to say some of the quality and consistency of the training nationally is, I think, subject to review. I had an example where a person undertook a particular professional qualification interstate.

He undertook the course at an interstate RTO. He then obviously submitted his certificate of competency—his certificate III or diploma, I cannot remember what it was—from that RTO to get his registration to work in that profession, and that is licensed under South Australian law. He had great difficulty actually getting his professional licence. In the end, after some toing and froing he did so, but the South Australian agency was reluctant to provide this person with the necessary documentation to get this person's licence because they had concerns about the RTO.

It is a worry if we have people paying good dollars to actually obtain the necessary training qualifications and competencies and, if the quality is not up to scratch, are then denied an opportunity to work in the profession they have trained for. I have no doubt that the new federal government with its commitment to TAFE and its commitment to lift the skills and training standards in this country—as this state Labor government is as well—will actually iron out those problems and ensure we have a much better resourced TAFE system and also a better resourced and consistent vocational education system across the country.

I will get back on track, Mr Acting Speaker, if you will excuse the pun. 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. I think that is important. If you have an emergency, it is a case of all hands on deck, and somebody needs to take control—

The Hon. A. Koutsantonis: On board.

The Hon. A. PICCOLO: On board—yes, steaming ahead. 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. There are some risks in doing that, but I think the risks are less compared with if you do not act in an emergency situation.

The 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. This provides an excellent example of what you can achieve when you consult the relevant parties to achieve national reform, or any major reform.

Earlier today, this house passed a bill which again was a major reform—the Shop Trading Hours (Extension of hours) Amendment Bill—and that was achieved because the government of the day, the Labor government, consulted all the parties. We got people on board. If you consult with people rather than undertake unilateral action, which the former Treasurer did in relation to shop trading hours, we would have actually just provided all these exemptions willy-nilly and nobody would know where they stood. By working with the relevant parties, you actually get good laws and everybody knows where they stand.

In relation to 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 which 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 working systems for railways; and
- work involving the management or monitoring of passenger safety on, in or at any other railway.

So the real issue of passenger safety is very important. With those comments, and for the reasons I have outlined, I think this is a bill worthy of our support.

The ACTING SPEAKER (Mr Odenwalder): A comprehensive and wideranging contribution from the member for Light.

Ms HUTCHESSON (Waite) (17:27): I rise today in support of this bill. Rail safety is an incredibly important issue, not only in our state but across the country. On average, there are 83 fatalities on Australian rail lines every year. In South Australia, we have 480 pedestrian crossings, with around 350 on the metropolitan rail network. We also have 557 public railway level crossings, including 79 metropolitan level crossings. On average, there are 110 near misses and six collisions between a train and people or vehicles every year.

All incidents, whether fatal collisions or near misses, have an immeasurable effect on train drivers, railway and emergency service employees, and their families in particular. As humans, we are all capable of making mistakes and we do every day. Recognising this helps us create a more forgiving road and rail network to minimise harm and ensure that those mistakes do not result in death or serious injury.

It is with this in mind that we need to ensure that all rail safety workers are adequately trained and that they are provided with the necessary documentation that is true and accurate so that rail providers know that their staff, whether they be permanent or labour hire, have the necessary training to do their jobs properly. Emergencies can happen in an instant, and workers need to be able to draw on their training so that they can quickly, efficiently and safely respond.

Section 117 of the Rail Safety National 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 their applicable qualifications and units of competence, as recognised under the Australian Qualifications Framework. A certificate of competence that certifies that the worker has certain qualifications or units of competence is used as evidence to prove this.

Unfortunately, there have been instances of rail safety workers fraudulently altering certificates of competence and providing them to rail transport operators. There are multiple examples of rail safety workers having provided false or misleading documents in order to satisfy the necessary qualifications to work. Not only does this put the worker in danger but it also puts in danger those with whom they work as well as the general public and rail users and also general road users.

The ongoing use of labour hire adds to this risk, with workers brought in from outside the usual employer. In 2021, the National Rail Safety Regulator issued the following rail safety alert:

The Rail Industry Worker (RIW) program is an online competency management system for rail workers in the Australian rail industry. Part of the governance arrangements overseeing the program is to check and verify the competencies that have been uploaded into the RIW system. This check and verification process has uncovered a significant number of fraudulent competencies have been uploaded into the RIW system by an administration officer in a Category 5 labour hire company.

The rail providers were encouraged to check the system, check their employers and then make the necessary adjustments. It is another example where fraudulent documents had been uploaded to the system.

The amendments to the bill make 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 where 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. Given the dangerous equipment and infrastructure these workers deal with every day, we need to ensure all workers have the necessary training, and this amendment will act as a deterrent to those wishing to provide false and misleading information.

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 for the operator.

In South Australia an emergency can be declared as an identified major incident, a major emergency or a disaster, such as COVID in 2020. At this time, 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. During this time, 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. It will also allow the regulator to grant the exemption which removes the need for the relevant minister in each jurisdiction to provide a separate exemption in each state and territory.

The amendments to this bill are sensible measures which have been agreed to between all jurisdictions. Making our rail system safe will encourage our community to use it more. On Sunday, the Minister for Transport, the member for West Torrens, will be joining me in Eden Hills as I host a public transport forum. Many in my community report to me that they want to use public transport more, and I want to hear from our community about how I can make that happen.

We need a safe and efficient public transport system, and I am glad to be part of a government who takes rail safety seriously. The safer our public feel about using public transport, the better it will be for the environment and traffic congestion. This week, I have been catching the train to parliament. Not only do you get back an hour and a half of your life you lose battling traffic but you can also use this time to relax, or work in my case, but I have noticed the difference.

Our rail system is efficient, and I am glad this bill will continue to keep it safe. Recently, I was able to coordinate with the ARTC (Rail Transport Corporation), which takes care of our freight line, and our local action group, Blackwood Action Group, to have access to the Coromandel train station platform. They have been asking for access to this for many years and no-one has been able to help them.

Fortunately, with the help of ARTC and a rail transport safety officer, we were able to access the platform. We were able to bring together probably 19 volunteers, and we all got together, did all the weeding and put in new plants, and now the platform looks excellent and, going forward, they will have access to it. I was really glad to be able to create that relationship for them. ARTC also worked with me after the election to clean up the Glenalta train station. We brought in Mitcham council and Landcare, and together we are all looking after a section of land that has been left as a dirt pile for many years.

We need to make sure that our rail corridor is as beautiful as it can be to encourage more people to use it, but we also need to make it safe. I encourage everybody to support this bill so that we can have a safe rail system for our future. I commend the bill to the house.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (17:34): Can I first of all thank all members who contributed to this debate. It is an important debate to be involved in. South Australia is the lead legislator for national rail safety. I also want to thank the opposition and the shadow minister for his cooperation and support.

Drafting legislation for national reforms is a slow and arduous task and it can be very difficult and laborious. It takes a long time to get to the parliaments and when it gets to the parliaments it makes it so much easier when the opposition are prepared to support the work being done at a national level, even though often at that national level the opposition is excluded, through just not being in office, from the deliberations around the theory of formulating the law, so it does take a lot of forbearance of the opposition, so I thank them for that. I thank members for their contributions. Trains are not easy to negotiate and making sure we can get this right is very important. I commend 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) (17:36): I move:

That this bill be now read a third time.

Bill read a third time and passed.

MAGISTRATES COURT (NUNGA COURT) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

NATIONAL ELECTRICITY LAW (SOUTH AUSTRALIA) (CONSUMER DATA RIGHT) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

HERITAGE PLACES (ADELAIDE PARK LANDS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 17:38 the house adjourned until Tuesday 1 November 2022 at 11:00.